

ANNEX I Definitions

Annex I DEFINITIONS (Part-DEF)

Regulation (EU) 2020/357

For the purpose of this Regulation, the following definitions and, unless terms are defined otherwise in this Annex, the definitions of Article 2 of Regulation (EU) No 1178/2011 as well as of point FCL.010 of Annex I (Part-FCL) to that Regulation, shall apply:

- 1. “acceptable means of compliance (AMC)” means non-binding standards adopted by the Agency to illustrate means to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts;
- 2. “alternative means of compliance (AltMoC)” means those means that propose an alternative to an existing AMC or those that propose new means to establish compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts for which no associated AMC have been adopted by the Agency;
- 3. ‘pilot-in-command’ means the pilot designated as being in command and charged with the safe conduct of the flight;
- 4. ‘crew member’ means a person assigned by an operator to perform duties on board the balloon or, where the duties are directly related to the operation of the balloon, on the ground;
- 5. ‘flight crew member’ means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;
- 6. ‘psychoactive substances’ means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens and volatile solvents, excluding coffee and tobacco;
- 7. ‘accident’ means an occurrence associated with the operation of a balloon which takes place between the moment of the commencement of the inflation of the balloon and the moment of complete deflation of the balloon, in which:
 - (a) a person suffers fatal or serious injuries as a result of being in the balloon or as a result of direct contact with any part of the balloon, including parts which have become detached from the balloon, but excluding any injuries arising from natural causes or which are self-inflicted or inflicted by other persons;
 - (b) the balloon sustains damage or structural failure which adversely affects its structural strength, performance or flight characteristics and requires major repair or replacement of the affected component; or
 - (c) the balloon is missing or is completely inaccessible;
- 8. ‘incident’ means an occurrence, other than an accident, associated with the operation of a balloon which affects or could affect the safety of its operation;
- 9. ‘serious incident’ means an occurrence associated with the operation of the balloon which takes place between the moment of the commencement of the inflation of the balloon and the moment of complete deflation of the balloon, in which there was a high probability of an accident;
- 10. ‘critical phases of flight’ means take-off, final approach, missed approach, landing and any other phases of a flight which the pilot-in-command determines as critical for the safe operation of the balloon;
- 11. ‘aircraft flight manual (AFM)’ means the document containing the applicable and approved operating limitations and information with respect to the balloon;

- 11a. “flight time” means the total time from the moment the basket leaves the ground for the purpose of taking off until the moment it finally comes to a rest at the end of the flight;
- 12. ‘dangerous goods’ means articles or substances which are capable of posing a risk to health, safety, property or the environment and which are shown in the list of dangerous goods in the technical instructions or which are to be classified as such in accordance with those instructions;
- 13. ‘technical instructions’ means the latest applicable edition of the ‘Technical instructions for the safe transport of dangerous goods by air’, including the supplement and any addenda, published by ICAO in document 9284-AN/905;
- 14. ‘operating site’ means a site selected by the pilot-in-command or the operator for landing, take-off or external load operations;
- 15. ‘refuelling’ means the refilling of fuel cylinders or fuel tanks from an external source, excluding the replacement of fuel cylinders;
- 16. ‘night’ means the period between the end of evening civil twilight and the beginning of morning civil twilight. Civil twilight ends in the evening when the centre of the sun's disc is 6 degrees below the horizon and begins in the morning when the centre of the sun's disc is 6 degrees below the horizon;
- 17. ‘balloon specialised operation’ means any operation, which can be commercial or non-commercial, with a balloon the main purpose of which is not the carriage of passengers for sightseeing or experience flights, but parachute operations, hang-gliding dropping, flying displays, competition flights or similar specialised activities;
- 17a. “class of balloons” means a categorisation of balloons taking into account the lifting means used to sustain flight;
- 17b. “proficiency check” means the demonstration of skill for the purpose of complying with the recency requirements as established in this Regulation, including oral examinations as may be required;
- 18. ‘traffic load’ means the total mass of passengers, baggage and carry-on specialist equipment;
- 19. ‘balloon empty mass’ means the mass determined by weighing the balloon with all the installed equipment as specified in the AFM;
- 20. ‘wet lease agreement’ means an agreement between operators pursuant to which the balloon is operated under the responsibility of the lessor;
- 21. ‘commercial passenger ballooning’ (CPB) means a form of commercial air transport operation with a balloon whereby passengers are carried on sightseeing or experience flights for remuneration or other valuable consideration;
- 22. “group of balloons” means a categorisation of balloons, taking into account the size or capacity of the envelope;
- 23. “skill test” means the demonstration of skill for the purpose of issuing a licence or rating, or extension of a privilege, including oral examinations as may be required;
- 24. “assessment of competence” means the demonstration of skill, knowledge and attitude for the initial issue, revalidation or renewal of an instructor or examiner certificate;
- 25. “solo flight” means a flight during which a student pilot is the sole occupant of the balloon;
- 26. “tethered flight” means a flight with a tether system that anchors the balloon to a fixed location during operation, with the exception of a tether which may be used as part of the take-off procedure.

→ [FCL.010 Definitions related to Part-BFCL](#)

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