

Proposal to De-Regulate (for Airworthiness Purposes) all UK-Registered Single Seat Microlight Aeroplanes

The main driver for this proposal is to remove a disproportionate regulatory burden currently imposed on single seat microlight aeroplanes, which have a maximum weight without a pilot and fuel above 115 kg and thus provide an opportunity to revitalise the 'grass roots' of this sector of the flying community.

Current requirements for single seat microlight aeroplanes weighing more than 115 kg are dissuading potential constructors from producing new products. The limitations currently in place typically preclude the installation of modern safety/navigation equipment as its additional weight would increase the empty weight above the existing limit. This prevents most unregulated single seat microlight aircraft from carrying a ballistic parachute, even though the device could be safely installed. The current requirements also effectively rule out the use of electric propulsion systems as the weight of the batteries would be included in the current 115 kg maximum empty weight.

The proposed change is not envisaged to have a substantive impact on the overall level of safety within the General Aviation sector as there is no increase in permitted occupancy and the increase in maximum takeoff weight is relatively small. The additional weight allowance will enable the installation of additional safety/navigation equipment, allow for the introduction of alternative power sources and enable designers to produce more robust products. The proposal also limits exposure to risk during the most critical phases of flight by imposing a relatively low maximum stall speed in the landing configuration of no more than 35 knots.

It is not expected that increasing the size of aircraft that are not subject to airworthiness certification will have a negative impact on export opportunities, as many countries already allow the use of uncertificated aircraft of this size. The British Microlight Aircraft Association estimates that 200 aircraft in the UK would benefit from the proposed change.

There will be no requirement for single seat microlight aeroplanes to hold a UK Permit to Fly or any other form of CAA airworthiness approval.

The proposed revised Air Navigation Order Article 16

- (1) Subject to paragraphs (2) and (3), an aircraft must not fly unless there is in force for the aircraft a certificate of airworthiness issued or rendered valid under the law of the country in which the aircraft is registered or the State of the operator, and any conditions subject to which the certificate was issued or rendered valid are complied with.
- (2) The prohibition in paragraph (1) does not apply to flights, beginning and ending in the United Kingdom without passing over any other country, of:
 - (a) a non-EASA glider flying on a private flight or an aerial work flight which consists of the giving of instruction or testing in a club environment;
 - (b) a non-EASA balloon flying on a private flight;
 - (c) a non-EASA kite;
 - (d) a non-EASA aircraft flying in accordance with the A Conditions or the B Conditions;
 - (e) an aircraft flying in accordance with a national permit to fly;
 - (f) an aircraft flying in accordance with a certificate of validation issued by the CAA under article 24; or
 - (g) a microlight aeroplane* which is designed to carry one person only.
 - ~~(ii) has a maximum weight without its pilot and fuel of 115kg;~~
 - ~~(iii) has a maximum wing loading without its pilot and fuel of 10kg per square metre; and~~
 - ~~(iv) is flying on a private flight.~~
- (3) The prohibition in paragraph (1) does not apply to flights by an aircraft flying in accordance with an EASA permit to fly:
 - (a) issued by the CAA; or
 - (b) issued by the competent authority of a Member State other than the United Kingdom which permits the aircraft to fly outside the airspace of the issuing State.

(The remainder of the Article is un-amended).

* 'Microlight aeroplane' means an aeroplane designed to carry not more than two persons which has:

- (a) a maximum total weight authorised not exceeding:
 - (i) 300 kg for a single seat landplane, (or 390 kg for a single seat landplane of which at least 51% was built by an amateur, or non-profit making association of amateurs, for their own purposes and without any commercial objective, in respect of which a permit to fly issued by the CAA was in force prior to 1st January 2003);

- (ii) 450 kg for a two-seat landplane; or
 - (iii) 330 kg for a single seat amphibian or floatplane; or
 - (iv) 495 kg for a two-seat amphibian or floatplane; or
 - (v) 315 kg for a single seat landplane equipped with an airframe mounted total recovery parachute system; or
 - (vi) 472.5 kg for a two-seat landplane equipped with an airframe mounted total recovery parachute system; and
- (b) a stalling speed, or minimum steady flight speed in the landing configuration, at the maximum total weight authorised not exceeding 35 knots calibrated airspeed.