

Commission Implementing Regulation (EU) 2018/1976 of 14 December 2018 laying down detailed rules for the operation of sailplanes as well as for the flight crew licensing for sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council

*Article 1*

**Subject matter and scope**

[<sup>F1</sup> This Regulation lays down detailed rules for air operations with sailplanes as well as for issuing and maintaining pilot licences and associated ratings, privileges and certificates for sailplanes, where such aircraft meet the conditions laid down in points (b)(i) and (ii) of Article 2(1) of Regulation (EU) 2018/1139.]

**Textual Amendments**

**F1** Substituted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).

*Article 2*

**Definitions**

[<sup>F1</sup>For the purposes of this Regulation, the following definitions and, unless terms are defined otherwise in this Article, the definitions of Article 2 of Regulation (EU) No 1178/2011 apply:]

- (1) ‘sailplane’ means a heavier-than-air aircraft that is supported in flight by the dynamic reaction of the air against its fixed lifting surfaces, the free flight of which does not depend on an engine;
- (2) ‘engine’ means a device used or intended to be used for powered sailplane propulsion;
- (3) ‘powered sailplane’ means a sailplane equipped with one or more engines having, with engine(s) inoperative, the characteristics of a sailplane;
- (4) ‘commercial operation’ means any operation of a sailplane, in return for remuneration or other valuable consideration, which is available for the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator;
- (5) ‘competition flight’ means any air operation with a sailplane performed for the purposes of participating in air races or contests, including practising for such operation and flying to and from air races or contests;
- (6) ‘flying display’ means any air operation with a sailplane performed for the purposes of providing an exhibition or entertainment at an advertised event open to the public, including practising for such operation and flying to and from the advertised event;
- (7) ‘introductory flight’ means any air operation with a sailplane against remuneration or other valuable consideration consisting of an air tour of short duration for the purpose

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- of attracting new trainees or new members, performed either by a training organisation referred to in Article 10a of Commission Regulation (EU) No 1178/2011<sup>(1)</sup> or by an organisation created with the aim of promoting aerial sport or leisure aviation;
- (8) ‘aerobatic flight’ means an intentional manoeuvre involving an abrupt change in a sailplane’s attitude, an abnormal attitude or abnormal acceleration, not necessary for normal flight or for instruction for licences, certificates or ratings other than the aerobatic rating;
- (9) ‘principal place of business’ means the head office or registered office of an operator of a sailplane within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised;
- (10) [<sup>F1</sup>‘dry lease agreement’ means an agreement between undertakings pursuant to which the sailplane is operated under the responsibility of the lessee;]
- (11) [<sup>F2</sup>‘national licence’ means a [<sup>F3</sup>certificate issued by the British Gliding Association] before the date of application of Annex III (Part-SFCL) to this Regulation or of Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (12) ‘Part-SFCL licence’ means a flight crew licence which complies with the requirements of Annex III (Part-SFCL) to this Regulation;
- (13) ‘conversion report’ means a report on the basis of which a licence may be converted into a Part-SFCL licence;]
- (14) [<sup>F4</sup>‘medical declaration’ means a medical declaration made in accordance with article 163(3) of the Air Navigation Order 2016 by a pilot holding a sailplane pilot licence (SPL), which has not ceased to be valid in accordance with article 163(4) of that Order.]

#### Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).
- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).
- F3** Words in Art. 2(11) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **86**
- F4** Art. 2(14) inserted (28.1.2021) by [The Aviation Safety \(Amendment\) Regulations 2021 \(S.I. 2021/10\)](#), regs. 1(2), **6(2)**

### Article 3

#### Air operations

1 Operators of sailplanes shall operate the sailplanes in accordance with the requirements set out in Annex II.

The first subparagraph shall not apply to design or production organisations which comply with Articles 8 and 9, respectively, of Commission Regulation (EU)

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No 748/2012<sup>(2)</sup> and which operate the sailplane, within the scope of their privileges, for the purposes of the introduction or modification of sailplane types.

2 In accordance with point (a) of Article 30(1) of Regulation (EU) 2018/1139 operators of sailplanes shall engage in commercial operations only after having declared to the [<sup>F5</sup>CAA] their capacity and means to discharge the responsibilities associated with the operation of the sailplane.

The first subparagraph shall not apply to the following operations with sailplanes:

- a cost-shared operations, provided that the direct costs of the flight of the sailplane and a proportionate part of the annual costs incurred for the storage, insurance and maintenance of the sailplane are shared by the individuals on board;
- b competition flights or flying displays, provided that the remuneration or any other valuable consideration for such flights is limited to the recovery of the direct costs of the flight of the sailplane and a proportionate part of the annual costs incurred for the storage, insurance and maintenance of the sailplane and that any prizes gained do not exceed the value specified by the [<sup>F6</sup>CAA];
- c introductory flights, flights for the purposes of parachute dropping, sailplane towing or aerobatic flights performed either by a training organisation having its principal place of business in [<sup>F7</sup>the United Kingdom] and referred to in Article 10a of Regulation (EU) No 1178/2011, or by an organisation created for the purposes of promoting aerial sport or leisure aviation, provided that the organisation operates the sailplane on the basis of either ownership or a dry lease agreement, that the flight does not generate profits distributed outside of the organisation and that such flights represent only a marginal activity of the organisation;
- d training flights, performed by a training organisation having its principal place of business in [<sup>F8</sup>the United Kingdom] and referred to in Article 10a of Regulation (EU) No 1178/2011.

#### Textual Amendments

- F5** Word in Art. 3(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **21(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in Art. 3(2)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **21(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 3(2)(c) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **21(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 3(2)(d) substituted (31.12.2020) by [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **21(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### [<sup>F2</sup>Article 3a

#### Pilot licences and medical certification

1 Without prejudice to Commission Delegated Regulation (EU)<sup>(3)</sup>, pilots of aircraft referred to in Article 1(1) of this Regulation shall comply with the technical requirements and administrative procedures laid down in Annex III (Part-SFCL) to this Regulation and in Annex IV (Part-MED) to Regulation (EU) No 1178/2011.

2 As an exception to the privileges of the holders of licences as defined in Annex III (Part-SFCL) to this Regulation, holders of such licences may carry out flights referred to in

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points (a) to (d) of Article 3(2) without complying with point SFCL.115(a)(3) of Annex III (Part-SFCL) to this Regulation.

3 [F<sup>9</sup>The CAA] may authorise student pilots who follow a sailplane pilot licence ('SPL') training course to exercise limited privileges without supervision before they meet all the requirements that are necessary for the issue of an SPL in accordance with Annex III (Part-SFCL) to this Regulation, subject to all of the following conditions:

- a the scope of the privileges granted shall be based on a safety risk assessment carried out by the [F<sup>10</sup>CAA], taking into account the extent of training necessary for the intended level of pilot competence to be achieved;
- b the privileges shall be limited to the following:
  - (i) the whole or part of the national territory of the [F<sup>11</sup>United Kingdom]; and
  - (ii) sailplanes that are registered in the [F<sup>11</sup>United Kingdom];
- c the holder of an authorisation who applies for the issue of an SPL shall receive credits for training conducted on the basis of a recommendation from an approved training organisation ('ATO') or a declared training organisation ('DTO');
- <sup>F12</sup>d .....
- e the [F<sup>13</sup>CAA] shall monitor the use of authorisations issued under this paragraph to ensure an acceptable level of aviation safety and take appropriate action in case of identifying an increased safety risk or any safety concerns.

#### Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).
- F9** Words in Art. 3a(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(a)**
- F10** Word in Art. 3a(3)(a) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(b)**
- F11** Words in Art. 3a(3)(b) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(c)**
- F12** Art. 3a(3)(d) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(d)**
- F13** Word in Art. 3a(3)(e) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **87(e)**

### Article 3b

#### Existing pilot licences and national medical certificates

1 Part-FCL licences for sailplanes and associated privileges, ratings and certificates issued by [F<sup>14</sup>the CAA] before the date of application of this Regulation shall be deemed to have been issued in accordance with this Regulation. [F<sup>15</sup>The CAA] shall replace those licences with licences that comply with the format laid down in Annex VI (Part-ARA) to Regulation (EU) No 1178/2011 when they reissue licences for administrative reasons or upon a request of licence holders.

2 When [F<sup>16</sup>the CAA] reissues licences and associated privileges, ratings and certificates in accordance with paragraph 1, [F<sup>17</sup>the CAA] shall, as applicable:

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- a transfer all privileges endorsed so far in Part-FCL licences to the new licence format;
- b convert aerobatic ratings issued in accordance with point FCL.800 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011 into advanced aerobatic privileges in accordance with point SFCL.200(c) of Annex III (Part-SFCL) to this Regulation;
- c endorse the expiry date of a flight instructor certificate associated with a Part-FCL licence into the pilot's logbook or issue an equivalent document. After that expiry date, pilots shall exercise instructor privileges only when they comply with point SFCL.360 of Annex III (Part-SFCL) to this Regulation.

3 Holders of national licences for sailplanes <sup>F18</sup>... shall be allowed to continue to exercise the privileges of their licences until [<sup>F19</sup>30 September 2025]. By that date, [<sup>F20</sup>the CAA] shall convert those licences into Part-SFCL licences and associated ratings, privileges and certificates in accordance with the elements laid down in a conversion report that complies with the requirements of Article 4(4) and (5) of Regulation (EU) No 1178/2011.

4 National pilot medical certificates associated with a licence as specified in paragraph 2 of this Article and issued <sup>F21</sup>... before the date of application of Annex III (Part-SFCL) to this Regulation shall remain valid until the date of their next revalidation or until 8 April 2021, whichever is the earliest. The revalidation of such medical certificates shall comply with the requirements of Annex IV (Part-MED) to Regulation (EU) No 1178/2011.

#### Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).
- F14** Words in Art. 3b(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(a)(i)**
- F15** Words in Art. 3b(1) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(a)(ii)**
- F16** Words in Art. 3b(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(b)(i)**
- F17** Words in Art. 3b(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(b)(ii)**
- F18** Words in Art. 3b(3) omitted (1.7.2022) by virtue of [The Aviation Safety \(Amendment\) Regulations 2022 \(S.I. 2022/637\)](#), regs. 1(2), **5(2)**
- F19** Words in Art. 3b(3) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **33(2)**
- F20** Words in Art. 3b(3) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(c)(ii)**
- F21** Words in Art. 3b(4) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **88(d)**

#### Article 3c

##### Credit for training that commenced prior to the date of application of this Regulation

1 In respect of issuing Part-SFCL licences and associated privileges, ratings or certificates in accordance with Annex III (Part-SFCL) to this Regulation, training that commenced prior to the date of application of this Regulation in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 shall be deemed to comply with the requirements of this Regulation.

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2 Training [<sup>F22</sup>for the issue of a Glider Pilot's Certificate that commenced prior to [<sup>F23</sup>30 September 2025]], shall be credited for the purposes of issuing Part-SFCL licences on the basis of a credit report established by the [<sup>F24</sup>CAA].

3 The credit report referred to in paragraph 2 shall describe the scope of the training, indicate for which requirements of Part-SFCL credit is given and, if applicable, which requirements applicants need to comply with in order to be issued with a Part-SFCL licence. It shall include copies of all the documents necessary to attest the scope of the training, as well as copies of the national regulations and procedures in accordance with which the training was initiated.

#### Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).
- F22** Words in Art. 3c(2) substituted (1.7.2022) by [The Aviation Safety \(Amendment\) Regulations 2022 \(S.I. 2022/637\)](#), regs. 1(2), **5(3)**
- F23** Words in Art. 3c(2) substituted (21.6.2023) by [The Aviation Safety \(Amendment\) Regulations 2023 \(S.I. 2023/588\)](#), regs. 1(2), **33(3)**
- F24** Word in Art. 3c(2) substituted (31.12.2020) by [The Aviation Safety \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1116\)](#), regs. 1(2), **89**

### Article 3d

#### Training organisations

1 Training organisations for obtaining the pilot licences referred to in Article 1(1) of this Regulation shall comply with the requirements of Article 10a of Regulation (EU) No 1178/2011.

2 Training organisations referred to in paragraph 1 which hold an approval issued in accordance with Annex VII (Part-ORA) to Regulation (EU) No 1178/2011 or have submitted a declaration in accordance with Annex VIII (Part-DTO) to Regulation (EU) No 1178/2011 before the date of application of this Regulation shall adapt their training programmes, where necessary, by 8 April 2021 at the latest.]

#### Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).

### Article 4

#### Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 9 July 2019.

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F25  
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#### Textual Amendments

**F25** Words in [Signature](#) omitted (31.12.2020) by virtue of [The Aviation Safety \(Amendment etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1098\)](#), regs. 1(2), **22**; 2020 c. 1, Sch. 5 para. 1(1)

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- (1) Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ([OJ L 311, 25.11.2011, p. 1](#)).
- (2) Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations ([OJ L 224, 21.8.2012, p. 1](#)).
- (3) [<sup>F2</sup>Commission Delegated Regulation (EU) of 4 March 2020 (not yet published in the Official Journal).]

#### Textual Amendments

- F2** Inserted by [Commission Implementing Regulation \(EU\) 2020/358 of 4 March 2020 amending Implementing Regulation \(EU\) 2018/1976 as regards sailplane pilot licences \(Text with EEA relevance\)](#).



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