



## Impact assessment of new regulations for hang gliding

The Swedish Transport Agency's proposal:

The Swedish Transport Agency proposes that new regulations on flying with hang gliders shall be adopted and that the Swedish Civil Aviation Authority's Regulations LFS (2007:60) be repealed.

### A. General

#### 1. What is the problem or the reason for the regulation?

The regulations currently in force for flying with hang gliders were written at the end of the eighties. Some updates were made in 2007, but only of an editorial nature. The regulations are authorised by the 1986 Aviation Ordinance and refer to other regulations that have long since been repealed. The technological development in the area has been extensive and the current regulations cannot be applied by the operators, which can lead to safety deficiencies.

#### 2. What is to be achieved?

Targeted, proportionate and balanced regulations designed so that the rules take care of and ensure that the technology that has been developed over the last 20 years is used safely.

#### 3. What are the possible solutions?

##### 3.1 Impact if nothing is done?

If the regulations are not updated, the old regulations will remain in force, but they can no longer be applied because they refer to outdated equipment, other regulations that have already been repealed, and they are not adapted to the technological developments that have taken place in the field.

##### 3.2 Alternatives that do not involve regulation

In the past, there has been a debate on the possible repeal of the regulations governing these types of aerial sports and allowing the activities to be unregulated. However, since this type of aircraft

operates at the same altitude as drones, for example, regulations are needed to specify requirements for how the activity should be conducted. If the field is not regulated, there is a greater risk of accidents occurring with serious injuries and, in the worst case, fatalities. We therefore see no alternative solution other than to regulate through provisions.

Clarifying information and recommendations could be provided, for example, on the Swedish Transport Agency's website and through the Swedish Hang Gliding Association regarding certain parts of the content of the current regulations. However, there are no suitable alternatives to regulation when it comes to updating or removing references to older, repealed regulations. Therefore, this option is not sufficient.

### 3.3 Regulatory alternatives

The Swedish Transport Agency recommends that the current rules be updated and adapted to the authorisation in current aviation legislation, that they address the changes that have taken place in other regulations, and that they be adapted to technological developments in the field.

Given that the regulations currently in force in this field are outdated and were published by a predecessor to the Swedish Transport Agency, the only reasonable regulatory option is to develop a new basic statute in the Swedish Transport Agency's code of statutes (TSFS), which can replace the Swedish Civil Aviation Authority's Regulations (LFS 2007:60) on flying with hang gliders.

## 4. Who is affected?

Members of the Swedish Hang Gliding Association are affected. The members consist of pilots and instructors. Prospective practitioners of the sport are also affected, as is the Swedish Transport Agency.

## 5. What consequences will the regulation have?

### 5.1 Companies

(X) The regulation is not deemed to significantly impact working conditions, competitiveness or other conditions for companies. All consequences for companies are therefore described under 5.1.

( ) The regulation is deemed to significantly impact working conditions, competitiveness or other conditions for companies. Therefore, the impact assessment does not

**contain a description under 5.1: instead, all consequences for companies are described in Section C.**

**Only private individuals practise hang gliding. We assess that the regulations will have no impact on companies.**

## **5.2 Individuals**

**For individuals and local hang gliding clubs, new regulations will mean that they can be applied in practice. It will make it easier to use the right equipment within the scope of the regulations and will lead to increased compliance and safer operations.**

## **5.3 Public authorities at national, regional or local level**

**We consider that the proposed regulations will lead to more effective supervision, as the rules will be updated and adapted to current technological developments.**

## **5.4 Environment**

**The Swedish Transport Agency considers that the proposal does not have any environmental impact.**

## **5.5 External effects**

**Positive effects may arise in the form of new applicable and relevant regulations attracting more practitioners. If the regulations are adapted to the technological development that has taken place in the field, the risk of accidents with serious injuries and fatalities is reduced.**

## **6. Summary of options considered and why the proposed regulation is considered the best option**

**Mere provision of information and guidance on how the activity should be carried out is not sufficient. The Swedish Transport Agency considers that regulation in this area is needed in order to establish a clear framework within which activities involving hang gliders may and can be carried out. Simply repealing the current regulations and leaving the area unregulated is not considered to be an option (see Section 3.2).**

## **7. What authorisations form the basis for the authority's decision-making powers?**

**The Swedish Transport Agency's decision-making authority is based on Chapter 1, Section 9, Chapter 2, Section 7, Chapter 4, Sections 4-5, Chapter 5, Section 3, and Chapter 12, Section 4, of the Aviation Ordinance (2010:770).**

8. Is the regulation consistent with the obligations arising from EU law or other international regulations, or does it exceed them?

Hang gliding is not regulated by the EU; it is up to the member states to issue flight safety requirements and guidelines for the activity.

The Swedish Transport Agency considers that the rules should be notified as technical regulations under EU 2015/1535.

9. Does special consideration need to be given regarding the date of entry into force, and is there a need for special communication initiatives?

The regulations should enter into force as soon as possible because the current rules are difficult to apply.

## **B. Fulfilment of transport policy goals**

The **overall goal** of Swedish transport policy is to ensure a socio-economically efficient transport provision that is sustainable in the long term for both citizens and businesses throughout the country. The overall goal also includes performance goals and health, environment and safety (HES) goals with a number of prioritised areas.

The **performance goal** is to create accessibility for people and goods. The design, functioning and use of the transport system shall help to provide everyone with basic accessibility of high quality and usability, as well as contributing to development throughout the country. At the same time, the transport system must be gender-equal, which means it should respond to the transport needs of both men and women in equal measure.

The **HES goal** concerns health, environment and safety. The design, functioning and use of the transport system shall be adapted to ensure that no one is killed or seriously injured. It shall also contribute to the overall generational goal for the environment and to attainment of the environmental quality goals, as well as helping to improve health.

**10. How does the regulation affect the performance goal?**

The regulations are considered to be beneficial to the functional objective as more people can be given the opportunity to practice the sport.

**11. How does the regulation affect the HES goal?**

The Swedish Transport Agency considers that updated regulations are an important part of the work to achieve the interim target decided by the Government, namely a halving of the number of fatalities in aviation by 2030. If the regulations are adapted to the technological development that has taken place in the area, the risk of accidents with serious injuries and fatalities is reduced.

**C. Companies**

The regulation is not deemed to significantly impact the working conditions, competitiveness or other conditions for companies. All consequences for companies are therefore described under point 5.1.

## D. Summary of consequences

Affected party	Impacts that cannot be quantified		Quantified impact (SEK thousands)	Comments
	Advantages	Disadvantages	+ / -	
Companies	Not relevant	Not relevant	Not relevant	Not relevant
Citizens	More accessibility to the sport	Not relevant	Not relevant	Not relevant
The State, et al.	More effective supervision as the rules are updated and adapted to current technological developments	Not relevant	Not relevant	Supervision is carried out within the framework of a delegation agreement with the Swedish Hang Gliding Association. The new adapted rules provide the right conditions for better and more efficient supervision of the activity.
External effects				
Total				

## E. Proportionality of the proposal

The Swedish Transport Agency considers that the proposed regulation takes into account the fact that flying with hang gliders can entail certain risks and that practitioners are aware of this. We have therefore adjusted the details of the regulations to reduce the risks, while still allowing the sport to be practised.

**F. Follow-up and evaluation**

The Swedish Transport Agency has delegated a number of official tasks to the Swedish Hang Gliding Association. In the delegation agreement, the Association has undertaken the task of, among other things, issuing hang gliding licences and supervising the activity. Follow-up and evaluation of the new regulations will be carried out in close cooperation with the Swedish Hang Gliding Association once the new regulations have come into force and been applied for a period of time. The Swedish Transport Agency estimates that this may take approximately two years after the regulations come into force.

**G. Consultation**

Consultations have been ongoing with representatives of the Swedish Hang Gliding Association.

If you have any questions regarding the impact assessment, or any opinions you would like to share, please contact us: Magnus Axelsson  
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