

*European Aviation Safety Agency*

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**Acceptable Means of Compliance and  
Guidance Material to  
Articles of  
Commission Regulation (EU) 2018/395**

Issue 1<sup>1</sup>

23 March 2018

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<sup>1</sup> For the date of entry into force of this Issue, refer to Decision 2018/004/R in the [Official Publication](#) of the Agency.

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**AMC AND GM TO ARTICLES OF COMMISSION REGULATION (EU) 2018/395**

**GM1 Article 3(2)(a);(b) Air operations**

DIRECT COST

'Direct cost' means the cost directly incurred in relation to a flight, e.g. fuel costs of the balloon and the retrieve vehicle directly incurred in relation to a flight, take-off and landing fees, and rental fee for a balloon. There is no element of profit or salary for the pilot.

**GM2 Article 3(2)(a);(b) Air operations**

ANNUAL COST

'Annual cost' means the cost of the balloon over a period of one calendar year. There is no element of profit or salary for the pilot.

**GM1 Article 3(2)(c) Air operations**

ORGANISATION CREATED FOR THE PURPOSES OF PROMOTING AERIAL SPORT OR LEISURE AVIATION

An 'organisation created for the purposes 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 balloons available.

**GM2 Article 3(2)(c) Air operations**

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 a 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.