



Miscellaneous

No: 1475

UK (EU) Regulation No. 2018/395
UK (EU) Regulation No. 2018/1976
Air Navigation Order 2016

Publication date: 24 March 2021

General Exemption E 5362

Covid-19 - Balloon and Sailplane Pilots - Requirement to Hold a UK Part-BFCL/Part-SFCL Pilot Licence when Operating Part-21 Balloons and Sailplanes

Background

- 1) This exemption is issued to meet an urgent operational need due to the Covid-19 outbreak to defer the requirement to hold a UK Part-BFCL Balloon Pilot Licence (BPL) and UK Part-SFCL Sailplane Pilot Licence (SPL) when operating a UK Part-21 balloon or sailplane until 8 December 2021.

Interpretation

- 2) In this exemption, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced hereafter as "UK (EU) Regulation No. 2018/1139, UK (EU) Regulation No. 2018/395, and UK (EU) Regulation No. 2018/1976".

Exemption

- 3) The Civil Aviation Authority ('the CAA'), pursuant to Article 71(1) of UK (EU) Regulation No. 2018/1139 and Article 266 of the Air Navigation Order 2016 ('the Order'), exempts holders of the licences and certificates specified in paragraph 4 from the requirements of Article 3(b) of UK (EU) Regulation No. 2018/395, Article 3(b) of UK (EU) Regulation No. 2018/1976 and Article 136 of the Order, to hold an appropriate UK Part-BFCL or Part-SFCL licence subject to the conditions in paragraph 5.
- 4) This exemption applies to holders of the following licences issued under Article 152 of the Order and certificates issued by the BGA, subject to the conditions specified in paragraph 5:
 - a) UK Private Pilot's Licence (Balloons and Airships);
 - b) UK Commercial Pilot's Licence (Balloons); or
 - c) BGA Glider Pilot Certificates.

- 5) This exemption is subject to the following conditions:
- a) The licences specified in paragraph 4 must have been issued by the UK CAA and the Glider Pilot Certificate by the BGA.
 - b) Licence holders must only operate flights:
 - i) in a United Kingdom (G) registered UK Part-21 balloon, airship or glider/sailplane aircraft (as defined in Schedule 1 to the Order);
 - ii) in the following areas:
 - 1) within the United Kingdom; or
 - 2) with the permission of the relevant authority, in the airspace of another country; or
 - 3) with the permission of the relevant authority, within a Crown Dependency; and
 - iii) in day or night Visual Flight Rules ('VFR'), unless the BGA Certificate holder has the Cloud Flying endorsement.
 - c) UK PPL(BA) and CPL(B) holders must hold and maintain the privileges which entitles the holder to act as Pilot in Command (PIC) in accordance with Article 154 of the Order.
 - d) BGA Certificate holders must hold and maintain privileges which entitles the holder to act as PIC in accordance with the BGA Laws and Rules.

Date in Force

- 6) This exemption has effect from the date it is signed until 8 December 2021, both dates inclusive, unless previously revoked.

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for the Civil Aviation Authority

24 March 2021

Explanatory Note:

The objective of the exemption is to allow more time to administer the conversion of balloon licence and glider certificate holders to UK Part-BFCL and SFCL licences as a result of the COVID-19 pandemic.

The current conversion period in the retained European regulations is 8 April 2021. Due to the national restrictions imposed to tackle the pandemic the CAA is allowing more time for pilots to apply and for the conversion to be administered. The new date is 8 December 2021.

1. This exemption enables those licences and certificates specified in paragraph 4 of the exemption to act as pilot of a UK (G) registered Balloons, Airships or Sailplanes with a UK Part-21 Certificate of Airworthiness or Permit to Fly.
2. Holders of UK PPL(BA) and CPL(B) must have and maintain the privileges which entitles the holder to act as Pilot in Command (PIC) in accordance with Article 154 of the Order. This means the pilot must maintain the appropriate Certificate of Revalidation entry, as applicable to the class or group of balloons or type rating for airships.
3. Holders of BGA Certificates must maintain their privileges to fly gliders in accordance with the BGA Laws and Rules.
4. Licence and BGA Certificate holders can only operate in UK airspace, unless they have the permission of the relevant authority whose airspace they wish to operate in.
5. UK PPL(BA) and CPL(B) holders are reminded that for the licence to be compliant with Annex 1 to the Chicago Convention, it must be supported by at least a UK Class 2 Medical Certificate.
6. Pilots who have already converted to a UK Part-FCL LAPL(S), SPL and LAPL(B) and BPL issued in accordance with the UK (EU) Regulations No. 1178/2011 by virtue of Article 3b of UK (EU) Regulation No. 2018/395 and UK (EU) Regulation No. 2018/1976, these are now deemed to have been issued in accordance with UK Part-BFCL and SFCL respectively, so no further action is required for these licence holders and the CAA will reissue in the new format at the next opportunity.
7. New student pilots for a BGA certificate or existing student pilots for either a BGA certificate or the UK PPL(BA) or UK CPL(B) can continue with flight training including solo exercises for the issue, revalidation or renewal of a UK PPL(BA) or CPL(B) or BGA Certificate, but must be aware that they are required to convert by 8 December 2021. If student pilots are not able to complete their training by the date specified, they can transfer to a new training programme.