



**EXEMPTION FROM PROVISIONS OF  
THE CIVIL AVIATION REGULATIONS 1988 —  
GLIDERS, POWERED SAILPLANES AND  
POWER-ASSISTED SAILPLANES**

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**SUBSECTIONS**

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**1 APPLICATION**

This section applies to gliders, powered sailplanes and power-assisted sailplanes used for:

- (a) sporting and recreational purposes; or
- (b) practical flight instruction conducted in accordance with GFA Operational Regulations.

**2 DEFINITIONS**

In this section:

***GFA*** means the Gliding Federation of Australia (ACN 008 560 263).

***GFA Operational Regulations*** means the regulations prepared by the GFA and approved by CASA, containing the procedures and instructions necessary to ensure that gliders, powered sailplanes and power-assisted sailplanes to which this section applies comply with the provisions of the regulations applicable to those aircraft, and with the conditions specified in subsection 4 of this Order.

***glider or sailplane*** means a non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces remaining fixed under given conditions of flight.

***power-assisted sailplane*** means an aircraft meeting glider certification standards, fitted with auxiliary power insufficient to meet the take-off requirement specified for a powered sailplane and capable of only limited duration powered flight. The rate of climb of a power-assisted sailplane at the manufacturer's maximum take-off weight, under ISA conditions at sea level, shall not exceed 1 metre per second.

**Powered sailplane** means a powered aeroplane which meets the following limitations:

- (a) the design value of the ratio of the maximum mass (W), in kilograms, to the square of the wing span (b) in metres does not exceed 3 kg/m<sup>2</sup>;

$$\frac{w}{b^2} = \frac{3\text{kg}}{m^2}$$

- (b) the minimum climb rate is 300 metres in 4 minutes;
- (c) the minimum sink rate does not exceed:
- (i) 1.0 metre per second for single seat powered sailplane; or
  - (ii) 1.2 metres per second for a 2 seat powered sailplane;
- (d) the minimum glide slope at maximum landing mass with spoilers/diver brake fully extended must not exceed 1 in 7 (1:7) at 1.3 V<sub>SO</sub> (stall speed in landing configuration);
- (e) the maximum number of seats is 2.

### 3 EXEMPTIONS

Under regulation 308 of the *Civil Aviation Regulations 1988* CASA exempts aircraft to which this section applies from compliance with the following provisions:

- (a) subregulation 55 (6);
- (b) Part 5;
- (d) subregulations 83 (1), (2) and (3) in respect of VHF equipment;
- (f) paragraphs 133(1) (a) and (e);
- (g) paragraphs 139 (1) (d) and (e);
- (i) subregulation 150 (1) insofar as the dropping of towing and/or drag increasing devices is concerned;
- (j) paragraph 155 (3) (a), on condition that:
  - (i) if the acrobatic flight takes place more than 2 nautical miles from a licensed aerodrome — the flight does not take place at a height less than 1 000 feet above the highest point of the terrain or of any obstacle on the terrain within a radius of 600 metres of a line extending vertically below the aircraft unless prior approval of CASA has been obtained; and
  - (ii) if the acrobatic flight takes place at 2 nautical miles or less from a licensed aerodrome — the flight does not take place at a height of less than 2 000 feet above the aerodrome unless the prior approval of CASA has been obtained;
- (k) subregulation 162 (3) only insofar as an aircraft to which this section applies, which is overtaking a glider, powered sailplane or power-assisted sailplane engaged in ridge or hill soaring, shall pass between the ridge or hill and the overtaken aircraft and may alter its heading to the left for the purpose;
- (l) subregulation 163AA (2);

- (m) paragraphs 166 (1) (c), (d), (f) and (g), provided that an aircraft operating in the circuit area of a licensed aerodrome must, as far as practicable, make all turns in the established circuit direction;
- (n) subregulation 173 (3);
- (o) subregulation 207 (2) insofar as the carriage of a gyroscopic turn and slip indicator and an outside air temperature indicator as prescribed in Civil Aviation Order 20.18 Appendix I is concerned;
- (p) regulation 210 insofar as advertising of flying training to qualify for a pilot standard specified in the GFA Operational Regulations is concerned;
- (q) regulation 213 provided that aircraft shall be maintained in accordance with the procedures specified in the GFA Operational Regulations;
- (r) regulation 215;
- (s) regulation 216;
- (t) regulations 226, 227, 228 and 229 insofar as persons qualified or instructed in accordance with the GFA Operational Regulations are concerned;
- (u) subregulation 243 (1), except when the glider is operating:
  - (i) in controlled airspace unless air traffic control has authorised the use of an alternative frequency; or
  - (ii) in an area known as a mandatory broadcast zone; or
  - (iii) within an area known as the common traffic advisory frequency area around an aerodrome which is used for regular public transport operations;
- (v) regulation 246 in respect of aircraft being launched using external power sources;
- (w) subregulation 322 (5);

and specifies the conditions set out in subsection 4 as the conditions to be complied with by such aircraft.

### **3A LICENCE NOT REQUIRED**

- 3A.1 For the purposes of 20AB (1) (b) of the Act (flying an aircraft without a licence etc), a person is authorised to perform any duty essential to the operation of a glider without holding a flight crew licence, except making airborne radio transmissions on aeronautical HF frequencies.

## **4 CONDITIONS**

- 4.1 An aircraft to which this section applies shall not be operated except:
- (a) by an individual who is a member of the GFA, or an organisation which is affiliated with the GFA, or a person or organisation who has undertaken in writing to maintain and operate the aircraft in accordance with the standards of the GFA;

- (b) in accordance with the rules, orders, directions, standards and operational procedures contained in the GFA Operational Regulations and other applicable manuals and written directives of the GFA; and
  - (c) by a pilot who is qualified in accordance with the standards specified in the GFA Operational Regulations and subject to the limitations which are specified in the GFA Operational Regulations as being appropriate to the qualification held by the pilot in command.
- 4.2 An aircraft to which this section applies shall not be operated under the Instrument Flight rules or at night.
- 4.3 A glider, powered sailplane or power-assisted sailplane completing a flight may descend below 500 feet above the ground when approaching its intended landing place if the flight is conducted in accordance with the GFA Operational Regulations.
- 4.4 Gliders, powered sailplanes and power-assisted sailplanes engaged in ridge or hill soaring may fly at a height below 500 feet above the ground, but no closer to terrain or any obstacles thereon than the distances specified in the GFA Operational Regulations.
- 4.5 Except with CASA's written permission and in accordance with any conditions specified in that permission to minimise hazard to other aircraft or persons or property on the ground or water, an aircraft to which this section applies:
- (a) shall not be flown:
    - (i) over water beyond safe gliding distance from a suitable landing area; or
    - (ii) in the case of a powered sailplane or power-assisted sailplane being operated under power beyond gliding range from land, unless the provisions relating to flight over water specified in AIP RAC/OPS are complied with;
  - (b) shall not be flown for the purpose of dual instruction unless:
    - (i) the instruction is imparted by a person holding a valid instructor authorisation issued by the GFA; and
    - (ii) the type of instruction given is within the privileges and limitations specified in the GFA Operational Regulations as being appropriate to the authorisation held by the instructor.
- 4.6 Powered sailplanes and power-assisted sailplanes to which this section applies shall carry engraved placards in the cockpit in full view from every control seat. These placards shall bear the words as follows:
- (i) in the case of a powered sailplane:  
"THIS POWERED SAILPLANE MUST BE OPERATED IN ACCORDANCE WITH THE PROVISIONS OF CAO 95.4 AND THE GFA OPERATIONAL REGULATIONS"; or

(ii) in the case of a power-assisted sailplane:

- “1. THIS POWER-ASSISTED SAILPLANE MUST BE OPERATED IN ACCORDANCE WITH THE PROVISIONS OF CAO 95.4 AND THE GFA OPERATIONAL REGULATIONS.
2. TAKE-OFFS USING ONLY INSTALLED ENGINE POWER ARE PROHIBITED.”

*Note* Attention is directed to the fact that the exemptions granted by this section do not confer on the operator of an aircraft to which this section applies any rights as against the owner or occupier of any land on or over which the operations are conducted, nor prejudice in any way the rights or remedies which a person may have in respect of any injury to persons or damage to property caused directly or indirectly by the aircraft.

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