Revision of the operational rules for sailplanes

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<table>
<thead>
<tr>
<th>Applicability</th>
<th>Process map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affected regulations and decisions:</td>
<td>Concept paper: No</td>
</tr>
<tr>
<td>Commission Regulation (EU) No 965/2012;</td>
<td>Rulemaking group: No, only expert group</td>
</tr>
<tr>
<td>Decision 2014/015/R (Part-CAT);</td>
<td>RIA type: Light</td>
</tr>
<tr>
<td>Decision 2014/016/R (Part-NCO);</td>
<td>Technical consultation during NPA drafting: N/A</td>
</tr>
<tr>
<td>Decision 2014/017/R (Part-ORO);</td>
<td>Publication date of the NPA: N/A</td>
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<tr>
<td>Decision 2014/018/R (Part-SPO);</td>
<td>Duration of NPA consultation: N/A</td>
</tr>
<tr>
<td>Decision 2014/025/R (Part-ARO)</td>
<td>Review group: N/A</td>
</tr>
<tr>
<td>Affected stakeholders:</td>
<td>Focused consultation (workshop): 2016/Q4</td>
</tr>
<tr>
<td>Pilots, operators, competent authorities</td>
<td>Publication date of the decisions: 2018/Q2</td>
</tr>
<tr>
<td>Driver/origin:</td>
<td>Publication date of the opinion: 2017/Q2</td>
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<tr>
<td>Efficiency/proportionality</td>
<td></td>
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<tr>
<td>Reference:</td>
<td></td>
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<tr>
<td>Regulation (EC) No 216/2008</td>
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</table>
1. **Issue and reasoning for regulatory change**

The major goal of the European Aviation Safety Agency’s (the Agency) General Aviation (GA) Road Map is to work towards simpler, ‘lighter’ and proportionate rules for GA. The air operations regulatory framework for sailplanes was chosen as one project in the context of the GA Road Map. This rulemaking activity is included in the Agency’s [5-year Rulemaking Programme](#) under RMT.0698.

2. **Objectives**

The general objectives of the European Union in the field of civil aviation are defined in Article 2 of Regulation (EC) No 216/2008 (the Basic Regulation). The specific objective of the present rulemaking task is to establish a simpler and proportionate air operations regulatory framework for sailplanes.

3. **Activities**

During the development of the draft rules and the impact assessment, the following activities shall be considered:

1. to review the present sailplanes’ rule structure as laid down in Commission Regulation (EU) No 965/2012;
2. to improve the clarity of the rule structure;
3. to identify those parts of the rules which can be simplified;
4. to take into account the input received from the sailplane community on targeted improvements;
5. to verify that the new operational rules do not conflict with the requirements of Regulation (EU) No 923/2012 (Standardised European Rules of the Air (SERA));
6. to review the ‘line’ between implementing rules (IRs) on the one hand, and acceptable means of compliance (AMC) and guidance material (GM) on the other hand;
7. to consider switching from prescriptive to performance-based rulemaking, as appropriate;
8. to modify the rules and to establish a single ‘book’ for the air operations rules of sailplanes, taking into account the above-mentioned activities No 2 to 7.

4. **Deliverables**

Due to the tight time frame, and in accordance with the Agency’s new Rulemaking Procedure¹, no notice of proposed amendment (NPA) and, consequently, no comment-response document (CRD) will be issued. The planned deliverables of this rulemaking task are the following:

1. An opinion containing a proposal for:
   — a new regulation on sailplanes containing a cover regulation and an annex with air operations IRs;

¹ The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of Regulation (EC) No 216/2008. Such a process has been adopted by the Agency’s Management Board (MB) and is referred to as the ‘Rulemaking Procedure’. See MB Decision No 18-2015 of 15 December 2015 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material.
— an amendment to Commission Regulation (EU) No 965/2012 with the appropriate modifications and deletions as regards the IRs for sailplanes (Part-ARO, Part-ORO, Part-CAT, Part-NCO, and Part-SPO).

2. Decisions containing:
— the associated AMC/GM to the new regulation;

5. **Focused consultation**

   For the present rulemaking task, a workshop with stakeholders and national aviation authorities (NAAs) is envisaged where the draft IR (opinion) and the draft AMC/GM (decisions) shall be discussed. Since no NPA will be issued, this workshop shall serve as an alternative method to consult widely with interested parties on the envisaged air operations regulatory framework for sailplanes.

6. **Profile and contribution of the expert group**

   Due to the tight time frame, and due to the fact that no NPA will be issued, no formal rulemaking group (as described in the Agency’s Rulemaking Procedure) will be established. Instead, on a less formal basis, an expert group will work on the present rulemaking task. This expert group shall comprise representatives from:

   — operators;
   — competent authorities; and
   — manufacturers.

   The expertise and experience of the group’s experts shall cover:

   — the operation of sailplanes;
   — the competent authority oversight of sailplane operators; and
   — in-depth knowledge of the air operations regulatory framework for sailplanes.
7. **Annex I: Reference documents**

7.1. **Affected regulations**


7.2. **Affected decisions**


7.3. **Reference documents**