



Safety recommendation no. 577

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| Date of the publication | 31.05.2022 |
| Number of the final report | 2381 |
| Safety deficit | <p>A Zlin Savage Classic microlight aircraft registered in France and based in Switzerland crashed in the Arosa area (GR). The type could not be approved in Switzerland, but could be operated in Switzerland with a foreign type certificate. A significant number of such microlight aircraft registered abroad are still stationed and operated in Switzerland.</p> <p>This means that there is a safety deficit involving aircraft operating in Swiss airspace that cannot be certified in Switzerland and whose operation is subject to few minimum requirements, depending on the country of registration. Fundamental safety-relevant aspects such as the medical fitness of the pilots or the aircrafts' centre of gravity positions are not considered.</p> |
| Safety recommendation | <p>The Federal Office of Civil Aviation (FOCA) should take measures to ensure that the operation of microlight aircraft in Swiss airspace meets minimum safety requirements. At the same time, it should be considered whether microlight aircraft that meet these minimum requirements can also be licensed in Switzerland.</p> |
| Addressees | BAZL Bundesamt für Zivilluftfahrt |
| Stage of the implementation | <p>Partially implemented. In a letter dated 8 September 2022, the FOCA informed the STSB of the measures taken in connection with Safety Recommendation No 577.</p> <p>The FOCA stated, as can be seen from the final report, that the accident could be attributed to the aircraft flying below the minimum airspeed. This resulted from the aircraft simultaneously pulling up at low airspeed while turning towards the slope, which contradicts the basic rules of safe mountain flying in several ways. There were no deficiencies in the design or construction of the affected type of aircraft found.</p> <p>The FOCA stated that it had no evidence that the certification regulations for ultralight aircraft registered in Switzerland, contained in Annexes 1 (Ecolight) and 2 (Ultralight) of the DETEC Ordinance on the Airworthiness of Aircraft (AAwO; SR 748.215.1), were not sufficient to guarantee a satisfactory safety standard from a technical point of view. This also makes the certification of further ultralight aircraft superfluous, because all those that sufficiently meet the minimum requirements mentioned can already be certified.</p> <p>According to the FOCA, further relaxing the 'UL ban' would require an amendment to Art. 2b of the Civil Aviation Ordinance (CAO; SR 748.01). However, the FOCA considers such a project to have no political chance.</p> <p>The FOCA has identified a need for action regarding the use of Swiss airspace by foreign ultralight aircraft. Accordingly, the licensing practice regarding Article 2 paragraph 1 letter e of the Aviation Act (AviA; SR 748.0) was significantly tightened with the publication of</p> |

AIC 003/2021 of 12 August 2021. All foreign ultralight aircraft must now obtain a special permit from the FOCA, which is issued for a maximum of two months per year. This is enforced by carrying out sporadic apron checks and by verifying entries in the flight logbook for the previous year when an application to renew a special permit is received for the following year. In addition, only ultralight aircraft with German (LTF-UL), British (BCAR Section S) or Austrian certification are eligible for a special permit. These permits are still considered sufficiently safe by the FOCA.

Furthermore, with the DETEC Ordinance on Flight Crew Licences and Authorisations not regulated on a Europe-Wide Basis (FCLAO; SR 748.222.1), which came into force on 1 March 2021, the licence requirements for piloting ultralight aircraft were tightened for pilots resident in Switzerland. As a result, an EASA LAPL is now required (cf. Art. 14 ff.).

**Investigation report concerning
the safety recommendation**

Schlussbericht
Vorbericht
