Civil Aviation Authority

General Aviation ANO Review

Final public consultation

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Introduction

In May of this year we concluded a consultation on a wide range of proposals for the further reform of General Aviation (GA) regulation in the UK. The proposals were a result of a root and branch review of those elements of the Air Navigation Order (ANO) 2009 which could impact on GA type activities or organisations. They primarily consisted of changes to the ANO, which would form a better legal basis for our more proportionate regulation of GA.

The principles by which the review was conducted built on those of the GA Policy Framework and those adopted for the regulation of GA, as set out in the CAA's response to the GA Red Tape Challenge in October 2013.

This second and final consultation contains the detailed proposals for how the requirements under the revised ANO will be framed, and how we intended them to interact with the policy they will underpin. After the consultation is closed, drafting of the revised ANO will start in November, and it will come into force in August 2016.

This document is additionally supported by a comment response document (CRD) which contains summaries of the responses to the thematic consultation (Annex A) and detailed drafting instructions for the revised ANO (Annex B). The drafting instructions reflect the current status of the proposals; they will be further revised as a result of feedback from this consultation. Respondents who commented on the first consultation with regard to specific issues may wish to review Annex A first, to understand how we have responded to the comments, before reviewing the detailed proposals.

There is also a consultation impact assessment (Annex C). We would welcome feedback on the figures included in it, and to what extent the financial benefits discussed within it reflect likely savings for the GA community.

How to respond

Responses to this consultation should be sent to gaconsultations@caa.co.uk by 4th November 2015.

There is also a Survey Monkey response tool at: www.surveymonkey.com/s/CAAGA

The Survey Monkey tool provides specific questions on key elements of the consultation we would like feedback on. If replying by email, please state which section you are responding to and if possible, state whether you agree or disagree with the relevant proposal.

Since there are many subject areas covered, we expect respondents may only wish to reply with regard to specific ones. This is more than welcome.

Please note that only issues that relate to policy as defined by the ANO will be directly addressed as part of this process. We are more than happy to hear from you regarding issues that are not related to the ANO, but they may have to be addressed in future work under our GA Programme.

Respondents may wish to refer to a copy of the ANO 2009 when reviewing the consultation. However, this is by no means essential since the issues are generally discussed in broad terms, without direct reference to the legal text. With each subject area presented there is a reference included to the relevant ANO provisions.

Our publication of the ANO 2009 can be found in Section 1 of CAP 393 at http://www.caa.co.uk/CAP393

We often refer to European regulations in the consultation, particularly the EASA Air Operations Regulations. The primary aspect of interest to GA is Part-NCO (non-commercial operations with other-than-complex-motor-powered aircraft). These are contained in the consolidated version of Commission Regulation (EU) 965/2012.

The European regulations can be found on the EASA website at https://easa.europa.eu/regulations.

The future ANO

In addition to the GA ANO Review, we are taking the opportunity to implement structural changes to the ANO, to rationalise it and further accommodate the extension of the regulatory scope of European aviation regulation. While these changes are separate from the GA Review, it is helpful to consider them in the same context, and how they contribute to the future shape of the ANO overall. Currently we envisage a two-phase approach:

August 2016:

- The amendments proposed as part of the GA review will be implemented to deliver on the specific changes that were proposed in the first consultation;
- The definitions of ‘private’ and ‘aerial work’ will be replaced with ‘non-commercial’ and ‘commercial’ to align with the EASA terminology;
- EASA aircraft flying non-commercially will no longer be under the operational requirements of the ANO, and the relevant articles of the ANO will be disapplied to those aircraft as they will comply with EASA’s Part-NCO or NCC instead; and
- Where desirable, text similar to that of the EASA regulations will be used in place of the current ANO 2009 wording. This will mean that while the regulation of EASA and non-EASA aircraft will continue to have separate legal underpinnings, the substantive operational requirements will be very similar.

April 2017:

- EASA aircraft flying on ‘specialised operations' will no longer be subject to the operational requirements of the ANO. The relevant articles of the ANO will be disapplied to those aircraft as they must comply with EASA’s Part-SPO (if commercial or complex) or NCO.SPEC (if non-commercial);
- The term ‘public transport’ will be removed and the ANO will fully adopt the EASA taxonomy of ‘commercial’ and ‘non-commercial’, ‘specialised operation’ and ‘commercial air transport’; and
- The ANO will continue to regulate:
  - Non-EASA aircraft, other than historic and ex-military aircraft conducting commercial air transport (they are required to comply with Part-CAT);
  - The operation of some EASA aircraft, such as gliders and balloons, for which operational rulemaking is still underway at EASA and will not be completed until at least 2018; and
  - Non-military state aircraft, such as police aviation.

Detailed changes to the ANO

In this section the specific proposals for change will be detailed by their relevant subject area. We will also explain, as far as possible, how we believe individual proposals will fit into the overall revised structure of the ANO. The *Skyway Code*, as a guide to safe GA flying and the practical understanding of the regulations relevant to GA, will also be developed in time for August 2016 to assist GA pilots in understanding the future requirements.

For each section, please state whether you agree or disagree with the particular proposal and add any comments you feel necessary, either via email or online through the Survey Monkey tool.

Were appropriate, proposals have been assessed under the GA Policy Framework, which highlights where there may be associated risks to uninvolved third parties. More information on the results of the assessments for individual proposals is available on request.

In some places, we highlight were feedback on the benefits that stakeholders feel may be associated with particular proposals would be particularly appreciated.

New definitions and regulatory classifications

Under the current ANO, many of the applicable regulatory requirements depend upon whether a flight is classified as public transport, aerial work or private. This is normally determined by the circumstances of the flight and what payment is given in connection with it. Identifying the status of a particular flight (and therefore what requirements apply) can be quite difficult and is often cited as an area of confusion for the GA community.

Private flights generally attract the lowest level of regulation. A flight classified as aerial work is normally a flight where some form of payment is made by one of the parties involved in connection with the flight, but does not involve the carriage of passengers. Remunerated flight instruction is probably the most common example of this. There are normally a few additional requirements associated with aerial work, for example the aircraft would normally require a certificate of airworthiness rather than a permit to fly (unless exempted). Public transport, which involves the carriage of passengers in return for payment, attracts the highest requirements and usually requires an air operator's certificate (AOC).

In some circumstances, a flight might be 'deemed' to be a particular classification for the purposes of one or more parts of the ANO, even if it does not necessarily meet the definition of that classification. For example self-fly hire is currently deemed public transport for the purposes of airworthiness, and therefore requires a certificate of airworthiness and some other additional requirements. But that does not alter the fact that

for operational and flight crew licensing purposes, a private pilot paying to hire an aircraft is usually regarded as a private flight.

As set out in the introduction, the operational definitions in the ANO will change after August 2016, to resemble those used in EASA regulation. We intend to create a situation in which the operational classification of a flight, as dictated by circumstance, purpose and payment given, is always the same, whether done under national or EASA regulation.

This will involve the replacement of the UK terminology as follows:

Current UK ANO term	**Future ANO term**	**Date**
Private	Non-commercial	August 2016
Aerial work	Commercial	August 2016
Public transport	Commercial air transport	April 2017

Non-commercial will be approximately equivalent to private, commercial to aerial work, and commercial air transport to public transport. For example, similar to aerial work, commercial would refer to a scenario in which the basic definition of a commercial operation was met, but was not a commercial air transport flight. The term commercial air transport is used in the current ANO, however after April 2017, it will also replace all current references to public transport as well.

The EASA terms, being set out in European law, are subject to less literal, more purposive interpretation than is traditionally applied to UK legal provisions. For example, public transport as defined by the ANO has long been taken to include almost any operation in which payment is given and anyone other than the flight crew is also carried. Even if they were in fact onboard to perform a function associated with the flight, for example operating survey equipment, they would still be considered a passenger for the purposes of the ANO. In adopting the term ‘commercial air transport’ we will continue to apply a purposive interpretation, so that it will generally apply only to what might be considered mainstream commercial carriage of passengers.

The EASA Basic Regulation defines commercial operation as:

‘Commercial operation’ shall mean any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to 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.

Commercial air transport is defined by the EASA Air Operations Regulation:

‘Commercial air transport (CAT) operation’ means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration.

We propose to adopt these definitions in the ANO and take interpretations that align with those for EASA aircraft. It is important to note that for EASA aircraft, it is the EASA regulations, and not the ANO, that set the operational classification and applicable requirements. However, as the UK's competent authority for European aviation safety regulation, we have to adopt reasonable interpretations of the EASA regulations for different scenarios, sometimes in consultation with EASA and the European Commission. Combined with aligning the ANO classifications (which define the requirements for non-EASA aircraft) with those interpretations of the European ones, we hope to achieve our overall aim of consistency in this area between the EASA and non-EASA fleets.

Alignment of the classifications does not necessarily mean that the applicable regulatory requirements will always be the same between EASA and non-EASA aircraft. They will be where desirable for the purposes of clarity, however where an EASA requirement appears to be disproportionate, we will not apply a similar one to non-EASA aircraft through the ANO.

Another definition that will be introduced into the ANO in 2016 is that of the 'complex-motor-powered aircraft' and 'other-than-complex-motor-powered aircraft'. These terms are in the EASA Basic Regulation, and are frequently used to apply different regulatory requirements accordingly. We will use them in the revised ANO where it is desirable to be consistent with EASA regulations.

An aircraft is considered complex if it meets any of the following characteristics:

Aeroplanes:

- maximum certificated take-off mass exceeding 5700kg; or
- certificated for a maximum seating configuration of more than nineteen; or
- certificated for operation with a minimum crew of at least two pilots; or
- equipped with a turbojet engine or more than one turboprop engine[1].

Helicopters:

- a maximum certificated take-off mass exceeding 3175kg; or
- certificated for a maximum seating configuration of more than nine; or
- certificated for operation with a minimum crew of at least two pilots.

Aeroplanes or helicopters not meeting any of the above criteria, as well as sailplanes and balloons, are considered 'other-than-complex-motor-powered aircraft'. Most common GA types are therefore 'other-than-complex'.

In the EASA regulations, complex aircraft flying non-commercially must comply with Part-NCC after August 2016, and other-than-complex aircraft comply with the lesser requirements of Part-NCO. Under the revised ANO, we are not planning to implement an

[1] Discussions are currently ongoing as to whether to exclude multiengine turboprop aeroplanes 5700kgs or below from the definition of 'complex'

equivalent to Part-NCC for non-EASA aircraft; however there will be some places (for example equipage) where complex aircraft may have some increased requirements.

In this consultation, we set out how we believe these definitions will interact with different scenarios commonly encountered in GA flying and therefore what classification common types of flight would likely be considered. Please note this is for illustration only; individual flights should always be considered depending on the precise circumstances and what payment is given.

Cost sharing

Under the current ANO, private pilots have long been able to cost share with up to three other occupants of the aircraft in the course of their normal private flying activities. This is framed as an alleviation from the fact that normally receiving some sort of payment in connection with a flight would make the operation aerial work or public transport.

The EASA Regulations allow cost sharing by up to six people, including the pilot, in other-than-complex aircraft. We have issued an exemption which extends the ANO provision to reflect the EASA one for non-EASA aircraft, since we believe it to be beneficial to the GA community. This will be incorporated in the new ANO so that the terms and conditions of cost sharing are the same for EASA and non-EASA aircraft.

Charity flights

A charity flight is a common scenario in which someone other than the operator or pilot of the aircraft is receiving payment in connection with a flight. A third party, in this case a registered charity, takes payment from someone, usually in the context of a fundraising exercise. The person may then receive a flight in an aircraft in return. So in a sense, payment has been made in connection with the flight.

However we believe that assuming the operator involved is completely independent of the charity taking the payment, and does not itself receive any of it in connection with the flight, it remains non-commercial. We recently issued some guidance under the current ANO, which for non-EASA aircraft deems a charity flight to be private (non-commercial in future terminology). We believe a reasonable interpretation of the EASA regulations suggests this scenario should also be considered non-commercial for EASA aircraft.

Clubs, non-profit organisations and introductory flights[2]

When EASA developed the Air Operations Regulation, as well as making provision for cost sharing, it also made provision for a number of other types of flight to comply with non-commercial rules (Part-NCO) and be conducted by private pilots. This included ‘introductory flights’, parachuting dropping and sailplane towing, when operated by either approved training organisations (ATOs) or organisations created with the aim of promoting

[2] More details on this are contained in IN-2015/029

aerial sport or leisure aviation. This was even if the flights might, strictly speaking, meet the EASA definition of a commercial operation.

This alleviation was aimed at organisations such as gliding or aero clubs that have not-for-profit status and exist to serve the activities of their members and encourage new people into the sport.

We intend to reflect this same position in the ANO for non-EASA aircraft. For EASA aircraft, the alleviation currently applies for the purposes of operational and licensing regulations. Alleviations will likely be introduced for airworthiness under Part-M Light in the future.

For the non-EASA regime under the ANO, we have considered whether such not-for-profit organisations should also be allowed to comply with the private (non-commercial) rules for airworthiness purposes as well. This is relevant to issues such as glider towing with permit to fly aeroplanes, an operation that currently must be done by exemption, since it is captured by the current aerial work definition.

We believe there is merit in adopting the approach of deeming flights operated by such not-for-profit organisations to be considered non-commercial for all regulatory purposes. This would be a consistent approach to risk management across different regulatory domains and consistent with the principle that GA activity should be considered non-commercial where appropriate.

Remuneration in privately owned aircraft

Under the current ANO, a flight is aerial work if, for example, a pilot or instructor is paid to fly an aircraft. This is because a payment has been made in connection with the flight.

An exception is included in the current ANO such that if the *only* payment in connection with the flight is made in this manner, it is still private for airworthiness and equipage purposes. This means the owner of an aircraft may pay an instructor to instruct them in it and it will still be considered a private flight.

However if the aircraft is group owned, and a payment is made to both the instructor and to a central fund for the cost of the aircraft, it is not covered by the exclusion and therefore constitutes aerial work. A number of exemptions have been issued over the years to alleviate this situation, but they were only ever applied for owners who already held a licence, and therefore excluded ab initio training. This led to the historic situation in which a sole owner learning to fly in their own permit aircraft is considered a private operation, but if it is joint-owned it is considered aerial work and therefore not permitted.

We believe a much simpler approach would be to define all such flights as non-commercial; so for example, a group aircraft in which one of the owners was receiving instruction would only ever have to meet the airworthiness standards applicable to a non-commercial flight. This would include scenarios in which the training was taken place under the auspices of an RTF or ATO, assuming the owners retained effective control over

the aircraft and were the only recipients of the training in the aircraft. This would allow members of a group to learn to fly in an aircraft meeting non-commercial airworthiness requirements.

Flight training on a commercial basis

Where a flight training establishment, operating as a business, is offering training to the public we believe that this constitutes a commercial operation under the definition adopted, and therefore will attract the applicable requirements. Operationally this will be of little consequence, since all flight training flights may already comply with Part-NCO or NCC as applicable. This will also be reflected in the ANO for non-EASA aircraft conducting the same operations.

However it would still be a commercial operation for airworthiness purposes and therefore attract the applicable requirements. For example the range of permit aircraft that may be used might be restricted (more detail on this subject area can be found in the Airworthiness section further on) and some maintenance actions that are optional under non-commercial rules, might become mandatory.

We have noted that the latest EASA NPA 2015-08 on Part-M Light refers to applicability in terms of aircraft that may comply with Part-NCO, as opposed to whether the operation is commercial or non-commercial. This was done for clarity; by referencing the applicable operational annex, this effectively ties together alleviations for operational and airworthiness requirements. For example, this would mean that any aircraft used for flight training, regardless of whether it was a commercial operation or not, could comply with Part-M Light by virtue of it being able to comply with Part-NCO.

In future, it may be appropriate to more fully align with this approach of defining operations that may comply with non-commercial operational rules, as non-commercial for airworthiness purposes as well. This will be considered as the EASA rule structure in this area further develops.

Self-fly hire

Under the current ANO, when a pilot hires an aircraft for self-fly hire; it is deemed to be public transport for airworthiness purposes. This means that the aircraft must be maintained to a higher standard than if it were private, and normally have a certificate of airworthiness. It also means that a permit aircraft cannot be hired, since it is prohibited from flying for public transport, although we do allow type-approved microlights and gyroplanes to be hired on a permit by exemption. This potentially restricts the range of aircraft available.

The principle here is that if a customer goes to their local flying club to hire an aircraft, they will not be in a position to make a judgement about its airworthiness, and would reasonably expect the club to provide an aircraft in airworthy condition. However, the act of hiring an aircraft does not appear to meet the EASA definition of a ‘commercial operation’

that we propose to adopt. This would mean that self-fly hire would be non-commercial for all purposes, including airworthiness.

For EASA aircraft with a certificate of airworthiness the issue has limited relevance since the EASA regulations set the applicable requirements dependent on the particular operation. It is of more relevance to non-EASA aircraft, particularly ones with a permit to fly.

In light of our new approach to GA, we are considering what approach to take to this issue. It may be appropriate to retain additional airworthiness requirements for self-fly hire over and above that of non-commercial flights.

However we are minded to consider self-fly hire as non-commercial and simply rely on the obligation on the purveyor of the aircraft hire to ensure it is airworthy, regardless of what airworthiness certification it holds. This would be a simple approach, and widen the variety of aircraft available for GA pilots to hire. It would place more of an onus on individual pilots to assess the airworthiness of the aircraft they were hiring, which would be consistent with our approach to allowing the GA community more opportunity to assess and control their own risk.

Safety Standards Acknowledgment and Consent (SSAC)

In 2014 we developed a new policy around the carriage of participants on air experience flights that are not flight training, nor within the scope of ‘introductory flights’. This was aimed at allowing participants to take flights in aircraft of particular interest, for example a Spitfire, and allow the operators of such aircraft to accept payment for them. Flights of this nature do not constitute commercial air transport; however they would be captured by the current UK definition of public transport, since this is broader in scope. This would normally require a national air operator’s certificate (AOC) and the aircraft to have a certificate of airworthiness.

However flights under SSAC operations may be allowed without an AOC or certificate of airworthiness, provided operators develop risk awareness material that explains to the participant that the risks involved with a particular flight may be higher than that for commercial air transport. On this basis, we have issued exemptions from the normal public transport requirements, dependent on the applicants meeting the conditions set down for SSAC flights.

In the future, we believe the most effective approach to allowing this sort of operation is to have SSAC as a discrete operational classification, with specific requirements tailored to the operational contex. After the public transport definition is removed in April 2017, SSAC will effectively become its own classification within the ANO, with operations meeting the relevant characteristics only being permitted in accordance with a permission from the CAA.

Flight operations

As described in the introduction, the primary thrust of the flight operations proposals is one of clarity and building a better legal basis for the future regulation of GA. Alongside this, we have considered a number of specific issues that have been raised by the GA community in the past, and have proposed some modest reforms in areas such as operating in the service of the police, non-scheduled commercial air transport operations into unlicensed aerodromes and a few other areas of note. We would particularly like the feedback of stakeholders on the proposed equipage requirements under the revised ANO.

Permission to operate in the service of the police

(Article 13)

This will be amended to allow us to issue a permission to operate in the service of the police, without holding a police air operator's certificate (PAOC). We will be engaging with the relevant stakeholders to work towards issuing such a permission in due course. We will need to consider the issues associated with this, particularly how to ensure the safety of third parties on the ground. This proposal has also been assessed under the GA Policy Framework, to highlight any possible issues in this regard. This will help us draw up the terms and conditions of a possible future operating permission.

It is important to understand this proposal is only the amendment to the ANO to allow a permission to be issued. It will not allow these operations to take place until we are satisfied they will be conducted safely and have issued the permission.

Instrumentation and equipage requirements

(Articles 37, 39, Schedules 4 and 5)

We would particularly welcome stakeholder feedback on equipage requirements.

For aircraft flying either commercially or non-commercially, but not public transport aircraft, the current requirements in Schedules 4 and 5 will be replaced with equipage requirements based on EASA's Part-NCO, with some minor additions for more complex non-EASA aircraft. The requirements in Schedules 4 and 5 will be preserved for public transport flights until April 2017, after which they will be deleted. This strategy is proposed to bring overall clarity to equipage requirements, regardless of whether they apply to EASA or non-EASA aircraft.

However we do not wish to apply requirements based on Part-NCO to non-EASA aircraft that are not supported by a strong safety case, such as the requirement to carry an emergency locator beacon (ELT). In cases where NCO is more onerous than the current ANO, the requirement is likely to be omitted.

There will be a grandfathering provision to ensure no aircraft currently flying must be re-equipped as a result of changes to the ANO proposed here. Aircraft compliant for equipage purposes with the ANO 2009 will be compliant with the ANO in August 2016, although that does not preclude new requirements being introduced in the future. Such a

grandfathering provision would apply if an aircraft first received a civil type certificate or national permit to fly prior to August 2016.

Please note this only applies to non-EASA aircraft, since for EASA aircraft Part-NCO has already been published, and can only be amended through the EASA rulemaking process.

Essentially the proposed structure will apply as follows:

- Aeroplanes, helicopters and gyroplanes will comply with requirements based on NCO.IDE.A/H. Gyroplanes will be treated the same as helicopters, as they are under the current ANO;
- Glider requirements will be removed; and
- Balloons do not have equipage requirements in the current ANO, any requirements for public or commercial air transport with balloons is contained in CAP 611 for balloon AOC holders. This situation will be maintained.

We decided to remove the requirements for gliders since they are very limited for private flights under the current ANO as far as instrumentation and equipage are concerned. Radio and airspace requirements will still apply however, whether through the ANO or the requirements of the Standardised European Rules of the Air (SERA).

Full details of the equipage requirements of Part-NCO (NCO.IDE) can be found in the consolidated version of the Air Operations Regulation. These cover lights, survival equipment, seatbelts, oxygen, and other requirements as appropriate. The instrumentation equipage requirements are specifically set out below for feedback, although respondents are encouraged to give feedback on any of the relevant requirements, not just instrumentation.

Instrumentation requirements

Aeroplanes:

Day VFR flight:

- Magnetic heading;
- Time in hours, minutes and seconds[3];
- Pressure altitude;
- Indicated airspeed; and
- Mach number (if applicable).

[3] A wristwatch with these functions would suffice

Night VFR or conditions under which the aircraft cannot be controlled without reference to one or more additional instruments:

- Turn and slip indicator or turn co-ordinator;
- Vertical speed;
- Stabilised heading; and
- Means of indicating whether the source of gyroscopic power is adequate or not

- Additionally, in conditions under which control cannot be maintained without reference to one or more additional instruments (above those required for day VMC); a pitot heater is also required.

Flight under IFR:

- Magnetic heading;
- Time in hours, minutes and seconds[4];
- Pressure altitude;
- Indicated airspeed;
- Vertical speed;
- Turn and slip;
- Attitude;
- Stabilised heading;
- Outside air temperature;
- Mach number (if applicable);
- Means of displaying power to the gyro instruments; and
- Pitot heater.

Helicopters and gyroplanes:

Day VMC:

- As per aeroplanes except a slip indicator is also required.

Night VMC:

- As per aeroplanes (slip indicator is already carried for Day VMC).

IFR:

- As per aeroplanes except a standby attitude indicator is also required.

[4] A wristwatch with these functions would suffice

Radio Navigation Equipage

(Article 39)

As a general principle, rather than have requirements for specific pieces of radio navigation equipment in Schedule 5 of the ANO, we will adopt the EASA approach of simply requiring aircraft to be equipped so as to be able to communicate by radio as required, and in accordance with any applicable airspace requirements such as transponders or performance based navigation (PBN) specifications. These will be notified in the UK Aeronautical Information Publication (AIP) as is currently the case and apply to all aircraft unless stated otherwise.

This will incorporate the approach as implemented by exemption ORS4 1085.

Minimum equipment requirements

(Article 41)

We will adopt the text of NCO.GEN.155. This is not a substantive change from the current ANO, and does not impose any requirement to have a minimum equipment list (MEL). Under this provision operators may notify the CAA of an MEL; although we believe it unlikely that this will be relevant to most non-EASA aircraft.

Essential operational regulations

(*Articles 86, 87, 88, 92, 93, 109, 110, 112, 113, 114, 116, 119)*

These articles relate to rules regarding the responsibilities the pilot is under for the safety of a flight, the demonstration of the use of safety equipment, aerodrome operating minima and other regulations relating to the operation of the aircraft itself. Generally speaking the current operational rules will be replaced with the text of Part-NCO. There are no substantive changes associated with this, it is just that the EASA structure is different and sometimes rules are expressed in a slightly different manner. More detail is available in the detailed drafting instructions, but essentially this is proposed so that the text is recognisable between the EASA and non-EASA regimes. It is also in this area that the supplementary guidance of the *Skyway Code* will be most relevant.

Specialised Operations – Towing, dropping, parachuting and flying displays

(*Articles 126, 128, 129, 130, 131, 162)*

EASA classes this subject area as ‘specialised operations’. This includes the towing of gliders and other objects, the dropping of objects from aircraft, including objects or substances for the purposes of agriculture, and the dropping of parachutists. Aircraft participating in flying displays are also included. The scope of EASA’s specialised operations regulation is potentially larger than that, but those are the key activities that are regulated under the current ANO. At the moment they are addressed as subject areas by separate articles.

These articles will remain unchanged until April 2017 and continue to apply to both EASA and non-EASA aircraft, since the relevant EASA rules do not come into force in the UK until then. As part of their implementation we will consider later in 2016 how to best revise the current ANO approach so that the requirements for EASA and non-EASA aircraft engaged in these activities remain aligned in a proportionate manner.

At the moment our intention is to replace articles 126, 128, 129, 131 and other similar articles with a provision resembling NCO.SPEC in April 2017, once all aspects of the EASA operations rules for specialised operations have entered into force. This will allow alignment of legal provisions for EASA and non-EASA aircraft engaged in specialised operations.

We believe the approach reflected in NCO.SPEC correctly places the onus on the pilot in command to assess the specific risks involved and mitigate accordingly. It will also allow the ANO text which addresses specialised operations to be considerably shorter. Supplementary guidance will also be included in the *Skyway Code.*

In the case of dropping objects under article 129, we intend to introduce a minor amendment for August 2016 to allow a general permission to be issued for the dropping of small objects in low altitude, low risk scenarios, without the need for individual approval.

In the case of parachuting, no decision has been made with regard to the extent to which we will continue to regulate parachuting itself, as opposed to the aircraft and airspace involved, after April 2017. This will be addressed in the future.

The regulation of flying displays under the ANO is currently subject to a separate review and we are committed to ensuring flying displays in the UK have a regulatory regime that provides for the effective assessment and mitigation of third party risk. We will consider the relationship with the relevant EASA regulations in the future.

Flight time limitations for GA operations

(Articles 144 and 147)

These articles will be amended so that non-commercial flying activities are not subject to flight time limitations (FTL). Instead there will be a general requirement for the pilot not to fly fatigued. This will apply to all other-than-complex aircraft, rather than aircraft 1600kgs MTOW or below as is currently the case.

Unlike other amendments, this would apply to both EASA and non-EASA aircraft, since FTL for operations other than commercial air transport are still at the discretion of member states. EASA are planning the introduction of FTL for aircraft operating under Part-NCC, and in advance of that expect member states to retain national regulation for complex EASA aircraft.

Complex aircraft are also much more likely to be professionally flown, even on non-commercial operations. In circumstances involving professional crew, we believe it is appropriate to retain FTL.

During the first consultation, the issue of what off duty flying (whether commercial or not) should could towards an airline's FTL scheme was also discussed. Since this is now under EASA's competence, we do not have direct power to alter the requirements in this area; however we remain supportive of excluding flying outside of the airline environment.

Commercial air transport and flight training flights at unlicensed aerodromes

(Articles 207, 208, 208A)

We propose to amend the ANO to allow the following operations at unlicensed aerodromes:

- Flight training with aeroplanes up to 5700kgs MTOW; and
- Operation of non-scheduled, A – B public or commercial air transport with aeroplanes up to 5700kgs MTOW.

This is a raise from the current upper limit of 2730kgs MTOW. There are currently 385 aeroplanes on the UK register that fall between the two weights, with 126 of them being flown under an AOC and therefore affected by the second aspect of the proposal.

In the case of flight training, article 208A already requires that a pilot should only fly into an unlicensed aerodrome if they believe that the aerodrome is safe for the flight. We believe that the obligation on the pilot in command or operator to judge the safety of the aerodrome they propose to use, whether or not that aerodrome is licensed, is a preferable way to address safety on a case by case basis.

With commercial air transport flights, operators are already required by the EASA Air Operations Regulation to use only suitable operating sites or aerodromes, and have procedures in their operations manuals to determine the suitability of such aerodromes. We invite comment on the adequacy of relying on those requirements.

In advance of any such change coming in August 2016, we will also ensure the relevant operators take account of it in their procedures for establishing aerodrome adequacy.

We did consider removing the requirement to operate from a licensed aerodrome entirely. This would have placed total reliance on the provisions of the EASA operations regulations. However, we considered it appropriate to limit the scope at this stage, so that any oversight enhancements required would be manageable and to assess the effects.

Operators wishing to apply for an exemption to carry out scheduled flights from unlicensed aerodromes may continue to do so, and these will be judged by the local need and safety case.

From the point of view of operators of unlicensed aerodromes, it should be noted that planning restrictions may limit the number, size and type of aircraft movements permitted in a given period.

Aerial work with aircraft registered outside the EEA

(Article 225)

This will be amended to only require permission when an aircraft registered outside of the European Economic Area (EEA) is used for a commercial operation in the UK. This will continue to capture any aerial survey or photography if conducted commercially. If not conducted commercially, we see no reason to retain the requirement for a permission. The common scenario in which the owner of a non-EEA registered aircraft pays an instructor for flight training in their aircraft will not be considered a commercial operation.

In advance of April 2017, we will consider what the appropriate provision for the commercial use of non-EEA registered aircraft should be. For operators that are resident within the EU, all aircraft, regardless of registration must be operated in accordance with EASA operations and licensing rules from April 2016 anyway. Therefore it may be more logical to change the permission requirement to cover operators that are not resident in the EU, regardless of the registration of the aircraft itself.

Free balloons, kites and launch cables

(Articles 163, 164)

We are interested in feedback from stakeholders as to whether it would be appropriate to raise the height limit above which a permission is required to operate a kite, tethered balloon or launch cable from 60 metres to 120 metres, or possibly to an intermediate height of 90 metres (300ft). This would align with other heights in the ANO, such as the maximum to which a small unmanned aircraft may be flown.

The requirements relating to the permission for the launch of free balloons may be already be provide for under SERA, so they could be transferred to a permission under the authority of that regulation, rather than the ANO.

Mooring of airships

(Article 165)

These provisions will be simplified in the revised ANO with better drafting. We are minded to remove the distinction between small and large airships, but possibly retain some restriction on mooring close to congested areas.

Flight crew licensing

The theme of alignment with EASA where desirable is continues here. While many GA pilots now fly on EASA licences anyway, we still wish to ensure that the national licensing system remains fit for purpose and therefore would particularly welcome feedback on the proposals.

We believe that this will bring clarity to an often confusing area and allow holders of current NPPL and legacy UK (non-EASA) ICAO licences to exercise some of the new privileges granted to EASA licence holders, such as the ability to conduct 'introductory flights' and the increased scope of cost sharing.

As a separate proposal, the ANO will include provision for a new CPL (Gyroplanes), the syllabus for which is currently under development. The outcome of the consultation of PPL medical standards will also be reflected in the revised ANO as required.

Schedule 7 of the ANO, which covers flight crew licensing, will be also be redrafted to make it clearer and easier to understand.

Alignment with EASA FCL privileges

(Schedule 7, Part A)

As a matter of general policy and where desirable, UK licences granted under the ANO shall have the same privileges as their EASA equivalents:

- All references to private and aerial work will be replaced with non-commercial and commercial. Public transport will be deleted in April 2017;

- All UK PPL and NPPL licence holders will have the same privileges to conduct flights as described in the derogations to the EASA Air Operations Regulation, such as cost sharing and introductory flights, which are currently permitted by exemption ORS4 1097 to the ANO;

- The visibility minima will be aligned with those of EASA licences, meaning that all UK PPL and NPPL licences may fly under VFR and SVFR in accordance with SERA;

- In line with the above, the visibility minima required for takeoff and landing for an IMC rating holder or a UK CPL (A) with embedded IMC rating privileges will be 1500m as opposed to the current 1800m. This is consistent with 1500m being the lowest possible in flight visibility for an aircraft operating under VFR;

- The IMC rating and UK CPL (A) with equivalent privileges will be revised such that the only restriction in addition to the above will be that they may not fly in class A airspace under IFR. The references to class B and C airspace will be

removed since there is no class B airspace in the UK and class C only commences above FL195, so is unlikely to frequented by IMC rating holders. The authorisation for the equivalent rating for EASA aircraft, the IR(R), will also be updated; and

- References to the 'club environment' will be deleted since this is not a term used by EASA. UK PPL holders with an instructor rating will be able to receive remuneration for instruction regardless of whether in the club environment or not, as will NPPL holders who hold the privilege to instruct on microlights.

Maintenance of aircraft ratings

(Articles 66, 67, 68, 69 and Schedule 7, Part C)

These articles relate to the maintenance of privileges for the various ratings in Schedule 7 of the ANO. We propose to rationalise the different provisions for maintaining validity of ratings, so as to only have a certificate of revalidation. In general, this will not alter the requirements for the revalidation itself. For the applicable ratings, the concept of revalidating either by experience or proficiency check will still remain. The terminology of 'certificate of test' or 'certificate of experience' will disappear from the ANO. It will also regularise a few inconsistencies in the format of revalidation requirements, such as the exemption ORS4 946, which aligned UK gyroplane rating revalidation requirements with those of Part-FCL.

Flight instructor ratings

(Schedule 7, Part B)

We propose to rationalise the distinction between 'Flying instructor' ratings and 'Flight instructor' ratings, including the distinction between Assistant Flying Instructor (AFI) and Flight Instructor (Restricted) FI(R). To align with the EASA approach, we will adopt separate instructor ratings that pertain to the relevant category of aircraft that the privilege to instruct on is held.

The revised ratings will include:

- Flight Instructor (Aeroplane)
- Flight Instructor (Helicopter)
- Flight Instructor (Microlight)
- Flight Instructor (Gyroplane)
- Flight Instructor (SLMG)

It should be noted that the FI (A), provided they hold an SEP rating on their licence and have conducted the appropriate differences training, would have the privilege to teach on microlights, as described in the proposal for the SEP class rating further on. The proposed

FI (M) would be a rating for instructing on microlights, but could be attached to an NPPL, PPL or higher if the holder only wished to instruct on microlight aeroplanes.

The current requirements for revalidation or renewal would remain unchanged; however we propose to move the validity period to 36 months for all instructor ratings, in line with Part-FCL. This would be an increase in validity from 13 months for the current AFI and 25 months for the FI. This would primarily be relevant for those who currently hold AFI or FI ratings to teach on microlights or SLMGs.

The UK PPL (A) and SEP rating

We have considered how to simplify the issue of cross-crediting experience flown between microlight aeroplanes and aeroplanes above the microlight weight category. The proposed approach is to clearly define a single engine piston aeroplane (SEP) as including microlights. Aeroplanes within that definition that represent natural 'variants' – such as having different control systems, would require differences training. This would be similar to requiring differences training for a tailwheel aircraft.

The major change being proposed is that once the differences training is completed, any aircraft within the SEP class, regardless of variant, may be used to maintain the validity of the SEP rating. We would welcome feedback on to what extent stakeholders would take advantage of this alleviation.

It should be noted that other ICAO member states may not accept time on microlight aeroplanes towards the maintenance of existing ratings or the grant of additional ones on an ICAO licence, so licence holders should be aware of this if wishing to fly abroad.

For this proposal we have only considered the UK PPL or higher. The NPPL would retain its current system of class rating revalidation and the associated cross credits. While we may be able to amend the definition of the Simple Single Engine Aeroplane (SSEA) rating for the NPPL (A) to reflect a similar effect, the current NPPL ratings specifically exclude each other, and if multiple ratings are held (for example microlight and SSEA), there is already a cross crediting system in place for the revalidation of the different ratings. However we are open to further examining this issue in the future, as part of a wider review of the NPPL (A) system, and would welcome feedback on whether stakeholders would find such a revision beneficial.

The National Private Pilot's Licence (NPPL)

(Schedule 7, Part A, Section 3 and Part B, Sections 2 & 3)

We propose to allow NPPL (A) and (H) holders to fly at night if they hold the appropriate rating, subject to a colour blindness test as required for an EASA LAPL holder flying at night. We also propose to allow NPPL holders to add an IMC rating; subject to the medical requirements as determined by the way forward established after the consultation on PPL medical requirements.

We are also considering raising the permitted weight that may be flown with an NPPL to align with either:

- 2730kgs; or
- The EASA definition of other-than-complex motor powered aircraft. This would allow flight in aeroplanes up to 5700kgs that are not turbojet aircraft.

Delegating the issue of NPPL

(Article 64)

We propose to amend the ANO to allow the approval of organisations to issue the NPPL on behalf of the CAA, as opposed to the current situation in which we receive a recommendation from an organisation, and then issue the licence or rating ourselves. Further delegation is a strategic objective of the CAA's GA Programme and this proposal will require further objective criteria to be developed to approve organisations to gain this privilege.

Use of third country licences in non-EASA aircraft

(Article 62)

We propose to amend this so that for non-EASA aircraft, the holder of a foreign non-EASA pilot license may exercise the full privileges of their licence on UK registered aircraft, with the exception that they may not fly for the purpose of public or commercial air transport. Since this would be limited to non-EASA aircraft, it will likely be of low impact, and therefore in accordance with the general principle that provisions in the ANO should only put in place were they are required in order to uphold an acceptable degree of safety.

This would not allow the holder of a foreign instructor rating to teach for a UK licence or rating. However, it would allow such an instructor to teach for a licence or rating of the same state as their instructor rating, and do so in a UK registered aircraft. It must be emphasised this change only applies to non-EASA aircraft, since in order to fly an EASA aircraft, a Part-FCL licence or equivalent validation must be held.

We would be particularly interested in feedback as to whether stakeholders would find this alleviation beneficial.

Airworthiness

The most important aspect of the proposals in this section relate to widening the scope of permitted operations by aircraft that do not hold an ICAO certificate of airworthiness, particularly flight training. A proposal for the increased use of the 'Special Category' certificate of airworthiness is also included in the same context.

In addition to this, some minor amendments and alignments for maintenance procedures are proposed for non-EASA aircraft that hold a national certificate of airworthiness. As discussed in the first consultation, we also intend to implement provisions for non-EASA aircraft that are equivalent to the alleviations for EASA aircraft under Part-M Light, as they develop.

All the proposals in this section relate solely to aircraft outside of the scope of the EASA system. They do not apply to new, series produced, aircraft that may fly on EASA permits or restricted certificates of airworthiness, since the permitted operational uses of these aircraft are set by the EASA regulations, not the ANO.

Delegation of the issue of national permits to fly

(Article 21)

As discussed in the first consultation, we propose to allow approved organisations the privilege to issue permits to fly. We will look at different mechanisms for doing so, including the A8-26 framework. Fundamentally though, the organisations would be approved in accordance with objective criteria, and we would still reserve the right to suspend or revoke all national permits to fly, regardless of who they were issued by.

Use of permit aircraft for commercial operations

(Article 23)

Article 23 is of considerable importance for the future policy on the operations that permit to fly aircraft may conduct. The key paragraphs of the article have been grouped together by theme. This consultation covers all paragraphs, except (6), which is purely a definitional provision for the meaning of 'day'.

Paragraphs (1), (3) and (5) – operational uses of permit aircraft:

- Paragraph (1) essentially prohibits aerial work and public transport on any permit aircraft, with the exception of flying displays;
- Aerial work that is flight training within a "club environment" may be allowed with the permission of the CAA under paragraph (3); and
- Paragraph (5) requires the permission of the CAA for flight at night or in IMC.

We have considered the future of article 23 in the context of the general issue of permit aircraft being used more extensively for commercial operations. The most significant area of policy work is the greater use of permit aircraft for flight training on a commercial basis.

Policy development to date, implemented through a combination of permissions and exemptions against article 23, has reached the following point:

- Any permit aircraft may be used for training within a club environment, provided the recipient of the training already holds a licence;
- The sole or joint owners of a permit to fly aircraft may pay an instructor to instruct them in their own aircraft, provided the recipient of the training already holds a licence;
- Sole owners of permit aircraft may pay an instructor to instruct them in their own aircraft, regardless of whether they hold a licence or not – so ab initio training is possible; and
- Type approved microlights and gyroplanes may be used for all flight training in a club environment, including ab initio.

Historically policy has developed in terms of two criteria when considering what permit aircraft types may be used in what circumstances:

- Whether or not the recipient of the training holds a licence; and
- The ownership status of the aircraft.

The rationale being that if someone holds a licence, or owns the aircraft, they might reasonably be expected to understand that there may be increased risks associated with the operation of an aircraft that meets a lower level of airworthiness assurance, than if it held a certificate of airworthiness. We believe that it is consistent with the principle that the level of regulatory protection should depend on the relevant stakeholder's ability to assess and control risk.

Over time, some complexity and inconsistency has crept into the principles of that approach, so in order to rationalise and liberalise the situation under a future article 23, we propose the following policy:

A permit aircraft may not fly:

- For purposes of commercial air transport;
- On a commercial operation without the permission of the CAA; and
- At night or in IMC without the permission of the CAA.

The specific references to flight training and the club environment will be removed from the ANO, since we do not believe they give us the required flexibility to deploy the greatest range of future policy in this area. The only absolute prohibition will be on commercial air transport; since we do not envisage normally allowing this on permit aircraft (operations in accordance with a permission for SSAC are not commercial air transport). However, we do see the potential for greater use of permit aircraft on commercial operations other than commercial air transport – for example the types of activities previously covered by the definition of aerial work, and therefore seek to give ourselves as much flexibility as possible in this regard.

We mostly envisage the use of general permissions, rather than individual ones, to discharge standardised policy in this area – for example the use of general permissions to set the scope of permitted flight training, which can then be adapted as experience is gained in this area.

In terms of how we intend to set out policy under the revised article 23, our initial general permission would incorporate the following approach:

Initial airworthiness status

- All permit aircraft may be used for any flight training if the recipient of the training holds a licence, regardless of the ownership status of the aircraft;
- All permit aircraft may be used for any flight training if the recipient of the training is a sole or joint owner of the aircraft and is paying an instructor to teach them on their aircraft;
- Ab initio flight training provided in a manner that meets the definition of a commercial operation, may be permitted with permit aircraft which:
    - Are type approved; or
    - Formerly held a Certificate of Airworthiness and are still in conformity to the associated type design.
- All permit aircraft may be used for self-fly hire.

We believe that the above is a more logical approach to the issue than the current situation.

The only distinction drawn is when:

- The recipient of the training is the customer of a flight school;
- An aircraft provided by the school is being used; and
- The recipient does not hold a licence.

In the above case we would like feedback on whether it is appropriate to allow, for example, amateur constructed aircraft to be used, since there is some evidence to suggest they suffer a higher rate of technical malfunctions and may not have been built in accordance with a design code that would ensure benign handling characteristics. This would be consistent with the principle that those who are less informed of the risks should be offered greater regulatory protection.

However on the other hand, we also considered whether this restriction was necessary, and whether it might be an unnecessary complexity. An alternative approach would be to have no legal prohibition on the use of permit aircraft for any flight training. This would leave it to the sector and market to determine which aircraft are suitable to be used.

As a supplementary proposal we will also consider increasing the scope of aircraft that may be submitted for the type approval process. Currently we would normally only entertain applications for type approval for factory built microlights or gyroplanes, precluding other aircraft from obtaining that status. However this could be expanded to

allow submission of any aircraft for type approval, regardless of who constructed it. This would have to be limited to types that are not in scope of the EASA Basic Regulation.

Continuing airworthiness and maintenance requirements

Having proposed a risk-based approach in terms of initial airworthiness standards, we would also like to consider continuing airworthiness and maintenance requirements. For type approved microlights that are currently used for flight training on a commercial basis, it is generally a condition of their exemption that the aircraft is maintained in accordance with the relevant recommendations of the manufacturer. This is to prevent the long term running of components 'on condition', which may not be appropriate for aircraft with a typical flight training utilisation profile. It may be appropriate to impose this requirement on all permit microlights used for flight training and/or self-fly hire, or the current requirements could be maintained insofar it is effectively only a requirement for aircraft used for ab initio training.

For permit aircraft other than microlights, it is generally a requirement that the aircraft is maintained in accordance with the relevant BCAR A3-7 continuing airworthiness and maintenance requirements. In view of this, the arrangements are probably already robust enough, without the need to impose additional requirements for flight training and self-fly hire.

For design issues, although the permit system is generally more reactive than that for aircraft with a certificate of airworthiness, due to the simple nature of most of the aircraft involved, we do not feel the need to impose type support arrangements on such aircraft.

We would be interested in feedback on whether the current continuing airworthiness and maintenance arrangements for GA permit aircraft are robust enough to support more permit aircraft being used for flight training on a commercial basis.

The provision in article 23 will also allow the CAA to issue permissions for other commercial activity with permit aircraft, not just flight training, since the current reference to flight training in article 23 will be removed. The detailed policy around this would follow on from the ANO changes. Potentially this could allow permit aircraft to be used for a range of commercial (but not commercial air transport) operations that might include typical aerial application work suitable for light aircraft. Larger aircraft will be addressed by the proposed changes to the existing 'Special Category' certificate of airworthiness, described further on.

Paragraph (2) – Permission to carry more than minimum crew on flying displays

This requires that no persons in addition to the minimum flight crew may be carried during flights for the purpose of display or demonstrated flying. We are not proposing to remove the requirement at this stage. However it will be moved to a more appropriate location in the ANO.

Paragraph (4) – Warning placard requirements

This requires that a permit to fly aircraft must have a placard affixed to the aircraft in view of the occupants that states that *"This aircraft has not been certificated to an International Requirement"*.

Previously an exemption was issued to allow an alternative placard to be used in ex-military aircraft that gave a clearer statement of the legal status of permit aircraft:

"THIS AIRCRAFT HAS NOT BEEN SHOWN TO COMPLY WITH CIVIL SAFETY STANDARDS FOR COMMERCIAL PASSENGER FLIGHTS. IT IS ILLEGAL TO CARRY PASSENGERS ON THIS AIRCRAFT IN EXCHANGE FOR MONEY, GOODS OR SERVICES. COST SHARING IS PERMITTED."

While the intention of the statement is to assist members of the public in understanding the legal status of permit aircraft, considering the general policy direction to allow more permit aircraft to be flown on a commercial basis, whether for flight training or under SSAC, we believe it is no longer appropriate to affix such a statement to aircraft that may now be legally operated commercially in some circumstances.

Special Category certificate of airworthiness

(Schedule 2, Part B)

We believe it appropriate that aircraft of a more complex airworthiness nature should be addressed by separate terminology to distinguish them from simple permit aircraft. The certificate will also include the privilege to be used commercially but not for commercial air transport. This is intended to enable commercial use of certain types of aircraft, where compliance with ICAO Annex 8 requirements is considered impracticable.

Summary table of proposed permitted operations

Note – these proposals only apply to aircraft that do not hold an ICAO compliant certificate of airworthiness and are outside the scope of EASA Basic Regulation – so for example it does not relate to aircraft on EASA permits to fly or restricted certificates of airworthiness.

Aircraft	Certificate	Permitted operations	
Complex and intermediate aircraft[5]	Special Category	Commercial – for example specialised operational tasks	Approvals for night or IMC and modifications for specific tasks, such as towing, issued in accordance with the relevant requirements.
Simple aircraft – ex-CoA and type approved	National Permit to Fly	Commercial – for example flight training	
Simple aircraft – amateur built	National Permit to Fly	Non-commercial use only	

[5] For this purpose, the definitions used are those of the British Civil Airworthiness Requirements (BCARs), rather than the EASA Basic Regulation. The BCARs define these terms as:

- **Simple**: single piston engine types;
- **Intermediate**: multiple piston engine or turbine (single or multiple) engine types with simple mechanical flying controls or with powered controls having an independent back-up system that can enable continued safe flight following failure of the powered system; and
- **Complex**: all other types, including those having features that require specialised knowledge and/or equipment to maintain, aircraft without independent back-up systems for powered flying controls or having automatic stabilisation systems or electronic engine controls.

Other airworthiness procedures for non-EASA aircraft

Requirement for a certificate of release to service (CRS)

(Articles 28, 29)

In light of our general policy to expand the Special Category certificate of airworthiness, these articles will be amended to align the requirements for a CRS with those for an aircraft with a national certificate of airworthiness. We believe that for maintenance purposes aircraft of equivalent complexity should require a CRS to be issued, regardless of whether they are on a national or Special Category certificate of airworthiness.

Pilot-owner maintenance

(Part 4 – Air Navigation (General) Regulations 2006)

This issue relates to non-EASA aircraft on a national certificate of airworthiness. It is not directly relevant to non-EASA aircraft on a national permit to fly since they are dealt with by separate provisions within the permit system.
The 'prescribed tasks' referenced in paragraphs (2) and (3) of article 29 refer to tasks specified in *The Air Navigation (General) Regulations 2006 – Part 4* (which can be found in Section 3 of CAP 393), which are those that may be performed by a pilot-owner and do not require a (CRS) to be issued on completion. While it is quite a long list, it is a prescriptive one, and if a task is not prescribed, it may not be completed by the pilot-owner, unless it is signed off by an appropriately qualified aircraft engineer.

The EASA approach to pilot-owner maintenance in Part-M (specifically M.A.803 *Pilot-owner authorisation*) is slightly different. Rather than listing specifically identified tasks, it uses the model of generic criteria for establishing whether a task is permitted to be conducted by a pilot owner or not – for example if it requires the use of special tools, requires the removal of major components or is critical to the airworthiness of the aircraft, it is not permitted. Some acceptable means of compliance is published alongside Part-M to clarify which tasks are likely to meet the generic criteria. We believe this may be a more flexible approach. Part-M however does require the scope of the pilot-owner maintenance to be specified in the maintenance programme for a particular aircraft.

The advantages of both approaches could be captured by adopting the Part-M approach, but retaining the contents of *The Air Navigation (General) Regulations 2006 – Part 4* as guidance material. This would allow items that were appropriate for pilot owners to be added to individual maintenance programmes provided they met the generic criteria set out. The guidance material for pilot owner maintenance could also be amended more easily than if it were in regulation.

We considered whether to align with the EASA approach and require the pilot owner to sign the CRS for pilot owner tasks, but would welcome feedback as to whether this would be worthwhile to change from the current situation, where the pilot owner is simply required to record the work accomplished in the relevant aircraft logbooks.

Contents of a CRS

(Article 30)

We intend to align this with Part-M, M.A.801 (f). This will not result in any substantive change in requirements. It will simply mean that a similar form as that for EASA aircraft will be used instead of the current one.

Who may issue a CRS

(Article 31)

If we adopt the approach of requiring a pilot-owner to issue a CRS after a pilot-owner task has been completed, it will be necessary to amend this article to reflect that. We also propose to omit the provision for an ATPL (A) or navigator licence holder to issue a CRS after the adjustment and compensation of the direct reading compass, since we believe this provision is rarely used.

Maintenance logbooks

(Article 34)

This article and schedule 6 will be aligned with Part-M, M.A.305 for logbooks and logbook entries. The requirement for logbooks applicable to aircraft 2730kgs MTOW and below to be approved by the CAA will be removed.

Weight schedule

(Article 35)

This will be aligned with NCO.POL.105 for certificate of airworthiness aircraft in line with our general approach to adopt similar text and requirements to that of EASA where it is helpful and proportionate to do so. There is no substantive change in requirement as a result. We also propose to include a legal requirement under the ANO for an aircraft flying on a national permit to fly to have a weight schedule. This would be for consistency; we do not believe that it would impose any additional burdens, since all aircraft will likely have one anyway.

Use of ‘A conditions’ for permit aircraft

(Schedule 2, Part A, Section 1)

This will be revised to allow aircraft holding a national permit to fly to be flown in accordance with ‘A conditions’ for the same purposes for which aircraft on a national certificate of airworthiness are permitted. This will reduce the number of occasions where a permit to fly for ferry needs to be issued by the CAA. The revised approach is intended to delegate the decision to allow an aircraft to fly for the purposes of maintenance or repair, to qualified engineering personnel.

Aircraft registration

(Articles 4, 5)

As discussed in the first consultation, the proposals for a more flexible approach regarding who may own a UK registered aircraft will be adopted and supported by appropriate policy for determining a suitable connection to the UK.

The amendments bring a more flexible approach to ownership of UK registered aircraft, by allowing previously ‘unqualified’ persons to own UK registered aircraft, and use them for commercial (but not commercial air transport) purposes.

Overall the intention is to increase the number of UK registered aircraft, and enable us to have better oversight of them. This approach would also ease the current situation in which aircraft that are currently on the UK register change ownership and the use of the aircraft may suddenly be restricted or the registration voided automatically.

We would be particularly interested in feedback on any potential benefits of this proposal.

Appendix A: Operational classifications

The current ANO 2009 defines ‘private’, ‘aerial work’ and ‘public transport’ as follows:

Article 255 Interpretation

‘Private flight’ means a flight which is not an aerial work flight, a public transport flight or a flight for the purpose of commercial air transport;

Article 259 Meaning of aerial work

(1) Subject to paragraph (2) and Part 34, aerial work means any purpose, other than commercial air transport or public transport, for which an aircraft is flown if valuable consideration is given or promised for the flight or the purpose of the flight.

(2) If the only such valuable consideration consists of remuneration for the services of the pilot the flight is deemed to be a private flight for the purposes of Part 3 and Part 4.

(3) Aerial work consists of instruction or testing in a club environment if it consists of the giving of instruction in flying or the conducting of flying tests for the purposes of this Order in an aircraft owned by, operated by or operated under arrangements entered into by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.

Article 260 Meaning of public transport

(1) For the purposes of this Order and subject to Part 34, an aircraft in flight is flying on a public transport flight if:

(a) it is an A to A commercial air transport helicopter operation; or

(b) the conditions specified in paragraph (2) are satisfied.

(2) The conditions referred to in paragraph (1) are:

(a) the flight is not a flight for the purpose of commercial air transport; and

(b) (i) valuable consideration is given or promised for the carriage of passengers or cargo in the aircraft on that flight; or

(ii) the flight is operated by the holder of a national air operator’s certificate, an EU-OPS air operator certificate or a Part-CAT air operator certificate and any passengers or cargo are carried gratuitously in the aircraft except for persons specified in paragraph (3) or cargo specified in paragraph (4).

(3) The persons referred to in paragraph (2)(b)(ii) are persons in the employment of the operator (including, in the case of a body corporate, its directors), or persons authorised by the CAA either making any inspection or witnessing any training, practice or test for the purposes of this Order, EU-OPS or the EASA Air Operations Regulation.

(4) The cargo referred to in paragraph (2)(b)(ii) is cargo intended to be used by any persons specified in paragraph (3) or by the operator.

Regulation (EC) No 216/2008, the EASA Basic Regulation, defines 'commercial operation' as:

'Commercial operation' shall mean any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to 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.

Commission Regulation (EU) No 965/2012, the EASA Air Operations Regulation, defines 'commercial air transport' as:

'Commercial air transport (CAT) operation' means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration.

Annex A: Comment response document (CRD)

In total there were just over 300 written comments on the first consultation which ran between March and May 2015, about 280 of which were made online via the Survey Monkey tool. The rest were by letter or email, including detailed comments from most of the major GA stakeholder organisations. Generally the comments were considered and helpful. A number of comments discussed issues that were not really within the scope of this review, but nonetheless efforts will be made to capture them as far as possible and ensure any issues relevant to the GA Programme are captured.

Provided here is a brief summary of the comments on each question with our response. Where a response relates to a specific proposal being taken forward, the reference to the relevant page in the main second consultation document is included at the bottom right hand side of the response.

<table>
<tr><th colspan="3">1. Do the current regulations that apply to GA aim for the correct levels of safety? If necessary, please give examples why.</th></tr>
<tr><td colspan="2">Summary of comments</td><td>CAA response</td></tr>
<tr><td>Yes: 69</td><td>No: 75</td><td rowspan="2">

We understand that from the perspective of many in the GA community, regulations often appear to aim for either unrealistic levels of safety, or appear to be irrelevant to the safety issues affecting GA.

We believe that the principles of the GA Policy Framework are suitable to identify the correct level of safety that should be applied.

When participants are knowledgeable or informed of the risks, and any risks to third parties can be appropriately mitigated, we will not expect the same level of safety outcomes in GA as for commercial air transport.

The future ANO should be realistic about</td></tr>
<tr><td colspan="2">The comments were split roughly equally between yes and no.

Few of the written comments actually addressed the issue of the level of safety targeted, but those that did asserted that it was too high and that regulations aspired to the perfection of commercial air transport levels.

Most respondents made general statements about how prescriptive regulations were, or made reference to specific examples in which regulations appeared to be overly burdensome. At least one respondent gave the nature of medicals for private pilots being unnecessary.

Some respondents argued that more</td></tr>
</table>

space should be allowed for personal risk judgements and common sense, rather than prescriptive rules. One respondent made the observation that very often the level of safety targeted in the context of individual regulations was appropriate, but taken overall they had a cumulative effect that was excessive and counterproductive to safety.	the safety outcomes that are targeted, and which will form the basis of risk based regulation of GA. Aspects of the ANO or policy in general that do not contribute towards safety will be identified and eliminated. Where international standards from EASA or ICAO appear to demand unnecessarily high levels of safety or apply requirements which are relatively ineffective, we will engage to have them revised and take steps to mitigate any disproportionate effects on UK GA stakeholders.

2. Are we correctly deploying our regulatory tools?		
Summary of comments		CAA response
Yes: 53	No: 70	
The vast majority of the written comments pointed to the perceived complexity and prescription of the regulatory system. Some respondents suggested that we focus too much on issues that are of little importance to the strategic safety picture, for example the airworthiness of radio communication systems, and not enough on things of more overall safety value, such as safety culture development or a more effective GA occurrence reporting system. Another respondent noted that if the CAA is to approve individuals or organisations with certain regulatory powers, they should give them more freedom to exercise those powers without further CAA intervention.		The vast majority of the complexity in the aviation regulatory system is not defined by the ANO but in the policy that sits above it. In drawing up the new ANO we will create a legal basis for a simpler regulatory structure that will allow us to revise policy so that it is proportionate and relevant. In accordance with performance based regulation, we will ensure that our regulatory tools are deployed to the correct areas of risk. Where we are able to give more power to approved individuals or organisations, we will do so.

One specific example given, which does not relate to the ANO, but was suggested to demonstrate an incorrect use of a regulatory tool, was that of the skills test booking process for the IR. This was perceived to be an administrative process that was of low regulatory value, and could easily be simplified and achieve the same effect by simply having a notification system rather than a 'designation' process.	

3. Do you have any ideas for how regulatory functions could be discharged in a more effective manner for the GA community?	
Summary of comments	CAA response
Yes: 77 / No: 39	
Most wanted simplifications of the regulations, both in terms of presentation and substance. Many also asked for further delegations to sporting organisations, BMAA, LAA etc, but did not specify any more detail than that. In addition to that, many alluded to a general approach of allowing more freedom for approved organisations or persons to exercise their responsibilities without undue interference. A few comments pointed towards concentrating on areas of low competence and/or knowledge and leaving the "well behaved" parts of GA to essentially self regulate. One comment suggested that education should be more effectively used as a regulatory tool. Several comments suggested that GA stakeholders should be asked to review publications such as Information Notices	We are committed to further delegation to industry bodies and allowing more freedom for approved individuals and organisations. We are also broadly adopting the principle of allowing activity to take place with minimal intervention from us, while retaining the power to intervene when the risk indicates it is necessary to protect third parties.

(INs) prior to publication to determine whether they would likely be understood or not. One respondent believed the CAA spent too much time briefing the public and politicians and not enough on primary tasks.	

4. Are there any areas of GA activity in which industry could take further responsibility for risk management?		
Summary of comments		CAA response
Yes: 65	No: 36	
Most just commented on general areas such as airworthiness or flight training. The DA system for Flying Displays was mentioned a couple of times though as something where further responsibility could be taken. Other areas cited included more discretion over airworthiness issues such as engine TBO extensions and quicker acceptance of new technology. One comment suggested giving more power to approved persons to discharge regulatory functions such as issuing certificates of airworthiness or licences.		We wish to allow the GA community to take more responsibility for risk management, particularly through the mechanisms for delegation and designation or approval of organisations and individuals to exercise certain privileges or regulatory functions. It is our intention to set out a more balanced approach to risk ownership, with both the CAA and the GA community taking responsibility for the safety outcomes achieved. For the safety of uninvolved third parties and users of commercial air transport, the CAA will always bear the ultimately responsibility.

<table>
<tr><th colspan="3">5. Could more regulatory functions be delegated to industry?</th></tr>
<tr><td colspan="2">Summary of comments</td><td>CAA response</td></tr>
<tr><td>Yes: 68</td><td>No: 36</td><td rowspan="2">

We are considering further expanding our delegation strategy, and looking for new areas in which to delegate functions.

This will obviously be dependent on the appetite of industry stakeholders to take more responsibility, and in some cases, there being a business rationale for the performing the function.</td></tr>
<tr><td colspan="2">Some comments suggested more use of individual approvals and designations.

However there was no shortage of suggestions for regulatory functions or documents that could be ‘delegated’ or performed by designated representatives.

Regulatory functions:

• A safety reporting system;
• PPL theory exams;
• Licensing of aerodromes;
• All GA to be regulated by LAA;
• Instructor ratings (administered by GAPAN until the 1960s);
• Air displays; and
• Regulation of ATOs.

Documents:

• Medicals;
• Temporary pilot licences;
• License issue in the same manner as medical certificates;
• Full licence issue of NPPL by LAA/BMAA; and
• Full issue of permits by LAA.

Some comments however cautioned that delegation was not always the answer, and that in some cases it may be more effective if the CAA continued to perform certain functions.</td></tr>
</table>

6. Are there any new enabling provisions for particular activities that should be adopted, to be reflected in a future ANO?		
Summary of comments		CAA response
Yes: 42	No: 36	
Few of the answers fully addressed the question. Those answers that did address the question primarily relate to drones, noting the regulations around them should be revisited to ensure relevance. Most of the others expressed frustration at issues relating to maintenance and the lack of proportionality of the requirements around minor maintenance issues, minor modifications and the fitment of new technology to aircraft without going through arduous airworthiness processes. Two specific suggestions were allowing permit to fly aircraft to be used for flight training, and the use of 3D printers to produce components.		Many of the issues raised in response to this did not directly relate to policy as defined by the ANO. However many were nonetheless very important issues that will be addressed through the GA Programme. Some recent initiatives, such as the new experimental aircraft development category and the consultations on PPL medical requirements will go some way to addressing a number of the issues raised in response to this question. Greater use of permit to fly aircraft is addressed later on in the document.

7. Do you believe that we have adopted the correct principles for our levels of regulatory intervention in GA?		
Summary of comments		CAA response
Yes: 62	No: 41	
Many answers in response to this question believed that we had adopted the correct principles, although often stated that the principles of being evidence and risk based needed more effort to be realised. A number of answers also referred to allowing individuals and organisations		While it is evident that some areas of regulation are still causing frustration to the GA community, this consultation received a positive response in terms of the overall principles that it embodies. In general, the development of our principles and strategy is on the correct trajectory and we will continue to

bestowed with approvals, to be allowed to exercise more of their own discretion when making decisions, without having to revert to us.	progress them. To achieve optimal application of them will be an ongoing task, but we believe this review of the ANO will be a substantial step on the road towards achieving that.

8. Are there any particular areas of regulation, particularly in the ANO, which could be simplified, while continuing to have the same effect?	
Summary of comments	CAA response
Yes: 72 / No: 17	
Most of the comments did not relate specifically to the ANO, but stated that areas such as VMC minima or licences and medicals could be simplified. A few respondents noted the relative ease of understanding of the FAA's regulations compared to the ANO. The examples given that directly relate to the ANO included: • Two comments on the complexity around the definition of public transport and the various exceptions that the ANO includes for cost sharing etc; • The equipage scales in the Schedules 4 and 5; and • One respondent cited Article 87(b) as being overly prescriptive, and stated that much of the detail of it, and similar articles, could be in guidance material.	We are encouraged that many of the answers covered areas that we intend to address. The equipage requirements will be largely simplified in the future ANO, and the alignment with the EASA operational definitions should clarify the area of operational definition in general. The provision of the *Skyway Code* will also allow us to provide clearer guidance material that is not written in 'legalese'. The ANO is a UK Statutory Instrument, and must conform to strict drafting rules. So we may not always be able to adopt the layout of the EASA implementing rules or the FAA regulations. We are investigating all possible areas in which the ANO could be structurally improved.

9. Are we taking the correct approach to the construction of the future ANO and the associated regulatory material?		
Summary of comments		CAA response
Yes: 82	No: 19	
Some indicated caution before seeing results, but were positive about the expectation that the ANO would be simpler. Some noteworthy comments wanted to see a more interactive ANO with 'Google like' access. Another suggested that each section should set out relevant safety objectives with means of compliance alongside.		We welcome the positive response here. It is a considerable challenge to transition to a simpler and more accessible ANO however we are confident it can be achieved.

Flight Operations

10. Would the alignment of operational definitions for EASA and non-EASA aircraft assist understanding of the relevant operations requirements?	
Summary of comments	CAA response
Yes: 78 / No: 14	
Most answered yes to this question. Some of the no comments reflected a view that there might be unintended consequences from this or include the application of inappropriate EASA standards or requirements to non-EASA aircraft.	Given our previous work and this positive response we propose to adopt this approach, while carefully considering the instances in which there may be negative or unintended consequences. This will not involve the application of any higher standards than already in place, or any EASA standards above that of what is currently required.
	Consultation page: 8

11. Would this alignment save time in understanding the regulatory requirements and (if applicable) explaining them to your customers? If yes, please give details of how much you think it would save.	
Summary of comments	CAA response
Yes: 67 / No: 5	
Very few however gave an estimation of how much time it would save, but suggested that it would be a worthwhile amount.	While we understand that estimations are difficult, we are encouraged to see most people responding to this in a positive manner. Further detail can be found in the accompanying impact assessment (Annex C).

12. Is it logical and beneficial to adopt broadly similar operations rules for both EASA and non-EASA aircraft?	
Summary of comments	CAA response
Yes: 80 No: 22	
There was some concern expressed about the possible negative consequences of adopting the EASA approach, however most agreed with the logic of this proposal.	We will adopt the broad proposal, but not apply requirements that would have a disproportionate impact on UK stakeholders. The broad thrust of this proposal is not to apply any new standards to non-EASA aircraft, but merely to harmonise the regulatory frameworks so that there is greater clarity in the rules. This is highly unlikely to require any operators of non-EASA aircraft to change from what they are currently doing.
	Consultation page: 18

13. Would the alignment proposal have any financial effects on you? If so can you quantify them in terms of time or money?	
Summary of comments	CAA response
Yes: 39 No: 37	
Although by a small margin the majority answered yes, comments were not entirely clear about why. Some again alluded to increased costs associated with compliance with EASA, but others thought the simplification would save time.	We believe that in time, there will be time saved through increased clarity around the regulations. We do not anticipate any increased costs to UK stakeholders as a result of this approach.

14. How much time do you spend checking operational regulatory requirements?	
Summary of comments	CAA response
The answers varied considerably, at the lower end 20 hours annually was given, with between one and four hours per week probably the most common response. At the extreme end 5-10 hours a week and in one case apparently 75% of the working week. The answers obviously varied considerably depending on the occupation of the stakeholder. Those working in GA organisations inevitably spend more time reviewing regulations.	We thank respondents for their estimates, they will be used to inform future regulatory decisions and develop better impact assessments for future consultations supporting the delivery of a more proportionate regulatory framework for GA.

15. Would the 'Skyway Code' concept be a useful mechanism to help GA pilots understand the practical application of regulatory requirements?	
Summary of comments	CAA response
Yes: 90 / No: 7	
Although most responded yes, there was some caution expressed in the written answers that: • The regulations should be simple in the first place rather than adding layers of interpretation; and • It could add another layer of fragmentation of the publications already in existence.	We are encouraged that this proposal received such a positive response. We believe the Skyway Code will be a valuable contribution to better understanding of regulations and good flying practice in the GA community. We are mindful of the need to make it relevant and not be yet another layer of regulatory information.

16. If regulatory requirements were available in a single publication, such as a Skyway Code, what proportion of this time do you think you could save?	
Summary of comments	CAA response
Most seemed to think it would make some saving, although the differing interpretations of what sort of regulatory requirements the Skyway Code might cover should be accounted for. It is understandable that there were few actual figures given, since the consultation could not be entirely clear at this stage as to the precise requirements the publication would cover. Some suggested that it would be of limited value to organisations, because their regulatory compliance requirements tend to be more specialised and detailed. A few others repeated the assertion that the underlying regulations needed to be simple, and that it could risk simply adding to the existing material without further value.	The answers indicated that such a publication would be worthwhile and save people time. We will now carefully consider the precise scope. The primary audience will be GA pilots, flying all varieties of aircraft, and the document will focus on the regulations and practices most relevant to them.

<table>
<tr><th colspan="3">17. Is the less prescriptive approach to the issue of towing and dropping a sensible one?</th></tr>
<tr><td colspan="2">Summary of comments</td><td rowspan="2">CAA response</td></tr>
<tr><td>Yes: 71</td><td>No: 8</td></tr>
<tr><td colspan="2" rowspan="2">One respondent suggested making safety goals the requirements, and penalise those who do not comply with the safety objectives.

Others suggested that in the absence of regulation, guidance material should be available to ensure that good practice was still captured.

Several comments mentioned the need to gain an individual permission to drop things in low risk scenarios was disproportionate.

One response stated that the lack of regulation would make it less safe.</td><td>Although the precise format for the new regulations in this area is to be determined, we intend to remove disproportionate requirements, such as requiring individual exemptions for dropping small objects in low altitude, low risk scenarios.

As further explained in the main consultation document, the requirements for non-EASA aircraft conducting specialised operations such as towing and dropping will be based on those for EASA aircraft, NCO.SPEC and Part-SPO. These EASA Regulations will come into force in April 2017, after which the current articles will be revised to reflect the same risk based approach.</td></tr>
<tr><td>Consultation page: 18

Reference articles: 126, 128 and 129.</td></tr>
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18. What future involvement should we have in the regulation of parachuting itself, as opposed to the operation of the aircraft involved?	
Summary of comments	CAA response
There were 46 comments, of which about 10 simply stated no opinion or not applicable. A number of answers stated that the BPA managed parachuting effectively and/or that the system should be left as it is. A number of comments stated that parachuting should be 'left' to the BPA – although it was not clear whether it was implied the CAA should have less involvement than it currently does. The response from the BPA emphatically supported retention of the current system, and suggested that to remove statutory underpinning of it would be detrimental to safety in parachuting.	For the time being, the current requirements will be largely left unchanged. After April 2017, as a minimum, aspects of the current provisions that represent an overlap of the EASA regulations for aircraft on specialised operations, including parachuting, will be removed. The extent to which we should continue to regulate parachuting will be reassessed in the future. Consultation page: 19 Reference article:130

19. Are the current regulations proportionate for smaller flying displays?	
Summary of comments	CAA response
Yes: 37 / No: 31	We are currently reviewing the regulatory regime for flying displays – it is not possible to know at this stage what the results of that review will be. No changes will be made until that review has been completed.
While there were fewer comments on this question than others, there were a wide variety of views expressed. Some were very firmly of the view that flying displays of all sizes should be regulated with similar requirements and that it was important that the CAA remained involved; others stated that the current requirements were disproportionate and discouraged people from hosting small displays.	Consultation page: 19 Reference article: 162

20. Would there be advantages in the legal basis for flying display director permissions simply becoming exemptions under the Rules of the Air?	
Summary of comments	CAA response
Yes: 47 / No: 11	We are currently reviewing the regulatory regime for flying displays – it is not possible to know at this stage what the results of that review will be. No changes will be made until that review has been completed.
Most supported this suggestion, although a lot of the written comments did not actually specify why they thought it would be of benefit. A number of comments were similar to 19, and indicated that the current system worked well as it is. One suggestion included allowing Flying Display Directors to authorise displays of up to eight aircraft themselves.	

21. Could a system for ensuring the competence of display pilots become purely an industry function?		
Summary of comments		CAA response
Yes: 52	No: 26	
There was a wide variety of opinions expressed to this. Some pointed to the fact that the CAA's impartiality was important in being the final arbiter, with the current balance between industry and regulator being appropriate. Others however noted that since it is almost entirely an industry function anyway, CAA involvement does not add significant value to the process. Although the majority of the comments were positive, it was unclear as to what extent the respondents were actually advocating removal of the requirement (leaving to industry to provide) or total delegation to an approved body.		We are currently reviewing the regulatory regime for flying displays – it is not possible to know at this stage what the results of that review will be. No changes will be made until that review has been completed.

22. Could a less prescriptive approach be taken in this area of aerial activities such as kites, glider launching and small balloons?		
Summary of comments		CAA response
Yes: 47	No: 19	
Despite the majority of the answers being yes, there was little detail given. One response stated that having text in the ANO allowed them to present it to errant operators who may fly balloons or kites in ATZs. One response proposed raising the current height limits for kite flying from		We propose to simplify drafting in the ANO. This will primarily be a simplification exercise and will not change the substantive requirements. We will consider the proposal to raise the height limit for kites to 120m, taking account of aircraft operations it may impact on.

60m to 120m.	Consultation page: 21 Reference articles:163, 164 and 165

23. Would this less prescriptive approach lead to any time or cost savings for you?		
Summary of comments		CAA response
Yes: 19	No: 36	
There was a relatively low response rate to this question and it appeared unlikely from the comments that there would be savings associated with this.		We did not expect to have a strong response to this question, since the proposal was more one of simplification than substantive change. Nonetheless it has the potential to reduce and simplify the text in this part of the ANO, and therefore it will be adopted.

24. Would having the ability to issue a permission to operate in the service of the police, without an Air Operators Certificate, be a reasonable approach to take to this issue?		
Summary of comments		CAA response
Yes: 42	No: 13	
Most comments supported this suggestion and GA assistance to the emergency services in general.		Provided agreement can be achieved on the practical implementation issues, we intend to remove the requirement to automatically require a Police AOC if operating in the service of the police, and introduce a provision that will allow us to grant a permission for this activity, as an alternative to an AOC. We will be engaging with the relevant stakeholders in due course to work on how such a permission might be assessed and issued.

	Consultation page: 15 Reference article: 13

25. Would allowing such a permission be economically beneficial to your activities?		
Summary of comments		CAA response
Yes: 11	No: 38	
Some comments mentioned that it would be beneficial to be reimbursed for some of the costs of performing voluntary work.		We will work with stakeholders towards allowing the activity in the service of the police in a cost effective manner, subject to ensuring third party safety.

26. Is it reasonable to not have detailed flight time limitations for non-commercial operations?		
Summary of comments		CAA response
Yes: 60	No: 18	
Most of the comments indicated that private pilots should be capable of determining whether they were fatigued or not before flying.		We believe that private pilots should be allowed to manage their own fatigue. We therefore propose to withdraw flight time limitations for non-complex aircraft flown non-commercially.
		Consultation page: 19 Reference article: 147

<table>
<tr><th colspan="3">27. Should hours flown under non-commercial operations rules, including flight instruction, count towards commercial air transport flight time limitations?</th></tr>
<tr><td colspan="2">Summary of comments</td><td>CAA response</td></tr>
<tr><td>Yes: 32</td><td>No: 48</td><td rowspan="2">While we felt it important to get a view on this issue, it is not entirely within our gift to alter these requirements.

Airlines are currently making the transition to EASA flight time limitations (FTL) schemes, and while we are supportive of the interpretation that hours outside of the airline environment should not necessarily count towards these limitations, ultimately the scope of the airline's FTL scheme determines whether or not it does.</td></tr>
<tr><td colspan="2">This question appeared to have been interpreted in two different ways. Some of the comments seem to have interpreted the question as to whether operations, such as flight instruction, should be subject to FTL. Others as whether or not they should contribute towards commercial airline FTLs.

Again the views were mixed, with many suggesting that instructing was fatiguing, and that it should count.

However some comments also noted a benefit of encouraging airline pilots to fly in GA more, and that it would improve their flying. The benefit of them passing on their experience to people learning to fly was also mentioned.

A few comments also highlighted the fact that a pilot may take part in other equally or more fatiguing activities when off duty.</td></tr>
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<table>
<tr><th colspan="3">28. Would revising the requirements change how many hours you flew?</th></tr>
<tr><td colspan="2">Summary of comments</td><td>CAA response</td></tr>
<tr><td>Yes: 10</td><td>No: 63</td><td rowspan="2">This proposal was to be consistent with the principle of not applying rules when they serve no purpose, rather than to necessarily encourage private pilots to fly more.</td></tr>
<tr><td colspan="2">Most of the answers indicated that although they would be supportive of revising the requirements in this area, they did not personally fly enough for it to make a difference.</td></tr>
</table>

29. Would it be appropriate to have lower or less prescriptive state runway visual range minima for non-commercial, non-complex aircraft than are required for commercial air transport?	
Summary of comments	CAA response
Yes: 47 / No: 27 The comments were mostly supportive, but a few that were not cited the fact that PPLs tend to be less current, so having lower minima would not be appropriate. One response raised a concern that it might cause confusion if what was printed on the chart could be diverged from under some circumstances.	The requirements for approach minima are not directly specified in the ANO, but are notified in the AIP. We will review this issue in the future to determine whether or not to reduce the permitted RVR minima (not the MDA/DA) for non-commercial operations.

30. Should the approach taken by Part-NCO to equipage and instrumentation, apply to non-EASA aircraft as well?	
Summary of comments	CAA response
Yes: 29 / No: 34 Few of the comments provided significant detail, although there were some statements to the effect that no additional burdens should be imposed. One response did suggest that it would be easier to retain the less onerous elements of the ANO for EASA aircraft, particularly for flight under IFR.	We propose that for the purposes of simplicity, EASA aircraft, and their non-EASA equivalents, should be governed by the similar operational equipage requirements. There will be a blanket grandfathering provision such that all current aircraft flying legally under the ANO 2009 will

	remain compliant with the new ANO. For aircraft that may wish to gain a privilege in the future, such as flight under IFR for permit aircraft, we believe the current requirements in Part-NCO are appropriate.
	Consultation Page: 16 Reference article: 37, 39, Schedule 4 and 5

31. Would aligning the requirements have any financial impact either positive or negative?		
Summary of comments		CAA response
Yes: 29	No: 19	
While some comments indicated both positive and negative impacts, few gave specific details on this.		Although we were obliged to ask an impact assessment related question for this subject area, we are confident there will be no additional burdens of compliance as a result of this change.

32. What should be the approach to the licensing of non-EASA aerodromes, considering that the EASA Air Operations Regulation requires that operators establish the adequacy of aerodromes before using them, whether licensed or not?	
Summary of comments	CAA response
Many respondents interpreted this as a question as to whether or not licensing should be required for commercial air transport flights to land at an aerodrome. The answers varied considerably, and not all were helpful in directly addressing the question. Out of the 53 comments received, the approximate breakdown was: • Current requirements should remain:10 • Operators should establish suitability: 25 • Opinion of the respondent unclear: 18 Of the 16 respondents who identified themselves as aerodrome operators, 8 responded to this question, and all either gave the view that the current requirement should remain the same, or it was not clear what their view was. A number of the comments that were of the opinion that operators should be permitted to establish suitability pointed to the fact that the Air Operations Regulation does not require CAT flights to land at certificated aerodromes. One response	After carefully considering this issue, we propose to maintain the current limitation on the type of commercial air transport flights permitted to use unlicensed aerodromes. These are non-scheduled, A-B flights. However currently only aircraft up to 2370kgs MTOW may be used for such flights, we propose to raise this to 5700kgs MTOW. This will allow a number of smaller charter operators increased flexibility, and the ability to fly larger aircraft to a greater variety of aerodromes, provided they determine them to be suitable, in accordance with their suitability procedures. The same limit of 5700kgs MTOW will also be adopted for flight training flights, up from the current 2730kgs. We are conscious that the requirement in the ANO for a commercial air transport aeroplane flight to land at a licensed aerodrome is not a requirement contained in the EASA Air Operations Regulation, so we may further review this subject area in the future.

suggested the UK requirement was gold plate, and another suggested that while the requirement could be lifted, it should only be done for aircraft up to 5700kgs, or for aerodromes that had a limited number of commercial flights. Three or so comments suggested that licensing for non-EASA aerodromes should be abandoned. Those that advocated retaining the current requirements expressed the view that operators could not necessarily make suitability determinations, and that the current requirements appear to work well.	Consultation page: 20 Reference articles: 207, 208, 208A

33. If aerodromes were no longer required to be licensed in order to accept commercial air transport flights, would this have any financial impact?		
Summary of comments		CAA response
Yes: 50	No: 13	
Of the 45 comments that directly addressed the question, roughly 20 appeared to give a positive response on the question of finance, split roughly in half between those who thought aerodromes would benefit, and those that thought operators would – for example more choice and lower costs for operators conducting pleasure flights, and other commercial operations with smaller aircraft. About five comments could be identified as clearly indicating that it would have a negative impact, four indicated that it would be negative for currently licensed aerodromes and/or those required to be certificated under EASA, and one believed that it would raise costs for		Overall we believe this will be a positive development, with the primary beneficiaries being operators of the relevant aircraft and a few unlicensed airfields that may see increased traffic as a result.

operators. Of the seven aerodrome operators who responded, two believed there would be a negative financial impact. The remaining answers either believed that it would be of no financial impact, or did not state a clear view.	

34. How should we decide on the establishment or retention of ATZs?	
Summary of comments	CAA response
Of the 69 comments, about half suggested that it should relate to the level and/or nature of activity at the aerodrome – for example intensive flight training. Of the rest, many suggested that it should be linked to the provision of a radio service, for example A/G. A number did not really answer the question or it was not clear what view was being expressed. A few comments gave suggested traffic levels that should trigger an ATZ – one suggested 10,000 movements/year and another 500/month (6,000/year). A minority of comments indicated that they did not serve a useful purpose, and a few made statements that they should simply be retained. A couple suggested they should be related to the level of ATS provided. Another minority of comments indicated that the current system was reasonable, with one comment stating that they only provide a safety value with associated oversight and an SMS.	Although there were many thoughtful comments on this question, there was no clear consensus of opinion expressed on this subject. We believe that while it is a subject area worthy of review, we would need to do further policy work in this area to determine a way forward. Consequently no change is proposed at present.

35. Do ATZs still provide a safety benefit?		
Summary of comments		CAA response
Yes: 87	No: 9	
The vast majority of respondents, including the stakeholder organisations, believed that ATZs provide a safety benefit. The most common rationale given were: • Drawing attention to the airfield on a chart; • Ensuring that transiting aircraft announce their presence; and • A known traffic environment.		As described in the response to the previous question, we do not propose any immediate policy change in this area. The support expressed for the concept of ATZs is noted and will be considered in any future review.

36. Is the current model of sub-ATC air traffic services the most effective?		
Summary of comments		CAA response
Yes: 45	No: 30	
There were a variety of views expressed on this : • Align with ICAO FISO concept and get rid of A/G; • Use the US system of common traffic advisory with no ground based sub-ATC services; and • Keep the system as it is. The comments were roughly split equally between the three points. There were also a few comments on the quality of the current services, for example A/G “controlling”, or on the other hand not being willing enough to give “advice” for the benefit of flight safety.		A wide variety of views were expressed on this issue with no clear consensus. While there were a number of suggestions for how this area could be improve the comments did not appear to indicate that this was an issue of the upmost priority for the GA community. To comprehensively review this subject area would take a lot of time, and the benefit of doing so would have to be carefully considered against the value of spending that time on other issues. We therefore do not propose any changes in this ANO revision.

37. Should we consider entering unlicensed airfields into the AIP?		
Summary of comments		CAA response
Yes: 69	No: 22	
Most of the comments stated that it would be useful to have as many airfields as possible in the AIP, since concentration of information in a single, standardised, source is generally beneficial for GA pilots. A few comments stated that it would be unnecessary since the information is available anyway from commercial flight guides and/or available from airfield websites. One response stated that including unlicensed airfields would be of no value because the information would not be accurate enough. The issue of NOTAMs being issued for unlicensed aerodromes was also raised.		Whether or not unlicensed aerodromes are placed in the AIP is not directly determined by the ANO. But it is a consideration relevant to this discussion because currently, being included in the AIP is one of the benefits of being licensed. Particularly in light of allowing larger aircraft on commercial air transport flights to land at unlicensed aerodromes, there may be a stronger case for including some unlicensed aerodromes. The aerodromes would likely have to meet the same standards of data quality as for licensed aerodromes. Alternatively they could simply be entered with a warning that the information had not been verified. Other European states appear to have different approaches to this issue, some enter unlicensed (or uncertified) in their AIPs, others do not. This issue will be examined more comprehensively in the future.

38. Why, as a GA airfield operator, do you continue to maintain a licence?	
Summary of comments	CAA response
Out of 35 comments, about 20 answered the question in a relevant manner. Of those that clearly answered from the perspective of an airfield operator, approximate reasons stated were: Host commercial flights: two Value the expertise/quality it brings: eight Do not maintain a licence: four	It was helpful for us to understand more about why aerodromes maintain licensed status, even where they do not have to. There is no suggestion that the licensing system for non-EASA aerodromes would be dispensed with, and any aerodrome will continue to be able to apply for a licence provided they meet the relevant standards.

39. Would any of the changes outlined above have an effect on whether you maintain a licence?		
Summary of comments		CAA response
Yes: 14	No: 15	
Out of those who had identified themselves in the survey as aerodrome operators, three answered yes and five no. There were a number of other respondents who appeared to answer from the perspective of an aerodrome operator, even though they identified themselves as a different class of stakeholder for the survey. One respondent (who identified themselves as a former airfield manager) suggested that a licence with a much reduced level of compliance and oversight might be a good solution.		When we removed the requirement for flight training to be conducted from a licensed aerodrome it was anticipated that far more aerodromes would surrender their licences than in fact did so. It may well be the case that the proposal adopted here will also have a limited impact on the number of licensed aerodromes. It is entirely up to the aerodrome as to whether they surrender their licence or not.

40. We have chosen to issue a general permission for remunerated flight training in non-EEA registered aircraft that are privately or group owned. Should this alleviation be taken further?	
Summary of comments	CAA response
Yes: 49 / No: 15	
The majority supported taking this further, although there were different interpretations of this. Some comments explicitly stated that flight schools should be allowed to use aircraft registered outside of the EEA, others emphasised the importance maintenance standards for aircraft used for flight training.	Article 225 will be amended to refer to 'commercial operations' rather than aerial work. This will mean that a privately owned aircraft will no longer need to apply for permission for an instructor to be paid to teach in the aircraft. This is provided it remains a private transaction between the owners and the instructor. Flying schools conducting flight training on a commercial basis will continue to require a permission to use non-EEA registered aircraft for the time being, although this will be revisited in time for April 2017, when the implementation of EASA operations rules will largely be completed.
	Consultation page: 21 Reference article: 225

41. What future form do you think Article 225 should take?	
Summary of comments	CAA response
Many of the comments queried whether this article actually added any safety value at all, especially since non-EEA registered aircraft flown by operators resident in the community are required to conform with EASA operations and flight crew licensing regulations anyway.	As described in the previous response, we will consider further modifications to article 225 prior to April 2017.
	Consultation page: 21 Reference article: 225

42. Would the removal of any of the requirements related to Article 225 have an associated economic benefit?		
Summary of comments		CAA response
Yes: 21	No: 8	
Many of the comments indicated that further reducing or removing the requirements of article 225 would be of benefit.		We thank respondents for their feedback in this regard. At this stage we anticipate the primary beneficiaries being operations that would previously have been considered aerial work, now being considered ‘non-commercial’. Scenarios in which an instructor is being paid to teach in a privately owned aircraft would fall under this alleviation.

Airworthiness

<table>
<tr><th colspan="3">43. Would the use of the ‘Special Category’ Certificate of airworthiness be an effective way to bring greater scope and clarity to commercial operations of aircraft without an ICAO Certificate of airworthiness?</th></tr>
<tr><td colspan="2">Summary of comments</td><td>CAA response</td></tr>
<tr><td>Yes: 35</td><td>No: 7</td><td rowspan="2">We propose greater use of the ‘Special Category’ certificate of airworthiness for aircraft without an ICAO certificate of airworthiness.

However to require it for all such aircraft that may be used commercially would not be practical due to the large numbers of aircraft potentially involved.

Instead we propose to use the Special Category to allow commercial (but not commercial air transport) operations with aircraft of intermediate or complex airworthiness status (as defined by the British Civil Airworthiness Requirements) which do not have an ICAO Certificate of airworthiness. This would be consistent with there being more regulatory requirements associated with aircraft of greater complexity.

Non-ICAO Certificate of airworthiness aircraft of simple airworthiness status will continue to only be issued national permits to fly, but they may be given the privilege to fly commercially under article 23.</td></tr>
<tr><td colspan="2" rowspan="2">The overall response to this question was positive, with a wide range of answers.

Most of the answers were supportive of the concept of more commercial operations being permitted with aircraft that do not hold an ICAO compliant Certificate of airworthiness.</td></tr>
<tr><td>Consultation page: 30

Reference articles: Schedule 2 Part B</td></tr>
</table>

44. Would the use of the 'Special Category' Certificate of airworthiness enable you to reduce costs of doing business or allow expansion into new areas of work?	
Summary of comments	CAA response
Yes: 20 No: **10**	The comments on this question assisted us in determining the aircraft which should be required to hold a Special Category certificate of airworthiness.
Because the proposal for the Special Category Certificate of airworthiness was quite broad and imprecise, it was difficult for respondents to know whether it would applicable to them. However overall, most respondents did believe that allowing more aircraft without an ICAO Certificate of airworthiness to conduct commercial operations would be of benefit.	

45. Should more flight training in permit aircraft be permitted? If yes, please state the circumstances, e.g. ab initio, recurrent etc.	
Summary of comments	CAA response
Yes: 69 No: 4	We propose to expand the circumstances in which aircraft with a national permit to fly are permitted to be used for remunerated flight training. Please see the detailed proposal with regard to Article 23. We emphasise that all the proposals in this subject area relate to aircraft described in Annex II to the EASA Basic Regulation – non-EASA aircraft. They do not address aircraft on EASA permits to fly or their operational application since these aircraft are subject to a separate
There were 62 comments from survey monkey and a number of others by email. The overwhelming response to this was positive. There was significant variation in the comments though – the majority indicated that all types of training should be required, however there were also a number of comments suggesting that ab initio should not be allowed, or that it should only be factory built, or that the aircraft involved should have a type	

support arrangement.	process under EASA's jurisdiction.
	Consultation page: 26 Reference article: 23

46. If remunerated flight training were allowed in permit aircraft, please provide estimates of the effect on your business.	
Summary of comments	CAA response
Most of the 40 comments indicated that there would be a positive effect on their business. However there were some comments which indicated that it would allow the undercutting of businesses that currently operate aircraft on a certificate of airworthiness, because permit aircraft tend to be cheaper to buy and maintain.	Throughout our GA change programme we have focused on initiatives that reduce costs for the end user, particularly GA pilots. We believe that this approach will benefit the sector overall. Allowing more flight training in permit aircraft we believe to be of positive benefit to GA. While we understand that investment may have been made around previous regulatory arrangements, it cannot be a reason for retaining regulations which we no longer consider necessary for safety.

47. Should we remove the requirement for maintenance schedules and logbooks to be approved by us?		
Summary of comments		CAA response
Yes: 46	No: 18	
There were a large variety of opinions expressed but in general the proposal was supported. More discretion for owners was particularly welcomed.		As the maintenance and continuing airworthiness system for GA EASA aircraft continues to evolve we will ensure that the beneficial alignments are achieved for equivalent non-EASA aircraft. This will involve moving away from the LAMP/LAMS concept and towards the EASA Minimum Inspection Programme (MIP) concept. Such a concept can be introduced under the current ANO wording relatively easily. Similarly, anachronisms like the 'approval' of logbooks will be removed.

48. Would such a change in maintenance requirements bring financial savings?		
Summary of comments		CAA response
Yes: 42	No: 5	
Most believed that there would be savings from increase flexibility although few actually quantified those cost savings.		We recognise that the precise savings may be aircraft type specific and therefore difficult to make broad assertions about how much this would save the GA community. We are confident that introducing more flexibility is the correct approach.

49. Comparing the UK approach and that for EASA aircraft, which provides more utility for pilot-owner maintenance and why?	
Summary of comments	CAA response
UK: 26 EASA: 21	
Despite a narrow majority appearing to support the EASA approach, a number of the written comments, both in the survey monkey and by email, supported the logic of the EASA approach insofar as it appeared to offer greater flexibility. A number of comments noted that on the other hand, the simple list of the UK approach is transparent and not open to interpretation, therefore being easy to understand.	We believe that a balance can be struck between the two approaches, that is more flexible than the current list in the Air Navigation (General) Regulations 2006, but easier to understand than the EASA one. We envisage this being achieved with a combination of basic principles and suitable guidance material. Consultation page: 32 Reference article: Air Navigation (General) Regulations 2006 – Part 4

50. What would be a reasonable approach to defining the scope of pilot-owner maintenance?	
Summary of comments	CAA response
Most of the comments indicated there should be flexibility, and that the approach should take account of the complexity of the aircraft in question. Some emphasised the importance of discussion with the engineers or CAMO involved in the maintenance of the aircraft.	Our current proposal is to merge the best aspects of the EASA and non-EASA approaches, so that the clarity of the current UK requirements is retained while absorbing the potential for increased flexibility through the EASA system. This could be achieved by shifting the legal basis to a more EASA style, but retaining the current UK list of permitted tasks as guidance material.

51. Would the ability to use 'A conditions' under circumstances in which an aircraft did not have a valid permit to fly be of benefit?	
Summary of comments	CAA response
Yes: 40 / No: 1	This will be adopted as proposed.
The vast majority of comments supported this, believing it would be a simple amendment that would bring benefit.	Consultation page: 33 Reference article: Schedule 2, Part A

52. Would the use of 'A conditions' under circumstances in which an aircraft did not have a valid permit to fly have potential financial savings?	
Summary of comments	CAA response
Yes: 32 / No: 5	We welcome responses indicating that this simple amendment will be of benefit.
Many comments indicated that this would save costs associated with either obtaining a permit to ferry, having to make repairs in situ, or moving the aircraft by road.	

53. Would 'designees' be a useful feature of the airworthiness system in the UK?	
Summary of comments	CAA response
Yes: 35 / No: **3**	We welcome the positive response to this. However, this is a complex policy area which we have not been able to fully explore in the time available. We plan to keep this proposal under consideration as part of the GA Programme, but it is unlikely to form part of this ANO revision.
There were a number of considered comments on this that supported the proposal, believing that suitable experts with more flexibility to operate in the field could perform a useful function in this area and relieve pressure on centralised CAA staff.	

54. Could there be financial savings or business opportunities associated with the use of designees?	
Summary of comments	CAA response
Yes: 28 / No: 2	
Most of the written comments suggested there could be savings associated with this, and also that certain airworthiness approvals could be achieved more quickly if there was more expertise on hand to oversee them.	We welcome the positive response to this. However this is a complex policy area which we have not been able to fully explore in the time available. We plan to keep this proposal under consideration as part of the GA Programme, but it is unlikely to form part of this ANO revision.

55. Would any GA organisations be interested in performing the issue of permit to fly documentation?	
Summary of comments	CAA response
Yes: 26 / No: 2	
A number of comments suggested this would be a welcome development.	We welcome the positive response to this. We intend to amend the ANO to allow this in the future and will commence discussions with interested parties in due course. Such organisations would be approved in accordance with objective criteria.
	Consultation page: 26 Reference article: 21

Pilot Licensing

<table>
<tr><th colspan="3">56. Are any of the modifications and simplifications proposed for the NPPL worth pursuing?</th></tr>
<tr><td colspan="2">Summary of comments</td><td>CAA response</td></tr>
<tr><td>Yes: 41</td><td>No: 9</td><td rowspan="2">

Having considered the issues, we think it too complex at this stage to implement the proposal of a single aeroplane rating for the NPPL as described in the consultation. While the idea certainly has merit, we have not been able to fully explore all implications associated with it in the time available.

This will be raised as a task will be kept under review as part of the GA Programme.

We have decided to propose an amendment to Schedule 7 of the ANO to allow an IMC or night rating to be added to the NPPL – although emphasise that this would only be valid for non-EASA aircraft.

We also propose changing the maximum weight of the aircraft that are permitted to be flown on the NPPL, either to 2370kgs MTOW or ‘other-than-complex-motor powered aircraft’ – in line with what is agreed in the context of the consultation on reduced medical standards for private pilots.</td></tr>
<tr><td colspan="2">The comments on this question varied enormously. While the majority supported the general idea of simplification, there was no clear view expressed as to what modifications and simplifications should be pursued.

The idea of a single ‘aeroplane’ rating, with differences training between different aeroplane variants within that, was welcomed by many. As was the possibility of adding IMC privileges.

Some comments cautioned about trying to revise something that was often already a source of confusion, and may cause further confusion by changing.

One comment raised the issue of flying abroad, where some foreign states may wish to see a separate microlight rating or licence if flying microlight since some states keep the licensing of microlight aircraft separate from that of heavier aeroplanes.</td><td>Consultation page: 24</td></tr>
</table>

57. Could there be financial benefits from pursuing any of the NPPL options proposed?	
Summary of comments	CAA response
Yes: 31 No: 8	
A number of the comments suggested there would be savings, especially if individual ratings did not have to be maintained in the manner they are currently.	While we are not planning to introduce the 'one rating' concept in this ANO revision, we believe there will be financial benefits from allowing more ratings to be added to the NPPL and also potentially to fly larger aircraft.

58. Would any organisations wish to become approved to perform tasks such as issuing the NPPL?	
Summary of comments	CAA response
Yes: 26 No: 4	
There were a number of positive comments on this, many emphasised that currently organisations do most of the work by recommending applicants to the CAA for the issue of a licence, so issuing one outright would not be a difficult step forward to take.	This was a very similar question to that about issuing permits to fly. We welcome the positive response to this a look forward to having discussions with the relevant organisations in due course. Such organisations would be approved in accordance with objective criteria.
	Consultation page: 25 Reference article: 64

59. Should the privileges of UK licences be aligned with those of their EASA equivalents?	
Summary of comments	CAA response
Yes: 52 / No: 13	
Most of the comments were supportive of this, although emphasised it should only be done where beneficial to do so.	This proposal is about aligning the privileges of the licences themselves, it will not bring any additional burdens or reduce the privileges of any current UK licence. We therefore propose this approach in the overhaul of Schedule 7 of the ANO. It will bring clarity to areas such as the visibility minima to which licence holders may fly.
	Consultation page: 22 Reference article: Schedule 7

60. For SSDR types and the range of lighter aircraft below that, for example paramotors, what training and licensing requirements should be applicable?	
Summary of comments	CAA response
There was a large variety of comments on this question. Many comments suggested that there should be some form of training, even just in air law, for all pilots of powered aircraft. Others emphasised that it was important for the pilots of single seat deregulated (SSDR) sized aircraft to be appropriately trained; otherwise they would be a danger to other airspace users. Overall a strong message of training was put across.	Having considered the issues carefully, we believe that the current rules are fit for purpose in this area. SSDRs are potentially getting larger and faster as materials improve. They are also frequently operated in proximity to larger regulated aircraft, for example at aerodromes; so their pilots should be licensed to the same standards as those of other light aircraft. However we are not convinced at this stage for the case for regulation of foot launched aircraft. Instead we propose a

	targeted campaign of guidance to ensure users of foot launched aircraft are suitably aware of the requirements of the rules of the air and controlled airspace.

61. Could you see any financial benefits from removing the requirement to hold a formal licence for small single occupant aircraft?		
Summary of comments		CAA response
Yes: 23	No: 27	
Some comments suggested that removing the requirement to hold a licence would reduce costs, although it should not be construed as removing the requirement to have any training at all. Some suggested while it might bring savings, there was a risk that it would make the activity more dangerous and therefore reduce its appeal.		As discussed in the previous response, we currently do not propose to make any changes in this area. Whether it would be possible to allow training with a reduced syllabus, perhaps without a formal licence issued on completion, will be considered in the future for very small aircraft, but we do not believe developing this to be a priority.

<table>
<tr><th colspan="3">62. Should the scope of privileges that third country licence holders can exercise in non-EASA aircraft registered in the UK be expanded?</th></tr>
<tr><td colspan="2">Summary of comments</td><td>CAA response</td></tr>
<tr><td>Yes: 33</td><td>No: 12</td><td rowspan="2">We believe we should introduce alleviations in this area where possible to do so. These would allow greater use of ICAO instrument rating privileges, and also the potential to fly on some commercial (but not commercial air transport) operations. For example it would allow someone holding a foreign instructor rating to teach for a foreign licence or rating on a UK registered aircraft.

It must be emphasised that this would only apply to non-EASA aircraft, since it is not within our gift to grant additional privileges to foreign non-EASA licence holders for EASA aircraft.</td></tr>
<tr><td colspan="2" rowspan="2">Most of the comments supported the proposal, suggesting that the registration of the aircraft has little to do with the pilot’s ability to fly it safely.

There were a few comments that cautioned against the confusion of having different privileges for foreign licences depending on whether they were non-EASA aircraft or not.</td></tr>
<tr><td>Consultation page: 25

Reference article: 62</td></tr>
</table>

63. Would an expansion of the scope of third country licence privileges have any financial impacts?		
Summary of comments		CAA response
Yes: 21	No: 10	
Most of the comments indicated that this would be of positive benefit, for example encouraging non-UK licence holders to fly while in the UK, and giving more UK pilots a choice of different licences/ratings to obtain. A few comments suggested this might encourage more people to train abroad rather than in the UK.		We believe that on balance there are positive benefits to be had for UK GA as a result of this proposal.

Aircraft Registration

64. Is it appropriate to introduce more flexibility in terms of who can own a UK registered aircraft?		
Summary of comments		CAA response
Yes: 31	No: 14	
Most supported this relaxation of the rules, believing them to be illogical and without safety basis. A few highlighted the fact that other states often appear to restrict the ownership of aircraft of their own registry.		While many states restrict the ownership of aircraft on their registry, few states prevent simple mechanisms to circumvent this (such as trusts) which simply results in a lack of transparency around who really owns the aircraft. People may wish to own UK registered aircraft for a whole variety of reasons, and we do not believe they should be restricted on the basis of nationality, provided they have some reasonable connection to the UK.
		Consultation page: 34 Reference articles: 4, 5

65. Could this flexibility in ownership have financial benefits?		
Summary of comments		CAA response
Yes: 25	No: 10	While there may well be benefits to be had as a result of this change, the primary rationale is one of transparency rather than economic benefit.
There were a few comments that suggested this could increase the number of aircraft on the UK register, which would be beneficial for UK business in general.		

Conclusion

66. Have we correctly applied the principles set out at the start of the document in determining which areas of the ANO are worthy of revision and the proposed alternative approaches?		
Summary of comments		CAA response
Yes: 52	No: 4	Reviewing the ANO in accordance with good regulatory principles is an important part of our improved regulatory approach to GA. However we also recognise that there are many other aspects to implementing the GA programme, with reviewing the ANO being one element of that process.
The comments on this question were generally positive, many raised issues that while not related to the ANO, were nonetheless important for GA.		

Essentially fit for purpose

67. When considering the powers and obligations we have under the ANO, are they appropriate?	
Summary of comments	CAA response
Yes: 46 / No: 8 Most considered the CAA's powers and obligations to be appropriate. A few comments stated that they should be kept under regular review. Several comments suggested that people should be able to appeal against the CAA to an independent ombudsman.	Overall we consider that our powers and obligations are appropriate. Most of our statutory obligations come from primary legislation rather than the ANO itself; however the ANO is where the detailed implementation of these obligations is underpinned in detail. We do believe our powers to be appropriate, especially with regard to taking action to direct aircraft operations in the interests of safety.

68. Have we drawn the correct conclusions on the areas of the ANO for which the substantive meaning should remain the same?	
Summary of comments	CAA response
Yes: 34 / No: 4 There were very few comments on this question, and almost all them agreed that the correct conclusions had been drawn.	While we have addressed many details as part of this review, we generally determined that the fundamental legal basis for the four functional areas reviewed in the ANO is appropriate. We are encouraged that there does not seem to be any dissent from this view.

69. Are there any areas in which we should have drawn different conclusions for, or have missed?	
Summary of comments	CAA response
Yes: 13 No: 17	
A number of comments were made that were valuable suggestions. Most however did not relate directly to policy as defined by the ANO, but were other areas that we should look at in the future. For example the issue of regulatory provision for small helicopters was mentioned, as was aircraft fitted with hybrid power plants. There were also a few questions about how other aspects of the legal framework such as the Standardised Rules of the Air (SERA), or the regulation of gliding fit into the picture.	The underlying aim of this review was to ensure the correct legal basis for the future, and explore those areas of policy relating to a number of key areas of the ANO. We believe that the revised ANO will be considerably more flexible than the previous one in terms of the regulatory policy that may be built on it. Issues like regulatory structures for emerging technology or new aircraft classes can generally be built into that since the legal requirements as defined by the ANO are quite broad. They generally empower us to issue an aircraft, regardless of its design, a permit to fly, provided we are satisfied that it is safe and fit to take to the air. Regulation now defined at European level, for example SERA or the regulation of gliders that are EASA types, are no longer within the scope of the ANO.

70. Have we missed any exemptions or current policy that could be included in the future ANO?	
Summary of comments	CAA response
Yes: 21 / No: 18	
While a number of issues were raised relating to current policy in general, no respondents quoted any general exemptions that needed incorporating. One respondent referred to rationalisation charity flight permissions.	We will review the list of general exemptions when drafting the revised ANO later this year, to ensure they are incorporated where appropriate. Some policy issues, such as charity flights, have been resolved as separate initiatives since the first consultation. All current GA policy initiatives that require an ANO change will be incorporated.

71. Please highlight any reasons to keep the provisions that we have decided have no further purpose?	
Summary of comments	CAA response
No comments were received that highlighted any reasons why the associated provisions listed in this section of the consultation should be retained.	This was a final check to ensure the articles concerned did not serve a purpose that we were unaware of. Since there were no issues raised with this, these articles will be removed from the revised ANO.

Annex B: Drafting Instructions

Annex B
Instructions to Government Drafting Lawyer

Definition of commercial air transport operation

The EASA definition of commercial air transport operation is set out in Article 2 of the EASA Air Operations Regulation 965/2012—

> *(1) 'commercial air transport (CAT) operation' means an aircraft operation to transport passengers, cargo or mail for remuneration or other valuable consideration;*

The ANO definition is—

> *"Commercial air transport operation" means an aircraft operation for the purpose of transporting passengers, cargo or mail for remuneration or other valuable consideration which is required to be conducted under and in accordance with Part-CAT and Part-ORO but which is not an A to A commercial air transport aeroplane operation or an A to A commercial air transport helicopter operation;*

It will be seen that the ANO follows the EASA definition but applies it only to operations to which Part-CAT applies, ie operations by states subject to the EASA Basic Regulation, which means EEA states plus a couple of associated states which have entered into agreements with the Commission (see definition of an EASA Member in ANO article 255) .

Operators from non EASA states flying in the UK cannot by definition conduct CAT. If carrying passengers for valuable consideration they will be flying for public transport. This approach was simply to make the minimum change to accommodate the coming into force of the CAT provisions of the Air Operations Regulation, by carving out only those operations which are subject to it.

We are planning to remove the concept of public transport in April 2017. At that point, we will wish to adopt the straight EASA definition. We will need then to identify the various consequential changes required throughout the ANO. But for the August 2016 amendment/consolidation, we wish to maintain the current position.

Replacement of references to aerial work and private flight

We wish eventually to align with EASA terminology. In August 2016 we wish to replace references to aerial work with commercial and references to a private flight with non-commercial.

But we will retain public transport until April 2017. Until then we will retain the current definition of public transport. For the ANO definition of commercial we will adopt the EASA definition except that we will exclude anything which falls within the definition of public transport. This is to ensure

that any operation by Annex II and more especially State aircraft, which is currently public transport, will continue to be regulated as such.

Aerial work and commercial operation

Aerial work is defined at article 259 of the ANO—

> ***259 Meaning of aerial work***
>
> *(1) Subject to paragraph (2) and Part 34, aerial work means any purpose, other than commercial air transport or public transport, for which an aircraft is flown if valuable consideration is given or promised for the flight or the purpose of the flight.*
>
> *(2) If the only such valuable consideration consists of remuneration for the services of the pilot the flight is deemed to be a private flight for the purposes of Part 3 and Part 4.*
>
> *(3) Aerial work consists of instruction or testing in a club environment if it consists of the giving of instruction in flying or the conducting of flying tests for the purposes of this Order in an aircraft owned by, operated by or operated under arrangements entered into by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.*

We wish to adopt in place of paragraph (1) the EASA definition of commercial operation set out in Article 3 of the EASA Basic Regulation 216/2008—

> *(i) 'commercial operation' shall mean any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to 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;*

But as explained above, we also wish to exclude from this definition any operation which comes within the definition of public transport.

There is no express cross reference the definition of commercial air transport, so a commercial air transport operation would also fall within this definition of commercial. But it seems clear that CAT operations are impliedly excluded from the commercial definition. Query whether in the ANO there should be an express exclusion.

We wish to omit paragraph (2). We do not think payment to the pilot alone will bring the flight within the definition of commercial so no deeming provision is needed. But this is of course subject to the views of DfT Legal and the Drafting Lawyer.

We wish to omit paragraph (3) because we are no longer going to use the concept of a club environment.

We will also need definitions equivalent to aerial work flight, aerial work aircraft and aerial work undertaking, depending of course on whether such terms are needed when revising the ANO.

Private and non-commercial operation

Private is defined at article 255(1) of the ANO—

> *"Private aircraft" means an aircraft which is not an aerial work aircraft, a public transport aircraft or a commercial air transport aircraft;*
>
> *"Private flight" means a flight which is not an aerial work flight, a public transport flight or a flight for the purpose of commercial air transport;*

We wish to adopt in place of this the EASA concept of non-commercial.

There is no express definition of non-commercial- in the EASA Regulations. It must simply be anything which is neither CAT nor commercial.

We think this probably ought to be expressly stated in the ANO.

DETAILED INSTRUCTIONS	
ARTICLES	
3	Revise (2)(b) to provide that a non-EASA glider, except on a public transport or commercial air transport flight, does not need to be registered
4	Omit article 4(3)(b) Amend article 4(3)(c) to *additionally* refer to aircraft registered to an unqualified person which could more suitably be registered in another Contracting State.
5	In article 5(2), omit the phrase “resides or has a place of business in the United Kingdom and”. In article 5(3), omit the phrase “, public transport or aerial work”.
6	In article 6(3), omit the phrase “Subject to paragraph (5). Omit Arts 6(5)-(7) .
7	Omit article 7(1).
8	Omit article 8(1).
	In addition, the changes to the ANO made by S.I. 912/2015 to article 8 to implement the Cape Town Convention (CTC) should be retained. But note one of the changes made by the Cape Town Regs is— ***Aircraft subject to an international interest*** ***8A.****—(1) This article applies to an aircraft—* *(a) which is the subject of a registered international interest within the meaning of the International Interests in Aircraft Equipment (Cape Town Convention) Regulations 2015, and* *(b) in respect of which an irrevocable de-registration and export request authorisation is in force.* *(2) The registration of an aircraft to which this article applies does not become void by virtue of article 7(1).*

	If we are omitting 7(1) then 8A(2) can also be deleted.
10	Provide for a permission to allow non standard markings.
13	Amend to enable the CAA to issue a permission, permitting operation in the service of the police, without holding a Police AOC. This permission would likely be issued on the basis of— Agreement on cooperation with the relevant emergency services; Risk assessment of the proposed operation, including any limitations on operations and tasking we deemed appropriate; Compliance with the criteria we develop and set out in policy; and Evidence of organisational governance Such a permission may be granted subject to conditions (see article 245(b)).
16	Revise (2)(a) to provide that a non-EASA glider, unless on a public transport or commercial air transport flight, does not need a certificate of airworthiness
	Omit reference to certificate of validation at paragraph (2)(f)
	Expand the exception at paragraph (2)(g) by omitting the conditions at sub-paragraphs (ii) and (iii). The exception will thus apply to any single seat microlight aeroplane flying on a private (non-commercial) flight.
	Add to paragraph (2) a subparagraph providing an additional exception for an aircraft flying in accordance with a permission from the CAA. A provision will be needed dealing with the grant of such a permission by the CAA.
	See separate proposals for experimental aircraft which are to be incorporated in the August 2016 ANO
17	Update reference to latest edition of CAP747.
18	Omit subparagraph (1A)(b).
19	Omit reference to certificate of validation in paragraph (4)
21	(1) Enable organisations approved by the CAA to issue national permits to fly in addition to the CAA. Consequential changes required in the rest of the article.
	(3) Omit reference here (and throughout the ANO) to ‘as it thinks fit’.
	A consequential change will be required to the Civil Aviation Authority Regulations 1991. These specify certain licences, certificates, approvals etc. which may only be granted by the CAA. These are the regulations referred to in paragraph 15 of Schedule 1 to the Civil Aviation Act 1982.
23	(1) The only absolute prohibition on use of a permit aircraft is to be that it must not be used for commercial air transport. Then provide a further prohibition that it may not fly on a commercial operation or at night or in IMC

	except with the permission of the CAA.
	(2) Keep this requirement but relocate it with other provisions dealing with flying displays, currently at article 162.
	(3) Omit, now dealt with at (1)
	(5) Omit, now dealt with at (1)
	(6) Retain
24	Omit.
25	Omit.
26	Omit.
27	Require a technical log only for commercial air transport and for commercial aircraft. It must be carried unless the flight takes off and lands at the same place.
28	Omit paragraph (4).
29	Omit the exception for Special Category so that such aircraft will require a certificate of release to service.
	We are proposing in the consultation to adopt essentially the EASA approach— High level description of scope Specific prohibitions Guidance as to what is permissible, reflecting the prescribed list in regulation 12 of the Air Navigation (General) Regulations The scope of permitted pilot maintenance to be confirmed following consultation.
	We will make no change to the aircraft which may be subject to pilot maintenance ie aircraft with a MTWA of not more than 2730kgs.
30	For contents of a CRS, align with MA801(f)
31	Omit paragraph (1)(d).
33	Omit para (3)(a) as certificates of maintenance review will no longer be issued. Para (9) to be merged with article 77.
34	Retain para (1). For para (2), omit requirement to approve and align Schedule 6 with M.A.305. For para (3) – when to make entries, and para (6) - keeping log books, align with M.A.305.
35	Replace with text based on NCO.POL.105 for this article. Apply the article to any aircraft which is not subject to Part-CAT, EU-OPS, Part-NCC and Part-NCO. So it will also apply to EASA aircraft conducting specialised commercial operations and EASA sailplanes, because these are not covered by EASA Ops rules yet. Also extend the requirement to include aircraft with a permit to fly.
36A	Delete references to non-expiring as article 18 will provide all must be non expiring and all expiring certificates will have expired.
36C	Delete reference to non-expiring as article 18 will provide all must be non-expiring and all expiring certificates will have expired.

36D	Delete reference to non-expiring as article 18 will provide all must be non-expiring and all expiring certificates will have expired.
36E	Delete reference to non-expiring as article 18 will provide all must be non-expiring and all expiring certificates will have expired. Provide that a national ARC may be issued by an appropriately approved maintenance organisation.
36F	Delete reference to non-expiring as article 18 will provide all must be non-expiring and all expiring certificates will have expired. Article 36F, like articles 36A-36O, mimic for non-EASA aircraft the continuing airworthiness provisions in Part M which apply to EASA aircraft. Part M is being amended so that, for certain categories of EASA aircraft, in place of a maintenance programme which must be approved by the CAA, the owner will simply declare a maintenance programme but no approval will be needed. We wish to adopt this same approach for non-EASA aircraft. So for those categories this article should require a declared programme not an approved one.
36G	Delete reference to non-expiring as article 18 will provide all must be non-expiring and all expiring certificates will have expired. Omit subparagraph (1)(a). Para (2)(b) will need to be revised to reflect any changes to CRS privileges for ATPLs and Flight Navigators as part of review of pilot maintenance privileges
36J	Delete reference to non-expiring as article 18 will provide all must be non-expiring and all expiring certificates will have expired.
36K	Delete references to non-expiring as article 18 will provide all must be non-expiring and all expiring certificates will have expired. Incorporate exemption from the requirement that there must always be a check flight contained at (5)(e) – see Exemption E3627.
36O	Change para (5) to say 'may' rather than 'must' in the case of airworthiness reviews.
37	For— non-commercial and commercial operations, by non-EASA non-*complex aeroplanes and helicopters; and* commercial operations by EASA non-*complex aeroplanes and helicopters* apply same equipment requirements as for NCO IDE. Apply those same provisions to gyroplanes. Apply those same provisions to EASA non complex aeroplanes and helicopters on commercial specialised operations pending the arrival of SPO in April 2017. These should apply to all such aircraft whether they have a certificate of airworthiness or a permit to fly. Omit requirements for gliders. Include the following provision which is not yet incorporated in NCO but is expected to be so— **'NCO.IDE.A.205 Management of aeronautical databases** (a) Aeronautical databases used on certified aircraft system applications shall meet data quality requirements that are adequate for the intended use of the data. (b) The pilot-in-command shall ensure the timely distribution and insertion of current and unaltered aeronautical databases to the aircraft that require them.

	(c) Notwithstanding any other occurrence reporting requirements as defined in Regulation (EU) No 376/2014, the pilot-in-command shall report to the database provider instances of erroneous, inconsistent or missing data that might be reasonably expected to constitute a hazard to flight. In such cases, the pilot-in-command shall not use the affected data.' For— non-commercial and commercial operations, by non-EASA *complex aeroplanes and helicopters; and* commercial operations by EASA *complex aeroplanes and helicopters* apply same equipment requirements as for NCO IDE, with the following additions from NCC.IDE— 'chart holder' as shown in NCC.IDE.A.100(b)(4). NCC.IDE.A.100(e) (ICAO Annex 6 pt II 3.6.5.2.2). NCC.IDE.A.120(c). NCC.IDE.A.125(c)(e)(f)(g)(h). NCC.IDE.A.130. NCC.IDE.A.140. NCC.IDE.A.180(b). (the flight crew seat upper torso restraint to include two shoulder straps and a seat belt that may be used independently). NCC.IDE.A.220(b) (ANO Schedule 4 Scale H). 'chart holder' as shown in NCC.IDE.H.100(b)(3). NCC.IDE.H.100(e). NCC.IDE.H.120(c). NCC.IDE.H.125(c)(e)(f). NCC.IDE.H.180(b)(2). (the flight crew seat upper torso restraint to include two shoulder straps and a seat belt that may be used independently). NCC.IDE.H.232. Also provide that non-EASA aircraft with an equipment fit which satisfied the ANO immediately before 25 August 2016 will be deemed to meet the requirements. For consideration by the drafting lawyer, how best to reflect all this. The ANO has set out most of the equipment requirements in Schedules. 4 and 5. EASA includes the equipment requirements in the main body of the rules. Retain Schedule 4 requirements for non-EASA aircraft conducting public transport or commercial air transport operations.
38	Place (3) and (4) in a separate article applicable to those non-EASA aircraft which are not required to comply with Part CAT.
39	See article 37.
40	Retain and extend as needed to reflect obligations to comply with the equipment requirements specified for particular airspace to be applied to all categories of aircraft
41	Replace with text from NCO.GEN.155. This will apply to all non-EASA aircraft including those flying commercially. See also NCO.IDE.A.105 H.105 S.105 and B.105. It will also apply to EASA aircraft flying commercial or non-commercial specialised operations (but not CAT).
42	Apply only to aircraft registered elsewhere than in the UK.

43	Paragraph (1): should apply to non-EASA aircraft only. Paragraphs (2)-(5): No change.
49	Omit.
54	Omit.
57	Restrict its application to non-EASA aircraft only
59	Restrict its application to non-EASA gliders only.
62	The following amendments are required— Paragraphs (1) and (4)(a) and (b) should be amended to refer to non-EASA aircraft which are registered in the United Kingdom. The title should be accordingly amended Paragraph (4)(a) – the reference to aerial work in (4)(a) should be deleted in toto, so as to allow any aerial work (or specialised operations as it will be known) to be conducted by the holder of the foreign licence. Paragraph (4)(b) – The reference to giving instruction in flying should be deleted, so as to allow the holder of the foreign licence to give instruction in flying for remuneration. The other part of (4)(b) should be deleted entirely too, so as to allow the holder to fly in IMC (if the licence includes an Instrument Rating - presumably we do not need to specify this because the licence holder may only fly in IMC under the law of the State of licence issue if it includes an Instrument Rating). However we do not want the amendment to allow instruction in flying to mean that such a person (i.e. the holder of a foreign issued licence and instructor rating) is entitled to give instruction in flying to a person for the purpose of qualifying for the grant of a UK licence or the NPPL. This is and should be restricted to holders of a UK or Part-FCL licence and instructor rating/certificate. We do not think such a change to the article as is mentioned above would have this effect. This is because article 64 (grant etc of UK flight crew licences) and 65 (Ratings and qualifications) do not specify that the applicant must have trained under the holder of such a licence and rating/certificate. They simply state that the CAA must be satisfied that the applicant is qualified and (in relation to licence grant) may require the applicant to undertake such courses of training as the CAA may require (64(2)). In the case of the NPPL, the CAA may require that the application is supported by reports from such persons as the CAA may approve for this purpose. So the CAA can, as a matter of policy, choose not to accept or recognise instruction in flying given by a non-UK licence/Part-FCL holder. The reason for this policy is that the CAA would want to have some oversight or assurance of the foreign instructor's standards, either by direct instructor rating issue, i.e. by the CAA, or as a Part-FCL instructor certificate. Such a policy could be subject to challenge by judicial review, however, so we therefore think we need to make this explicit in this article. (See also article 80 below.)
63	No change, other than including 'pilot licence' as opposed to simply 'licence' in the heading and in paragraphs (1) and (3).
64	We want to allow organisations approved by the CAA to grant the National Private Pilot's Licence.
65	Paragraph (1): Omit "or JAR-FCL licence". Include a provision to allow the grant of an instrument meteorological conditions and night rating (aeroplanes) rating under Section 1 of Part B of Schedule 7 to the holder of

	a National Private Pilot's Licence (Aeroplanes).
66	It is intended that holders of the pilot licences referred to in article 66(1) maintain their aircraft rating privileges by obtaining a certificate of revalidation rather than by obtaining a certificate of test or experience as article 66(2) currently requires. Revalidation will be therefore the only permitted way of maintaining all rating privileges. Revalidation is currently permitted for these ratings anyway, by a CAA exemption, as an alternative to obtaining a certificate of experience or test, but the CAA wishes to rationalise these alternative methods of maintaining all licence ratings into a single system of revalidation. However, we want to defer these amendments coming into effect for 24 months to allow for transition to the new revalidation system. Section 1 of Part C of Schedule 7 is to be amended accordingly. See Section 1 of Part C of Schedule 7 below as to this. In addition there is to be a new Commercial Pilot's Licence (Gyroplanes). Therefore a new sub-paragraph (f) 'United Kingdom Commercial Pilot's Licence (Gyroplanes)' should be added to paragraph (1) and paragraph (2) should be amended to refer to the licence including a certificate of revalidation for the rating (rather than of experience or test) and that the certificate is issued and valid in accordance with Section 1 of Part C of Schedule 7. Paragraph (4) should be omitted as the holder of the private pilot licence (gyroplane) will be required to have the certificate of revalidation entered in their licence rather than in their flying log.
67	Article 67 already requires revalidation as the means of maintaining aircraft ratings on a UK aeroplane or helicopter licence. We wish, however, to require differences training appropriate for a microlight aeroplane to be undertaken by the holder of a United Kingdom aeroplane pilot licence (i.e. one issued under Section 1 of Part A of Schedule 7) with a single-engine piston aeroplane (SEPA, to be defined in article 255(1)) rating on the licence. This is where the holder wishes to exercise the privileges of the SEPA rating on a microlight aeroplane (which technically the holder may do). It will be the same way that a Part-FCL licence holder with such a rating is required to undertake such training (under Section 3 of Part A of Schedule 7) by virtue of article 62(6). A provision should be included in article 67 to this effect. See also the instructions on Section 1 of Part B and Section 2 of Part C of Schedule 7 in relation to the new SEPA rating.
68	This article should be amended in the same way as article 66, so as to require revalidation as the means of maintaining the ratings mentioned in paragraph (1) (flying instructor and assistant flying instructor ratings, gyroplane and instrument meteorological conditions rating (aeroplanes)). In addition, however, the CAA wishes to rationalise the various types of flying instructor ratings (there are currently 3 types: flight instructor rating (Aeroplanes) and (Helicopters), flying instructor ratings and assistant flying instructor ratings) into a 'flight instructor' and a 'flight instructor(restricted)' rating for aeroplanes, helicopters (these are mentioned in paragraph (2)), and gyroplanes (as well as microlights and self launching motor gliders which come under article 69), and to remove the flying instructor and assistant flying instructor ratings for these aircraft. So paragraph (1) should therefore refer to a flight instructor rating and flight instructor (restricted) for gyroplanes rather than to flying instructor and assistant flying instructor ratings (gyroplanes). The Section and Part references in (1)(b) and (c) will remain the same.

	However, we want to defer these amendments coming into effect for 24 months to allow for transition to the new revalidation system. Paragraph (2) already requires revalidation for the ratings mentioned in paragraph (3) (instrument ratings) (aeroplane and helicopter) and any instructor's rating other than the flying instructor and assistant flying instructor ratings, gyroplane). As mentioned above, however, the latter two ratings are being merged into a single flight instructor rating for the various aircraft type mentioned above, so these two references in this paragraph will need to change to references to flight instructor ratings for gyroplanes, microlights and self launching motor gliders. In addition, we also want to include the instrument meteorological conditions rating (aeroplanes) in paragraph (2). We are keeping Sections 1 and 2 of Part C of Schedule 7 separate for the moment in relation to the revalidation requirements under paragraphs (1) and (2), so these separate references in paragraphs (1) and (2) will remain. There are also instructions at article 82A in relation to this.
69	Paragraph (1) No change Paragraph (2): Paragraph (2) should be deleted.
72	We want to amend article 72, to permit the holder of any licence to which article 72 applies, to exercise the privileges of the licence on a SSEA, SLMG or microlight aeroplane, as if the licence were a NPPL(A), when the licence holder has— a valid medical declaration issued under article 73(2) of the Order, a valid medical declaration that complies with the condition at paragraph 3.9b)ii) of ORS4 995 or a medical certificate valid for a LAPL under Part-MED. The NPPL(A) privileges to be exercised being as revised by these instructions – see further in Schedule 7, Part A, Section 3.
73	A new paragraph (3) should be added so that the holder of a NPPL(A) may not exercise the privileges of an IMCR or a night rating unless. the holder has— (a) in the case of a night rating, been assessed as colour safe in accordance with MED.B.075 and (b) in the case of an IMCR, a valid medical certificate in accordance with paragraph (2)(c).
73A	This will be amended to reflect the outcome of the consultation on UK Private Pilot Licence and National Private Pilot Licence Medical Requirements at www.caa.co.uk/cap1284.
74	Para (2)(a) should refer to 72A rather than 72. Para (2) should refer to a medical declaration in addition to a medical certificate. MED.A.020(a) (Decrease in medical fitness) is the equivalent provision in Part-MED but at the moment it is not an offence to act in breach of this under the Air Navigation Order. Therefore, to make MED.A.020 enforceable it should be included in Part B of Schedule 13. The equivalent provision to paragraph (2) is MED.A.020(b). The same provision for this to be made an offence should be made as for MED.A.020(a) above in Part B of Schedule 13. The equivalent provision to paragraphs (3), (4) & (5) is MED.A.020(a). Therefore:- Paragraph (1) should be caveated as mentioned above so that it does not apply to the

	holder of a Part-FCL licence when the holder is exercising the privileges of the licence other than when validated for UK registered, non-EASA aircraft. MED.A.020(a) and (b) should be included in Part B of Schedule 13. Note also changes to
75	Omit.
77	Combine with article 33(9) and any other similar provisions
79	Paragraphs (1) and (2) should refer to the revalidation of a licence and also to the grant and revalidation of a rating, as well as to the grant and renewal of a licence under the Order and under Part-FCL. In addition, because examiners and instructors under Part-FCL are given a certificate rather than a rating whereas instructors under the Order are given a rating (examiners under the Order are in fact authorised rather than given a rating), paragraphs (1) and (2) should also include a certificate under Part-FCL. Paragraphs (3) – (5): no change.
80	No change necessary but can paragraph (2)(b) be simplified by inserting 'or certificate' after 'rating' and deleting from 'or' onwards? In addition, it has been suggested that article 80, when read with article 61, precludes the holder of a licence with an instructor rating issued by a country other than the UK from giving instruction in flying using the foreign rating on a non-UK registered aircraft. Article 80 doesn't distinguish between a UK registered flying machine or glider and one registered elsewhere, therefore it applies ostensibly to all such aircraft. Article 61 requires the pilot of a non-EASA aircraft registered other than in the UK to hold an appropriate licence granted or rendered valid under the law of the State of registry or of the State of operator. Article 62 deems a foreign licence to be valid for UK registered non-EASA aircraft but does not permit aerial work or the giving of instruction in flying. The restriction on instruction in flying and aerial work too in article 62 are to be removed. As article 80 requires someone giving instruction in flying to have an appropriate licence 'granted or rendered valid' under the Order or a Part-FCL licence and which includes an instructor rating, it seems to follow that if the restriction on giving instruction in flying in article 62 is removed, a person could give such instruction on a UK registered aircraft if they held an appropriate foreign licence but not on a foreign e.g. US registered aircraft because such a licence is not 'granted or rendered valid' under article 61 and may not be a Part-FCL licence. This would seem to be anomalous. This could be addressed by amending 80(2)(a) to include a licence granted or rendered valid under the law of the State of registry or the State of operator (defined in article 255(1)) of the aircraft. However we do not want this to mean that such a person (i.e. the holder of a foreign issued licence and instructor rating) is entitled to give instruction in flying to a person for the purpose of qualifying for the grant of a UK licence or the NPPL. This is and should be restricted to holders of a UK or Part-FCL licence and instructor rating/certificate. We do not think such a change to article as is mentioned above would have this effect. This is because article 64 (grant etc of UK flight crew licences) and 65 (Ratings and qualifications) do not specify that the applicant must have trained under the holder of such a licence and rating/certificate. They simply state that the CAA must be satisfied that the applicant is qualified and (in relation to licence grant) may require the applicant to undertake such courses of training as the CAA may require (64(2)).
	In addition, in the case of the NPPL, the CAA may insist that the application is supported by reports from such persons as the CAA may approve for this purpose. So

	the CAA can, as a matter of policy, choose not to accept or recognise instruction in flying given by a non-UK licence/Part-FCL holder.
	Question to drafting lawyer: do we therefore need to make this explicit in article 80 (and 62) if we make this amendment?
81	Paragraph (2) - Include the flying instructor and assistant flying instructor ratings for gyroplanes.
82A	We need to make provision for the flying instructor's ratings and assistant flying instructor's ratings for gyroplanes, microlights and self-launching motor gliders in Sections 1 and 2 of Part B of Schedule 7 to be deemed to be flight instructor ratings (gyroplanes), (microlights) and (SLMGs) but with the same privileges as the current flying instructor's and assistant flying instructor's ratings for those classes and types of aircraft in Sections 1 and 2 of Part B of Schedule 7 where the privileges are specified.. Note that the reference in paragraph (3) to public transport should be retained as it refers to such an entry in private pilot licences.
86-88	Replace with text based on NCO. This revised article will apply to— non-commercial and commercial operations, by non-EASA *aeroplanes and helicopters (both non-complex and complex); and* specialised operations, both commercial and non-commercial by EASA *aeroplanes and helicopters (both non-complex and complex).*
92	Replace with text based on NCO.OP.130 and 190. This revised article to apply to— non-commercial and commercial operations, by non-EASA *aeroplanes and helicopters (both non-complex and complex); and* commercial operations by EASA *aeroplanes and helicopters (both non-complex and complex).*
93	Replace with NCO.GEN.105 (b) and (f) This revised article to apply to— non-commercial and commercial operations, by non-EASA *aeroplanes and helicopters (both non-complex and complex); and* specialised operations, both commercial and non-commercial by EASA *aeroplanes and helicopters (both non-complex and complex).*
95	Take in ORS4 1099 balloon pilot training exemption.
109	Align with NCO for non-commercial non-complex Annex II. This revised article to apply to— non-commercial and commercial operations, by non-EASA *aeroplanes and helicopters (both non-complex and complex); and* specialised operations, both commercial and non-commercial by EASA *aeroplanes and helicopters (both non-complex and complex).*
111	Disapply for all EASA aircraft.
112	No equivalent in NCO. The article as revised below will apply to all EASA and non-EASA aircraft.
	Paragraph (1) is essentially an enforcement mechanism whereby the requirements of the W/T Act can be enforced through the ANO.

	Omit paras (2),(3) & (4) on the basis that SERA (as illustrated) could be considered equivalent for the purposes of ensuring that appropriate radio communication is maintained by an aircraft. Omit (5) as unnecessary. Retain the first part of paragraph (6) but omit the particular cases in subparagraphs (a)-(d). Omit paragraph (7).
113	Replace (1) and (2) with text based on NCO.OP.200— When ACAS II is used, operational procedures and training shall be in accordance with Regulation (EU) No 1332/2011. Consider whether it will need to be adapted to identify how, when and by whom a contravention would arise. For example, should we impose an obligation on the pic not to commence a flight unless satisfied this requirement is satisfied, otherwise it is not expressly clear when an offence is committed and by whom? This revised article to apply to— non-commercial and commercial operations, by non-EASA *aeroplanes and helicopters (both non-complex and complex); and* specialised operations, both commercial and non-commercial by EASA *aeroplanes and helicopters (both non-complex and complex).*
114	Replace with text based on NCO.OP.200 subject to it being precise enough to be enforceable. This revised article to apply to— non-commercial and commercial operations, by non-EASA *aeroplanes and helicopters (both non-complex and complex); and* specialised operations, both commercial and non-commercial by EASA *aeroplanes and helicopters (both non-complex and complex).*
116	Omit.
119	Align with simpler NCO wording using text based on NCO.IDE.A.165, H.165. This revised article to apply to— non-commercial and commercial operations, by non-EASA *aeroplanes and helicopters (both non-complex and complex); and* specialised operations, both commercial and non-commercial, by EASA *aeroplanes and helicopters (both non-complex and complex).* Need to grandfather existing markings.
126	No change before April 2017. We have used the available derogation to postpone the coming into force of NCO.SPEC until April 2017. So both commercial and non commercial specialised operations by EASA aircraft will remain subject to the ANO until then.
128	No change before April 2017. We have used the available derogation to postpone the coming into force of NCO.SPEC until April 2017. So both commercial and non commercial specialised operations by EASA aircraft will remain subject to the ANO until then.
129	Amend so that, subject to paragraph (1) (not to endanger), articles and animals (but not persons) may be dropped under either an aerial application certificate granted under

	article 131 or a CAA permission granted under this article 129. Then omit (3)(f) and (g). Otherwise no change before April 2017. We have used the available derogation to postpone the coming into force of NCO.SPEC until April 2017. So both commercial and non commercial specialised operations by EASA aircraft will remain subject to the ANO until then.
130	No change before April 2017. We have used the available derogation to postpone the coming into force of NCO.SPEC until April 2017. So both commercial and non commercial specialised operations by EASA aircraft will remain subject to the ANO until then.
131	No change before April 2017. We have used the available derogation to postpone the coming into force of NCO.SPEC until April 2017. So both commercial and non commercial specialised operations by EASA aircraft will remain subject to the ANO until then.
132	No change to the ANO itself.
147	Retain this article, including the specific limitations (100/900 hours) but apply only to aerial work/commercial operations by both EASA and non-EASA aircraft and to PT and CAT by aerial work/commercial operations. For non-commercial operations by non-EASA aircraft, apply text based on NCO.GEN.105(a)(5) and (6). Consider possible overlap with article 74 (not to fly when unfit) and text of MED.A.020, combining in one article.
159	Use text equivalent to ORO.MLR.115
162	Insert paragraph (2) from article 23. Otherwise no change before April 2017 arising from this review.
163	The broad policy objectives remain the same. But we would like to try and achieve them with a shorter and simpler provision.
164	Simplify.
165	Retain or perhaps combine with requirements for balloons.
208	We are proposing in the consultation to allow commercial operators of aircraft below 5700kg MTWA to land and take-off at at unlicensed aerodromes in the UK; this will apply to both UK and non-UK aircraft; we will confirm that this applies to passenger A to B commercial flights; cargo flights are already permitted and this will remain; The change will apply to non-scheduled flights.
225	Omit references to aerial photography and aerial survey and change to commercial in place of aerial work.
253	Confirm for the avoidance of doubt that article 241 applies to small unmanned aircraft so far as necessary to impose criminal sanctions for the breach of any of the substantive articles which apply
255	Generally consider aligning definitions with EASA.

	EASA aircraft – amend definition in accordance as discussed opposite, to include a carve-out for article 50 and a new definition for the purposes of article 50.
	"Introductory flight" – we need a definition for this term to reflect the EASA definition: see the discussions in Policy Changes and regarding introductory flights etcetera in relation to the Private Pilot's Licence (Aeroplanes) in Section 1 of Part A of Schedule 7 of the instructions below.
	"Single piston engine aeroplane" – we wish to include a new definition along these lines (see discussion on article 67 in relation to this): a single engine piston aeroplane and includes a microlight aeroplane but does not include a SLMG (see below) or a touring motor glider.
	"Self-launching motor glider" (SLMG) : We want to change the definition (which currently is "an aircraft with the characteristics of a non-power driven glider, which is fitted with one or more power units and which is designed or intended to take off under its own power") so it is as follows: ''Self-launching motor glider' means a fixed-wing aircraft that has 3-axis primary flying controls, a wingspan of at least 11 metres, wing-mounted airbrakes or spoilers, is fitted with one or more power units and which is designed or intended to take off under its own power".
	"Single simple engine aircraft" (SSEA): change the definition so the MTOW is 2730kg rather than 2000kg
256	Align with EASA definition
257	Align with EASA definition
259	Replace with definition of commercial operation
261	261 EXTEND DISAPPLICATION Perhaps expand the disapplication by adding—- *or a non-commercial flight which is not a specialised operation*
262	262 DISSAPLY TO EASA AIRCRAFT This affects the relevant airworthiness rules. But for EASA aircraft they will be exclusively determined by the EASA rules. So disapply this article to EASA aircraft.
263	263 NO CHANGE This only applies for the purposes of the Order. So no change needed.
264	264 NO CHANGE This only applies for the purposes of the specified article. So no change needed.
265	265 DISSAPLY TO EASA AIRCRAFT This affects the pilot licence required to fly the aircraft. But for EASA aircraft that will be exclusively determined by the Aircrew Regulation.
266	266 DISSAPLY TO EASA AIRCRAFT This affects the airworthiness requirements and the pilot licence required to fly the aircraft. But for EASA aircraft that will be exclusively determined by the Continuing Airworthiness and Aircrew Regulations.
267	267 DISSAPLY TO EASA AIRCRAFT A non-complex EASA aircraft flying in accordance with Article 6.4a of the Air Operations Regulation will comply with NCO.

	Separately we will revise the article to reflect the cost sharing provisions in Article 6.4a.
268	268 DISSAPLY TO EASA AIRCRAFT This will not be a specialised operation. So the rules for EASA aircraft will be exclusively determined by the EASA regulations.
269	269 DISSAPLY TO EASA AIRCRAFT This will not be a specialised operation. So the rules for EASA aircraft will be exclusively determined by the EASA regulations.
270	270 NO CHANGE – APPLY TO EASA AND NON EASA AIRCRAFT A parachuting flight is a specialised operation and so remains subject to the ANO until April 2017. It would be a public transport flight were it not for this provision.

SCHEDULES	
SCHEDULE 2	
Part A **A conditions**	Amend paragraph 1 to make it clear that an aircraft with a permit to fly may fly under A conditions
B conditions	Exclude requirement to comply with article 37/Schedule 4 and article 39/Schedule 5
E Conditions	Insert new E Conditions as finalised following separate consultation
Part B	The purposes for which an aircraft with a Special Category certificate of airworthiness can fly are to be as amended below— *Any purpose, other than commercial air transport ~~or public transport,~~ specified in the certificate of airworthiness ~~but not including the carriage of passengers unless expressly permitted~~*
SCHEDULE 3	
Part A	**1.** Add **2.** An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned. Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.
Part B	Deleted
Part C	In Section 1 General, paragraph (7) Add (d) in the case of a remotely piloted aircraft, secured in a prominent position near the main entrance or compartment or affixed conspicuously to the exterior of the aircraft if there is no main entrance or compartment.
SCHEDULE 7	
Part A, Section 1 – United Kingdom	It is proposed to remove the visibility restrictions from all UK licences and ratings, including the IMC rating and NPPL, and simply allow the holders of those qualifications to fly in accordance with VFR, Special VFR or IFR, as

Licences (other than NPPL)	applicable.
	The recency requalification requirement for night privileges for gyroplane licences is to be removed.
	A CPL for Gyroplanes to facilitate aerial work and other commercial activities with gyroplanes that comply with an appropriate airworthiness standard for commercial operations is to be added.
	The effect of exemptions ORS4 1098 and 1025 will be included in Schedule 7.
	References to 'club environment' in the privileges defined in Schedule 7 are to be removed
	Remove the requirement for the revalidation of night privileges for gyroplanes, as referenced in Article 54.
Private Pilot Licence (Aeroplanes) (PPL(A))	Privileges
	(2)(a): Delete reference to public transport and change reference to aerial work to commercial operation
	(2)(b): No change
	(2)(c): As SERA defines the visual meteorological conditions under which a pilot can fly under the visual flight rules, (i) – (iii) of (2)(c) are not necessary and can therefore be omitted. As an instrument rating or an instrument meteorological conditions rating is required to fly in instrument meteorological conditions (which is defined in article 255(1) as meaning weather precluding flight in compliance with Visual Flight Rules), the words 'in instrument meteorological conditions' should be added to the end of (2)(c).
	(2)(d): No change
	(2)(e) & (f): The instrument rating allows the holder to fly in instrument meteorological conditions (IMC) in controlled airspace (see Section 1 of Part B) which includes Class A airspace, as well as B and C. The instrument meteorological conditions rating (IMCR) allows the holder of the PPL(A) to fly in IMC without being subject to the restrictions in (2)(c) or (f). There is, however, no Class B airspace in the UK and we wish to allow PPL(A) holders to fly in Class C airspace if they hold an IMCR. The IMCR is to be changed so it expressly precludes flight in circumstances requiring compliance with instrument flight rules in Class A airspace. Therefore paragraph (e) will be redundant and can be deleted and paragraph (f) will not need to refer to any classes of airspace, so the references to Class D or E airspace will also be redundant and can be deleted too.
	(2)(g): Exemption ORS4 1087 exempts pilots from the 90 day recency rule under (2)(g) subject to certain conditions. It is proposed to include this in the PPL(A) and (H) and NPPL(A) and (H) privileges, as an alternative to 90 day recency under (2)(g)(i). This requires there to be an additional (iii), as an alternative to (i) to the effect that before commencing the flight the pilot is

	satisfied that the intended passenger is qualified to act as pilot in command on the flight and informs the intended passenger that the pilot does not have the recency required by (2)(g)(i).
	(3)(a):The Part-FCL PPL does not require instruction in flying to be conducted in a club environment in order to receive remuneration, as (3)(a) does, therefore the words 'club environment' can be omitted. Change reference to aerial work to commercial operation
	(3)(b): Change reference to aerial work to commercial operation
	In addition, we wish to align what (3)(b) currently permits with introductory flights *parachute dropping, sailplane towing or* aerobatic flights flown as an exception to (2)(a) in accordance with Exemption ORS4 1110/E4051 namely flights permitted by article 6(4)(c) of Regulation EU 965/2012 (the Air Operations Regulation) as amended by Regulation EU 379/2014 – see discussion in Policy changes and immediately below
	The effect of article 6(4)(c) of the Air Operations Regulation is to allow a Part-FCL PPL holder to fly an aircraft engaged in introductory flights, parachute dropping, sailplane towing or aerobatic flights provided the conditions mentioned above are met. As we are trying to align the PPL privileges under the Air Navigation Order as much as possible with those under Part-FCL, we would like to align (3)(b) with these provisions. Furthermore, we want to extend the same alleviation to the holders of a PPL for any other type of aircraft mentioned below. Is there any way this can be done for all PPLs without having to write out the pre-conditions each time for each type of licence, e.g. by defining these terms accordingly? (See also article 255(1).) We also want to extend the alleviations under paragraph (3)(a) to include the holder of a class rating instructor rating (single pilot aeroplanes) as well as the other types of instructor mentioned in that paragraph.
	(4): Amend (a) to include the holder of a class rating instructor rating (single pilot aeroplanes).
Commercial Pilot's Licence (Aeroplanes)	
	(2)(a): Omit. To reflect change to PPL(A) (2)(c) (2)(b): change 1800 metres flight visibility to 1500 metres fv
	(3): No change in policy but could paragraph (3) be assimilated with paragraphs (4) – ((7)/(8), i.e. so that rather than saying the pilot can fly an aeroplane for any purpose (3), followed by a list of exceptions to this general privilege ((4) – (7)/(8), the structure is that the pilot can fly "for the following purposeas" etc? . Would this be clearer to the current structure of (3) – (7)/(8)?
	(4)(a): Omit
	(4)(b): Omit
	(4)(e): (4)(e) should be omitted, as there are unlikely to be any non-EASA

	aircraft engaged in A-B CAT operations
	(4)(f): Insert “as pilot in command” after “fly”.
	(4)(h): Omit the references in (4)(h) to Class B and C airspace for the reasons mentioned above in relation to the PPL(A).
	(5): Remove reference to ‘club environment’ and change reference to aerial work to commercial operation. Is (5) actually necessary? It is the same privilege, more or less, as (3)(a) of the PPL and therefore is within the CPL privileges anyway. This suggests (5) is unnecessary – does the drafter agree?
	(6): Delete reference to (2).
Sub-section 2:	
Helicopter and Gyroplane Pilots	
Private Pilot’s Licence (Helicopters) (PPL(H))	
	(2)(a) Delete reference to public transport and change reference to aerial work to commercial operation
	(2)(d): delete (i) and (ii)
	(2)(e)(i): Exemption ORS4 1087 exempts pilots from the 90 day recency rule under (2)(e)(i) subject to certain conditions. It is proposed to include this in the PPL(A) and (H) and NPPL(A) and (H) privileges, as an alternative to 90 day recency under (2)(e)(i). This requires there to be an additional (iii), as an alternative to (i) to the effect that before commencing the flight the pilot is satisfied that the intended passenger is qualified to act as pilot in command on the flight and informs the intended passenger that the pilot does not have the recency required.
	(2)(e)(ii): The requirement under (2)(e)(ii) for 3 take-offs etc is a mistake – it should be changed to 1 circuit, to include a take-off and landing, by night.
	(3): remove reference to ‘club environment’ and change reference to aerial work to commercial operations.
	In addition to what (3) currently permits we also want to allow introductory flights sailplane towing, parachute dropping and aerobatic flights to be flown as an exception to (2)(a) in accordance with Exemption ORS4 1110/E4051 namely flights permitted by article 6(4)(c) of Regulation EU 965/2012 as amended by Regulation EU 379/2014 in the same way as mentioned for the PPL(A) above, namely:
	‘introductory flights, parachute dropping, sailplane towing or aerobatic flights performed either by a training organisation having its principal place of business in a Member State and approved in accordance with Regulation (EU) No 1178/2011, or by an organisation created with the aim of promoting aerial sport or leisure aviation, on the condition that the aircraft is operated by the organisation on the basis of ownership or dry lease, that the flight does

	not generate profits distributed outside of the organisation, and that whenever non-members of the organisation are involved, such flights represent only a marginal activity of the organisation.'
Private Pilot's Licence (Gyroplane)	Privileges
	(2)(a): Change the reference to 'public transport' to commercial air transport and change reference to aerial work to commercial specialised operations.
	(2)(c): The requirement for night time recency flights is being removed so the words from the first 'and' should be deleted. However we wish to restrict night flying with passengers unless the pilot has in the previous 90 days flown at least 1 circuit, to include a take-off and landing, by night, as per (2)(e)(ii) of the PPL(H).
	New (2)(d): We want to make provision for the pilot not to fly with passengers unless in the preceding 90 days the pilot has flown at least 3 circuits, to include 3 take-offs and landings, as sole manipulator of the aircraft controls, subject to the proviso for Exemption ORS4 1087 which exempts pilots from the 90 day recency rule subject to certain conditions. It is proposed to include this in the PPL(G), as an alternative to 90 day recency under (2)(d) This alternative is that before commencing the flight the pilot is satisfied that the intended passenger is qualified to act as pilot in command on the flight and informs the intended passenger that the pilot does not have the 90 days recency otherwise required.
	(3): As above the reference to club environment is redundant and should be deleted and change reference to aerial work to commercial operation. In addition to what (3) currently permits we also want to allow introductory flights, sailplane towing, parachute dropping [and aerobatic flights to be flown as an exception to (2)(a) in accordance with Exemption ORS4 1110/E4051 namely flights permitted by article 6(4)(c) of Regulation EU 965/2012 as amended by Regulation EU 379/2014, in the same way as mentioned for the PPL(A) above
New Commercial Pilot's Licence (Gyroplanes)	The CAA wants to create a new Commercial Pilot's Licence (Gyroplanes). The privileges will be the same as those of the Private Pilot's Licence (Gyroplanes) with the following changes.
	The holder of the licence may act as pilot-in-command of any gyroplane engaged in commercial operations
	The holder of the licence may act as pilot-in-command of any gyroplane engaged in commercial air transport if the gyroplane is certificated for single pilot operations.
	The holder of the licence may not act as pilot-in-command of any gyroplane certificated for single pilot operations and engaged in commercial air transport after the age of 60
	The holder may not carry passengers unless within the preceding 90days the holder has made at least three circuits, each to include take-off and landing, as sole pilot, and if the flight is to be by night, at least one of those circuits, was at night, to include take-off and landing, again as sole pilot.

Commercial Pilot's Licence (Helicopters and Gyroplanes)	Privileges
	2)(a) Insert "as pilot in command" after "fly" and delete reference to public transport
	(2)(b): Ditto above
	(2)(c): As SERA defines the visual meteorological conditions under which a pilot can fly under the visual flight rules, (i) – (iii) of (2)(c) are not necessary and can therefore be omitted. As an instrument rating is required by a helicopter pilot to fly in instrument meteorological conditions (which is defined in article 255(1) as meaning weather precluding flight in compliance with Visual Flight Rules), the words 'in conditions requiring compliance with the instrument flight rules' should be added to the end of (2)(c).
	(2)(d): Add gyroplanes to (2)(d)
	(2)(f): change reference to public transport flight to commercial air transport flight
	New (2)(ff): We want to make provision for a gyroplane pilot not to fly with passengers unless in the preceding 90 days the pilot has flown at least 3 circuits, to include 3 take-offs and landings, as sole manipulator of the aircraft controls, subject to the proviso for Exemption ORS4 1087 which exempts pilots from the 90 day recency rule subject to certain conditions. It is proposed to include this in the PPL(G), as an alternative to 90 day recency under (2)(d) This alternative is that before commencing the flight the pilot is satisfied that the intended passenger is qualified to act as pilot in command on the flight and informs the intended passenger that the pilot does not have the 90 days recency otherwise required. In addition "as pilot in command" should be inserted after "fly", for the same reasonas in the CPL(A), mentioned above.
	(2)(g): The requirement for night time recency flights without passengers is being removed so the words from the first 'and' should be deleted. However we wish to restrict night flying with passengers unless in the previous 90 days least one of the circuits mentioned in (2)(ff) was made at night, to include a take-off and landing, by night. Therefore the references to take-off and landings at a time when the depression at the centre of the sun is not less than 12 degrees below the horizon can be replaced with "at night".
	(2)(h): Ditto (2)(f) above
	(4)(a): Delete (i) and (ii)
	(5): Ditto (2)(f) above
Commercial Pilot's Licence (Helicopters)	(2)(a): Delete
	(2)(aa): Insert "as pilot in command" after "fly" (see CPL(A) above) and

	change reference to public transport flight to commercial air transport flight
	(2)(b): Insert “as pilot in command” after “fly” (see CPL(A) above) and delete reference to public transport.
	(2)(c): As above for other licences, SERA VMC/IFR rules will apply therefore delete (i) and (ii).
	(2)(d): Omit
	(2)(e): Omit
	(4)(a): Same change as for (2)(c) above.
Private Pilot’s Licence (Balloons and Airships)	
	(2)(a): Change reference to public transport flight to commercial air transport flight and change reference to aerial work to commercial specialised operations
	(2)(b): The same change should be made as mentioned above for the PPL(A) in relation to remuneration for introductory flights etc permitted by article 6(4)(c) of Regulation EU 965/2012
	(2)(c): Omit – these revalidation requirements are to be moved into Part C of Schedule 7. See below.
Commercial Pilot’s Licence (Balloons)	
	(3): Change reference to public transport flight to commercial air transport flight
Subsection 4: Glider Pilots	
Commercial Pilot’s Licence (Gliders)	Omit the CPL(G)
	Ditto references to glider; otherwise no change
Sub-section 5: Other crew	
Flight Navigator’s Licence	Privileges The privileges should be limited to non-EASA aircraft – see above ref article 57

Flight Engineer's Licence	As for the flight navigator licence above.
Flight radiotelephony operator's licence	Reduce the minimum age to 14 years
Section 3 National Private Pilot's Licence	
National Private Pilot's Licence (Aeroplanes)	The structure of the NPPL(A) privileges is, for some reason, somewhat different to the UK PPL privileges. We would like to align the NPPL with the structure of the UK PPL privileges so far as possible. Otherwise, the following changes need to be made. Privileges Heading following (2)(b): Delete reference to public transport and change reference to aerial work to commercial specialised operations in heading before (3) (3) – (4): We want to replace (3) and(4) with provisions similar to those mentioned above for PPL holders for introductory flights, aerobatic flights, sailplane towing and parachute dropping. See (3)(b) of the PPL(A) above. (5): Delete reference to club environment (6): The references to flying instructor's rating and assistant flying instructor's rating should be replaced by references to flight instructor's rating and flight instructor's (restricted) rating. (7)(a) – (c)(i) an (ii): Pilots must comply with SERA which determines whether they can VFR or must fly IFR for which an instrument rating is required. Therefore (7)(a) – (c) can be delete. (7)(c)(iii): Holders of the NPPL(A) should not fly at night unless they hold a night rating. (7)(d): This should be changed to allow the holder to fly as pilot-in-command in circumstances which require compliance with the instrument flight rules in Class C, D or E airspace if the holder has an IMCR. (8)(b): We want to make the same provision in relation to the 90 day recency rule for carrying passengers as for the PPL(A) – see PPL(A) (2)(g) above.
National Private Pilot's Licence (Helicopters)	Privileges (1): No change other than the MTOW which should be changed to 2730 kg. In addition there is some text missing from the end of (1): 'for which a type rating is included in the licence'. (2): No change. (3): Change heading to refer to commercial air transport and specialised operations. In addition, we also wish to allow introductory flights, aerobatic flights, sailplane towing and parachute dropping as per the PPL and NPPL(A), as above.

	(4): The same change should be made as for the NPPL(A) in relation to the 90 day recency requirement for carrying passengers – see (8)(b) above. In addition, the holder of a NPPL(H) should be allowed to fly at night if the holder has a night rating.
SCHEDULE 7 **Part B – Ratings and qualifications**	
Section 1 – Ratings and qualifications which may be included in United Kingdom Licences but not in National Private Pilot's Licences Sub-section 1: Aircraft ratings	Omit paragraph 1. Paragraph 2: As mentioned in the discussion on article 67, we wish to require differences training appropriate for a microlight aeroplane to be undertaken by the holder of a United Kingdom aeroplane pilot licence (i.e. one issued under Section 1 of Part A of Schedule 7) with a single-engine piston aeroplane (SEPA, to be defined in article 255(1)) rating on the licence if the holder wishes to exercise the privileges of the SEPA rating on a microlight aeroplane (which technically the holder may do), in the same way that a Part-FCL licence holder with such a rating is required to undertake such training (under Section 3 of Part A of Schedule 7) by virtue of article 62(6).
Sub-section 2: Other ratings	Likewise, we do not think we need paragraph 4 for the same reason as above.
Instrument meteorological conditions rating (aeroplane)	This rating should have the same privileges as the instrument rating (aeroplane) except that the holder may not use it in (a) Class A airspace or (b) when the aeroplane is taking off or landing at any place if the flight visibility below cloud is less than 1500 metres. In addition we want to allow holders of the National Private Pilot's Licence (Aeroplanes) to exercise the same privileges of an instrument meteorological conditions rating (IMCR) as the holder of a PPL(A) with such a rating. Therefore we need to include the NPPL(A) as well as the UK Private Pilot Licence (Aeroplanes) in this rating. This will mean that the title of Section 1 needs to be amended so that the IMCR may be granted to a NPPL(A) holder.
Towing rating (flying machine)	This rating is redundant – the holder of a PPL(A) can already do this – so it can be deleted.
Flying instructor's rating	Amend the title to Flight instructor's rating (Gyroplanes). Amend the text so as to replace 'aircraft' with 'gyroplanes' and omit 'and classes'.
Assistant flying instructor's rating	Amend the title to Flight instructor's (restricted) rating (Gyroplanes). Ditto immediately above, including all references to 'aircraft' and to 'and classes' and omit references to 'or class'. Paragraph (1) and (2)(b): Substitute 'flight instructor's (restricted) rating (Gyroplanes) for 'assistant flying instructor's rating'.
Flight instructor rating (Gyroplanes)	The same privileges and restrictions as the flight instructor rating (helicopter) but for instruction on gyroplanes obviously.
Flight instructor	The same privileges and restrictions as the flight instructor rating (aeroplanes)

rating (Microlights)	but for instruction on gyroplanes obviously.
Flight instructor rating (Self Launching Motor Gliders)	The same privileges and restrictions as the flight instructor rating (aeroplanes) but for instruction on Self Launching Motor Gliders obviously.
Paragraph 5	Should the definition of “day” be moved to article 255(1) as it is used in the same sense it is also used in Schedule 7 (“by day”) in Schedules 4 (where it is defined similarly) and 5 (where it is not defined)? Amend the definition of ‘solo flight’ so that it the same as the definition of solo flight time in FCL.010, i.e. "Solo flight time" means flight time during which a student pilot is the sole occupant of an aircraft. Amend the definition of cross-country flight so that it is the same as the definition of cross country in FCL.010, i.e. "Cross-country" means a flight between a point of departure and a point of arrival following a pre-planned route, using standard navigation procedures.
Schedule 7, Part B, Section 2 – Aircraft and instructor ratings which may be included in United Kingdom Licences and in National Private Pilot’s Licences	
No changes except as follows.	
SSEA Class rating, paragraph (5)	The Maximum take off weights for the SSEA may be increased to 2730kg, subject to consultation responses.
Flying instructor’s rating (microlight)	Change the title to ‘flight instructor’s rating (microlight)’. Text to remain the same.
Flying instructor’s rating (SLMG)	Change the title to ‘flight instructor’s rating (SLMG)’. Text to remain the same.
Assistant flying instructor’s rating (microlight)	Change the title to ‘Flight instructor’s rating (restricted) (microlight)’. Paragraph (1) and (2)(b): Substitute ‘flight instructor’s (restricted) rating (microlight) for ‘assistant flying instructor’s (microlight) rating’

	Text otherwise to remain the same.
Schedule 7, Part C Maintenance of Licence Privileges	
Section 1 – Requirement for Certificate of Test or Experience	Ideally, we would like to amalgamate paragraphs 2, 5 and 10 of Part C, so that there is a single paragraph defining what the requirements for a valid certificate of revalidation are in Sections 1 and 2 of Part C. These are essentially what is contained in paragraph 10 plus the additional parts of paragraphs 2 and 5. Can this be achieved in a clear and simple way, as those paragraphs currently define what the certificates must certify, with regards to the nature of the test (paragraph 3 which cross refers to paragraph 2(b))), the requirements for appropriate experience (paragraph 5(b) and (c)) or the revalidation requirements (paragraphs 9, 9A and 9B, as referred to in paragraph 10(1)(b)), by reference to the relevant articles which specify the licence types to which they apply? For example, could this be done for all of the relevant licence types by way of a Table similar to the Table in paragraph (1)? The revalidation/recency requirements mentioned in paragraph (2)(a) of the Private Balloon Pilot's licence (in Sub-Section 3 of Section 1 of Part A of Schedule 7) should be moved into Section 1 of Part C. We need to defer these amendments coming into effect, however, for 24 months in order to allow for the CAA to make the necessary technical changes for the transition to the new revalidation system. Is this is feasible? The heading for Section 1 should therefore be changed to refer to Certificate of Revalidation for the appropriate categories of pilot's licence (as referred to in the Table in paragraph 1, UK aeroplane and helicopter licences, instrument ratings (aeroplane and helicopter and instructor ratings (other than for gyroplanes) and flight engineer licences. 4.Period of validity of test As there will be just a certificate of validation paragraphs 4, 6 (period of experience) and 7 (Period of validity of certificate of experience) should ideally be amalgamated. The periods of validity will be 24 months for all cases under 4 except under 4(4) – IMCR – which should remain at 25 months – and 4(5) - flying instructor and assistant flying instructor ratings (which will be converted into flight instructor ratings and flight instructor's (restricted) ratings – which will remain at 3 years from the last day of the month in which the test was taken. Likewise the periods of validity under 6 and 7 will be 24 months. The references to Cases A, E and F in 6 and Case D in 7 will therefore be redundant. References to flying instructor and assistant flying instructor ratings should be amended to flight instructor ratings and flight instructor's (restricted) ratings
Section 2– Requirement for certificate of revalidation	8: No change. 9: Change as follows:-

	9(1)(b)(ii) – either add self launching motor glider (SLMG) to single-pilot single-engine piston aeroplane (land) class ratings and touring motor glider class ratings or create a new revalidation provision for SLMGs which requires the holder of that rating to satisfy the requirements of FCL.740A In addition:- 1. as FCL.740.A (which is referenced in 9(1)(b)(ii) as the revalidation requirement) only sets out the revalidation requirements for single-engine piston aeroplane class ratings and touring motor glider class ratings, we need to make it clear that the holder of a SLMG class rating must still satisfy those requirements notwithstanding this; and 2. the holder of both a single-engine piston aeroplane class rating and a SLMG class rating should be allowed to complete the requirements of FCL.740.A(b)(1) in either class or on both and thereby revalidate for both ratings – as FCL.740.A(b)(2) currently permits for the Part-FCL SEPA and TMG class ratings. 9(b)(iv) – heading: the words in parenthesis (SEA) should be lower case 9(b)(iv)(bb), a class rating instructor should be included. 9A & 9B: No change. 10: No change.
Section 3- Requirement for certificate of revalidation to maintain the validity of ratings specified in Sections 2 and 3 of Part B	Change as follows:- a) Paragraph 11(1)(d) should refer to sub-paragraph 3 (i.e. of paragraph 11); b) Paragraph 11(3) does not give the effect intended. It gives a new validity of a rating of 24 months from the end of the month in which the examiner/instructor signs the revalidation. 11(3) should say: (3)(i) If the rating has not expired, the new certificate is valid for 24 months from the end of the month that includes the expiry date of the existing certificate. (ii) If the rating has expired the new certificate is valid for 24 months in addition to the remainder of the month in which the date of test falls. c) In paragraph 12, Table 4, where the periods of validity should be extended to 3 years in all cases. In addition, references to flying instructor and assistant flying instructor rating should be amended to flight instructor (microlight) rating and flight instructor's (restricted) (microlight) rating. Tables 1 and 2: No change.
SCHEDULE 8	Take in General Exemption 1099 for balloon pilots.
SCHEDULE 13	Detailed instructions on penalties to be developed for November
Part B	A new Section for the EASA Aircrew Regulation and MED.A.020(a) and (b) should be included in Part B – see discussion on article 74 above.

Annex C: Impact Assessment (IA)

Title:	Impact Assessment (IA)
ANNEX C - DRAFT - General Aviation - ANO review	**Date: 01/09/2015**
IA No:	**Stage:** Development/Options
Lead department or agency: Civil Aviation Authority	**Source of intervention:** Domestic
	Type of measure: Secondary legislation
Other departments or agencies: Department for Transport	**Contact for enquiries:**

Summary: Intervention and Options

RPC Opinion: RPC Opinion Status

Cost of Preferred (or more likely) Option				
Total Net Present Value	**Business Net Present Value**	**Net cost to business per year** (EANCB on 2009 prices)	**In scope of One-In, Two-Out?**	**Measure qualifies as**
£14.59m	£1.67m	£-0.19m	Yes	OUT

What is the problem under consideration? Why is government intervention necessary?

In response to the Government's General Aviation (GA) Red Tape Challenge, we conducted a fundamental review of our approach to the regulation of GA, with a view to making it more proportionate and less burdensome. The legal foundation for our regulation of GA is the Air Navigation Order (ANO). We are consulting on amending the ANO to reduce burdens on private pilots and the industry. We regulate to protect the safety of passengers carried by GA, other users of airspace, including commercial air transport, and the general public on the ground. We are subject to European aviation safety regulation so we could not completely deregulate the sector if we thought that would be appropriate.

What are the policy objectives and the intended effects?

We wish to remove unnecessary burdens to help create a larger and more dynamic GA sector, while maintaining a high standard of aviation safety.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

There are many different provisions in the ANO each of which have been considered on their own merits independent of the other provisions. For most provisions there are two options:

Policy Option Zero; Do nothing (baseline option) Do not amend the provision in the ANO.

Policy Option One (Preferred): Amend the provision to meet policy objectives. This is the preferred option as we believe it will remove burdens without affecting safety.

Will the policy be reviewed? It will be reviewed. **If applicable, set review date:** Month/Year

Does implementation go beyond minimum EU requirements?			No			
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.	**Micro** Yes	**< 20** Yes	**Small** Yes	**Medium** Yes	**Large** Yes	
What is the CO_2 equivalent change in greenhouse gas emissions? (Million tonnes CO_2 equivalent)			**Traded:** N/a	**Non-traded:** N/a		

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible SELECT SIGNATORY: ..... Date: .....

Summary: Analysis & Evidence

Policy Option 1

Description: DRAFT

FULL ECONOMIC ASSESSMENT

Price Base Year 2014	PV Base Year 2014	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: 2.86	**High:** 35.45	**Best Estimate:** 14.59

COSTS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	0.0		0.1	**0.9**
High	0.0		0.7	**5.6**
Best Estimate	0.0		0.1	**1.4**

Description and scale of key monetised costs by 'main affected groups'

Transition costs to private pilots from familiarising themselves with the revised ANO.
Transition costs to the GA industry from familiarising themselves with the revised ANO and amending training materials.
Production of the Skyway Code.

Other key non-monetised costs by 'main affected groups'

BENEFITS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	0.0		1.0	**8.5**
High	0.0		4.4	**36.4**
Best Estimate	0.0		1.9	**16.0**

Description and scale of key monetised benefits by 'main affected groups'

Reduced costs to industry of understanding the ANO and explaining its provisions to customers.
Reduced costs to private pilots of understanding the ANO.
Reduced maintenance costs for private pilots.
Reduced costs to private pilots to maintain licence rating.

Other key non-monetised benefits by 'main affected groups'

Expansion of the GA sector.

Key assumptions/sensitivities/risks

TBA

Discount rate (%) 3.5%

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			In scope of OITO?	Measure qualifies as
Costs: 0.0	**Benefits:** 0.2	**Net:** -0.2	Yes	OUT

EVIDENCE BASE

1 Problem under consideration

General Aviation (GA) is all civil aviation operations other than scheduled air services and non-scheduled passenger or cargo flights. GA aircraft range from gliders, to microlights, to helicopters, to corporate business jets. GA covers a large range of activities both commercial and non-commercial, including flying clubs, flight training, agricultural aviation, light aircraft manufacturing and maintenance.

Of the 19,000 civil aircraft registered in the UK, 96% are engaged in GA. There are about 30,000 licensed private pilots (out of 50,000 overall) and about 10,000 glider pilots. GA operates from more than 1,800 aerodromes ranging from large commercial airports to farm strips, most of these are unlicensed. About 96% of aviation organisations fall below the 250 employee limit.

About 50% of GA aircraft in the UK are regulated by the European Aviation Safety Authority (EASA). Other aircraft are subject to UK domestic legislation. The Civil Aviation Authority (CAA) is responsible for regulating aviation safety in the UK. The Air Navigation Order (ANO) is the legal vehicle by which we enforce both EASA and UK domestic regulation.

Responses to the Red Tape Challenge found that the UK GA sector was under increasing strain as costs of operation had risen due to fiscal pressures, a greater focus on environmental issues, the application of a European regulatory framework, and perceived over regulation by the CAA. Too much prescription in the rules and a lack of proportionality have both impacted adversely on the sector. In response to these findings, we set up a new GA Unit to focus on the sector and to ensure that the regulatory regime for GA would take a different path and be less onerous than that applied to the commercial aviation sector.

The proposals are to reduce the amount of prescription in the rules.

2 Rationale for intervention

We regulate to protect the safety of passengers carried by GA, other users of airspace, including commercial air transport, and people on the ground. As GA is subject to European safety regulation we could not completely deregulate the sector even if we thought that would be appropriate.

We have developed the following four principles that guide our approach to GA:

a) only regulate directly when necessary and do so proportionately;
b) deregulate where we can;
c) do not gold-plate, and quickly and efficiently remove gold-plating that already exists; and
d) help create a vibrant and dynamic GA sector in the UK.

In our review of the ANO principles a, b and d have had particular importance.

In our approach to regulating safety, we seek to allow GA pilots to make informed decisions about the risks involved in their activity, while minimising the safety risks to third parties, whether they be passengers in GA aircraft, commercial air operators or people on the ground.

3 Policy objectives

The proposals are designed to:

- reduce the regulatory burden;
- maintain the current high standard of safety and culture of compliance; and
- continue compliance with EU legislation.

4 Options

The ANO is wide ranging covering a number of different aspects of the regulation of GA. Consequently, our review of the ANO includes proposals for changing a number of its provisions. We have considered the impact of each individual proposal to produce a consolidated assessment of the impact of the proposals.

For each individual proposal we have considered two options:

Option 0 – do nothing

Option 1 – change the ANO as proposed.

5 OITO

All of the proposals are de-regulatory or simplify the wording of the ANO. Together they will be an 'OUT' as there is a net benefit to business per year. As some of the proposals remove current restrictions on activity we expect them to increase the amount of flying and, therefore, stimulate the GA market.

6 Costs and benefits of each proposal

The proposal is to amend a number of the provisions of the ANO. We discuss each proposed amendment individually below. Costs and benefits will accrue to both businesses and private pilots. The proposals have been divided into four functional areas: flight operations, airworthiness, pilot licensing and aircraft registration.

6.1 Flight operations

6.1.1 Proposal 1 – Alignment with EASA definitions The definitions of types of aircraft and activity differ in EASA legislation from the definitions in domestic regulation. We propose to amend the definitions in the ANO to align them with EASA definitions. This will mean that traditional UK definitions such as 'private' and 'aerial work' will be replaced by EASA terms 'non-commercial' and 'commercial'. As under the proposal, all aircraft (whether subject to EASA or domestic regulation) will be classified in the same way, the scope of regulation should be clearer for pilots and those working in the GA sector.

6.1.2 Proposal 2 – Alignment with EASA rules As well as aligning definitions, we also propose to align the substantive operational rules and requirements for aircraft subject to domestic regulation to the rules for aircraft subject to EASA regulation, provided this would not impose additional burdens of compliance.

To complement this we propose to produce a 'Skyway code' which would present the regulations in an easy to understand way (as opposed to the legal wording required in the ANO) supplemented by additional guidance material. The aim of the code is to provide a practical guide to safe GA flying which highlights key rules and regulations. It would extract relevant regulations from different pieces of legislation and put them together in one place.

Taking proposals 1 and 2 together; aligning the definitions and operational rules for EASA and domestic regulation, with the introduction of a Skyway Code, we expect there will be a net benefit to private pilots and business. There will be costs from the production of the Skyway Code and one-off costs from pilots and businesses making themselves aware of the changes in regulations. However, we expect these to be more than covered by the ongoing benefits of time saved by having simpler regulation (one set of rules rather than two) and all the regulations written in clear, non-legalistic language, along with guidance material in the Skyway Code. Our estimates of the impact are below:

Skyway Code

We estimate that the Skyway Code will take from about 200 hours to 500 hours to write, with a best estimate of 400 hours. The work will mainly be carried out by a Senior Regulatory Policy Adviser at a charge out rate of £32 per hour. On top of this we estimate it will cost £20,000 for an IT company to ensure that the Code has the required functionality to allow it to be searchable by pilots on a variety of devices (smartphone, tablet and computer). We have assumed that there will be no charge for a digital copy of the Code. We have also assumed that most pilots and businesses will use the digital version of the Code so we have not included any costs for a hard copy version. We have assumed that about 60 hours of work by a Senior Regulatory Policy Adviser will be required in year 1 to amend the Code in response to feedback from pilots on its clarity and usefulness. We expect that future amendments to the Code will result from changes in Regulations and that the cost of those amendments should be included in the impact assessment for the change in regulations rather than in the assessment.

The best estimate of the total cost of producing the Skyway Code is be £32,800 in year 0 and £1,920 in year 1. We have not included any cost in future years. We have assumed that 15% of the costs of the Skyway Code will be recovered from private pilots and 85% of the costs will be recovered from business.

Impact on private pilots

In response to our first consultation, stakeholders' estimates of time spent checking regulatory requirements varied enormously from none or a few hours per year to 75% of the working week. As there was no clear single answer, we have estimated a range of the time private pilots spend checking regulatory requirements. We have a low estimate of 6 hours per year, a high estimate of 20 hours per year and a best estimate of 10 hours per year.

In response to a question in our first consultation, 86% of respondents said that proposal 1 would save them time in understanding the regulatory requirements and (for those who work for businesses) in explaining them to their customers. Respondents thought the saving was hard to quantify.

51% of respondents to a question in the first consultation thought that aligning EASA and domestic regulations (as in proposal 2) would affect them financially. Examples of expected savings included from: reduced time and money on overcomplicated maintenance and paperwork; less time spent on checking multiple documents for compliance; and reduced administration and confusion. Respondents found it hard to quantify the effects. Estimated savings included about half a day a week, estimated at about £500 to £2,500 per annum. In contrast, one respondent mentioned one-off costs associated with information and process changes, while a few commented that compliance with EASA rules was expensive.

Equally respondents' views on how much of this time could be saved if there was a Skyway Code varied enormously. The most common response was about 50%. Taking this together with respondents' expectations on proposals 1 and 2, we have estimated a range for the proportionate reduction in the time private pilots spend checking regulatory requirements. We have a low estimate of 40%, a high estimate of 60% and a best estimate of 55%.

Combining these figures with the range for the amount of time private pilots spend checking regulatory requirements, we have time a range of time savings of: low estimate 2.4 hours, high estimate 12 hours, best estimate 5.5 hours. Using a cost of leisure time, taken from Government webTAG guidance, of £6.91 per hour (£6.04 in 2010 prices updated to 2014 prices) and an estimate of 30,000 private pilots gives us the following range of cost savings per year:

low estimate £497,520
high estimate £2,487,600
best estimate £1,140,150

We have no reliable estimates for how long private pilots will spend familiarising themselves with the amended requirements. Given this we have assumed that this one off cost in year 0 will be equal to the time saving that arises from proposals 1 and 2 and the production of the Skyway Code. We consider that all familiarisation costs will occur in year 0.

Taking the production costs of the Skyway Code and familiarisation costs with the benefits of less time spent checking regulatory requirements, our range of estimates for the impact of proposals 1 and 2 and the introduction of the Skyway Code on private pilots are shown below.

Table 1 – Impact on private pilots per year –best estimate, 2014 prices (non-discounted)

Year	Skyway Code costs	Familiarisation costs	Benefits from time saving	Net benefits
0	4,920	1,140,150	0	-1,145,070
1	288	0	1,140,150	1,139,862
2	0	0	1,140,150	1,140,150
3	0	0	1,140,150	1,140,150
4	0	0	1,140,150	1,140,150
5	0	0	1,140,150	1,140,150
6	0	0	1,140,150	1,140,150
7	0	0	1,140,150	1,140,150
8	0	0	1,140,150	1,140,150
9	0	0	1,140,150	1,140,150
Total	**5,208**	**1,140,150**	**10,261,350**	**9,115,992**

Table2 – Ranges for impact on private pilots per year over the ten year appraisal period, 2014 prices (non-discounted)

Low estimate	£3,975,912
High estimate	£19,895,112
Best estimate	£9,115,992

Impact on business

Prior to the first consultation, we asked three GA businesses to estimate the amount of time they spent reviewing regulatory compliance. These businesses are:

- a maintenance and continuing airworthiness management organisation that maintains a variety of GA aircraft form light aircraft to midsized corporate jets;
- a type design organisation providing continuing airworthiness support; and
- an EASA and CAA certified maintenance organisation, maintaining a variety of EASA and non-EASA light aircraft.

Each of these businesses is a small business with none employing more than 20 people.

- The continuing airworthiness maintenance organisation spent about two hours per week reviewing various regulations, including the ANO. It also spent about two hours reviewing and assimilating a substantive change to the regulations.

- The type design organisation spent about half an hour per week on the ANO, and often more time explaining the regulations to customers.

- The certified maintenance organisation spent about an hour a day on regulatory compliance, although referring to the ANO is relatively rare, except when checking an aircraft's compliance with equipage requirements. The latter might occur several times per month.

We have used these estimates of time spent as our estimates of time spent by GA maintenance businesses on checking regulatory compliance. Converting the figures above into annual hours, with 52 weeks and 260 working days per year, our low estimate is 26 hours a year, our high estimate is 260 hours per year and our best estimate is 104 hours per year.

We have not included any time savings for other GA businesses from proposals 1, 2 and the Skyway Code, such as flying schools and GA aerodromes. We consider they spend much less time than maintenance organisations in checking regulatory requirements, and that any time saving may be immaterial.

We have assumed that maintenance organisations will have a better understanding of regulations than private pilots so we have assumed that their proportionate time savings from proposals 1 and 2 (including the Skyway Code) are lower than those of private pilots. We have assumed a low estimate of 30%, a high estimate of 50% and a best estimate of 40%.

Combining these figures with the range for the amount of time businesses spend checking regulatory requirements, we have time a range of time savings of: low estimate 8, high estimate 130, best estimate 42. We estimate that a certificated GA maintenance engineer would earn about £30,000 to £40,000 per year. For our calculations we have used an average annual salary of £35,000, with an average charge out rate of £22 per hour. We estimate that there are 250 to 300 GA maintenance organisations in the UK. For our calculations we have used a figure of 275. Applying the estimated cost saving per business to the estimated number of businesses gives us the following cost savings.

	Total impact
Low estimate	£48,400
High estimate	£786,500
Best estimate	£254,100

We have no reliable estimates for how long maintenance organisations on average will spend familiarising themselves with the amended requirements. Given this we have assumed that this one off cost in year 0 will be equal to the time saving that arises from proposals 1 and 2 and the production of the Skyway Code. We consider that all familiarisation costs will occur in year 0.

Taking the production costs of the Skyway Code and familiarisation costs with the benefits of less time spent checking regulatory requirements. Our range of estimates for the impact of proposals 1 and 2 and the introduction of the Skyway Code on business are shown below.

Table 3 – Impact on business per year – best estimate, 2015 prices (non-discounted)

Year	Skyway Code costs	Familiarisation costs	Benefits from time saving	Net benefit
0	27,880	254,100	0	-281,980
1	1,632	0	254,100	252,468
2		0	254,100	254,100
3		0	254,100	254,100
4		0	254,100	254,100
5		0	254,100	254,100
6		0	254,100	254,100
7		0	254,100	254,100
8		0	254,100	254,100
9		0	254,100	254,100
Total	**29,512**	**254,100**	**2,286,900**	**2,003,288**

Table 4 – Ranges for impact on business per year over the ten year appraisal period, 2015 prices (non-discounted)

Low estimate	£363,128
High estimate	£6,259,768
Best estimate	£2,003,288

A number of respondents to the first consultation thought that proposal 2 could lead to opportunities for them to expand their businesses. Examples given included:

- increased aerial survey work, if more aircraft types were allowed to be used; and
- more flight training, if cheaper aircraft were allowed to be used.

We have not been able to monetise these benefits.

6.1.3 Proposal 3 (ANO Article 147) – GA flight time limitations Currently, all hours that commercial pilots fly, except those flown privately in aircraft weighing less than 1,600kgs, are counted towards flight time limitations of 100 hours in 28 days or 900 hours in a year. In reality, few GA pilots reach those limits, but they are still bound by them. A more significant effect of the requirement is that when commercial pilots take part in GA activity the hours they fly (perhaps recreationally or as flight instruction) count towards the total a commercial pilot is bound by when flying for an airline.

We believe that detailed flight time limitations are not necessary for there to be an acceptable level of safety in GA operations. This is in line with the general principle that those who can understand and control their own risks should be allowed more scope to do so. This is in contrast to the commercial air transport world, in which limitations are required to control the risks associated with commercial pressure, and are necessary to achieve an acceptable level of safety.

In response to the first consultation, 86% of respondents thought this proposal would not affect the number of hours they fly. Consequently we do not consider that this proposal would have a material impact on either private pilots or businesses.

6.1.4 Proposal 4 (ANO Article 13) – Police operations Currently those who undertake airborne police operations require a specific police air operators certificate (PAOC). There are a few, often voluntary, organisations that wish to assist the emergency services, particularly the police, by using light aircraft for aerial search purposes and other missions. We consider that there may be circumstances in which it would be appropriate for organisations to take part in airborne police operations, in a supporting role, without needing to comply with the full requirements of an AOC.

We are proposing to amend the ANO to allow a permission to be issued, allowing operation in the service of the police without holding a PAOC, provided we are satisfied that the proposal is acceptably safe, and the organisation has the support of the relevant police force. We will need to consider how to recover any additional costs associated with the grant of such a permission.

Most respondents to the first consultation thought that those who would assist the police would mainly be volunteers or charities. Police Scotland was unsure whether it would receive any economic benefits. The Scottish Government thought it would allow Police Scotland to enhance the efficiency of its in-house air activity. However, it did not consider it possible to quantify the benefits at present.

We consider that there could be cost savings for Police Scotland, and, potentially, other police forces if a PAOC was not required for all who take part in airborne police operations. We are unable to monetise this potential benefit.

There could be some small increase in GA activity if volunteers are able to fly more in support of police missions. However, we do not consider this increase would be material.

6.1.5 Proposal 5 (ANO Articles 207/208) - Aerodromes Currently unlicensed aerodromes can only handle commercial air transport or training flights from aircraft weighing no more than 2,730 kilograms. We are proposing to raise this limit so they can handle commercial flights from aircraft weighing up to 5,700 kilograms. There are currently 385 aircraft on the UK register that fall between the two weight limits and could make use of this proposal. 126 of them hold an air operators certificate (AOC) so they could be used for commercial air transport. All could be used for flight training.

The proposal will mean that about 385 aircraft will be able to use unlicensed aerodromes that cannot at present, 126 of them for commercial air transport. This will give them more flexibility over where they can fly, and could lead to some time saving and increased business. We have not been able to monetise this potential benefit, but expect the impact will not be material.

It is possible that some licensed aerodromes will decide to become unlicensed if this proposal becomes law. However, we expect few of them, perhaps none, to do so. Thus we do not expect a material impact from this possibility.

6.2 Airworthiness

6.2.1 Proposal 6 (ANO Articles 23) – Use of permit aircraft for commercial operations

Most aircraft hold a Certificate of Airworthiness (CofA) showing that they meet safety standards set down by the International Civil Aviation Organisation (ICAO). However, some aircraft that do not qualify for a CofA can also be safe to fly in certain conditions. We may issue a Permit to Fly (PtF) to these aircraft subject to them satisfying these conditions. Most PtF aircraft are ex-military, amateur built, microlight, gyroplanes, or without a valid type certificate.

Currently PtF aircraft can be used for flight training where the trainee is an owner or co-owner of the aircraft. This is consistent with the principle that those who understand, and are able to control, their risks, should be allowed to do so. What requires more consideration is the question of whether such aircraft could be used for ab initio flight training, when the trainee is a customer of a flight school.

In 2008, we analysed the safety performance of typical light single engine PtF aircraft. We concluded there was little appreciable difference in the risk to third parties on the ground between aircraft on a permit, and those on a CofA. Therefore, we consider there would not appear to be overriding safety reasons prohibiting ab initio flight training in permit aircraft.

Before we undertook the first consultation we asked three GA firms whether they saw potential benefits in allowing PtF aircraft, to conduct remunerated operations, such as flight training. They were reluctant to put a value on the size of the market for such aircraft without knowing the scope of the proposal, but one noted that it could allow flying schools to re-equip with newer aircraft that were half the price of newly certificated aircraft. We would expect this cost reduction to reduce the cost of flight training and grow the market. In particular, we consider that removing some of the restrictions on aircraft that can be used for flight training would reduce the cost of such training leading to more training taking place. This could lead to current training organisations flying more hours, possible new training organisations being established, and more pilots being trained.

Respondents to the first consultation had mixed views on this proposal. Many of them thought there would be benefits, which would lead to increased flight training. Positive comments include:

- an increase in annual instructional hours by 30%;
- a £20-£30 per hour cost saving could be achieved;
- an expected increase in business of about £40,000 per year (about 25%);
- would expand and offer light aircraft training and conversion, employing an extra instructor;
- doing 10-20% more training;
- lower maintenance costs and costs of operation; and
- enable more training by greatly reducing costs;

Some existing flight training schools made negative comments, as they considered that their businesses would be compromised by new competitors using cheaper PtF aircraft. We recognise that some schools have invested in CofA aircraft for flight training which may have a lower value once PtF aircraft are allowed to be used for flight training.

It is clear that this proposal could reduce flying school costs by allowing them to use aircraft for flight training that they are currently not allowed to use. A number of respondents thought this would lead to significant opportunities for them to expand their businesses by being able to offer cheaper training than they can at present. This could bring significant benefits to private pilots and may lead to more people flying for leisure purposes. However, a number of existing flying schools regarded that their businesses could be adversely affected as they may not be able to continue to offer customers a competitive price by using their current aircraft.

We recognise that this proposal will have a mixed effect on existing businesses. We have not been able to monetise these costs and benefits. However, we consider that the benefits to those learning to fly of allowing cheaper flight training would make pursuing this proposal worthwhile.

6.2.2 Proposal 7 (ANO Schedule 2, Part B) – Special category The ANO allows for a Special Category CofA. This is an intermediate level of airworthiness certification, between that of a PtF and a full CofA. Generally we no longer issue Special Category certificates, however, we propose to re-activate their use for aircraft that do not hold an ICAO compliant CofA but could be allowed to conduct some commercial operations. This might bring greater clarity to the different levels of airworthiness assurance, as PtF covers a wide range of aircraft and represents a wide variety of standards of airworthiness assurance.

We are proposing to amend the ANO to allow the Special Category to be used more extensively. For example it could be used for aircraft that have been modified beyond compliance with the original type design, or for ex-military aircraft that have never had a civil type certificate. Issuing such an intermediate level of certification could lead to such aircraft having lower compliance costs.

67% of respondents thought this proposal would enable reduced business costs or allow expansion into new areas of work. Respondents thought it could expand the number of aircraft certified to this standard, for example enabling ex-military aircraft to be used for more commercial civil purposes.

We have not been able to monetise these potential benefits.

6.2.4 Proposal 8 – Pilot owner maintenance We propose to amend our approach to pilot owner maintenance for non-EASA aircraft. The UK approach involves a specific list of tasks, whereas the EASA approach is to specify general characteristics that a task must have in order to be performed by a pilot. We are proposing to align approaches.

Where pilots are able to undertake maintenance tasks that previously had to be undertaken by approved maintenance organisations they will save some cost. We do not have enough evidence to monetise these gains

6.2.5 Proposal 9 (ANO Schedule 2, Part A) – 'A' conditions Currently, if a PtF aircraft needs to be flown to a place of maintenance or repair, without its permit being valid, the owner must apply to us for a permit to test to be issued to allow the flight to take place. This is in contrast to a non-EASA aircraft on a CofA, which may be flown if a licensed engineer certifies that the aircraft is fit to fly. This is known as flying under 'A conditions' and is considerably less burdensome than requiring a permit to test.

If a permit to test is not issued, the aircraft either has to be transported by road to a place of maintenance or repair, or those carrying out the maintenance or repair have to travel to the aircraft.

We consider that allowing PtF aircraft to operate under A conditions would be a useful alleviation when an aircraft needs to be flown to a place of suitable maintenance or repair, without a valid permit. This option is already available to non-EASA aircraft with a CofA, so we believe it could also be adopted for PtF aircraft without any impact on safety.

86% of respondents to the first consultation considered that this proposal could bring potential financial savings. Potential savings identified were:

- savings in dismantling and ground movement costs, which may lead to damage;
- speed and simplicity of moving aircraft;
- less delay and downtime;
- saving on time and travel costs of engineer or inspector travelling to the aircraft; and
- no permission fees to pay

One respondent thought this proposal would save about £400 per event. As we have no figures for the number of events per year we have been unable to monetise this benefit.

6.3 Pilot licensing

6.3.1 Proposal 10 Private pilot's licence (PPL) From April 2018 the current PPL will only be valid for use in non-EASA aircraft. We intend to retain it, as there is no EASA licence for microlight airplanes, and it is envisaged that there may be some PPL holders who will only wish to fly non-EASA aircraft.

We propose to allow a PPL holder to maintain their Single Engine Piston (SEP) rating using a microlight aircraft. The cost of running a microlight is cheaper than a more traditional single engine

aircraft. To maintain the licence a pilot will need to fly 12 hours in a 24 month period. The comparable costs result in a potential saving of between £1,000 and £1,500 by using a microlight. There are at least 14,000 PPL licence holders that could benefit from this change. Our current expectation is that about 1,000 of these pilots would benefit from this change, resulting in a cost saving over 24 months of between £1m to £1.5m. (That is 1,000 x £1,000 =£1m to 1,000 x £1,500=£1.5m. This results in a cost saving of between £500,000 to £750,000 per year. We have used a best estimate of £625,000 per year.

6.3.2 Proposal 11 (ANO Article 62) – Third country licence holders The current ANO allows valid third country licence holders to fly UK registered aircraft. This is limited to private flights, under instrument flight rules (IFR), if an instrument rating is held, outside of controlled airspace. Controlled airspace is used more intensively by commercial airlines. This proposal would allow an instructor, with a valid third party licence and qualified to train pilots for a foreign licence to teach towards that licence in a UK registered aircraft in the UK.

68% of respondents to the first consultation thought this change would have financial impacts. Examples include:

- more people would fly
- pilots would shop around to obtain the least expensive or easiest option causing harm to UK flying schools
- the UK would be a more attractive place to fly which will increase business for many aviation related businesses;

We have not been able to monetise these impacts.

6.4 Aircraft registration

6.4.1 Proposal 12 – Aircraft registration The aircraft registration provisions in the ANO largely reflect ICAO requirements to maintain a registry, and were not considered to represent an undue burden on GA activity.

Currently UK registered aircraft may be owned by:

- EEA (European Economic Area) or Commonwealth citizens; and
- UK resident non-EEA or Commonwealth citizens, but the aircraft must only be used for private flying

We are proposing to allow UK registered aircraft to be owned by non-EEA citizens, potentially resident or not, and allow them to be used for commercial operations. We would still have the power to refuse a registration, or demand that an aircraft is registered elsewhere, if we thought the aircraft owner did not have sufficient connection to the UK. Overall we consider this would increase the number of UK registered aircraft in the UK, and give us better oversight of them.

This approach would also ease situations in which aircraft that are currently on the UK register change ownership and the use of the aircraft is suddenly restricted, or the registration is voided completely, simply because the aircraft has passed into the hands of a non-EEA or Commonwealth citizen.

We are also proposing to allow aircraft owned by non-EEA citizens to be used for commercial operations, but not for public transport services.

71% of respondents thought this could have financial benefits. Examples included:

- reduction in CAA administration costs;
- creating maintenance and support opportunities for UK companies supporting foreign owned aircraft;
- increased GA activity in the UK;
- cheaper and better aircraft would be available in the UK to the benefit of the industry; and
- encouragement of part ownership and foreign investment.

We have not been able to monetise these benefits.

6.5 Conclusion on impact

Our proposals to amend the ANO would have produce a number of benefits:

a) time savings through simplifying requirements, aligning EASA and domestic requirements, or removing the need to apply for CAA permissions or exemptions;

b) cost savings from no longer requiring, or requiring less of, some CAA permissions and exemptions; and

c) potential new opportunities for business through removing restrictions, such as allowing more aircraft types (such as PtF) to be used for flight training.

A list of the monetised and non-monetised benefits by proposal are shown in the table below.

Table 5 – Benefits of proposals – monetised and non-monetised (best estimate – non discounted)

Proposal	Net benefit to private pilots		Net benefit to business		Net benefit to others	
	Monetised	Non-monetised	Monetised	Non-monetised	Monetised	Non-monetised
1, 2 Alignment with EASA and Skyway code	£9,115,992	-	£2,003,288	Yes	-	-
3 GA flight time limitations	-	-	-	-	-	-
4 Police operations	-	-	-	-	-	Net benefit to Police
5 Aerodromes	-	Likely to be small	-	Likely to be small	-	-
6 Use of permit aircraft for commercial operations	-	Yes	-	Likely to be costs and benefits	-	-
7 Special category	-	-	-	Yes	-	-
8 Pilot owner maintenance	-	Yes	-	-	-	-
9 'A' conditions		Yes	-	Yes	-	-
10 Private pilot licences	£6,250,000	-	-	-	-	-
11 Third country licence holders	-	-	-	Likely to be costs and benefits	-	-
12 Aircraft registration	-	Yes	-	Yes	-	-

Table 6 – Benefits of proposals – monetised (best estimate – non-discounted)

Proposal	Net benefit to private pilots	Net benefit to business	Net benefit to others	Total
1, 2 Alignment with EASA and Skyway code	£9,115,992	£2,003,888	-	£11,119,880
10 Private pilot licences	£6,250,000	-	-	£6,250,000
Total	**£15,365,992**	**£2,003,888**	**-**	**£17,369,880**

7. Rationale and evidence that justify the level of analysis

7.1 Prior to our first consultation we consulted three GA firms who undertook different types of work: a continuing airworthiness maintenance organisation, a type design organisation, and a certified maintenance organisation. They gave us estimates of the amount of time they spent reviewing compliance with the ANO.

7.2 Responses to the first consultation have been used. The impact assessment will be updated in light of consultation responses, or other new sources of information.

7.3 Where quantitative analysis has not been possible, qualitative explanations have been used.

8 Risks and assumptions

8.1 Our review of the ANO has been conducted in accordance with the principles of our GA policy framework. It is a key feature of our approach to GA risk management that we focus on the risks to:

- uninvolved third parties on the ground;
- users of commercial air transport flights; and
- other users of airspace.

8.2 The framework includes a series of questions that have been developed to ensure that we minimise the risks to those we are required to protect; that our regulation is consistent; and we do not gold-plate European regulations. We are focused primarily on protecting third parties from risks associated with GA activities, while enabling GA participants to manage their own risks. The assessment of risks by our Safety and Airspace Regulation Group is reviewed by our Policy Programmes Team to re-inforce the objectivity of the process.

8.3 The framework allows participants of GA activity to bear more risk, and not necessarily receive the same level of regulatory protection as those on commercial air transport flights, assuming that they are considered to understand the risks involved. Our first consultation included discussion on flying displays. We are not proposing any changes to the regulation of flying displays in this review. That issue will be considered in a separate review.

8.4 We have not been able to monetise potential benefits to business and private pilots from opportunities for more flying and new business opportunities.

8.5 We have based our figures on the current level of GA activity. As we expect the amount of GA activity to increase as a result of our proposals to reduce the regulatory burden on the sector, this means

that our figures are conservative. If there is more GA activity the benefits for both business and private pilots will be higher than we have estimated.

9 Direct costs and benefits to business calculations

9.1 The direct cost to business is set out in the evidence base and included in the summary sheet.

9.2 The CAA is funded by statutory charges on those it regulates. These fall both on private pilots and businesses. We have used historic data to apportion the benefits from reduced CAA costs between private pilots and businesses.

9.3 Our best estimate of the direct benefit to business is that there will be an estimated annual net benefit to business of £0.19m. This is in 2014 prices.

10 Wider impact

The wider social, environmental and economic impact of these policy proposals has been considered, together with possible unintended consequences. For social, environmental and economic impacts the results are in Annex B. Table 16 summarises the specific impact tests.

Table 16: Specific impact tests

Type of test undertaken	**Results in evidence base**	**Results in Annex B**
Competition Assessment	No	Yes
Small Firms Impact Test	No	Yes
Justice Impact Test	No	Yes
Sustainable Development	No	Yes
Carbon Assessment	No	Yes
Other Environment	No	Yes
Health Impact Assessment	No	Yes
Race Equality	No	Yes
Disability Equality	No	Yes
Gender Equality	No	Yes
Human Rights	No	Yes
Rural Proofing	No	Yes
Family Impact Test	No	Yes

11 Summary and preferred option with description of post implementation review

11.1 The preferred option is Option 1. This allows us to reduce the regulatory burden while maintaining the current high standard of safety and culture of compliance. This option is being put out to consultation. Subject to the outcome of that consultation the Government will consult on the legislative changes to the ANO.

11.12 The ANO is reviewed every six months. This review is primarily to check that the legal text remains fit for purpose.

Annex A – LOW ESTIMATE AND HIGH ESTIMATE NET BENEFIT TABLES

Table A1 – Impact on private pilots per year – low estimate, 2014 prices (non-discounted)

Year	Skyway Code costs	Familiarisation costs	Benefits from time saving	Net benefits
0	3,960	497,520	0	-501,480
1	288	0	497,520	497,232
2	0	0	497,520	497,520
3	0	0	497,520	497,520
4	0	0	497,520	497,520
5	0	0	497,520	497,520
6	0	0	497,520	497,520
7	0	0	497,520	497,520
8	0	0	497,520	497,520
9	0	0	497,520	497,520
Total	**4,248**	**497,520**	**4,477,680**	**3,975,912**

Table A2– Impact on private pilots per year – high estimate, 2014 prices (non-discounted)

Year	Skyway Code costs	Familiarisation costs	Benefits from time saving	Net benefits
0	5,400	2,487,600	0	-2,493,000
1	288	0	2,487,600	2,487,312
2	0	0	2,487,600	2,487,600
3	0	0	2,487,600	2,487,600
4	0	0	2,487,600	2,487,600
5	0	0	2,487,600	2,487,600
6	0	0	2,487,600	2,487,600
7	0	0	2,487,600	2,487,600
8	0	0	2,487,600	2,487,600
9	0	0	2,487,600	2,487,600
Total	**5,688**	**2,487,600**	**22,388,400**	**19,895,112**

Table A3 – Impact on business per year – low estimate, 2014 prices (non-discounted)

Year	Skyway Code costs	Familiarisation costs	Benefits from time saving	Net benefits
0	22,400	48,400	0	-70,840
1	1,632	0	48,400	46,768
2	0	0	48,400	48,400
3	0	0	48,400	48,400
4	0	0	48,400	48,400
5	0	0	48,400	48,400
6	0	0	48,400	48,400
7	0	0	48,400	48,400
8	0	0	48,400	48,400
9	0	0	48,400	48,400
Total	**24,072**	**48,400**	**435,600**	**363,128**

Table A4– Impact on business per year – high estimate, 2014 prices (non-discounted)

Year	Skyway Code costs	Familiarisation costs	Benefits from time saving	Net benefits
0	30,600	786,500	0	-817,100
1	1,632	0	786,500	784,868
2	0	0	786,500	786,500
3	0	0	786,500	786,500
4	0	0	786,500	786,500
5	0	0	786,500	786,500
6	0	0	786,500	786,500
7	0	0	786,500	786,500
8	0	0	786,500	786,500
9	0	0	786,500	786,500
Total	**32,232**	**786,500**	**7,078,500**	**6,259,768**

Annex B – SPECIFIC IMPACT TESTS

1 Competition assessment

1.1 In order to assess the impact on competition the following questions have been considered. Do the policy options:

- **Directly limit the number or range of suppliers?** The removal of current restrictions in Option 1 might directly increase the range of suppliers.

- **Indirectly limit the number or range of suppliers?** The removal of current restrictions in Option 1 might indirectly increase the range of suppliers.

- **Limit the ability of a supplier to compete?** The removal of current restrictions in Option 1 would not limit the ability of a supplier to compete.

- **Reduce suppliers' incentives to compete vigorously?** The removal of current restrictions in Option 1 would not reduce supplier's incentives to compete vigorously.

1.2 Overall the proposals are likely to increase the amount of competition in the general aviation market.

2 Small Firms Impact Test

2.1 Small businesses generally have fewer resources available to learn about and adjust to regulatory change. Time invested in finding out about the proposed new provisions of the ANO may result in small firms incurring higher relative costs. However, these costs would be a one-off occurrence, and the cost savings from the reductions in time in understanding simpler regulations will also be relatively higher for small firms.

3 Justice Impact Test

3.1 As the proposals would remove some current legal restrictions, there should be no justice impact form Option 1.

4 Sustainable Development

4.1 The Government Guiding Principles on Sustainable Development are:

• **Living Within Environmental Limits:** Respecting the limits of the planet's environment, resources and biodiversity – to improve our environment and ensure that the natural resources needed for life are unimpaired and remain so for future generations.

• **Ensuring a Strong, Healthy and Just Society:** Meeting the diverse needs of all people in existing and future communities, promoting personal wellbeing, social cohesion and inclusion, and creating equal opportunity for all.

• **Achieving a Sustainable Economy:** Building a strong, stable and sustainable economy which provides prosperity and opportunities for all, and in which environmental and social costs fall on those who impose them (polluter pays), and efficient resource use is incentivised.

• **Using Sound Science Responsibly:** Ensuring policy is developed and implemented on the basis of strong scientific evidence, whilst taking into account scientific uncertainty (through the precautionary principle) as well as public attitudes and values.

• **Promoting Good Governance:** Actively promoting effective, participative systems of governance in all levels of society engaging people's creativity, energy, and diversity.

4.2 The proposals would have no effect upon achievement of the principles for sustainable development.

5 Carbon Assessment

5.1 Option 1 might increase the volume of GA traffic. However, any increase is unlikely to be material compared to the overall volume of aviation traffic as a result of these proposals. Therefore, no material change in greenhouse gas emissions is expected as a result of these proposals.

6 Other Environment

6.1 Noise pollution: Option 1 might increase the volume of GA traffic. However, any increase is unlikely to be material compared to the overall volume of aviation traffic as a result of these proposals. Therefore, no material change to aircraft noise is expected as a result of these proposals.

6.2 Air quality: Option 1 might increase the volume of GA traffic. However, any increase is unlikely to be material compared to the overall volume of aviation traffic as a result of these proposals. Therefore, no material change to air quality is expected as a result of these proposals.

7 Health Impact Assessment

7.1 The proposals should have no impact on health.

8 Equality Impact Tests

8.1 The following impact tests have been considered. The measures will be implemented equally across all groups regulated by the CAA regardless of their race, age, sexual orientation, ethnic origin, disability or gender. As a result we anticipate there will be no impact with regard to the following:

- race quality
- disability equality
- gender equality
- human rights.

9 Rural proofing

9.1 As GA airfields tend to be in rural areas and GA aircraft tend to fly more over rural areas than urban areas, the economic benefits of the proposals are more likely to be in rural areas, as will the impact of any increased noise. The increase in noise is not expected to be material.

10 Family Impact Test

10.1 The proposals are not expected to impact on families.