

OPS M2-9: Gliders

Regulation background and legal basis

Regulation on gliders remains the exclusive competence of the national authorities.

¹ Point 1(e) of Annex 1 to the EASA Regulation excludes from the scope of the EASA requirements aeroplanes having measurable stall speed or the minimum steady flight speed in landing configuration not exceeding 35 knots calibrated air speed (CAS), helicopters, powered parachutes, sailplanes and powered sailplanes, having no more than two seats. Point 1(g) of the Annex also excludes any other manned aircraft which has a maximum empty mass, including fuel, of no more than 70 kg. Gliders are now also considered to be included in these exclusions. Annex II to the former EASA Regulation (EC) No 216/2008 contained a separate point (g) which excluded from its scope gliders with a maximum empty mass, of no more than 80 kg when single-seater or 100 kg when two-seater, including those which are foot launched.

Nor does the (Finnish) Aviation Act (864/2014) fully apply to gliders and the other aircraft referred to in regulation OPS M2-9. According to section 9(2), the provisions of Chapters 2 to 4 and 7 and Chapter 14 of the Act on Transport Services shall not apply to the following aircraft and equipment:

- 1) a gravity-controlled ultralight aircraft and motorised parachute;
- 2) a glider with a maximum empty mass of 80 kilograms when single-seater or 100 kilograms when two-seater;
- (3) aircraft other than those referred to in paragraphs 1 and 2 of this sub-section with a maximum empty mass, including fuel, of 70 kg, except for unmanned aircraft.

Consequently, gliders and other aircraft described above are not subject to the provisions of the Aviation Act on aircraft registration, airworthiness, licensing and aerodromes, or the provisions of the Act on Transport Services (320/2017) on the qualifications and training of aircrew. Under section 9(4) of the Aviation Act, the Finnish Transport and Communications Agency may issue regulations on the technical, operational and required knowledge, skills, experience and age of the pilot.

A need for several changes has been identified in the aviation regulation on glider operations. Firstly, the definition of 'glider' used in the regulation has been updated to comply with the new EASA Regulation, so that the definition of gravity-controlled ultralight aircraft and paragliders in group A corresponds to the weight limits and other limitations set out in point 1(e) of Annex I to the EASA Regulation. However, the definitions of Group B and Group C gliders have so far remained unchanged, to stay in line with the provisions of section 9(2) of the Aviation Act. The definitions have now been written into the Regulation, when before reference was made to the old EASA Regulation.

Secondly, recent interest and enquiries have emerged regarding the practice of commercial flight operations with a glider. So far, there has been no regulation on

¹ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1-122)

this issue in Finland. Equipment requirements are now proposed for gliders used for commercial passenger transport (airframe mounted total recovery parachute) as well as more stringent requirements governing the experience of pilots than are in place for standard passenger transport.

Thirdly, the regulation would correct the paragraph requiring repeated exemptions, according to which a homemade glider was required to be listed before it could be granted technical approval. However, the glider was not allowed to fly until it was listed, which in practice would have prevented test flights. In order to remedy this situation, a temporary listing of the glider for flight test purposes would be introduced for a period of up to three years at a time.

In addition, the requirements concerning the recorded identification of the glider have been examined. The update also dealt with proposals for amendments received from the Finnish Aeronautical Association's glider committee, in particular with regard to the definition of gliders, the requirements for paragliders and the submission of training certificates to the authority. However, contrary to the proposed amendment, training certificates will still need to be submitted to the authority so that the Finnish Transport and Communications Agency can have the information it needs for purposes of supervision, although the deadline for submission has been extended from 14 to 30 days. The regulation has also been brought more up-to-date in other respects, and clarifications have been made to it.

The legal basis for the regulation is section 9 of the Aviation Act, according to which the Finnish Transport and Communications Agency may issue technical and operational provisions and provisions on the requirements for pilots concerning the aircraft and equipment referred to in subsection 2 of the same section as well as unmanned aircraft systems, sport parachutes and parasailing equipment. Preparations for these provisions must extend to consultations with national amateur organisations in the aviation sector.

Activities contrary to this regulation may be punishable for causing a transport hazard or serious transport hazard in accordance with Chapter 23, section 1 or 2 of the Criminal Code, as provided in section 175 of the Aviation Act, or as aviation offences under section 178 of the Aviation Act. Under section 178(1) of the Aviation Act, anyone who, intentionally or through gross negligence, infringes a provision issued pursuant to section 9(4) in respect of an aircraft or equipment, a sport parachute, parasailing equipment, an unmanned aircraft system or a pilot shall be fined for an aviation offence. In addition, according to section 57 of the Aviation Act, before commencing a flight, the controller of an aircraft or equipment must ensure that the aircraft or equipment is airworthy and that the flight has otherwise been prepared in accordance with the rules and regulations. The controller must ensure that the flight is carried out safely and that the rules and regulations are complied with. Non-compliance with these requirements may be punishable under section 178(10) of the Aviation Act.

Glider training is a notifiable activity and is therefore subject to the administrative penalties provided for in Chapter 14 of the Aviation Act, which include an admonition or warning or, ultimately, a restriction on, or prohibition of, the activity.

Drafting of the regulation

The amendment to the regulation was triggered by the Regulation Project Decision published on 11 September 2024. It was prepared by the Finnish Transport and Communications Agency in collaboration with the Finnish Aeronautical Association's glider committee, and some of the amendments are based on proposals from the committee. The draft regulation will be released for consultation with stakeholders, who will have approximately five weeks to submit their statements and comments.

The amendment to the regulation has been notified to the European Commission in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

Feedback

(to be added after the consultation procedure has ended)

Assessment of the impact of the regulation

Defining the requirements for commercial operations with a glider would promote aviation safety, improve the conditions for regulatory oversight of operations and clarify regulation. So far, no commercial air services have been operated by gliders in Finland, so the requirements concerning for commercial passenger transport have no effect on existing operators. For commercial passenger transport with class A or class B gliders, an airframe mounted total recovery parachute would be required, the installation of which has previously been optional in Finland. However, in Germany, for example, a recovery parachute is mandatory even in recreational activities, and one is also commercially available in Finland. The purchase price of an airframe mounted total recovery parachute is approximately EUR 2 000-5 000. The closer definition of glider and scope of the regulation will also clarify regulation.

The clarification of the requirement to list gliders will reduce the need for exemptions and thus the administrative burden on customers and the administrative work involved. To date, exemptions have had to be granted for a few test flights for gliders each year. The amendment will correct a technical deficiency in the regulation.

The amendment to the regulation will mean a slight administrative cost saving for the authority in granting exemptions. Customers have not been charged a fee for exemptions related to the listing of gliders. ² Under Traficom's Decree on fees, a one-off charge of EUR 20 is made for listing a glider, and the same fee would also be charged in future for temporary listing for flight tests.

The regulation does not have an impact on the environment, accessibility or issues of equality.

Detailed rationale

Section 1, Scope: A section defining the scope has been added to the regulation. This regulation concerns gliders which are excluded from the scope of the EASA Regulation in Annex I to the EASA Regulation. Gliders are not specifically mentioned in Annex I to the current EASA Regulation, but are considered to be included in point (e) of the Annex, which defines the weight limits for aircraft excluded from the scope of the Regulation, or point (i), any other manned aircraft which has a maximum empty mass, including fuel, of no more than 70 kg. There is also mention in the section of the fact that the regulation does not apply to unmanned aircraft. The relevant requirements are set out in Commission Implementing Regulation (EU) 2019/947.

Section 2, Definitions: The definitions of the World Air Sports Federation (FAI) and of Regulation (EC) No 785/2004 on insurance requirements for air carriers and aircraft operators have been deleted from this section, as both are only referred to once in the regulation. The names of the Federation and the Regulation are written into these sections. As far as the EU Regulation on insurance is concerned, it should still

² Decree of the Ministry of Transport and Communications amending the Decree of the Ministry of Transport and Communications on charges for transport services made by the Finnish Transport and Communications Agency (904/2024)

be noted that it applies to wheel-launched gliders, but not to those that are foot-launched. However, the requirement for liability insurance laid down in section 139(2) of the Aviation Act also applies to foot-launched gliders if they carry a passenger. The insurance policy can be obtained by citing the serial number on the wing, which identifies the glider. Changes of the ownership of gliders are not registered with the Finnish Transport and Communications Agency.

The definition of flight has been moved to the end of the definition section as a separate item, because it does not precisely define the concept of flight, but the method of calculating the time the flight starts and ends.

The definition and categorisation of gliders have been updated to correspond more closely with the definition in the current EASA Regulation. However, the definition of Group B gliders is still limited to a maximum of 80 kg for single-seat or 100 kg for two-seat gliders, as these limits under the old EASA Regulation are used in section 9(2) of the Aviation Act, which lists those aircraft and equipment to which the provisions of Chapters 2-4 and 7 of the Aviation Act and Chapter 14 of the Act on Transport Services do not apply. Group A aircraft correspond to point (e) in Annex I to the EASA Regulation in force in 2018, although with the difference that only gravity-controlled ultralight aircraft covered by this national glider regulation – aerodynamically controlled aircraft – are subject to Regulation AIR M5-10, Airworthiness and manufacture of ultralight aircraft. In addition, Group A includes heavy-duty powered paragliders. Group B, on the other hand, includes gliders below the weight limits referred to, regardless of the control method. The separate entry ‘including gliders that are foot-launched’ has been deleted because other groups may also include gliders that are foot-launched. Group C corresponds to point (i) of Annex I to the EASA Regulation in force. Furthermore, balloons and airships having a single or double occupancy and a maximum design volume of, in the case of hot air not more than 1 200 m³, and in the case of other lifting gas not more than 400 m³; are also regarded as being in Group C. In addition, the term 'motorised parachutes' has been corrected to 'motorised paragliders' in the definition of gliders.

In the definition of ‘*structural mass*’, the term has been changed to ‘*empty mass*’, which is used in Annex I to the current EASA Regulation. The term is also to be corrected later in section 9 of the Aviation Act. Fixed equipment means equipment capable of being flown as is by the glider; it does not include, for example, air baffles, plexiglass, an instrument panel or an airframe mounted total recovery parachute.

Section 3, Technical provisions: The order of the sub-sections has been made clearer. The wording of section 3.1.1.1 has been amended so that a glider used in Finland must be approved for use in aviation in another EU or EFTA State. If the glider is manufactured in Finland, it must meet the technical requirements of an EU or EFTA State, for example in the case of a glider used for recreational purposes. The section also states that the Finnish Transport and Communications Agency will issue a certificate for the glider if the required technical requirements are met.

A mention has been added to both section 3.1.1.1 (for single seaters) and section 3.1.2.1 (for two seaters) of the fact that for gliders with an empty mass of less than 120 kg, approval of the wing is sufficient. In this case, the engine, propeller and airframe (trike part) of the glider do not need to be approved: the manufacturer of the equipment has usually specified which parts may be installed under the wing. For example, no strength requirements are specified for the lower parts of the glider. On the other hand, gliders weighing more than 120 kg must have a type certificate, in which case the glider must be approved as a whole, as stated in section 3.1.2.1.

A mention has been added to both section 3.1.1.3 (for single seaters) and section 3.1.2.3 (for two seaters) of the fact that Traficom may, upon application, also

approve the use of technical requirements other than those of EU and EFTA States. This may, for example, be based on a glider approval issued by an internationally recognised organisation with design and testing requirements similar to those in use in the EU and EFTA States, or on a declaration of conformity issued by a US glider manufacturer.

In section 3.2, Requirements for competitions and demonstrations, the period during which a glider in foreign ownership may be in Finland without a special permit has been shortened. Instead of the previous 185 days, such a glider may not be in the territory of Finland for more than two months in any one 12-month period. The requirement is the same as in OPS M2-11, section 4.13(a)3, which concerns the operation in Finland of foreign-registered aircraft subject to national laws.

In section 3.5, the glider's documents is now subparagraph (c) so that the 'radiotelephone' has been changed to a 'licensed radio transmitter'. This refers not only to a radiotelephone, but also, for example, to a transponder or an emergency transmitter (fixed or portable), which also requires a radio licence. In addition, a decision to list a glider has been added as a required document for the glider in paragraph (d), if the glider in question needs to be listed.

The listing requirements for gliders are laid down in section 3.6 *Listing and marking of gliders other than those that are foot-launched*.

Section 3.6.2 exempts single-seater, foot-launched paragliders with an empty mass of 80 kg or less from the listing requirement. Under the definition in section 2, a glider with stabiliser wheels or skis to facilitate take-off and landing is also considered to be a foot-launched glider, provided that these do not interfere with the foot launch. Gliders with stabiliser wheels or skis used by persons with reduced mobility are also considered to be foot-launched if they are capable of being foot-launched when these are not connected.

Sections 3.6.3 to 3.6.8 specify the requirements for the listing and recorded identification of the glider. Section 3.6.3 introduces a temporary listing requirement for the flight tests needed for the approval of the glider. A temporary listing may be applied for at the Finnish Transport and Communications Agency for a maximum period of three years at a time. Form LU3009, Glider listing application, is used for the application, where it is to be stated in the 'Additional information' section that temporary listing for flight testing is being sought. Previously, all gliders were required to be approved before listing, which is why the test flight phase to apply for Finnish approval was not possible without an exemption.

Section 3.6.6 provides for the recorded identification of the glider. The identification record must be marked on the underside of the left wing at a height of at least 30 cm, as in the previous regulation. However, the possibility of recording the identification symbol on the body of the glider or on rudder has been deleted because the identification record is more difficult to detect. Sections 3.6.7 and 3.6.8 allow derogations from the marking requirements for gliders where a recorded identification on the underside of the wing is not possible (e.g. rotary wing gyrogliders). In such a case, the identification marking must appear on the bottom of the fuselage. If there is no space on the surfaces of the aircraft for identification markings in accordance with the regulation, they may also be made smaller than required, but the markings must still be as large as is practicable.

Separate section 3.7 *The markings and manufacturing records of a glider manufactured in Finland* have been moved to section 2.1.2.4. of the rescinded regulation. This requirement applies to both 1- and 2-seater gliders. The reference to *commercial* manufacture has been deleted from the section, as the requirement to indicate the vehicle identification number (VIN), the manufacturer's identifier and the year of manufacture is to be extended to recreational gliders. The requirement is intended to facilitate the identification and recognition of recreational gliders,

since the listing requirement does not apply to gliders that are foot-launched. The VIN and identification number are not determined by the authority, but by the builder.

Section 4, Operational provisions: Section 4.1.2 imposes the additional requirement that Group A or B gliders used for commercial passenger transport must always be equipped with an airframe mounted total recovery parachute. In Section 4.3.2 (formerly 3.3.2), the requirement for the pilot to receive induction training for each new type of glider has been amended: the pilot needs to know the restrictions on use and maintenance instructions for each new type of glider. The training does not have to be given by another person: it is enough for pilots to familiarise themselves with the restrictions and instructions. In the case of a completely new type of glider or a new type of glider for Finland, a suitable trainer may not necessarily be available. Section 4.3.3 has been amended so that an expired pilot's licence is also sufficient for a person taking part in a flight test as an observer. The purpose is to ensure that the person is aware of the risks associated with flying. However, this does not require a licence that is still valid.

Section 5, Requirements concerning the age, knowledge, skills and experience required of a pilot: In section 5.2. *Information requirements* regarding familiarisation with the laws and regulations on gliding, the rules of the air as laid down in the EU SERA Regulation and in³ the national aviation regulation OPS M1-1, applicable in Finland, have been highlighted.

In Section 5.3 Skills and experience required for independent flying, the requirements of Section 5.3.1 have been clarified. Firstly, the 60 flights required to obtain independent flying rights related to gravity-controlled Group A ultralight aircraft must have been completed in training and at least half of them, i.e. 30 flights, must have been flown with an instructor. In addition, at least five of these flights must have been flown alone under the supervision of an instructor. The term 'flight instructor' has been deleted because a flight instructor rating is not required for the training provided with gliders, but only compliance with the experience requirements in accordance with section 5.4. According to section 5.3.2, a minimum of 40 flights are required for the training of a Group A powered paraglider, of which at least 30 are with an instructor and five are solo flights under the supervision of an instructor.

Section 5.3.3 specifies the requirements for transition to a Class A ultralight aircraft or paraglider when the pilot already qualifies for independent flying in a group B or C glider using an equivalent control method. In this case, 20 flights in a Group A ultralight aircraft or paraglider with the control method concerned are sufficient for training. Training may consist of either training flights with an instructor or supervised solo flights, or a combination of the two.

Sections 5.3.4 and 5.3.6 have also been clarified by changing experience requirement to training requirement, as experience cannot be acquired until someone has the right to fly independently. It has also been specified in these sections as to which group of gliders are relevant here. In order to obtain independent flying rights with a Group B or C glider, training on 20 flights is sufficient when the pilot already satisfies the conditions for independent flying in a Group A glider using an equivalent control method, as set out in the preceding section 5.3.3 regarding switch from one group to another.

A mention of the fact that the instructor must sign off the training provided in the trainee's logbook has been added to section 5.3.5.

³ Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010 (OJ L 281, 13.10.2012, p 1-66)

Section 5.3.7 has been clarified to explain that the training must be spread over a period of at least seven flight days if the trainee does not receive a credit for previous glider flying experience. The purpose of the requirement is to ensure that the flight training is carried out in different weather conditions (e.g. wind) and that the requirement cannot be fully met with a one-day 'quick training session'. The training days do not need to be consecutive, but they can be.

In section 5.3.9 on requirements for pilots of gliders in Group C, the wording has been changed. with 'holding or having held a pilot licence' being replaced by 'holding a valid or expired pilot licence'. In this context, a pilot licence means any licence to fly anything from a commercial carrier to a hot-air balloon. The aim is to require some form of aviation experience so that the pilot is able to identify the associated risks.

It has been specified in section 5.3.10 that for *solo flights*, the pilot of a non-motorised foot-launched glider does not require training if the take-off is carried out without external assistance and is operated in an airspace that meets the conditions listed in subparagraphs (a) to (c). The training required for carriage of a passenger is stated separately in section 5.4. In subparagraph (b), the references to the Aviation Act have been updated, and it has been specified that the intention is to operate at a distance of more than 10 km from any aerodrome, be it an airport, an uncontrolled aerodrome or a light aircraft airfield.

Section 5.4, Experience required for the carriage of passengers: All sub-sections have been clarified. In section 5.4.1., the meaning is total flight experience of 35 hours as the controller of a glider. The required number of hours includes flights completed in basic flight training and additional flight experience acquired. The hourly experience requirement is the same as that required for the carriage of passengers by ultralight aeroplanes aerodynamically controlled (regulation PEL M2-70). Section 5.4.2. requires at least five flights in the pilot's position in the glider, to ensure that the person carrying the passenger is not flying for the first time in the pilot's seat, and that stipulation extends for the first time to a two-seater glider. It has been specified in section 5.4.3 that this concerns recent flight experience with the flight control method in question gained in the last six months.

Section 5.5, Experience required for commercial operations with a glider: A completely new section defining the requirements for the pilot for commercial operations with a glider. In Finland, there have been no requirements at all for commercial activities with gliders in the past, but there have recently been some enquiries about it. Section 5.5.1 stipulates that in order to practise commercial operations, the pilot must have minimum flight experience equal to 100 hours or 200 take-offs with the relevant group glider and control method. The requirements are close to the experience requirements in place for commercial gliding.

Section 5.5.2. refers to the requirements in previous section 5.4. on the experience required to carry a passenger; these requirements must be met if the glider is used in commercial operations carrying a passenger. This refers to the requirements for 15 hours of solo flight and at least five flights in the glider pilot's seat with an instructor. However, the glider can also be used for other commercial operations, such as special flight operations, e.g. aerial photography.

The recent flight experience required for commercial operations is specified in section 5.5.3. The requirement is otherwise the same as for the carriage of passengers, i.e. 10 flights in the last six months, but the experience must have been acquired as the controller of the glider. That experience does not therefore include flights as a trainee on which the instructor has acted as controller of the glider.

Section 5.6, Verification of knowledge and skill requirements: In section 5.6.2, 'the reason for the flight' has been changed to 'the purpose of the flight'. It means

whether it is, for example, a practice flight, a training flight or a journey by air. A new requirement has been added to section 5.6.3, according to which pilots must carry an identity document with a photo with them when flying and present it to Traficom on request. On the other hand, neither the training certificates nor the logbook have to be carried on the flight, but can be kept at the place of landing, although the certificate and the logbook must be presented to Traficom for inspection on request.

Section 6, Training: The legal reference has been updated in section 6.1, but the training provided using a glider still does not require a training permit from the authorities. However, a training notification must be submitted to Traficom in accordance with section 6.2. With regard to the information to be provided in the notification, it has been specified in subparagraph (a) that the trainer may be an organisation or an individual. According to subparagraph (b), the number of persons providing training, which may be one or more, must be notified. If, for example, the notification is made by an association, the consent of the persons designated as instructors must be obtained. According to subparagraph (d), the notification must specify the aircraft used for the training. In this context, glider group refers to the gliders in Group A, B or C as defined in section 2 of the regulation, aerodynamic or gravity-controlled, and the glider type, e.g. a foot-launched paraglider, a two-seater hang glider, etc. Separate training spaces are not required.

The content of the training certificate is specified in section 6.3. Under paragraph (a), the certificate must indicate the name of the organisation or individual trainer who submitted the training notification. If the training notification is submitted by an organisation or association with several trainers, the name of the organisation or association must be stated on the certificate and not the name of the individual trainer. Paragraph (e) requires the signature of the person who provided the training (no longer 'responsible for training') and the date and, as a new requirement, the printed name of the person concerned. Copies of training certificates must still be submitted to Traficom for supervision purposes, but the deadline for submission has been extended from 14 to 30 days. So it is possible, for example, to send the certificates of several trained people at once.

Section 7, Notification of accidents and danger: The national aviation regulation GEN M1-4 has been repealed because it has been replaced by EU law. Reference is therefore made in the section to the EU Regulation on occurrences (376/2014), which currently contains requirements for reporting aviation occurrences. According to section 125 of the Aviation Act, this Regulation applies to all aircraft in Finland, taking into account, however, the restriction for unmanned aircraft laid down in the Regulation. The Regulation is supplemented by the National Aviation Guideline GEN T1-4 on the reporting of aviation accidents, serious incidents and occurrences, which provides further instructions on the reporting of flight safety notifications in Finland.

Section 8, Derogations: A normal exemption section has been added to the regulation, according to which Traficom may, upon application, grant exemptions from the requirements of the regulation. The granting of a derogation requires that, in Traficom's opinion, the derogation is justified and a level of safety corresponding to the purpose of the regulation is achieved in the manner proposed by the applicant.

Section 9, Transitional provisions: In section 3.6.6 of the Regulation — a transitional period of three months from the entry into force of the regulation to comply with the new marking requirements set out in section 3.6.8.

Regulation schedule

The amended regulation is to be issued in autumn 2025.

Communication of the regulation

The decision on the regulation project, the consultation procedure and the finalisation of the regulation project will be communicated by email to those who have registered for the aviation regulation distribution list and will be announced on Traficom's website. In addition, there will be communications with glider enthusiasts, mainly via the Finnish Aeronautical Association. The completed version of the regulation will be published in the Finlex legal databank and in the set of national aviation regulations on the Traficom website.

ATTACHED:

Comments and statements *(to be added after the consultation procedure has ended)*