

5 HGFA Flight Rules

5.1 General

5.1.1 Acrobatic Flight

An aircraft shall not be flown in acrobatic flight of a particular kind unless the flight manual and the relevant regulation for the aircraft specifies that the aircraft may perform that type of acrobatic flight.

Acrobatic flight is not to be performed over a built up areas. Pilots undertaking acrobatic manoeuvres must maintain adequate clearances from all other airspace or to persons on the ground not associate with the operation of the aircraft.

5.1.2 Dropping of Articles

Nothing may be dropped from a hang glider, paraglider, powered-paraglider or weightshift microlight in flight, except:

- (a) ballast in the form of water or fine sand;
- (b) with the written approval of the Civil Aviation Safety Authority, ropes and cables with the appropriate fittings used in launching; and
- (c) components designed to be jettisoned in flight, such as drag parachutes or jettisonable wheels; or
- (d) other items with the written approval of the Civil Aviation Safety Authority.

5.1.3 Flying over Public Gatherings

Except with the permission, in writing, of the Civil Aviation Safety Authority and in accordance with the conditions specified in the permit, an aircraft shall not be flown over any regatta, race meeting or public gathering unless passing from place to place in the ordinary course of navigation.

5.1.4 Low Flying (Under CAO 95.8)

Aircraft under [CAO 95.8](#) must not be flown:

- (a) “over any closely-settled area — below 1 000 feet above terrain, or the lowest height from which the hang-glider or paraglider could land without power outside the closely-settled area, whichever is the higher, except that during the launching and landing phase of flight only the requirement to be able to land clear of a closely-settled area applies”, or
- (b) “during the launching or landing phase of a flight — unless the aircraft can be launched or landed without endangering the safety of persons unrelated to the launching or landing or damaging unrelated property, and no closer than the distances specified in section [5.1.4.1](#) and [5.1.4.2](#)

Note: Aircraft under CAO 95.10 / 95.32 shall observe the minimum heights established by those CAO's.

5.1.4.1 HG/PG (Non-powered) Heights & Distances / Launching / Landing

A non-powered HGFA aircraft (under CAO 95.8) shall not be flown at a height lower than 100 feet within a horizontal distance of 25 metres from:

- (a) public roads,
- (b) a dwelling except with the permission of the occupier, and
- (c) persons not directly associated, except during launching / landing phases,

Unless,

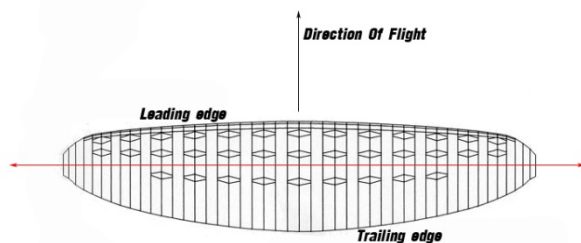
- (d) the flying site has been given an exemption to these heights and or distances by the HGFA Operations Manager in writing.

Launch / Landing Phases

Operation closer than a horizontal distance of 25 metres from persons other than those persons directly associated with the operation of hang gliders or paragliders is permitted provided those other persons are behind a line passing through the launch or landing point at right angles to the intended direction of flight.

5.1.4.2 Operations of Powered Paragliders/Parachutes & Powered Hang Gliders (PPG, PPC & PHG)

- (a) PPG or PHG may only be flown at a height of less than 300 feet above ground level, if:
- (i) the aircraft is in the course of taking off or landing; or
 - (ii) the aircraft is flying over land that is owned by, or under the control of, the pilot; or
 - (iii) the owner or occupier of the land (including the Crown), or an agent or employee of the owner or occupier, has given permission for the flight or flights to take place; or
 - (iv) the pilot of the aircraft is engaged in flight training and the craft is flying over a flight training area, over which the HGFA has been authorised for low flying.
- (b) Subject to 5.1.4.2(a), a PPG or PHG can be flown at a height lower than 300 feet above ground level, but must be at a distance of at least 25 metres horizontally from:
- (i) a public building (except with the permission, in writing, of the Civil Aviation Safety Authority and in accordance with the conditions specified in the permit,
 - (ii) a dwelling (except with the permission of the occupier),
 - (iii) persons not directly associated, except during launching / landing phases.
- (c) Launch Phases: Operation closer than a horizontal distance of 25 metres from persons other than those persons directly associated with the operation of PPG or PHG is permitted provided those other persons are behind a line passing through the wing, at right angles to the direction of flight or intended direction of flight.



5.1.5 Negligent Operation

Hang gliders and paragliders of any type, powered-paragliders and weightshift microlights shall not be operated:

- (a) in a reckless or negligent manner so as to endanger the life or property of others;
- (b) in such a manner, or in such circumstances as is or likely to cause avoidable danger to any person or property (including animals) on land or water or in the air.
- (c) in such a manner so as to cause public annoyance and complaint regarding noise. Pilots must respect the public right to peace and quiet.

5.1.6 No-Fly Areas

Except with the permission, in writing, of the Civil Aviation Safety Authority and in accordance with the conditions specified in the Pilot's certification, a hang glider, paraglider, powered paraglider or weightshift microlight shall not be flown:

- (a) within controlled airspace.
- (b) within the vicinity of a non-controlled aerodrome without meeting the relevant CAR requirements; for example, CAR166, "Carriage and Use of Aircraft Radio",
- (c) within an area designated by the Civil Aviation Safety Authority or the HGFA Operations Manager as an area where the operation of HGFA aircraft would constitute a hazard to other aircraft,
- (d) within an area that has been designated as a prohibited or restricted area at such times as any such prohibited or restricted area is active,
- (e) Within eight kilometres of a military airfield.

Details of controlled airspace and restricted areas are contained in the En-Route Supplement Australia (ERSA), available from Air Services Australia.

Stay current by visiting www.airservicesaustralia.com

5.1.7 Towing of Articles

Nothing may be towed behind an aircraft in flight except with the written approval of the Civil Aviation Safety Authority including:

- (a) ropes and cables with the appropriate fittings used in launching; and
- (b) other items.

5.1.8 Visual Flight Rules

Hang gliders and paragliders of any type, powered-paragliders and weightshift microlights shall be flown under Visual Flight Rules (VFR) at all times, that is:

- (a) with constant visual reference to the ground or water when within 3,000 feet of the surface; and
- (b) in circumstances where the flight visibility is at least 5,000 metres and the aircraft's distance from cloud is greater than 1,500 metres horizontally and 1,000 feet vertically above or below cloud.

Visual Flight Rules for operation below 3,000 feet AMSL or 1,000 feet above terrain (whichever is the greater) allow for operation clear of cloud PROVIDED a VHF radio for communication on the applicable CTAF or area frequency is both carried and used. If such a radio is not carried then the limits specified in section 5.1.8 (b) apply.

Visual Flight Rules for operations above 10,000 feet require visibility of at least 8,000 metres forward and 1500 metres left, right and behind, and allow operations no closer vertically than 1,000 feet above or below cloud.

5.1.9 >10,000 Feet Above Mean Sea Level

5.1.9.1 Hang Gliders and Paragliders

No hang glider, paraglider or powered paraglider shall be flown at a height above 10,000 feet above mean sea level except where the pilot:

- (a) Is not limited by controlled airspace;
- (b) has an Oxygen Endorsement;
- (c) is carrying and using an approved oxygen supply system, or
- (d) is given written permission by CASA.

5.1.9.2 Weightshift Microlights

CAO 95.10 / 95.32 Aircraft may only fly above 10,000 feet AMSL with written permission from CASA.

5.2 Rules of the Air

5.2.1 Take Off Rules

An aircraft which is about to take off shall not do so until there is no apparent risk of collision with other aircraft. An aircraft taxiing must give way to aircraft established on final.

The same principle applies to taking off from ridge site launches. Aircraft shall not;

- (a) launch into the path of oncoming aircraft, nor
- (b) raise their wing into that airspace, nor
- (c) launch into ridge-soaring airspace which would then become crowded and force other pilots out of the airspace.

5.2.2 Give Way Rules

HGFA aircraft must not pass over or under, or cross in front of other aircraft, unless vertical separation detailed in Section 5.2.3 can be maintained.

Give way to other aircraft on your right. Power driven aircraft are required to give way to gliders, balloons and aircraft that are seen to be towing other aircraft or objects.

5.2.3 Operation in Proximity to other Aircraft

Pilots shall maintain a good lookout at all times.

Avoid abrupt changes in direction and speed when other aircraft are present.

Exercise care where other aircraft are displaying a red streamer indicating that the pilot in command holds a Supervised Pilot Certificate of any type.

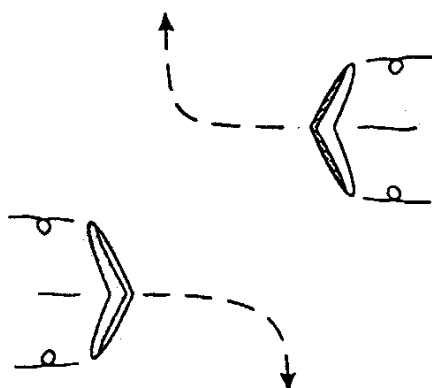
“An aircraft shall not be flown so close to another aircraft as to create a collision hazard.”

The following distances from other aircraft are suggested minimum for separations for HGFA Piloted aircraft where there is no prior arrangement to fly closer.

5.2.3.1 Remain clear of:

- (a) Soaring hang gliders and paragliders of any type by at least 20 metres horizontally and 25 feet vertically;
- (b) powered hang gliders and paragliders by at least 20 metres horizontally and 25 feet vertically;
- (c) weightshift microlights, and tug aeroplanes towing hang gliders by at least 30 metres horizontally and 100 feet vertically;
- (d) sailplanes and from tug aeroplanes towing sailplanes by at least 60 metres horizontally and 200 feet vertically; and
- (e) other aircraft by at least 600 metres horizontally and 500 feet vertically.

5.2.4 Collision Avoidance



When two aircraft approach HEAD ON, or nearly so, both shall alter course to the RIGHT.

5.2.4.1 Ridge Soaring

When approaching head on along a ridge the hang glider, paraglider or sailplane with its right wing towards the ridge shall have right of way. The aircraft that has the ridge to its left shall give way by turning away from the ridge.

Golden rule: “Ridge on the right, has right of way.”

5.2.4.2 Thermalling

When joining a thermal the pilot in command must turn in the same direction as any hang glider, paraglider or sailplane already circling.

When thermalling the pilot in command must give way to the hang gliders and paragliders that are climbing up from **BELOW**.

BE AWARE THAT THE RULES OF THE AIR FOR PILOTS OPERATING SAILPLANES REQUIRES THAT THEY GIVE WAY TO SAILPLANES ABOVE THEM IN THERMALS.

Note: Take extra caution when operating in the same thermal as a sailplane. Remember that the wing restricts the UPWARD vision of a hang glider or paraglider pilot, and that in many sailplanes the wing restricts the DOWNWARD vision of a sailplane pilot.

5.2.5 Overtaking Rule

When overtaking another aircraft, the slower aircraft has right of way.

A hang glider or paraglider engaged in ridge soaring shall overtake by passing between the ridge and the other aircraft. Other than when ridge soaring the OVERTAKING aircraft shall alter course to the RIGHT.

5.2.6 Landing Rule

When two or more aircraft are approaching to land, the one AHEAD has the PRIORITY.

5.3 Civil Aviation Safety Authority – Regulations

All flying activities in Australia are regulated by CASA under the Civil Aviation Act 1988 and pursuant to the Civil Aviation Regulations (CAR 1988) and the Civil Aviation Safety Regulations (CASR 1998).

Three Civil Aviation Orders (CAO's) provide the exemptions from specific sections of the CARs / CASRs for hang gliding, paragliding and microlight operations.

HGFA Pilots operate under one or more of the following CAO's:

- (a) CAO 95.8 – “Hang gliders” (which includes Paragliders),
- (b) CAO 95.10 – “Low-Momentum Ultralight Aeroplanes”, and or
- (c) CAO 95.32 – “Weightshift controlled aeroplanes and Powered Parachutes”

These CAO's establish:

- (d) The aircraft class applicable to that CAO;
- (e) The specific exclusions from the CARs applicable to that CAO;
- (f) Registration of aircraft;
- (g) General conditions, and;
- (h) Flight conditions;

These CAO's are updated and or changed from time to time by CASA.

HGFA Pilots MUST remain current and familiar with;

- (i) their applicable CAO, and
- (j) relevant legislation eg. CAR 166 “Operations in the Vicinity of Non-Controlled Aerodromes”

5.3.1 Civil Aviation Order 95.8

CAO 95.8 is the exemption from the CAR under which the following list of (under 70Kg) aircraft types are flown.

- (a) a hang-glider; or
- (b) a powered hang-glider; or
- (c) a paraglider; or
- (d) a powered paraglider.

Relevant HGFA Pilots MUST remain familiar with CAO 95.8 and any future revisions thereof.

Failure to comply with this Civil Aviation Order is a breach of Federal Law and can attract significant penalties.

Stay current by visiting www.casa.gov.au

5.3.2 Civil Aviation Order 95.10

Relevant HGFA Pilots MUST remain familiar with CAO 95.10 and any future revisions thereof.

Failure to comply with this Civil Aviation Order is a breach of Federal Law and can attract significant penalties.

Stay current by visiting www.casa.gov.au

5.3.3 Civil Aviation Order 95.32

Relevant HGFA Pilots MUST remain familiar with CAO 95.32 and any future revisions thereof.

Failure to comply with this Civil Aviation Order is a breach of Federal Law and can attract significant penalties.

Stay current by visiting www.casa.gov.au

5.3.4 CAR 166 “Operations in the Vicinity of Non-Controlled Aerodromes” – All Aircraft

All Pilots must familiarise themselves with the aerodromes in their flying area and or planned route.

CAR 166 defines the requirements of flying within the *vicinity* of these aerodromes.

If a Pilot enters the *vicinity*, he or she must:

- (a) carry, use and be licensed, certified or endorsed to use an aeronautical frequency VHF radio.
(See [4.1.8](#) “VHF Radio Operator Endorsement”)
- (b) Have familiarised themselves with relevant aerodrome information, check ERSA.
- (c) Observe and adopt correct standard traffic circuit procedures.

5.3.4.1 In the Vicinity

In the vicinity [CAR 166]: An aircraft is in the vicinity of a non-controlled aerodrome if it is within:

- (a) airspace other than controlled airspace; and
- (b) a horizontal distance of 10 NM from the aerodrome; and
- (c) a height above the aerodrome that could result in conflict with operations at the aerodrome.

5.3.4.2 Carriage and Use of Aircraft Radio

The CASA and the Australian Communications Authority have approved the following criteria when operating aeronautical frequency VHF radio equipment in conjunction with HGFA aircraft.

5.3.4.3 Radio Usage

A radio operated on an aeronautical VHF frequency must be used in accordance with standard aeronautical procedures.

Callsigns - Hang Gliders and Paragliders (including Motorised)

Where a radio is used on a hang glider or paraglider of any type, the call-sign to be used is HG / PG (broadcast as the words “hang glider” or “paraglider”) followed by the last four digits of the pilot’s HGFA Membership Number.

For example a hang glider pilot with HGFA membership number 12345 would use the call sign:

“Hang Glider 2345”

Callsigns - Weightshift Microlights

Where a radio is used on a HGFA registered weightshift microlight, the call sign to be used is Microlight followed by the last four digits of the HGFA registration number.

For example when operating a weightshift microlight with the registration number T2-2512, the call sign would be:

“Microlight 2512”