

EXEMPTION FROM PARAGRAPH 602.29(1)(c) OF THE CANADIAN AVIATION REGULATIONS

Pursuant to Subsection 5.9(2) of the *Aeronautics Act*, and after having determined that the exemption is in the public interest and is not likely to adversely affect aviation safety, I hereby exempt **pilots-in-command of basic ultra-light aeroplanes** from the requirements of paragraph 602.29(1)(c) of the *Canadian Aviation Regulations* (CARs), subject to the conditions set out below.

The text of paragraph 602.29(1)(c) and subsection 602.29(2) of the CARs is set out in Appendix A of this exemption.

INTERPRETATION

Section 101.01(1) of the CARs states:

"ultra-light aeroplane" - means an advanced ultra-light aeroplane or a basic ultra-light aeroplane; (avion ultra-léger)

"Designated Airspace Handbook" - means the manual that contains information in respect of the designation of airspace and that is published under the authority of the Minister; (*Manuel des espaces aériens désignés*)

The Designated Airspace Handbook (TP 1820E) (DAH) states:

"Class E (airspace)* - All high level controlled airspace above FL600 within the SCA, NCA and ACA. Also, low level airways, low level fixed RNAV routes, CAEs, Transition Areas or CZs established without an operating control tower may be classified Class E airspace."

PURPOSE

The purpose of this exemption is to allow the pilot-in-command of a basic ultra-light aeroplane to operate **in any other Class E** airspace not referred to in paragraphs 602.29(2)(a) or (b) of the CARs. In particular, this exemption will provide pilots of basic ultra-light aeroplanes access to altitudes that are required to safely conduct training activities, such as stalls.

APPLICATION

This exemption applies to the pilots-in-command of basic ultra-light aeroplanes operating in Class E airspace.

This exemption ceases to apply to the pilot-in-command of a basic ultra-light aeroplane who breaches a condition of the exemption.

CONDITIONS

This exemption is subject to the following conditions:

1. For operation in Class E airspace, the basic ultra-light aeroplane shall be equipped with a portable or fixed altimeter;
2. For operation on a cross-country flight in Class E airspace, the basic ultra-light aeroplane shall be equipped with a portable or fixed magnetic compass or Global Positioning System (GPS) receiver.

VALIDITY

This exemption is in effect from July 1, 2017 until the earliest of the following:

- a) **June 30th, 2022 at 23:59 (EST)**;
- c) the date on which an amendment to the appropriate provisions of the *Canadian Aviation Regulations* or related standards, modifying the subject-matter specifically addressed in this exemption, comes into effect;
- d) the date on which an amendment to the appropriate provisions of the *Designated Airspace Handbook (TP 1820E)* modifying the subject-matter specifically addressed in this exemption, comes into effect; or
- e) the date on which this exemption is cancelled in writing by the Minister, where he is of the opinion that the exemption is no longer in the public interest, or that it is likely to adversely affect on aviation safety.

DATED at Ottawa, Ontario, Canada this 26 day of June 2017, on behalf of the Minister of Transport

Aaron McCrorie
Director General, Aviation Safety Regulatory Framework
Civil Aviation

APPENDIX A

Hang Glider and Ultra-light Aeroplane Operation

602.29 (1) No person shall operate a hang glider or an **ultra-light aeroplane**

(a) at night;

(b) in IFR flight;

(c) **subject to subsections (2) and (3), in “controlled” airspace;**

...

(2) A person may operate a hang glider or an **ultra-light aeroplane in controlled airspace**

(a) within five nautical miles from the centre of an airport or heliport or within a control zone of an uncontrolled airport where the person has obtained permission from the airport or heliport operator;

(b) within a control zone of a controlled airport where the person has obtained an air traffic control clearance by two-way radio voice communication from the air traffic control unit of the airport; **or**

(c) where the aircraft is an advanced ultra-light aeroplane, if the aeroplane is equipped in accordance with section 605.14.