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ZVR Zahl: 770691831

To the
Community of Hang Glider and Paraglider Pilots

Vienna, 21 MAR 2017

Reference: How to fly legally with a Hang Glider or Paraglider within Austrian airspace?

Dear all,

By the 1st of March 2017 the new “Austrian Guest Flight Regulation” came into force. During the last weeks we recognized lots of comments via FAI’s CIVL mailing list, coming from different countries all over the world.

We now would like to take the opportunity to clarify some things and give you a guideline how to be able to fly legally in Austrian airspace.

First of all, we’d like to mention three different possibilities:

- a) General acceptance, if holding a valid licence issued by a country mentioned in the Guest Flight Regulation – be aware, the regulation does not allow tandem operation and powered flying!
- b) Single validation by submitting an application form to the Aviation Authority, if holding a licence issued by a country not mentioned in the Guest Flight Regulation.
- c) Temporary validation, done by approved training organizations according to given guidelines by the Civil Aviation Authority.

In addition we add some more information to this letter, to describe every item more in detail:

1. Overview of our activities on the Guest Flight Regulation
2. 2015’s letter from the Civil Aviation Authority to foreign countries
3. Unofficial translation of the relevant Austrian Law

In the attachments you can find links to relevant application forms and a list of approved flight training organizations.

Thank you in advance for co-operation, patience and understanding.

With best regards

Herbert SIESS
Head of Hang and Paragliding


Manfred KUNSCHITZ
Secretary General

Austrian Guest Flight Regulation

(coming into force by 1st of March 2017)

| Globally accepted hang gliding and paragliding licences | | | | | | | | |
|--|----------------|-----|------------------------|----------------|-----|---|-----------|-----|
| <i>EASA Countries</i> | | | <i>Third Countries</i> | | | | | |
| 1 | Croatia | CRO | 11 | Poland | POL | 1 | Australia | AUS |
| 2 | Czech.Republic | CZE | 12 | Portugal | POR | 2 | Ukraine | UKR |
| 3 | Denmark | DEN | 13 | Rumänien | ROM | | | |
| 4 | France | FRA | 14 | Slovenia | SLO | | | |
| 5 | Germany | GER | 15 | Switzerland | SUI | | | |
| 6 | Hungary | HUN | 16 | Slovakia | SVK | | | |
| 7 | Italy | ITA | 17 | Sweden | SWE | | | |
| 8 | Lithuania | LIT | 18 | United Kingdom | GBR | | | |
| 9 | Netherlands | NED | | | | | | |
| 10 | Norway | NOR | | | | | | |

Requests sent by the Austrian Aviation Authority to ...

| <i>EASA Countries</i> | | | <i>Third Countries</i> | | | | | |
|-----------------------|------------|-----|------------------------|-------|-----|---|--------|-----|
| 1 | Belgium | BEL | 11 | Spain | ESP | 1 | Serbia | SCG |
| 2 | Bulgaria | BUL | | | | | | |
| 3 | Cyprus | CYP | | | | | | |
| 4 | Estonia | EST | | | | | | |
| 5 | Finland | FIN | | | | | | |
| 6 | Greece | GRE | | | | | | |
| 7 | Ireland | IRL | | | | | | |
| 8 | Latvia | LAT | | | | | | |
| 9 | Luxembourg | LUX | | | | | | |
| 10 | Malta | MLT | | | | | | |

As the Austrian Aviation Authority contacted these countries without success, the local NACs are pleased to contact their Ministry of Transport and ask them to provide the requested evidences in English language to the Austrian Aviation Authorities (ÖAeC/FAA, faa@aeroclub.at).

Otherwise the Austrian Aviation Authority is neither able to check conformity nor able to ask the Austrian Ministry of Transport for an update of the Guest Flight Regulation!

Unfortunately recived evidences are not compliant with the requirements for Austrian Licences.

As long as no better/new evidences will be delivered to the Austrain Aviation Authority, these licences can neither become part of the Guest Flight Regulation nor be validated upon single application!

Not yet mentioned Countries

Please accept our apologies, but it took a long time to reach the current results and as regards to limited capacity of the Aviation Authority, it was not possible to conact all countries around the world at the same time.

But countries (NACs) not listed above could ask their Ministry of Transport to deliver the required evidences to the Austrian Aviation Authority (ÖAeC/FAA, faa@aerolub.at), if intended to become part of the Guest Flight Regulation - NOTE: LICENCING ON A LEGAL BASIS IS MANDATORY!

The Austrian Aviation Authority will naturally check the compliance and take action to amend the decree by additionally compliant countries!

We hope to receive lots of compliant evidences to get most of you airborne in the beatiful alps of Austria!

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Zivilluftfahrtbehörde 1. Instanz

ZVR Zahl: 770691831

Vienna, 2015 01 23

Subject matter: Validation of foreign paragliding and hang gliding licenses

Dear ladies and gentlemen,

according to Austrian law the Austrian Aeroclub is the civil aviation authority responsible for paragliding and hang gliding activities. Referring to the Austrian aviation law you need a civil aviation license to operate a powered or non powered aircraft. Paragliders and hang gliders are considered non powered aircrafts. If you want to fly paragliders or hang gliders in Austria you basically need an Austrian paragliding or hang gliding license, which is issued by the Austrian Aeroclub. Under certain circumstances foreign licenses can be individually validated. To legalize paragliding or hang gliding operations in Austria for holders of foreign licenses without individual validation, the Austrian Minister of Transport and Aviation intends to issue an edict to validate certain foreign paragliding or hang gliding licenses.

For this reason the minister ordered the Austrian Aeroclub to check, which foreign licenses have the same (or even stricter) requirements than the Austrian paragliding/hang gliding license. To follow this order the Austrian Aeroclub kindly requests to answer the following questions:

1. Is paragliding/hang gliding in your country regulated by law in any way and what kind of paragliding/hang gliding licenses do you have? Do you have a tandem rating?
2. Which authority (or organization) is authorized to issue paragliding/hang gliding licenses?
3. What are the requirements in detail to obtain a paragliding/hang gliding license and – if existing- for the tandem rating?
4. Could you please send us a prime example of the paragliding/hang gliding license which is issued in your country.
5. Can you provide the competent authority/organization and name(s), email addresses of the responsible person(s) to contact for further questions?

Thank you in advance for answering all these questions. We appreciate your kind assistance very much.

We urgently want to draw your attention to the matter that, if the paragliding/hang gliding license of your country will not be mentioned in the edict of the minister, the holders of these licenses are not able to legally fly in Austria without an individual validation of the Austrian authorities, which costs effort and money.

To make it possible, that foreign paraglider or hang glider pilots can legally fly in Austria in the coming season without individual validation, we kindly ask you to reply as soon as possible.

With best regards

ÖAeC/FAA
Dr. Reinhard Flatz
(officer in charge)

EXTRACT OF THE AUSTRIAN AVIATION ACT:

Guest Flight Provisions

§ 132a. (1) *If no international agreement exists, the Minister of Transport, Innovation and Technology is, with respect to public interests of safety of aviation, entitled to regulate that*

1. *aircraft registered in specified states, can be piloted by civil air crew (§ 25), if holding a valid licence issued by specified states, within Austrian territory without validation under the terms of § 18 and § 40 or*
2. *parachutes respectively hang gliders and paragliders, allowed to use within Austrian territory, can be piloted by civil air crew, if holding a valid licence issued by specified states, without validation under the terms of § 18 and § 40.*

The provision in § 41 respectively the requirement of a valid insurance under the terms of § 164 or Regulation (EG) No. 785/2004 have no effect.

(2) The regulation according to (1) only can be issued, if the requirements under the terms of § 18 (2) Z 1 and § 40 (2) Z 1 are fulfilled.

EXTRACT OF THE AUSTRIAN GUEST FLIGHT REGULATION:

Regulation of the Minister of Transport, Innovation and Technology about acceptance of foreign air crew licences and validation of permitted use in flight (Guest Flight Decree)

Based on § 132a Aviation Act, BGBl. Nr. 253/1957, last amended by federal act BGBl. I Nr. 80/2016, is decreed:

Subject-matter

§ 1. (1) *This Regulation specifies in which cases the operation of aircraft by persons with foreign permission for the activities described in § 25 Aviation Act, even without a recognition of the foreign permission according to § 40 LFG and, without validation of the foreign confirmation on the permissible use in flight according to § 18 para. (1) no. 1 Aviation Act.*

(2) Inter-state agreements or European Law which govern the matters referred to in paragraph (1) shall remain unaffected.

Hang Gliders and Paragliders

§ 4. (1) *Foreign licences for Hang Gliders and Paragliders within the meaning of § 4 para. (2) lit. c and lit. d ZLLV 2010 (Regulation for Civil Aircraft and Civil Aeronautical Equipment) may be operated in the federal territory without recognition in accordance with § 40 Aviation Act.*

(2) The recognition pursuant to no. (1) includes authorizations of the following states, which correspond to the basic licence for Hang Glider and/or Paragliders according to § 79 ZLPV 2006 (Civil Air Crew Regulation) and, if applicable, the cross-country qualification for Hang Gliders and/or Paragliders according to § 84 ZLPV 2006:

- | | |
|--------------------------------|---|
| 1. Australia, | 13. Kingdom of Sweden, |
| 2. Kingdom of Denmark, | 14. Swiss Confederation, |
| 3. Federal Republic of Germany | 15. Slovak Republic, |
| 4. Republic of France, | 16. Republic of Slovenia, |
| 5. Republic of Italy, | 17. Czech Republic, |
| 6. Republic of Croatia, | 18. Ukraine, |
| 7. Lithuania, | 19. Hungary and |
| 8. Kingdom of the Netherlands, | 20. United Kingdom of Great Britain and |
| 9. Kingdom of Norway, | Northern Ireland. |
| 10. Republic of Poland, | |
| 11. Republic of Portugal, | |
| 12. Romania, | |

EXTRACT OF THE CIVIL AIR CREW REGULATION:

Certificate for Parachute Jumpers and pilots of Hang Gliders and Paragliders with residence outside Austria

§ 89b. (1) Persons who are permanently resident outside Austria and who have a foreign authorization compliant to an authorization pursuant to §§ 69 or 79 to 84 may exercise their privileges in the federal territory of Austria if they acquire a certificate pursuant to para (2).

(2) The certificate referred to in para. (1) shall be issued, upon request, by a training organization authorized to train for the corresponding authorization after verification and, if necessary, the applicant's instruction. The verification and, where appropriate, the documentation shall ensure that the pilot has the necessary theoretical knowledge and practical qualifications for the safe exercise of his authorization.

(3) The certificate pursuant to paragraphs (1) and (2) shall be valid for one year.

Remarks:

According the interpretation of the Civil Aviation Authority, a certificate according to § 89b may be issued based on e.g. an IPPI-Card!

A list of all approved flight training organizations can be found on the [website](#) of the Civil Aviation Authority (ÖAeC/FAA).

An application to obtain a “permanent validation” can be sent to the Civil Aviation Authority. The application form can be found on the website of the [ÖAeC/FAA](#).