

Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes as well as for the flight crew licensing for sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council

[<sup>F1</sup>COMMISSION IMPLEMENTING REGULATION (EU) 2018/1976

of 14 December 2018

laying down detailed rules for the operation of sailplanes as well as for the flight crew licensing for sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council]

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91<sup>(1)</sup>, and in particular Article 31 thereof,

Whereas:

- (1) The Commission is to adopt the necessary implementing rules for establishing the conditions for the safe operation of sailplanes in accordance with Regulation (EU) 2018/1139, where such aircraft meet the conditions specified in points (b)(i) and (ii) of Article 2(1) of that Regulation.
- (2) In light of the specific nature of operations with sailplanes, there is a need for dedicated operational rules, laid down in a self-standing regulation. Those rules should be based on the general rules for air operations laid down in Commission Regulation (EU) No 965/2012<sup>(2)</sup>, but they should be restructured and simplified, so as to ensure that they are proportionate and founded on a risk-based approach, whilst ensuring that sailplane operations are carried out safely.
- (3) As regards oversight of persons and organisations, the requirements laid down in Article 3 of Regulation (EU) No 965/2012 and Annex II to that Regulation should continue to apply with respect to air operations with sailplanes.
- (4) In the interest of safety and with a view to ensuring compliance with the essential requirements laid down in Annex V to Regulation (EU) 2018/1139, all operators of sailplanes covered by this Regulation, with the exception of design or production organisations performing certain operations, should be subject to a set of basic requirements.

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*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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- (5) Taking into account the less complex nature and smaller scale of commercial operations with sailplanes as compared to other forms of commercial aviation and following a risk-based approach, it is appropriate for commercial operations with sailplanes to only require a prior declaration to the competent authority, as set out in point (a) of Article 30(1) of Regulation (EU) 2018/1139. This Regulation lays down the detailed rules for making such declarations.
- (6) Considering the specific nature of certain operations and following a risk-based approach it is appropriate to exempt certain operations with sailplanes from the requirement of a prior declaration.
- (7) In order to ensure a smooth transition and to give all parties concerned sufficient time to prepare for the application of that new regime, this Regulation should only apply six months after entry into force.
- (8) The European Union Aviation Safety Agency prepared draft implementing rules and submitted them as an opinion<sup>(3)</sup> to the Commission in accordance with points (b) and (c) of Article 75(2) and Article 76(1) of Regulation (EU) 2018/1139.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 127 of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

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**Textual Amendments**

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).

*Article 1*

**Subject matter and scope**

[<sup>F1</sup> This Regulation lays down detailed rules for air operations with sailplanes as well as for issuing and maintaining pilot licences and associated ratings, privileges and certificates for sailplanes, where such aircraft meet the conditions laid down in points (b)(i) and (ii) of Article 2(1) of Regulation (EU) 2018/1139.]

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**Textual Amendments**

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).

## Article 2

### Definitions

[<sup>F1</sup>For the purposes of this Regulation, the following definitions and, unless terms are defined otherwise in this Article, the definitions of Article 2 of Regulation (EU) No 1178/2011 apply:]

- (1) ‘sailplane’ means a heavier-than-air aircraft that is supported in flight by the dynamic reaction of the air against its fixed lifting surfaces, the free flight of which does not depend on an engine;
- (2) ‘engine’ means a device used or intended to be used for powered sailplane propulsion;
- (3) ‘powered sailplane’ means a sailplane equipped with one or more engines having, with engine(s) inoperative, the characteristics of a sailplane;
- (4) ‘commercial operation’ means any operation of a sailplane, in return for remuneration or other valuable consideration, which is available for the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator;
- (5) ‘competition flight’ means any air operation with a sailplane performed for the purposes of participating in air races or contests, including practising for such operation and flying to and from air races or contests;
- (6) ‘flying display’ means any air operation with a sailplane performed for the purposes of providing an exhibition or entertainment at an advertised event open to the public, including practising for such operation and flying to and from the advertised event;
- (7) ‘introductory flight’ means any air operation with a sailplane against remuneration or other valuable consideration consisting of an air tour of short duration for the purpose of attracting new trainees or new members, performed either by a training organisation referred to in Article 10a of Commission Regulation (EU) No 1178/2011<sup>(4)</sup> or by an organisation created with the aim of promoting aerial sport or leisure aviation;
- (8) ‘aerobatic flight’ means an intentional manoeuvre involving an abrupt change in a sailplane's attitude, an abnormal attitude or abnormal acceleration, not necessary for normal flight or for instruction for licences, certificates or ratings other than the aerobatic rating;
- (9) ‘principal place of business’ means the head office or registered office of an operator of a sailplane within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised;
- (10) [<sup>F1</sup>‘dry lease agreement’ means an agreement between undertakings pursuant to which the sailplane is operated under the responsibility of the lessee;]
- (11) [<sup>F2</sup>‘national licence’ means a [<sup>F3</sup>certificate issued by the British Gliding Association] before the date of application of Annex III (Part-SFCL) to this Regulation or of Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (12) ‘Part-SFCL licence’ means a flight crew licence which complies with the requirements of Annex III (Part-SFCL) to this Regulation;

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- (13) ‘conversion report’ means a report on the basis of which a licence may be converted into a Part-SFCL licence;]
- (14) [<sup>F4</sup>‘medical declaration’ means a medical declaration made in accordance with article 163(3) of the Air Navigation Order 2016 by a pilot holding a sailplane pilot licence (SPL), which has not ceased to be valid in accordance with article 163(4) of that Order.]

#### Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2020/358 of 4 March 2020 amending Implementing Regulation (EU) 2018/1976 as regards sailplane pilot licences (Text with EEA relevance).
- F2** Inserted by Commission Implementing Regulation (EU) 2020/358 of 4 March 2020 amending Implementing Regulation (EU) 2018/1976 as regards sailplane pilot licences (Text with EEA relevance).
- F3** Words in Art. 2(11) substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **86**
- F4** Art. 2(14) inserted (28.1.2021) by The Aviation Safety (Amendment) Regulations 2021 (S.I. 2021/10), regs. 1(2), **6(2)**

### Article 3

#### Air operations

1 Operators of sailplanes shall operate the sailplanes in accordance with the requirements set out in Annex II.

The first subparagraph shall not apply to design or production organisations which comply with Articles 8 and 9, respectively, of Commission Regulation (EU) No 748/2012<sup>(5)</sup> and which operate the sailplane, within the scope of their privileges, for the purposes of the introduction or modification of sailplane types.

2 In accordance with point (a) of Article 30(1) of Regulation (EU) 2018/1139 operators of sailplanes shall engage in commercial operations only after having declared to the [<sup>F5</sup>CAA] their capacity and means to discharge the responsibilities associated with the operation of the sailplane.

The first subparagraph shall not apply to the following operations with sailplanes:

- a cost-shared operations, provided that the direct costs of the flight of the sailplane and a proportionate part of the annual costs incurred for the storage, insurance and maintenance of the sailplane are shared by the individuals on board;
- b competition flights or flying displays, provided that the remuneration or any other valuable consideration for such flights is limited to the recovery of the direct costs of the flight of the sailplane and a proportionate part of the annual costs incurred for the storage, insurance and maintenance of the sailplane and that any prizes gained do not exceed the value specified by the [<sup>F6</sup>CAA];
- c introductory flights, flights for the purposes of parachute dropping, sailplane towing or aerobatic flights performed either by a training organisation having its principal place of business in [<sup>F7</sup>the United Kingdom] and referred to in Article 10a of Regulation (EU) No 1178/2011, or by an organisation created for the purposes of promoting aerial sport or leisure aviation, provided that the organisation operates the sailplane on the basis

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of either ownership or a dry lease agreement, that the flight does not generate profits distributed outside of the organisation and that such flights represent only a marginal activity of the organisation;

- d training flights, performed by a training organisation having its principal place of business in [F8the United Kingdom] and referred to in Article 10a of Regulation (EU) No 1178/2011.

**Textual Amendments**

- F5** Word in Art. 3(2) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), 21(a); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in Art. 3(2)(b) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), 21(a); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 3(2)(c) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), 21(b); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 3(2)(d) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), 21(b); 2020 c. 1, Sch. 5 para. 1(1)

[F2Article 3a

**Pilot licences and medical certification**

1 Without prejudice to Commission Delegated Regulation (EU)<sup>(6)</sup>, pilots of aircraft referred to in Article 1(1) of this Regulation shall comply with the technical requirements and administrative procedures laid down in Annex III (Part-SFCL) to this Regulation and in Annex IV (Part-MED) to Regulation (EU) No 1178/2011.

2 As an exception to the privileges of the holders of licences as defined in Annex III (Part-SFCL) to this Regulation, holders of such licences may carry out flights referred to in points (a) to (d) of Article 3(2) without complying with point SFCL.115(a)(3) of Annex III (Part-SFCL) to this Regulation.

3 [F9The CAA] may authorise student pilots who follow a sailplane pilot licence ('SPL') training course to exercise limited privileges without supervision before they meet all the requirements that are necessary for the issue of an SPL in accordance with Annex III (Part-SFCL) to this Regulation, subject to all of the following conditions:

- a the scope of the privileges granted shall be based on a safety risk assessment carried out by the [F10CAA], taking into account the extent of training necessary for the intended level of pilot competence to be achieved;
- b the privileges shall be limited to the following:
  - (i) the whole or part of the national territory of the [F11United Kingdom]; and
  - (ii) sailplanes that are registered in the [F11United Kingdom];
- c the holder of an authorisation who applies for the issue of an SPL shall receive credits for training conducted on the basis of a recommendation from an approved training organisation ('ATO') or a declared training organisation ('DTO');

F12d .....

- e the [F13CAA] shall monitor the use of authorisations issued under this paragraph to ensure an acceptable level of aviation safety and take appropriate action in case of identifying an increased safety risk or any safety concerns.

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### Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).
- F9** Words in Art. 3a(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(a)**
- F10** Word in Art. 3a(3)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(b)**
- F11** Words in Art. 3a(3)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(c)**
- F12** Art. 3a(3)(d) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(d)**
- F13** Word in Art. 3a(3)(e) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(e)**

### Article 3b

#### Existing pilot licences and national medical certificates

1 Part-FCL licences for sailplanes and associated privileges, ratings and certificates issued by <sup>F14</sup>the CAA] before the date of application of this Regulation shall be deemed to have been issued in accordance with this Regulation. <sup>F15</sup>The CAA] shall replace those licences with licences that comply with the format laid down in Annex VI (Part-ARA) to Regulation (EU) No 1178/2011 when they reissue licences for administrative reasons or upon a request of licence holders.

2 When <sup>F16</sup>the CAA] reissues licences and associated privileges, ratings and certificates in accordance with paragraph 1, <sup>F17</sup>the CAA] shall, as applicable:

- a transfer all privileges endorsed so far in Part-FCL licences to the new licence format;
- b convert aerobatic ratings issued in accordance with point FCL.800 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011 into advanced aerobatic privileges in accordance with point SFCL.200(c) of Annex III (Part-SFCL) to this Regulation;
- c endorse the expiry date of a flight instructor certificate associated with a Part-FCL licence into the pilot's logbook or issue an equivalent document. After that expiry date, pilots shall exercise instructor privileges only when they comply with point SFCL.360 of Annex III (Part-SFCL) to this Regulation.

3 Holders of national licences for sailplanes <sup>F18</sup>... shall be allowed to continue to exercise the privileges of their licences until <sup>F19</sup>8 December 2023]. By that date, <sup>F20</sup>the CAA] shall convert those licences into Part-SFCL licences and associated ratings, privileges and certificates in accordance with the elements laid down in a conversion report that complies with the requirements of Article 4(4) and (5) of Regulation (EU) No 1178/2011.

4 National pilot medical certificates associated with a licence as specified in paragraph 2 of this Article and issued <sup>F21</sup>... before the date of application of Annex III (Part-SFCL) to this Regulation shall remain valid until the date of their next revalidation or until 8 April 2021, whichever is the earliest. The revalidation of such medical certificates shall comply with the requirements of Annex IV (Part-MED) to Regulation (EU) No 1178/2011.

### Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).
- F14** Words in Art. 3b(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(a)(i)**
- F15** Words in Art. 3b(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(a)(ii)**
- F16** Words in Art. 3b(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(b)(i)**
- F17** Words in Art. 3b(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(b)(ii)**
- F18** Words in Art. 3b(3) omitted (1.7.2022) by virtue of [The Aviation Safety \(Amendment\) Regulations 2022 \(S.I. 2022/637\)](#), regs. 1(2), **5(2)**
- F19** Words in Art. 3b(3) substituted (20.11.2021) by [The Aviation Safety \(Amendment\) \(No. 3\) Regulations 2021 \(S.I. 2021/1203\)](#), regs. 1(2), **33**
- F20** Words in Art. 3b(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(c)(ii)**
- F21** Words in Art. 3b(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(d)**

### Article 3c

#### Credit for training that commenced prior to the date of application of this Regulation

1 In respect of issuing Part-SFCL licences and associated privileges, ratings or certificates in accordance with Annex III (Part-SFCL) to this Regulation, training that commenced prior to the date of application of this Regulation in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 shall be deemed to comply with the requirements of this Regulation.

2 Training [<sup>F22</sup>for the issue of a Glider Pilot's Certificate that commenced prior to 8 December 2023], shall be credited for the purposes of issuing Part-SFCL licences on the basis of a credit report established by the [<sup>F23</sup>CAA].

3 The credit report referred to in paragraph 2 shall describe the scope of the training, indicate for which requirements of Part-SFCL credit is given and, if applicable, which requirements applicants need to comply with in order to be issued with a Part-SFCL licence. It shall include copies of all the documents necessary to attest the scope of the training, as well as copies of the national regulations and procedures in accordance with which the training was initiated.

### Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).
- F22** Words in Art. 3c(2) substituted (1.7.2022) by [The Aviation Safety \(Amendment\) Regulations 2022 \(S.I. 2022/637\)](#), regs. 1(2), **5(3)**

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**F23** Word in Art. 3c(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **89**

### Article 3d

#### Training organisations

1 Training organisations for obtaining the pilot licences referred to in Article 1(1) of this Regulation shall comply with the requirements of Article 10a of Regulation (EU) No 1178/2011.

2 Training organisations referred to in paragraph 1 which hold an approval issued in accordance with Annex VII (Part-ORA) to Regulation (EU) No 1178/2011 or have submitted a declaration in accordance with Annex VIII (Part-DTO) to Regulation (EU) No 1178/2011 before the date of application of this Regulation shall adapt their training programmes, where necessary, by 8 April 2021 at the latest.]

#### Textual Amendments

**F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).

### Article 4

#### Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 9 July 2019.

**F24** ...

#### Textual Amendments

**F24** Words in [Signature](#) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **22**; 2020 c. 1, Sch. 5 para. 1(1)



## ANNEX I

### DEFINITIONS

#### [PART-DEF]

[<sup>F1</sup>For the purpose of this Regulation, the following definitions and, unless terms are defined otherwise in this Annex, the definitions of Article 2 of Commission Regulation (EU) No 1178/2011 as well as of point FCL.010 of Annex I (Part-FCL) to that Regulation, shall apply:]

1. ‘acceptable means of compliance (AMC)’ means non-binding standards adopted by the [<sup>F25</sup>CAA] to illustrate means to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts;
2. ‘alternative means of compliance (AltMoC)’ means those means that propose an alternative to an existing AMC or those that propose new means to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts for which no associated AMC have been adopted by the [<sup>F25</sup>CAA];
3. ‘pilot-in-command (PIC)’ means the pilot designated as being in command and charged with the safe conduct of the flight;
4. ‘aircraft flight manual (AFM)’ means the document containing the applicable and approved operating limitations and information with respect to the sailplane;
5. ‘psychoactive substances’ means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens, and volatile solvents, with the exception of caffeine and tobacco;
6. ‘critical phases of flight’ means take-off run, take-off flight path, final approach, missed approach, landing, including landing roll, and any other phases of flight which the pilot-in-command determines as critical for the safe operation of the sailplane;
7. ‘operating site’ means a site, other than an aerodrome, selected by the pilot-in-command or the operator for landing or take-off;
8. ‘crew member’ means a person assigned by an operator to perform duties on board the sailplane, when not the pilot-in-command himself or herself, under the authority of the pilot-in-command;
9. ‘electronic flight bag (EFB)’ means an electronic information system, comprised of equipment and applications for flight crew, which allows for the storing, updating, displaying and processing of EFB functions to support flight operations or duties;
10. ‘dangerous goods’ means articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the technical instructions or which are classified according to those instructions;
11. ‘technical instructions’ means the latest effective edition of the ‘Technical instructions for the safe transport of dangerous goods by air’, including the supplement and any addenda, published by ICAO in document 9284-AN/905;
12. ‘sailplane specialised operation’ means any operation, which can be commercial or non-commercial, with a sailplane the main purpose of which is not associated with typical sport and recreational operations, but parachute operations, news media flights, television or movie flights, flying display or similar specialised activities;

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13. [F1‘night’ means the [F26time from half an hour after sunset until half an hour before sunrise (both times inclusive), sunset and sunrise being determined at surface level].]
14. [F2‘skill test’ means the demonstration of skill for the purpose of issuing a licence or rating, or extension of a privilege, including oral examinations as may be required;
15. ‘assessment of competence’ means the demonstration of skill, knowledge and attitude for the initial issue, revalidation or renewal of an instructor or examiner certificate;
16. ‘flight time’ means:
- (a) for self-launch sailplanes and touring motor gliders, the total time from the moment an aircraft first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight;
  - (b) for sailplanes, the total time from the moment the sailplane commences the ground run in the process of taking off until the moment the sailplane finally comes to a rest at the end of flight;
17. ‘proficiency check’ means the demonstration of skill for the purpose of complying with the recency requirements as established in this Regulation, and including oral examinations as may be required;
18. ‘solo flight’ means a flight during which a student pilot is the sole occupant of an aircraft;
19. ‘cross-country flight’ means a flight outside the line of sight or distance defined by the [F27CAA] from the field of departure using standard navigation procedures.]

#### Textual Amendments

- F25** Word in Annex 1 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), **23(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F26** Words in Annex 1 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), **23(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F27** Word in Annex 1 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **90**

## ANNEX II

### SAILPLANE AIR OPERATIONS

#### [PART-SAO]

#### *SUBPART GENG*GENERAL REQUIREMENTS

#### **SAO.GEN.100 Scope**

In accordance with Article 3, this Subpart establishes the requirements to be met by any operator of sailplanes, other than design or production organisations referred to in the second subparagraph of Article 3(1).

#### **SAO.GEN.105 Competent authority**

F28 ...

#### Textual Amendments

- F28** Annex 2 Point SAO.GEN.105 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **24(2)**; 2020 c. 1, Sch. 5 para. 1(1)

#### SAO.GEN.110 Demonstration of compliance

- (a) An operator shall, when so requested by the [<sup>F29</sup>CAA] which is verifying continued compliance by the operator in accordance with point ARO.GEN.300(a)(2) of Annex II to Regulation (EU) No 965/2012, demonstrate compliance with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 and with the requirements of this Regulation.
- (b) In order to demonstrate such compliance, the operator may refer to the following means:
- (1) acceptable means of compliance (AMC);
  - (2) alternative means of compliance (AltMoC).

#### Textual Amendments

- F29** Word in [Annex 2 Point SAO.GEN.110](#) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **24(3)**; 2020 c. 1, Sch. 5 para. 1(1)

#### SAO.GEN.115 Introductory flights

Introductory flights shall be:

- (a) operated under visual flight rules (VFR) by day; and
- (b) overseen as regards their safety by a person who has been nominated by the organisation responsible for the introductory flights.

#### SAO.GEN.120 Immediate reaction to a safety problem

The operator shall implement:

- (a) safety measures mandated by the [<sup>F30</sup>CAA] in accordance with point (c) of point ARO.GEN.135 of Annex II to Regulation (EU) No 965/2012; and
- (b) airworthiness directives and other mandatory information issued by the [<sup>F31</sup>CAA] in accordance with point (h) of Article 77(1) of Regulation (EU) 2018/1139.

#### Textual Amendments

- F30** Word in [Annex 2 Point SAO.GEN.120](#) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **24(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F31** Word in [Annex 2 Point SAO.GEN.120](#) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **24(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

#### [<sup>F1</sup>Point SAO.GEN.125 Designation of the pilot-in-command

The operator shall designate a pilot-in-command who is qualified to act as pilot-in-command in accordance with Annex III to this Regulation.]

#### SAO.GEN.130 Responsibilities of the pilot-in-command

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*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the  
Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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The pilot-in-command shall:

- (a) be responsible for the safety of the sailplane and of any person on board during sailplane operations;
- (b) be responsible for the initiation, continuation or termination of a flight in the interest of safety;
- (c) ensure that all applicable operational procedures and checklists are complied with;
- (d) only commence a flight if he or she is satisfied that all operational requirements are complied with, as follows:
  - (1) the sailplane is airworthy;
  - (2) the sailplane is duly registered;
  - (3) instruments and equipment required for the execution of the flight are carried on board the sailplane and are operative;
  - (4) the mass of the sailplane and the centre of gravity location are such that the flight can be conducted within the limits defined by the aircraft flight manual (AFM);
  - (5) all equipment and baggage are properly loaded and secured, and an emergency evacuation remains possible; and
  - (6) the operating limitations of the sailplane, as specified in the AFM, will not be exceeded at any time during the flight;
- (e) ensure that the pre-flight inspection has been carried out as specified in the AFM;
- (f) not perform duties on a sailplane in one of the following situations:
  - (1) when he or she is incapacitated from performing duties by any cause, including injury, sickness, medication, fatigue or the effects of any psychoactive substance, or feels otherwise unfit;
  - (2) if applicable medical requirements are not fulfilled;
- (g) refuse carriage of or disembark any person or baggage that may represent a potential hazard to the safety of the sailplane or any person carried therein;
- (h) not allow a person to be carried in the sailplane who appears to be under the influence of psychoactive substances to the extent that the safety of the sailplane or the persons therein is likely to be endangered;
- (i) ensure that during critical phases of flight or whenever deemed necessary in the interest of safety, all persons on board are seated and have their safety belt fastened;
- (j) during flight:
  - (1) keep his or her safety belt fastened; and
  - (2) remain at the control of the sailplane at all times except if another pilot is taking the controls;
- (k) take any action in an emergency situation that requires immediate decision and action which he or she considers necessary under the circumstances. In such cases, he or she

may deviate from rules, operational procedures and methods to the extent necessary in the interest of safety;

- (l) not continue a flight beyond the nearest weather-permissible aerodrome or operating site, when his or her capacity to perform his or her duties is significantly reduced because of sickness, fatigue or lack of oxygen or any other cause;
- (m) record utilisation data and all known or suspected defects in the sailplane at the termination of the flight, or series of flights, in the aircraft technical log or journey log;
- (n) notify the safety investigation authority of the State in the territory of which the occurrence took place and the emergency services of that State without delay by the quickest available means of any accident or serious incident involving the sailplane;
- (o) submit a report of an act of unlawful interference without delay to the <sup>F32</sup>CAA] and inform the local authority designated by the State in the territory of which the unlawful interference took place; and
- (p) report to the appropriate air traffic services (ATS) unit, without delay, any hazardous weather or flight conditions encountered that are likely to affect the safety of other aircraft.

#### Textual Amendments

**F32** Word in [Annex 2 Point SAO.GEN.130](#) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **24(5)**; 2020 c. 1, Sch. 5 para. 1(1)

#### **SAO.GEN.135 Responsibilities of crew members**

- (a) Any crew member shall be responsible for the proper execution of his or her duties in respect of the operation of the sailplane.
- (b) Any crew member shall not perform duties on a sailplane when incapacitated by any cause, including injury, sickness, medication, fatigue or the effects of any psychoactive substance, or if he or she feels otherwise unfit.
- (c) Any crew member shall report to the pilot-in-command both of the following:
  - (1) any fault, failure, malfunction or defect, which he or she believes may affect the airworthiness or safe operation of the sailplane, including emergency systems;
  - (2) any incident.

#### **SAO.GEN.140 Compliance with laws, regulations and procedures**

- (a) The pilot-in-command and any other crew member shall comply with the laws, regulations and procedures of those States where operations are conducted.
- (b) The pilot-in-command shall be familiar with the laws, regulations and procedures, pertinent to the performance of his or her duties, prescribed for the areas to be traversed, the aerodromes or operating sites to be used and the related air navigation facilities.

#### **SAO.GEN.145 Portable electronic devices**

The pilot-in-command shall not permit any person to use a portable electronic device (PED) on board a sailplane, including an electronic flight bag (EFB), that adversely affects the performance of the sailplane's systems and equipment or the ability to operate it.

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*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the  
Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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### **SAO.GEN.150 Dangerous goods**

- (a) The pilot-in-command shall not permit any person to carry dangerous goods on board.
- (b) Reasonable quantities of articles and substances that would otherwise be classified as dangerous goods and that are used to facilitate flight safety, where carriage on board the sailplane is advisable to ensure their timely availability for operational purposes, shall be considered authorised.

### **SAO.GEN.155 Documents, manuals and information to be carried**

- (a) All of the following documents, manuals and information shall be carried on each flight as originals or copies:
  - (1) the AFM, or equivalent document(s);
  - (2) details of the filed ATS flight plan, when required in accordance with Section 4 of the Annex to Commission Implementing Regulation (EU) No 923/2012<sup>(7)</sup>;
  - (3) current and suitable aeronautical charts for the area of the intended flight;
  - (4) any other documentation that may be pertinent to the flight or is required by the States concerned with the flight;
  - (5) procedures and visual signals information for use by intercepting and intercepted aircraft.
- (b) In addition, when a declaration is required in accordance with point SAO.DEC.100, a copy of the declaration shall be carried on each flight.
- (c) When not carried on board, all of the following documents, manuals and information shall remain available at the aerodrome or operating site as originals or copies:
  - (1) the certificate of registration;
  - (2) the certificate of airworthiness, including the annexes;
  - (3) the airworthiness review certificate;
  - (4) the noise certificate, if a noise certificate has been issued for a powered sailplane;
  - (5) the aircraft radio licence, where the sailplane is equipped with radio communication equipment in accordance with point SAO.IDE.130;
  - (6) the third-party liability insurance certificate(s);
  - (7) the journey log or equivalent.
- (d) By derogation from points (a) and (b), the documents, manuals and information specified therein may be retained at the aerodrome or operating site for flights:
  - (1) intending to remain within the sight of the aerodrome or operating site; or
  - (2) remaining within a distance or area determined by the [F<sup>33</sup>CAA].
- (e) When requested by the [F<sup>33</sup>CAA], the pilot-in-command or the operator shall make available to that authority the original documentation in the time period specified by the authority which shall not be less than 24 hours.

### Textual Amendments

**F33** Word in Annex 2 Point SAO.GEN.155 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), **24(5)**; 2020 c. 1, Sch. 5 para. 1(1)

### SAO.GEN.160 Journey log

For each flight, or series of flights, particulars of the sailplane, its crew and each journey shall be retained in the form of a journey log or an equivalent document.

### SUBPART OPERATING PROCEDURES

#### OP

### SAO.OP.100 Use of aerodromes and operating sites

The pilot-in-command shall only use aerodromes and operating sites that are adequate for the type of sailplane and operation concerned.

### SAO.OP.105 Noise abatement procedures — powered sailplanes

The pilot-in-command shall take into account operating procedures to minimise the effect of powered sailplane noise, while ensuring that safety has priority over noise abatement.

### SAO.OP.110 Passenger briefing

The pilot-in-command shall ensure that before and, when appropriate, during the flight, the passenger is given a briefing on normal, abnormal and emergency procedures.

### SAO.OP.115 Carriage of special categories of passengers

The pilot-in-command shall ensure that persons requiring special conditions, assistance or devices when carried on board a sailplane are carried under conditions that ensure the safety of the sailplane and of any person or property carried therein.

### SAO.OP.120 Flight preparation

Before commencing a flight, the pilot-in-command shall ensure all of the following:

- (a) the facilities required for the safe operation of the sailplane are adequate for the type of operation under which the flight is to be conducted;
- (b) that the meteorological conditions will allow the flight to be completed safely;
- (c) in the case of a powered sailplane and when the engine is intended to be used, the quantity of fuel or other energy is sufficient to allow the flight to be completed safely.

### SAO.OP.125 Refuelling and recharging or replacing of batteries with persons on board — powered sailplanes

When a passenger is on board a powered sailplane:

- (a) the sailplane shall not be refuelled; and
- (b) the batteries used for propulsion shall not be recharged or replaced.

### SAO.OP.130 Smoking on board

No person shall smoke on board a sailplane during any phase of flight.

### SAO.OP.135 Meteorological conditions

The pilot-in-command shall only commence or continue a flight if the latest available meteorological information indicates that a safe landing option remains available.

### SAO.OP.140 Ice and other contaminants — ground procedures

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*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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The pilot-in-command shall only commence take-off if the sailplane is clear of any deposit that might adversely affect the performance or controllability of the sailplane, except when permitted in the AFM.

#### **SAO.OP.145 In-flight fuel or other energy management — powered sailplanes**

For powered sailplanes, the pilot-in-command shall check at regular intervals during the flight that the amount of usable fuel or other energy available is not less than that needed to ensure a safe landing.

#### **SAO.OP.150 Use of supplemental oxygen**

The pilot-in-command shall ensure that all persons on board use supplemental oxygen whenever he or she determines that, at the altitude of the intended flight, lack of oxygen might result in impairment of their faculties or harmfully affect them.

#### **SAO.OP.155 Sailplane specialised operations**

- (a) Before commencing a sailplane specialised operation or a series thereof, the pilot-in-command shall conduct a risk assessment, assessing the complexity of the activity in order to determine the hazards and associated risks of the intended operation and establish mitigating measures where necessary.
- (b) A sailplane specialised operation shall be performed in accordance with a checklist. The pilot-in-command shall establish that checklist and ensure that it is appropriate to the specialised activity and sailplane used, based on the risk assessment and taking account of all requirements set out in this Annex. The checklist shall be readily accessible on each flight to the pilot-in-command and any other crew member, where it is relevant for the performance of their duties.
- (c) The pilot-in-command shall regularly review and update the checklist where necessary in order to adequately take account of the risk assessment.

### ***SUBPART PERFORMANCE AND OPERATING LIMITATIONS***

#### ***POL***

#### **SAO.POL.100 Weighing**

- (a) The weighing of the sailplane shall be accomplished by the manufacturer of the sailplane or in accordance with Annex I to Commission Regulation (EU) No 1321/2014<sup>(8)</sup>.
- (b) The operator shall ensure that the mass of the sailplane has been established by actual weighing prior to its initial entry into service. The accumulated effects of modifications and repairs on the mass shall be accounted for and properly documented. Such information shall be made available to the pilot-in-command. The sailplane shall be reweighed if the effects of modifications or repairs on the mass are not known.

#### **SAO.POL.105 Performance — general**

The pilot-in-command shall only operate the sailplane if the performance of the sailplane is adequate to comply with the requirements set out in the Annex to Implementing Regulation (EU) No 923/2012 and any other restrictions applicable to the flight, the airspace, aerodromes or operating sites used, ensuring that any charts or maps used are the latest available edition.

### ***SUBPART INSTRUMENTS, DATA AND EQUIPMENT***

#### ***IDE***

#### **SAO.IDE.100 Instruments and equipment — general**

- (a) Instruments and equipment required by this Subpart shall be approved in accordance with Annex I to Regulation (EU) No 748/2012 or, when registered in a third country,



with the airworthiness requirements of the state of registry, if one of the following conditions is fulfilled:

- (1) they are used by the flight crew to control the flight path;
  - (2) they are used to comply with points SAO.IDE.130 or SAO.IDE.135;
  - (3) they are permanently installed in the sailplane.
- (b) By way of derogation from point (a), all of the following instruments or equipment, when required by this Subpart, shall not need an approval:
- (1) independent portable lights;
  - (2) an accurate timepiece;
  - (3) survival and signalling equipment.
- (c) Instruments and equipment shall be readily operable or accessible from the station where either the pilot-in-command or any other crew member, who needs to use them, is seated.

#### **SAO.IDE.105 Flight and navigational instruments**

- (a) Sailplanes shall be equipped with a means of measuring and displaying all of the following:
- (1) time in hours and minutes;
  - (2) pressure altitude;
  - (3) indicated airspeed;
  - (4) in the case of powered sailplanes, magnetic heading.
- (b) In addition to (a), when operating in conditions where the sailplane cannot be maintained on a desired flight path without reference to one or more additional instruments, when conducting cloud flying or when operating at night, sailplanes shall be equipped with means of measuring and displaying all of the following:
- (1) vertical speed;
  - (2) attitude or turn and slip;
  - (3) magnetic heading.

#### **SAO.IDE.110 Operating lights**

Sailplanes operated at night shall be equipped with all of the following:

- (a) an anti-collision light system;
- (b) navigation/position lights;
- (c) a landing light;
- (d) lighting supplied from the sailplane's electrical system to provide adequate illumination for all instruments and equipment essential to the safe operation of the sailplane;
- (e) an independent portable light for the pilot-in-command and any other crew member station.

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*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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### **SAO.IDE.115 Supplemental oxygen**

Sailplanes operated, when an oxygen supply is required in accordance with point SAO.OP.150, shall be equipped with oxygen storage and dispensing apparatus capable of storing and dispensing the required oxygen supplies.

### **SAO.IDE.120 Life-saving and signalling equipment — flights over water**

The pilot-in-command of a sailplane operated over water shall determine, before commencing the flight, the risks to survival of any person carried in the sailplane in the event of ditching. In light of those risks, he or she shall determine whether there is a need to carry life-saving and signalling equipment.

### **SAO.IDE.125 Life-saving and signalling equipment — search and rescue difficulties**

Sailplanes operated over areas in which search and rescue (SAR) would be especially difficult shall be equipped with such life-saving and signalling equipment as appropriate to the area overflown.

### **SAO.IDE.130 Radio communication equipment**

Sailplanes shall have radio communication equipment to allow for the communication required in accordance with Appendix 4 to the Annex to Implementing Regulation (EU) No 923/2012, and, if the flight takes place in the airspace of a third country, the law of that third country.

### **SAO.IDE.135 Transponder**

Sailplanes shall have a secondary surveillance radar (SSR) transponder with all the capabilities required in accordance with point (b) of point SERA.6005 of the Annex to Implementing Regulation (EU) No 923/2012, and, if the flight takes places in airspace of a third country, the law of that third country.

## ***SUBPART DECLARATION***

### ***DEC***

#### **SAO.DEC.100 Declaration**

- (a) In the declaration referred to in Article 3(2), the operator shall confirm that it complies and will continue to comply with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 and with the requirements of this Regulation.
- (b) The operator shall include in the declaration all of the following information:
  - (1) the name of the operator;
  - (2) the place where the operator has its principal place of business;
  - (3) the contact details of the operator;
  - (4) the starting date of the operation and, where relevant, the date at which the change to an existing declaration takes effect;
  - (5) in respect of all sailplanes used for the commercial operation, the sailplane type, registration, main base, type of operation and continuing airworthiness management organisation.
- (c) The operator shall, when making the declaration, notify to the [F<sup>34</sup>CAA] the list of AltMoC to demonstrate compliance when so requested in accordance with point SAO.GEN.110. That list shall contain references to the associated AMC.
- (d) When making the declaration, the operator shall use the form contained in the Appendix to this Annex.

*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

#### Textual Amendments

**F34** Word in Annex 2 Point SAO.DEC.100 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), **24(5)**; 2020 c. 1, Sch. 5 para. 1(1)

#### **SAO.DEC.105 Changes to the declaration and cessation of commercial operations**

- (a) Without delay the operator shall notify to the [<sup>F35</sup>CAA] any changes in circumstances affecting its compliance with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 and with the requirements of this Regulation, as declared to the [<sup>F35</sup>CAA], and of any changes in respect of the information referred to in point SAO.DEC.100(b) and the list of AltMoC referred to in point SAO.DEC.100(c), as included in or annexed to the declaration.
- (b) Without delay the operator shall notify the [<sup>F35</sup>CAA] that it is no longer engaged in commercial operations with sailplanes.

#### Textual Amendments

**F35** Word in Annex 2 Point SAO.DEC.105 substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1098), regs. 1(2), **24(5)**; 2020 c. 1, Sch. 5 para. 1(1)

**Status:** Point in time view as at 01/07/2022.

**Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)

## F36 Appendix

DECLARATION				
in accordance with Commission Implementing Regulation (EU) 2018/1976				
<b>Operator</b>				
Name:				
Place where the operator has its principal place of business:				
Contact details:				
<b>Sailplane operation</b>				
Starting date of commercial operation and, where relevant, date of change to existing commercial operation:				
Information on sailplane(s) used, commercial operation(s) and continuing airworthiness management <sup>(1)</sup> :				
Sailplane type	Sailplane registration	Main base	Type(s) of operation <sup>(2)</sup>	Continuing airworthiness management organisation <sup>(3)</sup>
Where applicable, list of AltMoC with references to the associated AMC (annex to the declaration):				
<b>Statements</b>				
<input type="checkbox"/> The operator complies, and will continue to comply, with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 and with the requirements of Implementing Regulation (EU) 2018/1976 In particular, the operator conducts its commercial operations in accordance with the following requirements of Annex II to Implementing Regulation (EU) 2018/1976:				
<input type="checkbox"/> All sailplanes operated have a certificate of airworthiness <sup>(4)</sup> issued in accordance with Regulation (EU) No 748/2012.				
<input type="checkbox"/> Any pilot holds a license and ratings issued or accepted in accordance with Annex I to Regulation (EU) No 1178/2011, as required by point SAO.GEN.125 of Annex II.				
<input type="checkbox"/> The operator will notify to the competent authority any changes in circumstances affecting its compliance with the essential requirements set out in Annex V to Regulation (EU) 2018/1139 and with the requirements of Implementing Regulation (EU) 2018/1976 as declared to the competent authority through this declaration and any changes to the information and lists of AltMoC included in and annexed to this declaration, as required by point SAO.DEC.100(c) of Annex II.				
<input type="checkbox"/> The operator confirms that all information included in this declaration, including its annexes, is complete and correct.				
Date, name and signature				

<sup>(1)</sup> Complete the table. If there is not enough space to list the information, it shall be listed in a separate annex. The annex shall be dated and signed.

<sup>(2)</sup> 'Type(s) of operation' refers to the type of commercial operation conducted with the sailplane.

<sup>(3)</sup> Information about the organisation responsible for the continuing airworthiness management shall include the name of the organisation, the address and the approval reference.

<sup>(4)</sup> The certificate of airworthiness is a normal certificate of airworthiness, a restricted certificate of airworthiness or a permit to fly issued in accordance with the requirements of Annex I to Regulation (EU) No 748/2012.

## [<sup>F2</sup> ANNEX III

### REQUIREMENTS FOR SAILPLANE FLIGHT CREW LICENSING [PART-SFCL]

#### SUBPART ~~GENERAL~~ **REQUIREMENTS**

##### GEN

#### **SFCL.00** Scope

This Annex establishes the requirements for the issue of a sailplane pilot licence ('SPL') and associated privileges, ratings and certificates, and the conditions for their validity and use.

#### **SFCL.00** Competent authority

<sup>F37</sup> ...

#### Textual Amendments

**F37** Annex 3 Point SFCL.005 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(2)(a)**

#### **SFCL.01** Application for and issue, revalidation and renewal of an SPL as well as associated privileges, ratings and certificates

- (a) The following shall be submitted to the [<sup>F38</sup>CAA] in a form and manner established by [<sup>F39</sup>the CAA]:
- (1) an application for:
    - (i) the issue of an SPL and associated ratings;
    - (ii) the extension of the privileges of an SPL, except for the privileges specified in points SFCL.115(a)(2) and (a)(3), SFCL.155, SFCL.200 and SFCL.215;
    - (iii) the issue of a sailplane flight instructor ('FI(S)') certificate;
    - (iv) the issue, revalidation and renewal of a sailplane flight examiner ('FE(S)') certificate;
    - (v) any amendments to the SPL and associated privileges, ratings and certificates, except for the privileges referred to in point (ii); and
  - (2) if mandated by the [<sup>F40</sup>CAA], a copy of the relevant logbook entries as specified in points SFCL.115(d), SFCL.155(b), SFCL.200(f) and SFCL.215(d).
- (b) An application as specified in paragraph (a) shall be accompanied by evidence that the applicant complies with the relevant requirements established in this Annex and in Annex IV (Part-MED) to Regulation (EU) No 1178/2011.
- (c) Any limitation or extension of the privileges granted by a licence, rating or certificate shall be endorsed on the licence or certificate by the [<sup>F41</sup>CAA], except for obtaining the privileges as specified in paragraph (a)(1)(ii).

*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

- (d) A person shall not hold at any time more than one SPL issued in accordance with this Annex.
- (e) <sup>F42</sup> ...
- (f) <sup>F43</sup> ...
- (g) Applicants shall apply for the issue of an SPL and associated ratings, privileges or certificates not later than six months after having successfully completed the skill test or assessment of competence.

#### Textual Amendments

- F38** Word in Annex 3 Point SFCL.015 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(2)(b)(i)(aa)**
- F39** Words in Annex 3 Point SFCL.015 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(2)(b)(i)(bb)**
- F40** Word in Annex 3 Point SFCL.015 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(2)(b)(i)(cc)**
- F41** Word in Annex 3 Point SFCL.015 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(2)(b)(ii)**
- F42** Annex 3 Point SFCL.015(e) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(2)(b)(iii)**
- F43** Annex 3 Point SFCL.015(f) omitted (31.12.2020) by virtue of The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(2)(b)(iii)**

#### SFCL.030 Practical skill test

Applicants for a skill test shall be recommended for the skill test by the ATO or the DTO that is responsible for the training undertaken by the applicants, once the training is completed. The training records shall be made available to the examiner by the ATO or DTO.

#### SFCL.035 Crediting of flight time

Applicants for an SPL or an associated privilege, rating or certificate shall be fully credited with all solo, dual instruction or PIC flight time on sailplanes towards the requirement of a total flight time for the licence, privilege, rating or certificate.

#### SFCL.045 Obligation to carry and present documents

- (a) When exercising the privileges of SPL licence, SPL holders shall carry all of the following:
  - (1) a valid SPL;
  - (2) a valid medical certificate [<sup>F44</sup>or medical declaration, appropriate to the privileges exercised];
  - (3) a personal identification document containing his or her photo;
  - (4) sufficient logbook data to demonstrate compliance with the requirements of this Annex.
- (b) Student pilots shall carry on all solo cross-country flights:
  - (1) the documents as specified in paragraphs (a)(2) and (a)(3);

- (2) evidence of the authorisation required by point SFCL.125(a).
- (c) SPL holders or student pilots shall without undue delay present the documents as specified in paragraph (a) for inspection upon request by an authorised representative of the [F45CAA].
- (d) By way of derogation from paragraphs (a) and (b), the documents specified therein may be retained at the aerodrome or operating site for flights that remain:
  - (1) within the sight of the aerodrome or operating site; or
  - (2) within a distance from the aerodrome or operating site determined by the [F45CAA].

#### Textual Amendments

- F44** Words in Annex 3 Point SFCL.045 inserted (28.1.2021) by [The Aviation Safety \(Amendment\) Regulations 2021 \(S.I. 2021/10\)](#), regs. 1(2), **6(3)(a)**
- F45** Word in Annex 3 Point SFCL.045 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(2)(c)**

#### **SFCL.050** Recording of flight time

SPL holders and student pilots shall keep a reliable record of the details of all flights flown in a form and manner established by the [F46CAA].

#### Textual Amendments

- F46** Word in Annex 3 Point SFCL.050 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(2)(c)**

#### **SFCL.065** Curtailment of privileges of SPL holders aged 70 years or older in commercial passenger sailplane operations

SPL holders who have attained the age of 70 years shall not act as pilots of sailplanes engaged in commercial passenger sailplane operations.

#### **SFCL.070** Limitation, suspension and revocation of licences, privileges, ratings and certificates

- (a) An SPL as well as associated privileges, ratings and certificates issued in accordance with this Annex may be limited, suspended or revoked by the [F47CAA] in accordance with the conditions and procedures laid down in Annex VI (Part-ARA) to Regulation (EU) No 1178/2011 if an SPL holder does not comply with the essential requirements set out in Annex IV to Regulation (EU) 2018/1139 or with the requirements of this Annex as well as of Annex II (Part-SAO) to this Regulation or with Annex IV (Part-MED) to Regulation (EU) No 1178/2011.
- (b) SPL holders shall immediately return the licence or certificate to the [F47CAA] if their licence, privilege, rating or certificate has been limited, suspended or revoked.

*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

### Textual Amendments

**F47** Word in [Annex 3 Point SFCL.070](#) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(2)(c)**

## ~~SUBPART~~ **SAILPLANE PILOT LICENCE ( ‘ SPL ’ )**

### ~~SPL~~

#### **SFCL.115SPL – Privileges and conditions**

- (a) Subject to compliance with point SFCL.150, the privileges of SPL holders are to act as PIC in sailplanes:
- (1) without remuneration in non-commercial operations;
  - (2) including the carriage of passengers only if they:
    - (i) comply with point SFCL.160(e); and
    - (ii) either:
      - (A) have completed, after the issue of the SPL, at least 10 hours of flight time or 30 launches or take-offs and landings as PIC on sailplanes and, additionally, one training flight during which holders shall demonstrate to an FI(S) the competence required for the carriage of passengers; or
      - (B) hold an FI(S) certificate in accordance with Subpart FI;
  - (3) in operations other than those specified in paragraph (1), only if they have:
    - (i) attained the age of 18 years;
    - (ii) completed, after the issue of the licence, 75 hours of flight time or 200 launches or take-offs and landings as PIC on sailplanes.
- (b) By way of derogation from paragraph (a), SPL holders who have instructor or examiner privileges may receive remuneration for:
- (1) the provision of flight instruction for the SPL;
  - (2) the conduct of skill tests and proficiency checks for the SPL;
  - (3) the training, testing and checking for the privileges, ratings and certificates attached to an SPL.
- (c) SPL holders shall exercise SPL privileges only if they comply with the applicable recency requirements and only if their medical certificate [<sup>F48</sup>or medical declaration], appropriate to the privileges exercised, is valid.
- (d) The completion of the training flight as specified in paragraph (a)(2)(ii)(A) shall be entered in the logbook of the pilot and signed by the instructor who is responsible for the training flight.



### Textual Amendments

**F48** Words in [Annex 3 Point SFCL.115](#) inserted (28.1.2021) by [The Aviation Safety \(Amendment\) Regulations 2021 \(S.I. 2021/10\)](#), regs. 1(2), **6(3)(b)**

### **SFCL.126PL – Minimum age**

Applicants for an SPL shall be at least 16 years old.

### **SFCL.125PL – Student pilot**

- (a) Student pilots shall not fly solo unless authorised to do so and supervised by an FI(S).
- (b) Student pilot shall be at least 14 years of age to be allowed on solo flights.

### **SFCL.136PL – Training course and experience requirements**

- (a) Applicants for an SPL shall complete a training course at an ATO or a DTO. The course shall be tailored to the privileges sought and shall include:
  - (1) theoretical knowledge as specified in point SFCL.135;
  - (2) at least 15 hours of flight instruction in sailplanes, including at least:
    - (i) 10 hours of dual flight instruction which shall include the dual flight instruction as specified in paragraphs (iv)(A) or (v)(A), as applicable;
    - (ii) two hours of supervised solo flight time;
    - (iii) 45 launches or take-offs and landings;
    - (iv) if privileges for sailplanes, excluding TMGs, are sought, at least seven hours of flight instruction in sailplanes, excluding TMGs, and including at least:
      - (A) three hours of dual flight instruction;
      - (B) either:
        - (a) one solo cross-country flight of at least 50 km (27 NM); or
        - (b) one dual cross-country flight of at least 100 km (55 NM) which, by way of derogation from paragraph (2)(iv), may be completed in a TMG;
    - (v) if privileges for TMGs are sought, at least six hours of flight instruction in TMGs, including at least:
      - (A) four hours of dual flight instruction;
      - (B) one solo cross-country flight of at least 150 km (80 NM) in a TMG, during which one full-stop landing at an aerodrome different from the aerodrome of departure shall be performed.
- (b) Applicants who hold a pilot licence for another category of aircraft, with the exception of balloons licence, shall be credited with 10 % of total flight time as PIC on such

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*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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aircraft and up to a maximum of seven hours. The amount of credit given shall in any case:

- (1) not include the requirements of paragraphs (a)(2)(ii), (a)(2)(iv)(B) and (a)(2)(v)(B); and
- (2) with regard to paragraph (a)(2)(iii), not exceed 10 launches or take-offs and landings.

### **SFCL.13SPL – Theoretical knowledge examination**

#### (a) Theoretical knowledge

Applicants for an SPL shall demonstrate a level of theoretical knowledge that is appropriate to the privileges sought through examinations on the following:

- (1) common subjects:
  - (i) air law;
  - (ii) human performance;
  - (iii) meteorology;
  - (iv) communications;
- (2) specific subjects concerning sailplanes:
  - (i) principles of flight;
  - (ii) operational procedures;
  - (iii) flight performance and planning;
  - (iv) aircraft general knowledge related to sailplanes;
  - (v) navigation.

#### (b) Responsibilities of the applicant

- (1) ~~F49~~ ...
- (2) The applicant shall take the theoretical knowledge examination only if recommended by the ATO or the DTO that is responsible for his or her training and once he or she has completed the appropriate elements of the training course of theoretical knowledge instruction to a satisfactory standard.
- (3) The recommendation by the ATO or the DTO shall be valid for 12 months. If the applicant has failed to take at least one theoretical knowledge examination paper within this validity period, the need for further training shall be determined by the ATO or the DTO, based on the needs of the applicant.

#### (c) Pass standards

- (1) A pass in a theoretical knowledge examination shall be awarded to the applicant when achieving at least 75 % of the marks allocated to that paper. No penalty marking shall be applied.

*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

- (2) Unless otherwise specified in this Annex, an applicant is considered to have successfully completed the required theoretical knowledge examination for the SPL if he or she has passed all the required theoretical knowledge examination papers within a period of 18 months counted from the end of the calendar month when the applicant first attempted to take the examination.
  - (3) If an applicant has failed to pass one of the theoretical knowledge examination papers within four attempts or has failed to pass all papers within the period mentioned in paragraph (2), he or she shall retake the complete set of theoretical knowledge examination papers.
  - (4) Before retaking the theoretical knowledge examinations, the applicant shall undertake further training at an ATO or a DTO. The extent and scope of the training needed shall be determined by the ATO or the DTO, based on the needs of the applicant.
- (d) Validity period
- The successful completion of the theoretical knowledge examinations shall be valid for a period of 24 months, counted from the day when the applicant successfully completed the theoretical knowledge examination, in accordance with paragraph (c) (2).

#### Textual Amendments

**F49** Words in Annex 3 Point SFCL.135 omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(3)(a)**

#### **SFCL.148PL – Crediting of theoretical knowledge**

Applicants for the issue of an SPL shall be credited towards the theoretical knowledge requirements for the common subjects as specified in point SFCL.135(a)(1) if they:

- (a) hold a licence in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 or with Annex III (Part-BFCL) to Regulation (EU) 2018/395; or
- (b) have passed the theoretical knowledge examinations for a licence as specified in paragraph (a), as long as this is done within the validity period specified in point SFCL.135(d).

#### **SFCL.145SPL – Practical skill test**

- (a) Applicants for an SPL shall demonstrate through the completion of a skill test the ability to perform, as PIC on sailplanes, the relevant procedures and manoeuvres with competency appropriate to the privileges sought.
- (b) Applicants shall complete the skill test in a sailplane, excluding TMGs, or a TMG, depending on the privileges sought and provided that the training course in accordance with point SFCL.130 included the necessary training elements for the relevant aircraft. An applicant who has completed a training course, including the necessary training elements for both sailplanes and TMGs, may complete 2 skill tests, 1 in a sailplane, excluding TMGs, and 1 in a TMG, in order to obtain privileges for both aircraft.
- (c) To take a skill test for the issue of an SPL the applicant shall first pass the required theoretical knowledge examinations.

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*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the  
Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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- (d) Pass standards
- (1) The skill test shall be divided into different sections, representing all the different phases of a sailplane flight.
  - (2) Failure in any item of a section shall cause the applicant to fail the entire section. If the applicant fails in only one section, he or she shall repeat only that section. Failure in more than one section shall require the applicant to retake the entire test.
  - (3) If the applicant needs to retake the test in accordance with paragraph (2) and fails in any section, including those sections that have been passed at a previous attempt, the applicant shall retake the entire test.
- (e) If the applicant fails to achieve a pass in all sections of the test within two attempts he or she shall receive further practical training.

#### **SFCL.158PL – Sailplane and TMG privileges**

- (a) If the skill test as specified in point SFCL.145 has been completed in a sailplane, excluding TMGs, the privileges of an SPL shall be limited to sailplanes, excluding TMGs.
- (b) In the case specified in paragraph (a), the privileges of an SPL shall be extended to TMGs upon application if a pilot has:
- (1) completed at an ATO or a DTO the training elements specified in point SFCL.130(a)(2)(v);
  - (2) passed a skill test to demonstrate an adequate level of practical skill in a TMG. During this skill test, the applicant shall also demonstrate to the examiner an adequate level of theoretical knowledge for TMGs in the following subjects:
    - (i) principles of flight;
    - (ii) operational procedures;
    - (iii) flight performance and planning;
    - (iv) aircraft general knowledge; and
    - (v) navigation.
- (c) Holders of a licence issued in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 shall receive full credit towards the requirements in paragraph (b) provided that they:
- (1) hold a class rating for TMGs; or
  - (2) have TMG privileges and comply with the recency requirements in point FCL.140.A of Annex I (Part-FCL) to Regulation (EU) No 1178/2011.
- (d) If the skill test as specified in point SFCL.145 has been completed in a TMG, the privileges of the SPL shall be limited to TMGs.
- (e) In the case specified in paragraph (d), the privileges of the SPL shall be extended to sailplanes upon application if a pilot has:

- (1) completed at an ATO or a DTO the training elements specified in point SFCL.130(a)(2)(iv) and at least 15 launches and landings in a sailplane, excluding TMGs; and
- (2) passed a skill test to demonstrate an adequate level of practical skill in a sailplane, excluding TMGs. During this skill test, the pilot shall also demonstrate to the examiner an adequate level of theoretical knowledge for sailplanes, excluding TMGs, in the following subjects:
  - (i) principles of flight;
  - (ii) operational procedures;
  - (iii) flight performance and planning;
  - (iv) aircraft general knowledge; and
  - (v) navigation.
- (f) The completion of the training as specified in paragraphs (b)(1) and (e)(1) shall be entered in the logbook of the pilot and signed by the head of training of the ATO or the DTO that is responsible for the training.

#### **SFCL.155SPL – Launching methods**

- (a) SPL holders shall exercise their privileges only by using those launching methods for which they have completed a specific training either during the training course in accordance with point SFCL.130 or point SFCL.150(e)(1) or during additional training provided by an instructor after the issue of the SPL. This specific training shall consist of the following:
  - (1) in the case of winch launch and car launch, a minimum of 10 launches in dual flight instruction, and five solo launches under supervision;
  - (2) in the case of aerotow or self-launch, a minimum of five launches in dual flight instruction, and five solo launches under supervision. In the case of self-launch, dual flight instruction may be conducted in TMGs;
  - (3) in the case of bungee launch, a minimum of three launches performed in dual flight instruction or solo under supervision; and
  - (4) in case of further launching methods, training as required by the [F<sup>50</sup>CAA].
- (b) The completion of the training as specified in paragraph (a) shall be entered in the logbook of the pilot and signed by the head of training of the ATO or the DTO or the instructor that is responsible for the training, as applicable.
- (c) In order to maintain the privileges for each launching method and in accordance with the requirements of paragraphs (a) and (b), SPL holders shall complete a minimum of five launches during the last two years, except for bungee launch, in which case they shall complete only two launches. In the case of self-launch, launches may be done in self-launch or through take-offs in TMGs or a combination of these.
- (d) If SPL holders do not comply with the requirement in paragraph (c), in order to renew their privileges they shall perform the additional number of launches flying dual or solo under the supervision of an instructor.

*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

### Textual Amendments

**F50** Word in Annex 3 Point SFCL.135 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(3)(b)**

### SFCL.168PL – Recency requirements

(a) Sailplanes, excluding TMGs

SPL holders shall exercise SPL privileges, excluding TMGs, only if in the last 24 months before the planned flight they:

- (1) completed, on sailplanes, at least five hours of flight time as PIC or flying dual or solo under the supervision of an FI(S), including, on sailplanes, excluding TMGs, at least:
  - (i) 15 launches; and
  - (ii) two training flights with an FI(S); or
- (2) passed a proficiency check with an FE(S) on a sailplane, excluding TMGs; the proficiency check shall be based on the skill test for SPL.

(b) TMGs

SPL holders shall exercise their TMG privileges only if in the last 24 months before the planned flight they:

- (1) completed at least 12 hours of flight time as PIC or flying dual or solo under the supervision of an FI(S), including, on TMGs, at least:
  - (i) six hours flight time;
  - (ii) 12 take-offs and landings; and
  - (iii) a training flight of at least one hour total flight time with an instructor; or
- (2) passed a proficiency check with an examiner; the proficiency check shall be based on the skill test as specified in point SFCL.150(b)(2).

(c) SPL holders with privileges to fly on TMGs who also hold a licence including the privileges to fly on TMGs in accordance with the provisions of Annex I (Part-FCL) to Regulation (EU) No 1178/2011 shall be exempted from complying with paragraph (b).

(d) The completion of the dual flights, the flights under supervision and the training flights as specified in paragraphs (a)(1) and (b)(1), as well as the proficiency checks as specified in paragraph (a)(2) and (b)(2) shall be entered in the logbook of the pilot and signed by the responsible FI(S) in the case of paragraphs (a)(1) and (b)(1), and by the responsible FE(S) in the case of paragraphs (a)(2) and (b)(2).

(e) Carriage of passengers

SPL holders shall carry passengers only if in the preceding 90 days they have carried out as PIC, at least:

- (1) three launches in sailplanes, excluding TMGs, if passengers are to be carried in sailplanes, excluding TMGs; or

- (2) three take-offs and landings in TMGs, if passengers are to be carried in a TMG. For carrying passengers at night in a TMG, at least one of those take-offs and landings shall be carried out at night.

#### **SUBPART ADDITIONAL RATINGS AND PRIVILEGES**

##### **ADD**

#### **SFCL.200 Aerobic privileges**

- (a) SPL holders shall only undertake aerobatic flights in sailplanes with any engine stopped, or, in the case of paragraph (d) and (e), with engine power, if they hold the appropriate aerobatic privileges in accordance with this point.
- (b) Basic aerobatic privileges:
  - (1) entitle its holder to undertake aerobatic flights limited to the following manoeuvres:
    - (i) 45-degree climbing and diving lines performed as aerobatic manoeuvres;
    - (ii) inside loops;
    - (iii) wingover;
    - (iv) lazy eight;
    - (v) spins;
  - (2) are included in the privileges of an SPL after a pilot has completed:
    - (i) after the issue of the SPL, at least 30 hours of flight time or 120 launches as PIC on sailplanes;
    - (ii) a training course at an ATO or a DTO, including:
      - (A) theoretical knowledge instruction appropriate for the privileges sought;
      - (B) aerobatic flight instruction on the manoeuvres specified in paragraph (1).
- (c) Advanced aerobatic privileges:
  - (1) entitle its holder to undertake aerobatic flights not limited to manoeuvres as specified in paragraph (b)(1);
  - (2) are included in the privileges of an SPL after a pilot has:
    - (i) complied with the requirements of paragraph (b)(2)(i);
    - (ii) completed a training course at an ATO or a DTO, including:
      - (A) theoretical knowledge instruction appropriate for the privileges sought;
      - (B) at least five hours or 20 flights of aerobatic flight instruction.

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*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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- (d) The basic or advanced aerobatic privileges shall include aerobatic flights in sailplanes with engine power, if a pilot has received a training in aerobatic flight in sailplanes with engine power during a training course in accordance with paragraphs (b)(2)(ii) or (c)(2)(ii), as applicable.
- (e) The privileges of an SPL shall include advanced aerobatic privileges for TMGs flown with engine power if a pilot also has or has had an aerobatic rating in accordance with point FCL.800 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011, including privileges for aerobatic flight on TMGs.
- (f) The completion of the training course as specified in paragraphs (b)(2)(ii) and (c)(2)(ii) and, as applicable, the inclusion of training specified in paragraph (d), shall be entered in the logbook and signed by the head of training of the ATO or the DTO that is responsible for the training.

### **SFCL.205 Sailplane towing and banner towing rating**

- (a) SPL holders who have privileges to fly TMGs shall tow sailplanes or banners only if they hold an appropriate sailplane towing or banner towing rating in accordance with this point.
- (b) Applicants for a sailplane towing rating shall have completed:
  - (1) at least 30 hours of flight time as PIC and 60 take-offs and landings in TMGs, after obtaining TMG privileges;
  - (2) a training course at an ATO or a DTO, including:
    - (i) theoretical knowledge instruction on sailplane towing operations and procedures;
    - (ii) at least 10 training flights towing a sailplane, including at least 5 dual training flights;
    - (iii) in the case of an SPL holder with privileges restricted to TMG in accordance with point SFCL.150(d), five familiarisation flights in a sailplane which is launched by an aircraft.
- (c) Applicants for a banner towing rating shall have completed:
  - (1) at least 100 hours of flight time and 200 take-offs and landings as PIC on TMGs, after obtaining TMG privileges;
  - (2) a training course at an ATO or a DTO, including:
    - (i) theoretical knowledge instruction on banner towing operations and procedures;
    - (ii) at least 10 instruction flights towing a banner, including at least five dual flights.
- (d) Applicants for a sailplane towing rating or a banner towing rating in accordance with this point who already hold a sailplane towing or banner towing rating in accordance with point FCL.805(b) of Annex I (Part-FCL) to Regulation (EU) No 1178/2011 or who have fulfilled all the requirements for the issue of that rating, as applicable, shall:
  - (1) receive full credit towards the requirements in paragraph (b) or (c) for obtaining the sailplane towing or the banner towing rating, as applicable, if



*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

- their relevant towing rating as specified in paragraph (d) includes privileges for towing with TMGs; or
- (2) have completed at least three dual instruction flights covering the full sailplane towing or banner towing training syllabus, as applicable, in TMGs.
- (e) The completion of the training course as specified in paragraphs (b)(2), (c)(2) and (d)(2) shall be entered in the logbook and signed by the head of training of the ATO or the DTO or the instructor who is responsible for the training, as applicable.
- (f) To exercise the privileges of the sailplane towing or banner towing rating, the holder of the rating shall complete a minimum of five tows during the last two years.
- (g) If a holder of the sailplane towing rating does not comply with the requirement in paragraph (f), before resuming the exercise of his or her privileges, he or she shall complete the missing tows with or under the supervision of an instructor.

#### **SFCL.210 TMG night rating**

- (a) SPL holders with privileges to fly TMGs shall only exercise their TMG privileges in VFR conditions at night if they hold a TMG night rating in accordance with this point.
- (b) Applicants for a TMG night rating shall first complete a training course at an ATO or a DTO. The course shall comprise:
- (1) theoretical knowledge instruction in flying in visual flight rules (VFR) conditions at night;
- (2) at least five hours of flight time in TMGs at night, including at least three hours of dual instruction, including at least:
- (i) One hour of cross-country navigation with at least 1 dual cross-country flight of at least 50 km (27 NM);
- (ii) Five solo take-offs; and
- (iii) Five solo full-stop landings.
- (c) To complete the training at night, an SPL holder shall first complete the basic instrument flight training necessary for the issue of a private pilot licence (PPL) in accordance with the provisions of Annex I (Part-FCL) to Regulation (EU) No 1178/2011.
- (d) Applicants for a TMG night rating in accordance with this point shall receive full credit towards the requirements of paragraphs (b) and (c) if they hold a night rating in accordance with point FCL.810 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011 or if they have fulfilled all the requirements for the issue of that rating.

#### **SFCL.215 Sailplane cloud flying privileges**

- (a) SPL holders shall operate a sailplane within cloud only if:
- (1) any engine is stopped; and
- (2) they have sailplane cloud flying privileges in accordance with this point.
- (b) The privileges of an SPL shall include sailplane cloud flying privileges if a pilot has completed at least:

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- (1) 30 hours as PIC in sailplanes after the issue of the licence;
- (2) a training course at an ATO or a DTO, including:
  - (i) theoretical knowledge instruction;
  - (ii) at least two hours of dual flight instruction in sailplanes with any engine stopped, controlling the aircraft solely by reference to instruments. However, a maximum of 50 % of the dual flight instruction may be completed in TMGs flown with engine power, provided that these training flights are conducted in VMC.
- (c) In order to obtain sailplane cloud flying privileges, an SPL holder who also holds a basic instrument rating (BIR) or an IR(A) in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 or who has fulfilled all the requirements for the issue of one of these ratings, shall:
  - (1) be credited towards the requirement of paragraph (b)(2)(i);
  - (2) by way of derogation from paragraph (b)(2)(ii), complete at least one hour of dual flight instruction in a sailplane, controlling it solely by reference to instruments.
- (d) The completion of the training course as specified in paragraphs (b)(2) or (c)(2), as applicable, shall be entered in the logbook and signed by the head of training of the ATO or the DTO that is responsible for the training.
- (e) SPL holders shall exercise their sailplane cloud flying privileges only if in the last two years before the planned cloud flight they have completed at least one hour of flight time, or five flights, as PIC exercising cloud flying privileges in sailplanes.
- (f) If SPL holders with sailplane cloud flying privileges do not comply with the requirements in paragraph (e) and they wish to resume the exercise of their sailplane cloud flying privileges they shall:
  - (1) pass a proficiency check with an FE(S); or
  - (2) perform the additional flight time or flights required in paragraph (e) with an FI(S).
- (g) SPL holders with sailplane cloud flying privileges who also hold a BIR or an IR(A) in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 shall be fully credited towards the requirements of paragraph (e).

### ***SUBPART FLIGHT INSTRUCTORS***

#### ***FI***

### *Section 1*

#### **General requirements**

#### **SFCL.300light instructor certificate**

- (a) General

An instructor shall only carry out flight instruction in a sailplane if he or she:

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- (1) holds:
    - (i) an SPL including the privileges, ratings and certificates for which flight instruction is to be provided;
    - (ii) a sailplane flight instructor (FI(S)) certificate appropriate to the instruction carried out, and issued in accordance with this Subpart;
  - (2) is entitled to act as PIC in the sailplane during flight instruction.
- (b) Instruction provided outside the [F51United Kingdom]
- (1) By way of derogation from paragraph (a)(1), in the case of flight instruction provided during a training course approved in accordance with this Annex (Part-SFCL) outside the [F52United Kingdom], the [F53CAA] shall issue a flight instructor certificate to an applicant who holds a sailplane pilot licence that is compliant with Annex 1 to the Chicago Convention, provided that the applicant:
    - (i) holds at least a licence including, where relevant, privileges, ratings or certificates equivalent to those for which he or she is authorised to instruct;
    - (ii) complies with the requirements established in this Subpart for the issue of the FI(S) certificate with the relevant instructional privileges;
    - (iii) demonstrates to the [F53CAA] an adequate level of knowledge of [F54United Kingdom] aviation safety rules to be able to exercise his or her instructional privileges in accordance with this Annex.
  - (2) The certificate shall be limited to the provision of flight instruction:
    - (i) outside the [F55United Kingdom];
    - (ii) to a student pilot who has sufficient knowledge of the language in which flight instruction is provided.

#### Textual Amendments

- F51** Words in Annex 3 Point SFCL.300 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(4)(a)(i)**
- F52** Words in Annex 3 Point SFCL.300 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(4)(a)(ii)(aa)**
- F53** Word in Annex 3 Point SFCL.300 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(4)(a)(ii)(bb)**
- F54** Words in Annex 3 Point SFCL.300 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(4)(a)(ii)(cc)**
- F55** Words in Annex 3 Point SFCL.300 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(4)(a)(iii)**

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*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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## Section 2

### Flight instructor certificate for sailplanes – FI(S)

#### SFCL.315 FI(S) certificate – Privileges and conditions

- (a) Subject to compliance of the applicants with point SFCL.320 and with the following conditions, an FI(S) certificate shall be issued with privileges to conduct flight instruction for:
- (1) an SPL;
  - (2) additional sailplane privileges in accordance with point SFCL.150(e);
  - (3) launching methods in accordance with point SFCL.155, provided that the applicant has completed as PIC:
    - (i) in the case of aerotow launch, at least 30 launches; or
    - (ii) in the case of winch launch, at least 50 launches;
  - (4) additional TMG privileges in accordance with point SFCL.150(b), provided that the applicant has:
    - (i) completed at least 30 hours of flight time as PIC on TMGs;
    - (ii) completed the training as specified in point SFCL.330(b)(2);
    - (iii) demonstrated the ability to instruct on TMGs to an FI(S) who is qualified in accordance with paragraph (7) and nominated by the head of training of the ATO or the DTO;
  - (5) basic aerobatic, advanced aerobatic or sailplane cloud flying privileges or the sailplane towing or the banner towing rating, provided that the applicant:
    - (i) in the case of instruction for basic aerobatic or advanced aerobatic privileges, holds advanced aerobatic privileges in accordance with point SFCL.200(c);
    - (ii) has demonstrated the ability to instruct for the relevant privileges or rating to an FI(S) who is qualified in accordance with paragraph (a)(7) and nominated by the head of training of an ATO or a DTO;
  - (6) TMG flight at night, provided that the applicant:
    - (i) complies with the night experience requirement in point SFCL.160(e)(2);
    - (ii) has demonstrated the ability to instruct on TMGs at night to an FI(S) who is qualified in accordance with paragraph (7) and nominated by the head of training of an ATO or a DTO;
  - (7) an FI(S) certificate, provided that the applicant has:
    - (i) completed at least 50 hours or 150 launches of flight instruction in sailplanes;

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*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

- (ii) in accordance with the procedures established for that purpose by the [F56CAA], demonstrated the ability to instruct for the FI(S) certificate to an FI(S) who is qualified in accordance with this paragraph and nominated by the head of training of an ATO or a DTO.
- (b) The privileges listed in paragraph (a) shall include the privileges to conduct flight instruction for:
  - (1) the issue of the relevant licence, privileges, ratings or certificate; and
  - (2) the revalidation, renewal or compliance with the relevant recency requirements of this Annex, as applicable.

#### Textual Amendments

**F56** Word in Annex 3 Point SFCL.315 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), 91(4)(b)

#### **SFCL.320FI(S) certificate – Prerequisites and requirements**

Applicants for an FI(S) certificate shall:

- (a) be at least 18 years of age;
- (b) comply with the requirements of point (a)(1)(i) and paragraph (2) of point SFCL.300;
- (c) have completed 100 hours of flight time and 200 launches as PIC on sailplanes;
- (d) have completed an instructor training course in accordance with point SFCL.330 at an ATO or a DTO; and
- (e) have passed an assessment of competence in accordance with point SFCL.345.

#### **SFCL.325FI(S) competencies and assessment**

Applicants for an FI(S) certificate shall be trained to achieve the following competencies:

- (a) prepare resources;
- (b) create a climate conducive to learning;
- (c) present knowledge;
- (d) integrate threat and error management (TEM) and crew resource management (CRM);
- (e) manage time to achieve training objectives;
- (f) facilitate learning;
- (g) assess trainee performance;
- (h) monitor and review progress;
- (i) evaluate training sessions; and
- (j) report outcome.

#### **SFCL.330FI(S) – Training course**

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*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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- (a) Applicants for an FI(S) certificate shall first pass a specific pre-entry assessment at an ATO or a DTO, which shall take place within the 12 months preceding the start of the training course, to assess their ability to undertake the course.
- (b) The FI(S) training course shall include:
  - (1) on sailplanes, excluding TMGs:
    - (i) the elements specified in point SFCL.325;
    - (ii) 25 hours of teaching and learning;
    - (iii) 30 hours of theoretical knowledge instruction, including progress tests;
    - (iv) at least six hours, of which a maximum of three hours may be completed in TMGs, or 20 launches of flight instruction;
  - (2) additionally, if the privileges of the FI(S) certificate will include the privileges as specified in point SFCL.315(a)(4) and (a)(6), at least six hours of dual flight instruction on TMGs.
- (c) Applicants who already hold an instructor certificate in accordance with Annex III (Part-BFCL) to Regulation (EU) 2018/395 or with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 shall be fully credited towards the requirement in paragraph (b)(1)(ii).
- (d) When applying for an FI(S) certificate, a pilot who holds or has held an FI(A), (H) or (As) shall be credited with 18 hours towards the requirements in paragraph (b)(1)(iii).

#### **SFCL.345 FI(S) – Assessment of competence**

- (a) Applicants for the issue of an FI(S) certificate shall pass an assessment of competence to demonstrate to an examiner qualified in accordance with point SFCL.415(c) the ability to instruct a student pilot to the level required for the issue of an SPL.
- (b) The assessment shall include:
  - (1) the demonstration of the competencies described in point SFCL.325, during pre-flight, post-flight and theoretical knowledge instruction;
  - (2) oral theoretical examinations on the ground, pre-flight and post-flight briefings, and in-flight demonstrations in sailplanes;
  - (3) exercises adequate to evaluate the instructor's competencies.
- (c) The assessment of competence for the initial issue of an FI(S) certificate shall be conducted in sailplanes, excluding TMGs.

#### **SFCL.350 FI(S) – Restricted privileges**

- (a) An FI(S) shall have his or her privileges limited to conducting flight instruction under the supervision of an unrestricted FI(S) nominated by the ATO or the DTO for this purpose, in the following cases:
  - (1) for the issue of an SPL;
  - (2) for extending the privileges of an SPL to additional sailplane or TMG privileges in accordance with point SFCL.150;

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*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

- (3) for extending the privileges of an SPL to additional launching methods in accordance with point SFCL.155; and
- (4) for basic aerobatic, advanced aerobatic or sailplane cloud flying privileges or for the sailplane towing or banner towing rating.
- (b) Whilst conducting training under supervision, in accordance with paragraph (a), the FI(S) shall not have the privilege to authorise a student pilot to conduct his or her first solo flight or first solo cross-country flight.
- (c) The limitations in (a) and (b) shall be removed from the FI(S) certificate after the FI(S) has completed at least 15 hours or 50 launches of flight instruction covering all phases of a sailplane flight. In the case of a restricted FI(S) who complied with point SFCL.330(b)(2), 5 out of those 15 hours may be completed in TMGs, and 15 out of those 50 launches may be replaced by take-offs and landings in TMGs.

#### **SFCL.360 FI(S) certificate – Recency requirements**

- (a) An FI(S) certificate holder shall only exercise the privileges of his or her certificate if before the planned exercise of those privileges he or she has:
  - (1) within the last three years, completed:
    - (i) instructor refresher training at an ATO, a DTO, or [<sup>F57</sup>the CAA] during which the holder shall receive theoretical knowledge instruction for refreshing and updating the knowledge relevant for sailplane instructors; and
    - (ii) when providing flight instruction as FI(S), at least:
      - (A) 30 hours; or
      - (B) 60 launches or take-offs and landings; and
  - (2) within the last nine years and in accordance with the procedures established for that purpose by the [<sup>F58</sup>CAA], demonstrated the ability to instruct on sailplanes to an FI(S) who is qualified in accordance with point SFCL.315(a) (7) and nominated by the head of training of an ATO or a DTO.
- (b) The hours flown as an FE(S) during skill tests, proficiency checks and assessments of competence shall be fully credited towards the requirement in paragraph (a)(1)(ii).
- (c) If the FI(S) certificate holder has failed to complete the instruction flight under supervision to the satisfaction of the FI(S) in accordance with paragraph (a)(2), he or she shall not exercise the privileges of the FI(S) certificate until he or she has successfully completed an assessment of competence in accordance with point SFCL.345.
- (d) To resume the exercise of the privileges of the FI(S) certificate, an FI(S) certificate holder who does not comply with all the requirements in paragraph (a) shall comply with the requirements of paragraph (a)(1)(i) and of point SFCL.345.

#### **Textual Amendments**

**F57** Words in [Annex 3 Point SFCL.360](#) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(4)(c)(i)**

*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

**F58** Word in Annex 3 Point SFCL.360 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(4)(c)(ii)**

## **SUBPART FLIGHT EXAMINERS**

FE

### *Section 1*

#### **General requirements**

#### **SFCL.406** ~~sailplane~~ **flight examiner certificates**

(a) General

An examiner shall only carry out skill tests, proficiency checks or assessments of competence in accordance with this Annex if he or she:

- (1) holds:
  - (i) an SPL including privileges, ratings and certificates for which he or she is authorised to conduct skill tests, proficiency checks or assessments of competence, and the privileges to instruct for them;
  - (ii) an FE(S) certificate including privileges appropriate to the skill test, proficiency check or assessment of competence conducted, issued in accordance with this Subpart;
- (2) is entitled to act as PIC in a sailplane during the skill test, proficiency check or assessment of competence.

(b) Examinations conducted outside the territory of the [F59United Kingdom]

- (1) By way of derogation from paragraph (a)(1), in the case of skills tests and proficiency checks performed outside the [F60United Kingdom], the [F61CAA] shall issue an examiner certificate to an applicant who holds a sailplane pilot licence that is compliant with Annex 1 to the Chicago Convention, provided that the applicant:
  - (i) holds at least a licence including, where relevant, privileges, ratings or certificates equivalent to those for which he or she is authorised to conduct skill tests or proficiency checks;
  - (ii) complies with the requirements established in this Subpart for the issue of the relevant examiner certificate;
  - (iii) demonstrates to the [F61CAA] an adequate level of knowledge of [F62United Kingdom] aviation safety rules to be able to exercise the examiner privileges in accordance with this Annex.
- (2) The certificate referred to in paragraph (1) shall be limited to performing skill tests and proficiency checks:
  - (i) outside the [F63United Kingdom]; and
  - (ii) to a pilot who has sufficient knowledge of the language in which the test/check is provided.



*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

### Textual Amendments

- F59** Words in Annex 3 Point SFCL.400 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1116), regs. 1(2), **91(5)(a)(i)**
- F60** Words in Annex 3 Point SFCL.400 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1116), regs. 1(2), **91(5)(a)(ii)(aa)**
- F61** Word in Annex 3 Point SFCL.400 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1116), regs. 1(2), **91(5)(a)(ii)(bb)**
- F62** Words in Annex 3 Point SFCL.400 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1116), regs. 1(2), **91(5)(a)(ii)(cc)**
- F63** Words in Annex 3 Point SFCL.400 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020](#) (S.I. 2020/1116), regs. 1(2), **91(5)(a)(iii)**

### **SFCL.405** Limitation of privileges in case of vested interests

A sailplane examiner shall not conduct:

- (a) a skill test or assessment of competence of an applicant for the issue of a licence, rating or certificate to whom he or she has provided more than 50 % of the required flight instruction for the licence, rating or certificate for which the skill test or assessment of competence is taken; or
- (b) a skill test, proficiency check or assessment of competence whenever he or she feels that his or her objectivity may be affected.

### **SFCL.410** Conduct of skill tests, proficiency checks and assessments of competence

- (a) When conducting skill tests, proficiency checks and assessments of competence, a sailplane examiner shall do all of the following:
  - (1) ensure that communication with the applicant can be established without language barriers;
  - (2) verify that the applicant complies with all the qualification, training and experience requirements of this Annex for the issue, revalidation or renewal of the licence, privileges, rating or certificate for which the skill test, proficiency check or assessment of competence is taken;
  - (3) make the applicant aware of the consequences of providing incomplete, inaccurate or false information related to his or her training and flight experience.
- (b) After completion of the skill test, proficiency check or assessment of competence, the sailplane examiner shall:
  - (1) inform the applicant of the results of the skill test, proficiency check or assessment of competence;
  - (2) in the event of a pass in an assessment of competence for the revalidation or renewal, endorse the new expiry date on the applicant's licence or certificate, if specifically authorised for that purpose by the <sup>F64</sup>CAA];
  - (3) provide the applicant with a signed report of the skill test, proficiency check or assessment of competence and submit without undue delay copies of the report to the <sup>F65</sup>CAA]. The report shall include:

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- (i) a declaration that the sailplane examiner has received information from the applicant regarding his or her experience and instruction, and found that experience and instruction comply with the applicable requirements of this Annex;
  - (ii) confirmation that all the required manoeuvres and exercises have been completed, as well as information on the verbal theoretical knowledge examination, when applicable. If an item of those categories has been failed, the examiner shall record the reasons for this assessment;
  - (iii) the result of the skill test, proficiency check or assessment of competence;
  - (iv) F66 ...
  - (v) F66 ...
- (c) The sailplane examiner shall maintain the records for five years with details of all skill tests, proficiency checks and assessments of competence performed and their results.
- (d) Upon request by the [<sup>F67</sup>CAA], the sailplane examiner shall submit all records and reports, and any other information, as required, for oversight activities.

#### Textual Amendments

- F64** Word in Annex 3 Point SFCL.410 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(b)(i)**
- F65** Word in Annex 3 Point SFCL.410 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(b)(ii)(aa)**
- F66** Words in Annex 3 Point SFCL.410 omitted (31.12.2020) by virtue of The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(b)(ii)(bb)**
- F67** Word in Annex 3 Point SFCL.410 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(c)**

## Section 2

### Flight examiner certificate for sailplanes – FE(S)

#### SFCL.415E(S) certificate – Privileges and conditions

Subject to compliance of the applicant with point SFCL.420 and with the following conditions, an FE(S) certificate shall be issued upon application with privileges to conduct:

- (a) skill tests and proficiency checks for the SPL, provided that the applicant has completed, on sailplanes, excluding TMGs, 300 hours of flight time as a pilot, including 150 hours or 300 launches of flight instruction;
- (b) skill tests for the extension of the SPL privileges to TMG in accordance with point SFCL.150(e), provided that the applicant has completed 300 hours of flight time on sailplanes, including 50 hours of flight instruction in TMGs;
- (c) assessments of competence for the issue of FI(S) certificates on sailplanes, provided that the applicant has:

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- (1) completed at least 500 hours of flight time as pilot on sailplanes, including, if the privileges of the FE(S) certificate will be exercised in:
  - (i) sailplanes, excluding TMGs, at least 10 hours or 30 launches instructing the applicant for an FI(S) certificate in sailplanes, excluding TMGs;
  - (ii) TMGs, at least 10 hours or 30 take-offs and landings instructing the applicant for an FI(S) certificate in TMGs;
- (2) received specific training during an examiner standardisation course in accordance with point SFCL.430.

#### **SFCL.420E(S) certificate – Prerequisites and requirements**

Applicants for an FE(S) certificate shall:

- (a) comply with the requirements of point (a)(1)(i) and paragraph (a)(2) of point SFCL.400;
- (b) have completed the FE(S) standardisation course in accordance with point SFCL.430;
- (c) have completed an assessment of competence in accordance with point SFCL.445;
- (d) demonstrate relevant background related to the privileges of the FE(S) certificate; and
- (e) demonstrate that they have not been subject to any sanctions, including the suspension, limitation or revocation of any of his or her licences, ratings or certificates issued in accordance with this Annex, with Annex I (Part-FCL) to Regulation (EU) No 1178/2011, or with Annex III (Part-BFCL) to Regulation (EC) No 2018/395, for non-compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts during the last three years.

#### **SFCL.430E(S) certificate – Standardisation course**

- (a) Applicants for an FE(S) certificate shall take a standardisation course which is provided either by [<sup>F68</sup>the CAA] or by an ATO or a DTO and approved by [<sup>F69</sup>the CAA].
- (b) The standardisation course shall be tailored to the sailplane flight examiner privileges sought and shall consist of theoretical and practical instruction, including, at least:
  - (1) the conduct of two skill tests, proficiency checks or assessments of competence for the SPL or associated ratings or certificates;
  - (2) instruction on the applicable requirements of this Annex and the applicable air operations requirements, the conduct of skill tests, proficiency checks and assessments of competence, and their documentation and reporting;
  - (3) a briefing on the following:
    - (i) national administrative procedures;
    - (ii) requirements for the protection of personal data;
    - (iii) examiner's liability;
    - (iv) examiner's accident insurance; [<sup>F70</sup>and]
    - (v) national fees; <sup>F71</sup>...

*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

(vi) F72 ...

(c) F73 ...

#### Textual Amendments

- F68** Words in Annex 3 Point SFCL.430 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(d)(i)(aa)**
- F69** Words in Annex 3 Point SFCL.430 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(d)(i)(bb)**
- F70** Word in Annex 3 Point SFCL.430 inserted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(d)(ii)(aa)**
- F71** Word in Annex 3 Point SFCL.430 omitted (31.12.2020) by virtue of The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(d)(ii)(bb)**
- F72** Words in Annex 3 Point SFCL.430 omitted (31.12.2020) by virtue of The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(d)(ii)(cc)**
- F73** Words in Annex 3 Point SFCL.430 omitted (31.12.2020) by virtue of The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(d)(iii)**

#### SFCL.445E(S) certificate – Assessment of competence

An applicant for the initial issue of an FE(S) certificate shall demonstrate his or her competence as an FE(S), to an inspector from the [F74CAA] or to a senior examiner specifically authorised to do so by the [F74CAA] F75 .... During the assessment of competence, the applicant shall conduct a skill test, proficiency check or assessment of competence, including briefing, conduct of the skill test, proficiency check or assessment of competence, and assessment of the person to whom the test, check or assessment is given, debriefing and recording documentation.

#### Textual Amendments

- F74** Word in Annex 3 Point SFCL.445 substituted (31.12.2020) by The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(e)(i)**
- F75** Words in Annex 3 Point SFCL.445 omitted (31.12.2020) by virtue of The Aviation Safety (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1116), regs. 1(2), **91(5)(e)(ii)**

#### SFCL.460E(S) certificate – Validity, revalidation and renewal

- (a) An FE(S) certificate shall be valid for five years.
- (b) An FE(S) certificate shall be revalidated if its holder has:
- (1) during the validity period of the FE(S) certificate, completed an examiner refresher course which is provided either by [F76the CAA] or by an ATO or a DTO and approved by [F77the CAA], during which the holder shall receive theoretical knowledge instruction for refreshing and updating the knowledge relevant for sailplane examiners;
  - (2) within the last 24 months preceding the end of the validity period of the certificate, demonstrated the ability to conduct skill tests, proficiency checks or assessments of competence to an inspector from the [F78CAA] or an examiner specifically authorised to do so by the [F79CAA].

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*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

- (c) An FE(S) certificate holder who also holds one or more examiner certificates for other aircraft categories in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 or with Annex III (Part-BFCL) to Regulation (EU) 2018/395 may achieve combined revalidation of all examiner certificates held, in agreement with the [<sup>F80</sup>CAA].
- (d) If an FE(S) certificate has expired, its holder shall comply with the requirements of paragraph (b)(1) and of point SFCL.445 before he or she can resume the exercise of the privileges of the FE(S) certificate.
- (e) An FE(S) certificate shall only be revalidated or renewed if the applicant demonstrates continued compliance with the requirements of point SFCL.410 as well as with the requirements of point SFCL.420(d) and (e).]

#### Textual Amendments

- F76** Words in Annex 3 Point SFCL.460 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(5)(f)(i)(aa)**
- F77** Words in Annex 3 Point SFCL.460 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(5)(f)(i)(bb)**
- F78** Word in Annex 3 Point SFCL.460 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(5)(f)(ii)(aa)**
- F79** Word in Annex 3 Point SFCL.460 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(5)(f)(ii)(bb)**
- F80** Word in Annex 3 Point SFCL.460 substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **91(5)(f)(ii)(cc)**

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*Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976. (See end of Document for details)*

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- (1) [OJ L 212, 22.8.2018, p. 1.](#)
- (2) Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ([OJ L 296, 25.10.2012, p. 1.](#))
- (3) Opinion No 07/2017 of the European Aviation Safety Agency of 23 August 2017 for a draft Commission Regulation on the revision of the operational rules for sailplanes.
- (4) Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ([OJ L 311, 25.11.2011, p. 1.](#))
- (5) Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations ([OJ L 224, 21.8.2012, p. 1.](#))
- (6) [<sup>F2</sup>Commission Delegated Regulation (EU) of 4 March 2020 (not yet published in the Official Journal).]
- (7) Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 ([OJ L 281, 13.10.2012, p. 1.](#))
- (8) Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks ([OJ L 362, 17.12.2014, p. 1.](#))

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#### **Textual Amendments**

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\).](#)

**Status:**

Point in time view as at 01/07/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1976.