

General Aviation – Missing Definition by EASA

1. Content

2.	Missing EASA Definition.....	1
3.	Various Sources.....	3
a.	Definition of General Aviation (GA).....	3
b.	General Aviation.....	3
c.	General Aviation (GA).....	3
4.	ICAO.....	4
a.	BACKGROUND (Business Aviation).....	4
b.	ANNEX 17, CHAPTER 1, DEFINITIONS.....	4
c.	ANNEX 6/Part II, CHAPTER 1.1, DEFINITIONS.....	5
d.	ICAO 2005 Study on GA.....	5
5.	International Fractional Ownership Operations.....	5
6.	GASCO.....	6
a.	GASCO Homepage.....	6
b.	Translation of GA Definition by GASCO (General Aviation Steering Committee Switzerland).....	6
7.	Conclusion SVFB/ASEA/SAMA.....	7

2. Missing EASA Definition

EASA has taken many steps in the near past to help the General Aviation Community. There are several new rules and regulations being adopted and AMCs and GMs being developed and published. Nevertheless EASA has no written definition for General Aviation so far and the last mishap observed was , that EASA was talking about General Aviation Aircraft, which should not be used by an Authority nor an Agency due to a clear discrepancy of the operation of an Aircraft and the size or complexity of an Aircraft (ref. also [EASA Operations in General Aviation](#)) and this is defined as below by EASA:

EASA developed two different sets of rules for non-commercial operations, depending on the complexity of the aircraft:

*for the operation of non-complex aircraft, basic safety rules apply (Part-NCO). The term NCO stands for **non-commercial operations with other-than-complex aircraft**;*

*for the operation of complex aircraft, more complex safety rules apply (Part-NCC and partly Part-ORO), particularly taking into account that complex aircraft may carry a larger number of passengers and usually require professional teams for their operations. The term NCC stands for **non-commercial operations with complex motor-powered aircraft**.*

The term 'complex motor-powered aircraft' is defined in Regulation (EU) 2018/1139 as follows:

“complex motor-powered aircraft” shall mean:

(i) an aeroplane:

- with a maximum certificated take-off mass exceeding 5700 kg, or
- certificated for a maximum passenger seating configuration of more than nineteen, or
- certificated for operation with a minimum crew of at least two pilots, or
- equipped with (a) turbojet engine(s) or more than one turboprop engine, or

(ii) a helicopter certificated:

- for a maximum take-off mass exceeding 3175 kg, or
- for a maximum passenger seating configuration of more than nine, or
- for operation with a minimum crew of at least two pilots, or

(iii) a tilt rotor aircraft;”

- Different from this definition, ICAO defines a large aeroplane (in Annex 6 Part II) as ‘an aeroplane of a maximum certificated take-off mass of over 5700 kg’.

Alleviation for complex motor-powered aeroplanes with turboprop engines

The definition of a complex motor-powered aeroplane deviates from the ICAO definition of a large aeroplane insofar as a complex motor-powered aeroplane includes expressly a multi-engine turboprop aeroplane with a maximum take-off mass at or below 5,7 t. Under ICAO SARPs, such an aeroplane is classified as a small aeroplane.

The AIR OPS Regulation (EU) 965/2012 contains an alleviation in this sense: Article 6.8 states that operators of complex motor-powered aeroplanes with an MCTOM at or below 5700 kg, equipped with turboprop engines, involved in non-commercial operations, shall operate those aircraft in accordance with Annex VII (Part-NCO).

Definitions of ELA aircraft introduced by Regulation (EU) 800/2013

Reg. (EU) No 800/2013 adds new definitions in Annex I, Definitions:

“‘ELA1 aircraft’ means the following manned European Light Aircraft:

- an aeroplane with a Maximum Take-off Mass (MTOM) of 1200 kg or less that is not classified as complex motor-powered aircraft;
- a sailplane or powered sailplane of 1200 kg MTOM or less;
- a balloon with a maximum design lifting gas or hot air volume of not more than 3400 m³ for hot air balloons, 1050 m³ for gas balloons, 300 m³ for tethered gas balloons.

‘ELA2 aircraft’ means the following manned European Light Aircraft:

- an aeroplane with a Maximum Take-off Mass (MTOM) of 2000 kg or less that is not classified as complex motor-powered aircraft;
- a sailplane or powered sailplane of 2000 kg MTOM or less;
- a balloon;
- a Very Light Rotorcraft with a MTOM not exceeding 600 kg which is of a simple design, designed to carry not more than two occupants, not powered by turbine and/or rocket engines; restricted to VFR day operations.”

3. Various Sources

a. Definition of General Aviation (GA)¹

GA is all civil aviation operations other than scheduled air services and non-scheduled air transport operations for remuneration or hire.[1] General aviation flights range from gliders and powered parachutes to corporate business jet flights. The majority of the world's air traffic falls into this category, and most of the world's airports serve general aviation exclusively.

b. General Aviation²

All civil aviation operations other than scheduled air services and non-scheduled air transport operations for remuneration or hire.

General Aviation and aerial work operations are all those not considered to be operated by airlines, charter operators or the military. More than 370,000 general aviation aircraft and a million pilots worldwide flew an estimated 29 million flight hours in 2008.

These operations consist of business, sightseeing, search and rescue, training, recreational, survey, aerial ambulance and a variety of other purposes used to complete the world's transportation system. Ranging in size from a small two-seat trainer to a large airline-size aircraft, these operations contribute significantly to the economies of the nations in which they fly.

It would be difficult to imagine a world transportation system without general aviation aircraft. But, competition for fair and equal access to the air transportation system's limited resources is an acknowledged fact. For this reason, IAOPA was formed in 1962.

c. General Aviation³ (GA)

GA is defined by ICAO as "all civil aviation operations other than scheduled air services and non-scheduled air transport operations for remuneration or hire".

This encompasses a wide range of activity:

- Pilot training
- Business aviation
- Recreation including balloon, glider and model aircraft flying
- Agriculture including crop spraying
- Mail and newspaper deliveries
- Transport of dangerously ill people and of urgently needed human organs, medical equipment and medicines
- Monitoring ground traffic movements from the air
- Civil search/rescue
- Law enforcement including operations against smuggling
- Aerial survey including photography for map making and pipeline and power cable patrols
- Pollution control and fire fighting
- Flying displays

¹ Skybrary

² Wikipedia

³ IAOPA

An international body which represents the interests of primarily leisure GA interest is the International Council of Aircraft Owner and Pilot Associations (IAOPA) which has national affiliates in some States. Other GA sectors have a range of representative bodies at international and national level.

4. ICAO⁴

a. BACKGROUND (Business Aviation)⁵

Although use of aircraft for business purposes dates to the 1930s, over the past 20 years business aviation has become a more integral and important sector of the broader aviation community. Businesses recognize the productivity value of using dedicated air transport as a supplement to scheduled commercial services.

Business aviation has four sub-sectors:

- 1) Commercial air taxi;
- 2) Corporate Aviation;
- 3) Owner–Operated; and
- 4) Fractional Ownership.

Corporate aviation and owner-operated operations are non-commercial, and in accordance with ICAO definition they are general aviation operations. The fourth sub-sector, [fractional ownership](#)⁶, is to be the subject of an ICAO study in accordance with the conclusions of the 35th Session of the Assembly.

Furthermore, there is a lack of internationally harmonized definitions for sub-sectors of general aviation that would clearly identify the inclusions and exclusions. In the business aviation sector of general aviation, ICAO has adopted a definition for corporate aviation operations (Annex 17, Chapter 1, Definitions), but there is no definition for business aircraft operations as a whole and no definitions for owner-operated aircraft operations and fractional ownership operations.

b. ANNEX 17⁷, CHAPTER 1, DEFINITIONS

Aerial work.

An aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

General aviation operation.

An aircraft operation other than a commercial air transport operation or an aerial work operation.

⁴ ICAO Annexes: [FOCA in GE](#) / [FOCA in FR](#)

⁵ [Assembly 36th Session](#)

⁶ FAA Paper on [Fractional Ownership](#)

⁷ The Conference recognized, inter alia, that Annex 17 to the Chicago Convention does not differentiate between Air Transport on the one hand, and General Aviation and Aerial Work operations on the other. Also, the ongoing work of the Aviation Security Panel (AVSECP) includes the incorporation in Annex 17 of provisions for General Aviation, including Business Aviation.

c. ANNEX 6/Part II, CHAPTER 1.1, DEFINITIONS

Aerial work.

An aircraft operation in which an aircraft is used for specialized services such as agriculture, construction, photography, surveying, observation and patrol, search and rescue, aerial advertisement, etc.

Commercial air transport operation.

An aircraft operation involving the transport of passengers, cargo or mail for remuneration or hire.

General aviation operation.

An aircraft operation other than a commercial air transport operation or an aerial work operation.

d. ICAO 2005 Study on GA⁸

2.1 Definition and scope of operations

2. 2.1.1 General aviation comprises all aircraft that are not operated by **commercial aviation** or by the military. Business aviation, one of the components of **general aviation**, consists of companies and individuals using aircraft as tools in the conduct of their business. It should be noted that the term “business aviation” is not included in the ICAO vocabulary (Doc 9569); and that there is no ICAO definition of business aviation.

Other forms of general aviation include **aerial work**, agriculture, flying schools, tourism, sport, etc.

Definition of Business Aviation (adopted by IBAC in 1998):

“That sector of aviation which concerns the operation or use of aircraft by companies for the carriage of passengers or goods as an aid to the conduct of their business, flown for purposes generally considered not for public hire and piloted by individuals having, at the minimum, a valid commercial pilot license with an instrument rating.”

5. International Fractional Ownership Operations

A very significant factor in assessing whether fractional ownership operations should be considered ‘commercial’ or ‘non-commercial’ is that there are a great number of different organizational and financing designs, ranging from a simple shared ownership arrangement to a very complex multinational operation with a large variation in costing and payment plans.

⁸ STUDY ON INTERNATIONAL GENERAL AND BUSINESS AVIATION ACCESS TO AIRPORTS

6. GASCO

a. GASCO Homepage

Nach der Definition der International Civil Aviation Organisation (ICAO), umfasst die Allgemeine Luftfahrt (General Aviation) alle Zweige der zivilen Luftfahrt, die nicht zum Linienverkehr (Airlines), zum planmäßigen Gelegenheitsverkehr (Charter) gehören. Mit fast 90% des Flugzeugbestandes hat die Allgemeine Luftfahrt weltweit zahlenmäßig den größten Anteil an der zivilen Luftfahrt. Zu ihren Anwendungsbereichen zählen:

- o Der Reiseflugverkehr mit Privatflugzeugen
- o Der Geschäftsreiseverkehr mit firmeneigenen oder gecharterten Flugzeugen
- o Die Arbeitsluftfahrt, zu der Taxi- und Rundflüge, Bild- und Vermessungsflüge, Einsätze in Land und Forstwirtschaft, Erkundungs- und Überwachungsflüge, Rettungs- und Katastropheneinsätze und vieles andere mehr zählen (Aerial Work)
- o Die Sportluftfahrt mit Segelfliegen, Motorsportflug und Kunstflug bis zum Drachen- oder Gleitschirmfliegen
- o Die Luftfahrtschulung zum Erwerb von Flugscheinen, Lizenzen und Typenzulassungen
- o Die Versorgungs- und Rettungsflüge
- o Die Regierungsflüge
- o Die unbemannten Luftfahrtsysteme (RPAS = Remotely Piloted Aircraft Systems) in der Arbeitsluftfahrt

b. Translation of GA Definition by GASCO (General Aviation Steering Committee Switzerland)

According to the definition of the International Civil Aviation Organisation (ICAO), General Aviation includes all branches of civil aviation which are not scheduled (airlines) or charter services. With almost 90% of the aircraft population, General Aviation has the largest share of civil aviation worldwide in terms of numbers. The areas of application include:

- Passenger Air Travel with private aircraft
- Business Aviation with company-owned or chartered aircraft
- Working Aviation Community, which includes taxi and sightseeing flights, picture and surveying flights, operations in agriculture and forestry, reconnaissance and surveillance flights, rescue and disaster operations and much more (aerial work).
- Sport aviation with gliding, motor sport flying and aerobatics up to hang gliding or paragliding.

- Aviation Training for the acquisition of flight crew licences and type approvals
- Supply and Rescue Flights
- Governmental Flights
- **Remotely Piloted Aircraft Systems (RPAS) in the professional drone industry**

7. Conclusion SVFB/ASEA/SAMA

It is said by EASA, that the safety levels were based on a risk hierarchy, and the rules for non-commercial operations were developed to achieve the published simplified objectives. As shown by Kurt Dahmann from ECOGAS in his Paper (News Flash 2019-05: **ECOGAS Feedback Request July 2019 (ATO/DTO)**), it is not as clear for all of us what has been meant by EASA regarding their [GA Roadmap](#): *“Together, the GA community and EASA have achieved a lot thanks to the GA Roadmap Project. GA Roadmap 2.0 will build on those achievements and continue EASA’s engagement with the GA community.”*

We do hope for a clear definition for General Aviation by EASA in the near future, to know who is actually the GA community ☺!

Marcel Gisel
SVFB / Director
06AUG2019