

European Aviation Safety Agency

**Guidance Material (GM)
to
Commission Regulation (EU)
No 965/2012**

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GM TO COMMISSION REGULATION (EU) No 965/2012

TABLE OF CONTENTS

Table of contents

GM1 Article 6.4a Derogations	3
OTHER-THAN-COMPLEX MOTOR-POWERED AIRCRAFT	3
GM2 Article 6.4a(a);(b) Derogations	3
DIRECT COST	3
GM3 Article 6.4a(a);(b) Derogations	3
ANNUAL COST	3
GM1 Article 6.4a(c) Derogations	3
ORGANISATION CREATED WITH THE AIM OF PROMOTING AERIAL SPORT OR LEISURE AVIATION	3
GM2 Article 6.4a(c) Derogations	3
MARGINAL ACTIVITY	3

**Guidance Material (GM) to Articles
of Commission Regulation (EU) No 965/2012**

GM1 Article 6.4a Derogations

OTHER-THAN-COMPLEX MOTOR-POWERED AIRCRAFT

The term 'other-than-complex motor-powered aircraft' is used synonymously with the terms 'other-than complex motor-powered aircraft' and 'other than complex motor-powered aircraft'. Whenever one of these terms is used, it includes also non-motor-powered aircraft such as sailplanes and balloons.

GM2 Article 6.4a(a);(b) Derogations

DIRECT COST

'Direct cost' means the cost directly incurred in relation to a flight, e.g. fuel, airfield charges, rental fee for an aircraft. There is no element of profit.

GM3 Article 6.4a(a);(b) Derogations

ANNUAL COST

'Annual cost' means the cost of keeping, maintaining and operating the aircraft over a period of one calendar year. There is no element of profit.

GM1 Article 6.4a(c) Derogations

ORGANISATION CREATED WITH THE AIM OF PROMOTING AERIAL SPORT OR LEISURE AVIATION

An 'organisation created with the aim of promoting aerial sport or leisure aviation' means a non-profit organisation, established under applicable national law for the sole purpose of gathering persons sharing the same interest in general aviation to fly for pleasure or to conduct parachute jumping. The organisation should have aircraft available.

GM2 Article 6.4a(c) Derogations

MARGINAL ACTIVITY

The term 'marginal activity' should be understood as representing a very minor part of the overall activity of an organisation, mainly for the purpose of promoting itself or attracting new students or members. An organisation intending to offer such flights as regular business activity is not considered to meet the condition of marginal activity. Also, flights organised with the sole intent to generate income for the organisation, are not considered to be a marginal activity.