


SAFETY INFORMATION AND ADVISORY NOTICE (SIAN)		 Transport Malta Civil Aviation Directorate Safety and Compliance Unit Transport Malta Centre Triq Pantar Lija LJA 2021 Malta aviationsafety.tm@transport.gov.mt
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Subject: Cost-Shared Flights by Private Individuals.		

1.0 INTRODUCTION

Cost-shared flights are flights shared by private individuals with only direct-costs shared between the pilot and others onboard the aircraft.

Flight sharing is legal in the European Union according to the Commission Regulation (EU) No 965/2012. Private individuals on non-complex aeroplanes and helicopters, balloons and powered sailplanes may operate cost-shared flights in accordance with the rules of Part-NCO (non-commercial operations with non-complex aircraft).

The cost-sharing refers only to the 'direct-costs' incurred for a specific flight (ex: fuel, airfield charges, aircraft rental fee) which are shared by all the occupants of the aircraft, pilot included, up to a maximum number of six (6) persons. Any costs not directly related to the flight, (ex: the annual cost of keeping, maintaining and operating an aircraft) cannot be shared and no profit can be made.

Extract from Commission Regulation 965/2012:

“ Article 6 - Derogations

4a. By way of derogation from Article 5(1) and (6), the following operations with other-than-complex motor-powered aeroplanes and helicopters, may be conducted in accordance with Annex VII:

(a) 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; ”

2.0 APPLICABILITY

This Notice is to be disseminated to all personnel, and people who have interests relating to the safe conduct of cost-shared flights by private individuals on non-complex aeroplanes and helicopters, balloons and powered sailplanes.

Aerodromes:	Not primarily affected.
Air Traffic:	Not primarily affected.
Airspace:	Not primarily affected.
Airworthiness:	Not primarily affected.
Flight Operations:	Non-Commercial Operations (NCO), General Aviation (GA) operations.
Licensed/Unlicensed Personnel:	General Aviation and Microlight Community.

3.0 RECOMMENDATIONS AND INSTRUCTIONS

3.1 Passenger information

Cost-sharing flights are flights shared by private individuals. The total direct costs of the flight must be shared equally between all occupants of the aircraft (including the pilot). The definition of 'direct-costs' are the costs directly incurred in relation to a specific flight (ex: fuel, airfield charges, rental fee for an aircraft). The pilot cannot make profit from these flights. If profit is existent the flight is therefore considered **to be illegal**.

The safety and conduct of any cost-sharing flight is the **responsibility of the Pilot In Command (PIC)** of the aircraft. The pilot must conduct the flight in accordance with the applicable regulation for non-commercial flights with light aircraft by private pilots including Mass and Balance calculations, hence the PIC must be sure that the weight provided is accurate.

It is also the pilot's responsibility to **ensure the flight is appropriately insured**, the pilot themselves are insured and the pilot shall advise the passengers beforehand that they may wish to check that any personal life, accident and/or health insurance they have is valid for non-commercial flights.

Passengers should be made aware that the pilot may amend or cancel the flight for any reason, including at short notice. The pilot shall not undertake the flight if the conditions are not suitable. If the flight does not take place, no fee can be accepted by the pilot.

3.2 Safety standards

The safety of non-commercial light aircraft is more comparable to other recreational activities than the higher standard achieved in commercial aviation. It is therefore recommended that any promotion of such flights should inform potential passengers of the safety levels of General Aviation flights with light aircraft as compared to those of commercial flying. Prior to the flight, the pilot shall always indicate the type of aircraft used for the cost-shared flight.

Where cost-shared flights are arranged through online platforms the Civil Aviation Directorate recommends the use of websites that have signed up to the European Aviation Safety Agency "[Charter to promote the safety of non-commercial General Aviation flight with light aircraft by flight sharing companies](#)".

The PIC has the authority to make decisions concerning the flight and the aircraft. The presence of other people on board should never make the pilot feel pressured to conduct the flight in a certain way. It is strongly recommended that pre-flight checks are completed well before a passenger arrives to avoid distractions, and a proper pre-flight briefing is conducted for all passengers on the day.

Basic safety principles to be observed by passengers:

- Smoking is prohibited on all flights;
- Passengers are never allowed to touch aircraft instruments;
- Passengers shall not speak when the PIC is using the radio and during take-off and landing;
- Passengers shall never touch the door lock unless instructed to do so by the PIC;
- Passengers should refrain from using psychoactive substances, including alcohol before or during flying.

3.3 Safety Concerns

If you have concerns over the legality of any flight that have or are going to take place please refer to our webpage for [reporting safety concerns](#).

3.4 Pilot Information

The intention of cost-sharing flights is to enable pilots to build their skills and experience. European regulations permit cost-sharing as follows:

- The flight is a cost-shared flight by private individuals. Cost-sharing flights cannot form part of a business activity through an organisation;
- The direct costs of the flight must be shared between all the occupants of the aircraft, including the pilot, up to a maximum of six (6) persons;
- The cost-sharing arrangements apply to any other-than complex motor-powered EASA aircraft.

3.5 Code of Conduct

The Code of Conduct can be found under the applicable Article/s of the [Annex to Safety Charter non-commercial General Aviation](#) as presented on the EASA website. Such code shall be communicated to the passengers prior to the flight and acknowledged by both the PIC and the Passenger/s. Furthermore, it is strongly recommended that the owner of the aircraft is aware of the type of operation being undertaken by the PIC.

3.6 Pilot Checklist

Guidance on pilot checklist to be used prior to flight can be found under the applicable Article/s of the [Annex to Safety Charter non-commercial General Aviation](#) as presented on the EASA website.

3.7 Passenger Handling

Guidance on passenger handling can be found under the applicable Article/s of the [Annex to Safety Charter non-commercial General Aviation](#) as presented on the EASA website.

4.0 CANCELLATION

This safety notice will remain in force till further notice.

Safety and Compliance Unit