



Miscellaneous

No: 1406

Air Navigation Order 2016

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General Exemption E 5119

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### Sharing of the Direct Costs of a Flight by up to Six People

- 1) The Civil Aviation Authority, in exercise of its powers under Article 266 of the Air Navigation Order 2016 ('the Order'), hereby exempts, subject to the specified conditions, any aircraft, its pilot in command or operator from the requirement to comply with any provision of the Order which applies only to a public transport or commercial operation flight and not to a non-commercial flight.
- 2) The specified conditions are
  - a) This exemption only applies to flights that are not subject to the EASA Air Operations Regulation (Regulation (EU) 965/2012, as amended).
  - b) This exemption is only applicable to flights conducted within the London or Scottish Flight Information Regions.
  - c) All provisions of the Order applicable to a non-commercial flight must be complied with.
  - d) The only valuable consideration given or promised for the flight or purpose of the flight is a contribution to the direct costs of the flight otherwise payable by the pilot in command.
  - e) No more than six persons (including the pilot) are carried.
  - f) The direct costs of the flight are shared by all the occupants of the aircraft including the pilot.
  - g) The flight is operated by a Private Individual.
- 3) This exemption supersedes Official Record Series 4 No. 1274, which is revoked.
- 4) This exemption has effect from the date it is signed until 31 July 2022, both dates inclusive, unless previously revoked.

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for the Civil Aviation Authority

17 July 2020

**Explanatory Note:**

This exemption allows flights in non-EASA aircraft to take advantage of the more permissive 'cost sharing' rules for EASA aircraft, as described in Article 6 (4a) of Commission Regulation (EU) No. 965/2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council.

'Non-EASA aircraft' means an aircraft which is not required by the Basic Regulation and any implementing rules adopted by the European Commission in accordance with that Regulation to hold an EASA certificate of airworthiness, an EASA restricted certificate of airworthiness or an EASA permit to fly and is generally covered by Annex I to the Basic Regulation.

These are cost-shared flights by private individuals, on the condition that the direct cost is shared by all the occupants of the aircraft, pilot included and the number of persons sharing the direct costs is limited to six.

The term 'Private Individual' in the context of cost-shared flights, refers to pilots, who may also be the operator, and who must be a private individual, i.e. not an organisation or company etc.

"Direct costs" means the cost (excluding any element of profit) directly incurred in relation to a flight, including:

- a) the cost of fuel;
- b) any charges payable in respect of the use of any airfield in connection with the flight; or
- c) any rental or hire fees for the use of the aircraft.