

## **Impact assessment of new regulations for flight with centre of gravity-controlled ultralight aircraft and with gyroplanes**

### **The Swedish Transport Agency's proposal:**

The Transport Agency proposes that the Civil Aviation Authority's regulations and general guidelines on flying with ultralight aircraft LFS 2007:71 be repealed and that the Transport Agency's regulations and general guidelines on non-commercial operations with certain aeroplanes and certain helicopters TSFS 2021:103 be updated in their scope of application so that centre of gravity-controlled ultralight aircraft and gyroplanes are also covered by these regulations.

## **A. General**

### **1. What is the problem or the reason for the regulation?**

The current regulations for flights using centre of gravity-controlled ultralight aircraft (UL-A) and for gyrocopters were written at the end of the eighties. Some updates were made in 2007, but only of an editorial nature.

The regulations are authorised by the 1986 Aviation Ordinance and refer to other regulations that have long since been repealed.

The technological development in the area has been extensive and the current regulations are not up-to-date and therefore cannot be applied by the operators, which can lead to safety deficiencies. In consultation with the Royal Swedish Aero Club, we have concluded that the operational regulations to be applied by other ultralight aircraft (UL-B) can also be applied by UL-A and gyroplanes.

### **2. What is to be achieved?**

Targeted, proportionate and well-balanced regulations designed so that the rules cover and ensure that the technology developed over the last 20 years is used safely.

### **3. What are the possible solutions?**

We therefore see no alternative solution other than to regulate.

#### **3.1 Impact if nothing is done?**

If the regulations are not updated, operators will not be able to use the aircraft currently available on the market, given the technological developments that have taken place in this area. If the flight of this type of aircraft is not regulated, there is a risk of accidents with serious injuries and, in the worst case, fatalities.

If the regulations are not updated, the old regulations will remain in force, but they can no longer be applied because they refer to outdated equipment, other regulations that have already been repealed, and they are not adapted to the technological development that has taken place in the field.

### 3.2 Alternatives that do not involve regulation

Clarifying information and recommendations could be provided, for example, on the Swedish Transport Agency's website and through the Royal Swedish Aero Club regarding certain parts of the content of the regulations. However, there are no suitable alternatives to regulation when it comes to references to older repealed regulations, so this option is not sufficient.

### 3.3 Regulatory alternatives

The Swedish Transport Agency recommends that the current rules be updated and adapted to the authorisation in current aviation legislation, that they address the changes that have taken place in other regulations, and that they be adapted to technological developments in the field.

## 4. Who will be affected?

Those who are members of Royal Swedish Aero Club, which consists of pilots and instructors. Prospective practitioners of the flight sport are also affected, as is the Swedish Transport Agency.

## 5. What are the impacts of the regulation?

### 5.1 Businesses

The regulation is not deemed to significantly impact the working conditions, competitiveness or other conditions of enterprises. All consequences for companies are therefore described under 5.1.

The regulation is deemed to significantly impact the working conditions, competitiveness or other conditions of companies. Therefore, the impact assessment does not contain a description under 5.1; instead, all consequences for companies are described in Section C.

Only private individuals that practise the activities of UL-A and gyroplane. We assess that the update of the regulations will have no impact on companies.

### 5.2 Individuals

For individuals and local ultralight flying clubs, new regulations will mean that they can be applied in practice. It will make it easier to use the right equipment within the scope of the regulations and will lead to increased compliance and safer operations.

### 5.3 The state, regional authorities or municipalities

Since the proposal means that all types of ultralight aircraft and gyroplanes will be subject to the same operational regulations, it creates uniformity in the practice of the sport and streamlines and simplifies the Transport Agency's supervisory responsibilities.

#### 5.4 Environment

The Swedish Transport Agency considers that it does not have any environmental impact.

#### 5.5 Externalities

Positive effects may arise in the form of new applicable and relevant regulations attracting more practitioners and thus becoming an attractive activity that is available. If the regulations are adapted to the technological development that has taken place in the field, the risk of accidents with serious injuries and fatalities is reduced.

### **6. Summary of options considered and why the draft regulation is considered the best option**

Mere provision of information and offer guidance on how the activity should be carried out is not sufficient. The Transport Agency considers that regulation in this area provides a clear framework within which activities involving centre of gravity-controlled ultralight aircraft and gyroplanes may and can be carried out.

### **7. What authorisations form the basis for the authority's decision-making powers?**

The Transport Agency's decision-making authority is based on Chapter 1, Section 8 of the Aviation Ordinance (2010:770). Gyroplanes are covered by the concept of ultralight aircraft.

### **8. Are the regulations consistent with the obligations arising from EU law or other international regulations, or does it exceed them?**

Flight with a national aircraft up to 650 kg is not regulated by the EU; it is up to the member states to issue flight safety requirements and guidelines for the activity.

### **9. Does special consideration need to be given regarding the date of entry into force, and is there a need for special communication initiatives?**

The regulations should enter into force as soon as possible because the current rules are difficult to apply.

## **B. Fulfilment of transport policy objectives**

The overall goal of Swedish transport policy is to ensure a socio-economically efficient transport provision that is sustainable in the long term for both citizens and businesses all over the country. The overall goal also includes performance goals and health, environment and safety (HES) goals with a number of prioritised areas.

The performance goal is to create accessibility for people and goods. The design, functioning and use of the transport system shall help to provide everyone with basic accessibility of high quality and usability, as well as contributing to development throughout the country. At the same time, the transport system must be gender-equal, which means it should respond to the transport needs of both men and women in equal measure.

The HES goal concerns health, environment and safety. The design, functioning and use of the transport system shall be adapted to ensure that no one is killed or seriously injured. It shall also contribute to the overall generational goal for the environment and to the attainment of the environmental quality goals, as well as helping to improve health.

### **10. How does the regulation affect the performance goal?**

The regulations are considered to be beneficial to the functional objective as more people can be given the opportunity to practice the sport.

### **11. How does the regulation affect the HES goal?**

The provision is considered to be conducive to the objective of consideration, since the requirements are adapted to the technological developments that have taken place in the area and are therefore more secure.

## **C. Companies**

Not relevant.

### **12. How many companies are affected, in which sectors do they operate and how large are these companies?**

Not relevant.

### **13. How much time will the regulation require for companies, and what impact will this have on their administrative costs?**

Not relevant.

### **14. What other costs will companies incur as a result of the regulation, and what operational changes may they need to make?**

Not relevant.

**15. To what extent might the regulation affect competitive conditions for companies?**

Not relevant.

**16. In what other ways may the regulation affect companies?**

Not relevant.

**17. Do special considerations need to be taken into account for small companies when drafting the regulations?**

Not relevant.

## D. Summary of consequences

Affected party	Impacts that cannot be quantified		Quantified impact (SEK thousands) + / -	Comments
	Advantages	Disadvantages		
<b>Companies</b>	Not relevant	Not relevant	Not relevant	Not relevant
<b>Citizens</b>	More accessibility to the sport	Not relevant	Not relevant	Not relevant
<b>The State, et al.</b>	More effective supervision as the rules are updated and adapted to current technological developments	Not relevant	Not relevant	Supervision of the aircraft takes place within the framework of a delegation agreement with Royal Swedish Aero Club. The new adapted rules provide the right conditions for better and more efficient supervision of the activity.
<b>External effects</b>				
<b>Total</b>				

## E. Proportionality of the draft

The Swedish Transport Agency considers that the proposed regulation takes into account the fact that flying with UL-A and gyroplanes can entail certain risks and that practitioners are aware of this. We have therefore adjusted the details of the regulations to reduce the risks, while still allowing the sport to be practised.

## **F. Follow-up and evaluation**

The Swedish Transport Agency has delegated a number of government tasks to Royal Swedish Aero Club; in the Delegation Agreement they assumed the task of issuing licences and conducting oversight of the airworthiness of the aircraft in question. Follow-up and evaluation of the new regulations will be carried out in close cooperation with Royal Swedish Aero Club.

## **G. Consultation**

Consultations have been ongoing with representatives of the Royal Swedish Aero Club.

In accordance with Chapter 1, Section 8 of the Aviation Ordinance, consultation shall take place with the Swedish Armed Forces.

If you have any questions regarding the impact assessment, or any opinions you would like to share, please contact us:

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