

- (10) ‘competition flight’ means any flying activity where the aircraft is used in air races or contests, as well as where the aircraft is used to practice for air races or contests and to fly to and from racing or contest events;
- (11) ‘flying display’ means any flying activity deliberately performed for the purpose of providing an exhibition or entertainment at an advertised event open to the public, including where the aircraft is used to practice for a flying display and to fly to and from the advertised event.

Additional definitions are laid down in [Annex I](#) for the purposes of Annexes II to VIII.

GM1 Article 2(1)(d) Definitions

ED Decision 2019/019/R

NON-COMMERCIAL OPERATIONS — EXAMPLES

The following examples of operations are not covered by the definition of commercial operations or by that of specialised operations. They are identified as **non-commercial operations**. Some of these flights **are listed by an AOC holder in its operations manual** Part-A, ch. 8.7 as non-commercial operations (as specified in [AMC3 ORO.MLR.100](#)) and covered by the provisions of [ORO.AOC.125](#).

Some of these operations are performed on an irregular basis. The operator and its crew members may consider them as non-routine operations, situated outside their operational routine. This constitutes a risk that the operator should include in its risk assessment process.

The operations listed below are performed with aircraft having a certificate of airworthiness or a permit to fly and being already listed on an AOC or on a declaration. They are grouped by the purpose of the flight.

Demonstration flights

- (a) A flight performed with the purpose of demonstrating:
- (1) an aircraft’s handling, performance and functionalities to buyers or lessees;
 - (2) an aircraft’s flying characteristics or the operational procedures to the competent authority, for verification of compliance with the operational requirements, as per [ARO.GEN.310\(a\)](#).

Other terms used: (route) proving flight; operational evaluation flight.

- (b) Flight at the end of lease or upon transfer of ownership: a flight performed at the request of the operator to verify compliance of the aircraft with the contractual specifications of the lessee/lessor or buyer.

Other term used: acceptance flight.

- (c) ‘Public relations (PR) flight’: a flight carrying official or media representatives as non-paying passengers. Sometimes personnel of the operator are included. The PR flight is performed in the interest of the operator’s own business.

Testing the results of maintenance work is outside the scope of demonstration flights. Such flights are not expected to execute flight manoeuvres where the aircraft might react with an unexpected behaviour. This is covered by a maintenance check flight (listed below).

Maintenance check flights

- (d) Maintenance check flight (MCF)

The definition of an MCF is provided in Annex I to Regulation (EU) No 965/2012. The provisions on MCF are developed in Annex VII (Part-NCO), Subpart E Section 6 and Annex VIII (Part-SPO), Subpart E Section 5.

Ferry flights – flights changing the location of the aircraft

A ferry flight could be performed for the following purposes:

- (e) The aircraft is moved to and from a maintenance base. The aircraft may be operated under the permit-to-fly conditions.

Examples:

- (1) unpressurised flight,
- (2) gear-down flight,
- (3) flight with one engine inoperative.

- (f) The aircraft is moved from one location to another, e.g. from the manufacturer, refurbishment location, previous owner, lessor/lessee, long-term storage to the operator's base.

Other term used: delivery flight.

- (g) The aircraft and its aircrew are positioned to an aerodrome from which a further commercial air transport (CAT) operation will be performed.

Other term used: positioning flight.

- (h) The aircraft is moved from its current location to a secure location for various reasons (e.g. to remove it from a hazardous area).

Other term used: recovery flight.

Training flights

- (i) A flight for instructional purposes for the operator's own flight crew.

Operator training and checking flight: a flight performed by the operator with the purpose of training, checking and/or familiarising a flight crew member with the operator's procedures linked to the aircraft being operated. A training flight is conducted using the procedures detailed in the operator's documentation.

Line flying under supervision (LIFUS), line checks and similar flights are not included in this category, as they are usually performed during commercial operations (CAT flights).

Other non-commercial flights

- (j) 'Corporate flight': a flight conducted for business purposes: the operator may carry its own personnel and/or property in the interest of business.

Other terms used: business flight, private flight.

- (k) 'Leisure flight': a flight operated by an operator for personal or recreational purposes, not associated with a business or a profession.

Other term used: private flight.

- (l) Managed flight: a flight operated by an operator for the business purposes of the aircraft owner, with no remuneration or other valuable consideration involved.

Charity flights, humanitarian flights

- (m) 'Charity flight': a flight performed for the benefit of a registered charity organisation, carrying persons and/or goods. For such a flight, the proceeds of the raffled flight go to the charity. Any additional proceeds are limited to the recovery of direct costs of the flight.
- (n) 'Humanitarian flight': a flight with the purpose of carrying relief personnel and/or life-saving supplies (basic necessities) during or after an emergency or a natural disaster, or to evacuate persons from an endangered area.

Article 3 - Oversight capabilities

Regulation (EU) 2018/394

1. Member States shall designate one or more entities as the competent authority within that Member State with the necessary powers and allocated responsibilities for the certification and oversight of persons and organisations subject to Regulation (EC) No 216/2008 and its implementing rules.

The administration and management systems of the competent authorities of the Member States and of the Agency shall comply with the requirements specified in Annex II.
2. If a Member State designates more than one entity as competent authority:
 - (a) the areas of competence of each competent authority shall be clearly defined in terms of responsibilities and geographic limitation; and
 - (b) coordination shall be established between those entities to ensure effective oversight of all organisations and persons subject to Regulation (EC) No 216/2008 and its implementing rules within their respective remits.
3. Member States shall ensure that the competent authority(ies) has(ve) the necessary capability to ensure the oversight of all persons and organisations covered by their oversight programme, including sufficient resources to fulfil the requirements of this Regulation.
4. Member States shall ensure that competent authority personnel do not perform oversight activities when there is evidence that this could result directly or indirectly in a conflict of interest, in particular when relating to family or financial interest.
5. Personnel authorised by the competent authority to carry out certification and/or oversight tasks shall be empowered to perform at least the following tasks:
 - (a) examine the records, data, procedures and any other material relevant to the execution of the certification and/or oversight task;
 - (b) take copies of or extracts from such records, data, procedures and other material;
 - (c) ask for an oral explanation on site;
 - (d) enter relevant premises, operating sites or means of transport;
 - (e) perform audits, investigations, assessments, inspections, including ramp inspections and unannounced inspections;
 - (f) take or initiate enforcement measures as appropriate.
6. The tasks under paragraph 5 shall be carried out in compliance with the legal provisions of the relevant Member State.