

Draft Annex I and II
to draft Commission Implementing Regulation (EU) .../... [reference to amending regulation] amending draft Commission Regulation (EU) 2018/1976 laying down detailed rules for the operation of sailplanes pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council

ANNEX I

Annex I ‘Definitions’ (Part-DEF) to Commission Regulation (EU) 2018/1976 is amended as follows:

- (1) The introductory sentence is replaced by the following:

‘For the purpose of this Regulation, the following definitions and, unless terms are defined otherwise in this Annex, the definitions of Article 2 of Commission Regulation (EU) No 1178/2011 as well as of point FCL.010 of Annex I (Part-FCL) to that Regulation, shall apply:’;
- (2) point 13 is replaced by the following:

‘13. “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;’;
- (3) the following points 14 to 19 are added:

‘14. “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;

15. “assessment of competence” means the demonstration of skill, knowledge and attitude for the initial issue, revalidation or renewal of an instructor or examiner certificate;

16. “flight time” means:

 - (a) for self-launch sailplanes and touring motor gliders, the total time from the moment an aircraft first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight;
 - (b) for sailplanes, the total time from the moment the sailplane commences the ground run in the process of taking off until the moment the sailplane finally comes to a rest at the end of flight;

17. “proficiency check” means the demonstration of skill for the purpose of complying with the recency requirements as established in this Regulation, and including oral examinations as may be required;

18. “solo flight” means a flight during which a student pilot is the sole occupant of an aircraft;
19. “cross-country flight” means a flight outside the line of sight or distance defined by the local authority from the field of departure using standard navigation procedures.’

ANNEX II

'ANNEX III

REQUIREMENTS FOR SAILPLANE FLIGHT CREW LICENSING

[PART-SFCL]

SUBPART GEN
GENERAL REQUIREMENTS

SFCL.001 Scope

This Annex establishes the requirements for the issue of a sailplane pilot licence (SPL) and associated privileges, ratings and certificates, and the conditions for their validity and use.

SFCL.005 Competent authority

For the purpose of this Annex, the competent authority shall be an authority designated by the Member State to which a person applies for the issue of an SPL or associated privileges, ratings or certificates.

SFCL.015 Application for and issue, revalidation and renewal of an SPL as well as associated privileges, ratings and certificates

- (a) The following shall be submitted to the competent authority in a form and manner established by that competent authority:
- (1) an application for:
 - (i) the issue of an SPL and associated ratings;
 - (ii) the extension of the privileges of an SPL, except for the privileges specified in points SFCL.115(a)(2) and (a)(3), SFCL.155, SFCL.200 and SFCL.215;
 - (iii) the issue of a flight instructor (FI(S)) certificate;
 - (iv) the issue, revalidation and renewal of a flight examiner (FE(S)) certificate;
 - (v) any amendments to the SPL and associated privileges, ratings and certificates, except for the privileges referred to in paragraph (a)(1)(ii); and
 - (2) if mandated by the competent authority, a copy of the relevant logbook entries as specified in points SFCL.115(d), SFCL.155(b), SFCL.200(f) and SFCL.215(d).

- (b) An application as specified in paragraph (a) shall be accompanied by evidence that the applicant complies with the relevant requirements established in this Annex and in Annex IV (Part-MED) to Commission Regulation (EU) No 1178/2011.
- (c) Any limitation or extension of the privileges granted by a licence, rating or certificate shall be endorsed on the licence or certificate by the competent authority, except for obtaining the privileges as specified in paragraph (a)(1)(ii).
- (d) A person shall not hold at any time more than one SPL issued in accordance with this Annex.
- (e) A licence holder shall submit applications as specified in paragraph (a) to the competent authority designated by the Member State in which any of his or her licences was issued in accordance with this Annex (Part-SFCL), Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 or Annex III (Part-BFCL) to Commission Regulation (EU) 2018/395, as applicable.
- (f) Without prejudice to paragraph (e), an SPL holder may request a change of competent authority. Such a request shall include a transfer of all licensing and medical records related to all licences held, as specified in paragraph (e), to the competent authority designated by another Member State.
- (g) An applicant shall apply for the issue of an SPL and associated ratings, privileges or certificates not later than 6 months after having successfully completed the skill test or assessment of competence.

SFCL.030 Practical skill test

An applicant for a skill test shall be recommended for the test by the ATO or the DTO that is responsible for the training, once the training is completed. The training records shall be made available to the examiner.

SFCL.035 Crediting of flight time

An applicant for an SPL or an associated privilege, rating or certificate shall be credited in full with all solo, dual instruction or PIC flight time on sailplanes towards the total flight time required for the licence, privilege, rating or certificate.

SFCL.045 Obligation to carry and present documents

- (a) When exercising the privileges of his or her licence, the SPL holder shall carry:
 - (1) a valid SPL;
 - (2) a valid medical certificate;
 - (3) a personal identification document containing his or her photo; and

- (4) sufficient logbook data to demonstrate compliance with the requirements of this Annex.
- (b) A student pilot shall carry on all solo cross-country flights:
 - (1) the documents as specified in paragraphs (a)(2) and (a)(3); and
 - (2) evidence of the authorisation required by point SFCL.125(a).
- (c) An SPL holder or student pilot shall without undue delay present the documents as specified in paragraph (a) for inspection upon request by an authorised representative of the competent authority.
- (d) By way of derogation from paragraphs (a) and (b), the documents specified therein may be retained at the aerodrome or operating site for flights that remain:
 - (1) within the sight of the aerodrome or operating site; or
 - (2) within a distance from the aerodrome or operating site determined by the competent authority.

SFCL.050 Recording of flight time

A sailplane pilot shall keep a reliable record of the details of all flights flown in a form and manner established by the competent authority.

SFCL.065 Curtailment of privileges of SPL holders aged 70 years or older in commercial passenger sailplane operations

An SPL holder who has attained the age of 70 years shall not act as pilot of a sailplane that is engaged in commercial passenger sailplane operations.

SFCL.070 Limitation, suspension and revocation of licences, privileges, ratings and certificates

- (a) An SPL as well as associated privileges, ratings and certificates issued in accordance with this Annex may be limited, suspended or revoked by the competent authority in accordance with the conditions and procedures laid down in Annex VI (Part-ARA) to Commission Regulation (EU) No 1178/2011 when a sailplane pilot does not comply with the essential requirements set out in Annex IV to Regulation (EU) 2018/1139 or with the requirements of this Annex as well as of Annex II (Part-SAO) to this Regulation or with Annex IV (Part-MED) to Commission Regulation (EU) No 1178/2011.
- (b) When a sailplane pilot has his or her licence, privilege, rating or certificate limited, suspended or revoked, he or she shall immediately return the licence or certificate to the competent authority.

SUBPART SPL
SAILPLANE PILOT LICENCE (SPL)

SFCL.115 SPL — Privileges and conditions

- (a) Subject to compliance with point SFCL.150, the privileges of an SPL holder are to act as PIC in sailplanes:
- (1) without remuneration in non-commercial operations;
 - (2) including the carriage of passengers only when he or she:
 - (i) complies with point SFCL.160(e); and
 - (ii) either:
 - (A) has completed, after the issue of the SPL, at least 10 hours of flight time or 30 launches or take-offs and landings as PIC on sailplanes, including 1 training flight during which holders shall demonstrate to an FI(S) the competence required for the carriage of passengers; or
 - (B) holds an FI(S) certificate in accordance with Subpart FI; and
 - (3) in operations other than those specified in paragraph (a)(1), only when he or she has:
 - (i) attained the age of 18 years;
 - (ii) completed, after the issue of the licence, 75 hours of flight time or 200 launches or take-offs and landings as PIC on sailplanes.
- (b) By way of derogation from paragraph (a), the SPL holder who has instructor or examiner privileges may receive remuneration for:
- (1) the provision of flight instruction for the SPL;
 - (2) the conduct of skill tests and proficiency checks for the SPL; and
 - (3) the training, testing and checking for the privileges, ratings and certificates attached to an SPL.
- (c) The exercise of the privileges granted by an SPL shall be dependent upon the compliance of the licence holder with the applicable recency requirements and upon the validity of the medical certificate appropriate to the privileges exercised.
- (d) The completion of the training flight as specified in paragraph (a)(2)(ii)(A) shall be entered in the logbook of the pilot and signed by the instructor who is responsible for the training flight.

SFCL.120 SPL — Minimum age

An applicant for an SPL shall be at least 16 years of age.

SFCL.125 SPL — Student pilot

- (a) A student pilot shall not fly solo unless authorised to do so and supervised by a flight instructor for sailplanes (FI(S)).
- (b) Before his or her first solo flight, the student pilot shall be at least 14 years of age.

SFCL.130 SPL — Training course and experience requirements

- (a) An applicant for an SPL shall complete a training course at an ATO or a DTO. The course shall be tailored to the privileges sought and shall include:
 - (1) theoretical knowledge as specified in point SFCL.135; and
 - (2) at least 15 hours of flight instruction in sailplanes, including at least:
 - (i) 10 hours of dual flight instruction which shall include the dual flight instruction as specified in paragraphs (2)(iv)(A) or (2)(v)(A), as applicable;
 - (ii) 2 hours of supervised solo flight time;
 - (iii) 45 launches or take-offs and landings;
 - (iv) if privileges for sailplanes, excluding TMGs, are sought, at least 7 hours of flight instruction in sailplanes, excluding TMGs, including at least:
 - (A) 3 hours of dual flight instruction; and
 - (B) 1 solo cross-country flight of at least 50 km (27 NM) or 1 dual cross-country flight of at least 100 km (55 NM), in a sailplane, excluding TMGs; and
 - (v) if privileges for TMGs are sought, at least 6 hours of flight instruction in TMGs, including at least:
 - (A) 4 hours of dual flight instruction; and
 - (B) 1 solo cross-country flight of at least 150 km (80 NM) in a TMG, during which one full-stop landing at an aerodrome different from the aerodrome of departure shall be performed.
- (b) An applicant who holds a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of his or her total flight time as PIC on such aircraft up to a maximum of 7 hours. The amount of credit given shall in any case:
 - (1) not include the requirements of paragraphs (a)(2)(ii), (a)(2)(iv)(B) and (a)(2)(v)(B); and

- (2) with regard to paragraph (a)(2)(iii), not exceed 10 launches or take-offs and landings.

SFCL.135 SPL — Theoretical knowledge examination

(a) Theoretical knowledge

An applicant for an SPL shall demonstrate a level of theoretical knowledge that is appropriate to the privileges sought through examinations on the following:

- (1) common subjects:
 - (i) air law;
 - (ii) human performance;
 - (iii) meteorology;
 - (iv) communications; and
- (2) specific subjects concerning sailplanes:
 - (i) principles of flight;
 - (ii) operational procedures;
 - (iii) flight performance and planning;
 - (iv) aircraft general knowledge related to sailplanes; and
 - (v) navigation.

(b) Responsibilities of the applicant

- (1) The applicant shall take the entire set of theoretical knowledge examinations for the SPL under the responsibility of the same Member State's competent authority.
- (2) The applicant shall take the theoretical knowledge examination only when recommended by the ATO or the DTO that is responsible for his or her training, once he or she has completed the appropriate elements of the training course of theoretical knowledge instruction to a satisfactory standard.
- (3) The recommendation by the ATO or the DTO shall be valid for 12 months. If the applicant has failed to take at least one theoretical knowledge examination paper within this validity period, the need for further training shall be determined by the ATO or the DTO, based on the needs of the applicant.

(c) Pass standards

- (1) A pass in a theoretical knowledge examination shall be awarded to the applicant when achieving at least 75 % of the marks allocated to that paper. No penalty marking shall be applied.
- (2) Unless otherwise specified in this Annex, an applicant is considered to have successfully completed the required theoretical knowledge examination for the

SPL when he or she has passed all the required theoretical knowledge examination papers within a period of 18 months counted from the end of the calendar month when the applicant first attempted to take the examination.

- (3) If an applicant has failed to pass one of the theoretical knowledge examination papers within four attempts or has failed to pass all papers within the period mentioned in paragraph (2) above, he or she shall retake the complete set of theoretical knowledge examination papers.
- (4) Before retaking the theoretical knowledge examinations, the applicant shall undertake further training at an ATO or a DTO. The extent and scope of the training needed shall be determined by the ATO or the DTO, based on the needs of the applicant.

(d) Validity period

The successful completion of the theoretical knowledge examinations shall be valid for a period of 24 months, counted from the day when the applicant successfully completed the theoretical knowledge examination, in accordance with subparagraph (c)(2).

SFCL.140 SPL — Crediting of theoretical knowledge

An applicant for the issue of an SPL shall be credited towards the theoretical knowledge requirements for the common subjects as specified in point SFCL.135(a)(1) when he or she:

- (a) holds a licence in accordance with Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 or with Annex III (Part-BFCL) to Commission Regulation (EU) 2018/395; or
- (b) has passed the theoretical knowledge examinations for a licence as specified in paragraph (a), as long as this is done within the validity period specified in point SFCL.135(d).

SFCL.145 SPL — Practical skill test

- (a) An applicant for an SPL shall demonstrate through the completion of a skill test the ability to perform, as PIC on sailplanes, the relevant procedures and manoeuvres with competency appropriate to the privileges sought.
- (b) An applicant shall complete the skill test in a sailplane, excluding TMGs, or a TMG, depending on the privileges sought and provided that the training course in accordance with point SFCL.130 included the necessary training elements for the relevant aircraft. An applicant who has completed a training course, including the necessary training elements for both sailplanes and TMGs, may complete 2 skill tests, 1 in a sailplane, excluding TMGs, and 1 in a TMG, in order to obtain privileges for both aircraft.
- (c) Before a skill test for the issue of an SPL is taken, the applicant shall have passed the required theoretical knowledge examinations.
- (d) Pass standards

- (1) The skill test shall be divided into different sections, representing all the different phases of a sailplane flight.
 - (2) Failure in any item of a section shall cause the applicant to fail the entire section. If the applicant fails in only one section, he or she shall repeat only that section. Failure in more than one section shall require the applicant to retake the entire test.
 - (3) When the test needs to be retaken in accordance with subparagraph (d)(2), failure in any section, including those sections that have been passed at a previous attempt, shall require the applicant to retake the entire test.
- (e) Failure to achieve a pass in all sections of the test within two attempts shall require the applicant to receive further practical training.

SFCL.150 SPL — Sailplane and TMG privileges

- (a) When the skill test as specified in point SFCL.145 has been completed in a sailplane, excluding TMGs, the privileges of an SPL shall be limited to sailplanes, excluding TMGs.
- (b) In the case specified in paragraph (a), the privileges of an SPL shall be extended to TMGs upon application when a pilot has:
 - (1) completed at an ATO or a DTO the training elements specified in point SFCL.130(a)(2)(v); and
 - (2) passed a skill test to demonstrate an adequate level of practical skill in a TMG. During this skill test, the applicant shall also demonstrate to the examiner an adequate level of theoretical knowledge for TMGs in the following subjects:
 - (i) principles of flight;
 - (ii) operational procedures;
 - (iii) flight performance and planning;
 - (iv) aircraft general knowledge; and
 - (v) navigation.
- (c) A holder of a licence issued in accordance with Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 shall receive full credit towards the requirements in paragraph (b) provided that he or she:
 - (1) holds a class rating for TMGs; or
 - (2) has TMG privileges and complies with the recency requirements in point FCL.140.A of Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011.
- (d) When the skill test as specified in point SFCL.145 has been completed in a TMG, the privileges of the SPL shall be limited to TMGs.

- (e) In the case specified in paragraph (d), the privileges of the SPL shall be extended upon application to sailplanes when a pilot has:
- (1) completed at an ATO or a DTO the training elements specified in point SFCL.130(a)(2)(iv) and at least 15 launches and landings in a sailplane, excluding TMGs; and
 - (2) passed a skill test to demonstrate an adequate level of practical skill in a sailplane, excluding TMGs. During this skill test, the pilot shall also demonstrate to the examiner an adequate level of theoretical knowledge for sailplanes, excluding TMGs, in the following subjects:
 - (i) principles of flight;
 - (ii) operational procedures;
 - (iii) flight performance and planning;
 - (iv) aircraft general knowledge; and
 - (v) navigation.
- (f) The completion of the training as specified in paragraphs (b)(1) and (e)(1) shall be entered in the logbook of the pilot and signed by the head of training of the ATO or the DTO that is responsible for the training.

SFCL.155 SPL — Launching methods

- (a) An SPL holder shall exercise his or her privileges only by using those launching methods for which the following training has been completed, either during the training course in accordance with point SFCL.130 or point SFCL.150(e)(1), or during additional training provided by an instructor after the issue of the SPL:
- (1) in the case of winch launch and car launch, a minimum of 10 launches in dual flight instruction, and 5 solo launches under supervision;
 - (2) in the case of aerotow or self-launch, a minimum of 5 launches in dual flight instruction, and 5 solo launches under supervision. In the case of self-launch, dual flight instruction may be conducted in TMGs;
 - (3) in the case of bungee launch, a minimum of 3 launches performed in dual flight instruction or solo under supervision; and
 - (4) in case of further launching methods, training as required by the competent authority.
- (b) The completion of the training as specified in paragraph (a) shall be entered in the logbook of the pilot and signed by the head of training of the ATO or the DTO or the instructor that is responsible for the training, as applicable.
- (c) In order to maintain the privileges he or she has for each launching method, in accordance with the requirements of paragraphs (a) and (b), an SPL holder shall have completed a

minimum of 5 launches during the last 2 years, except for bungee launch, in which case he or she shall have completed only 2 launches. In the case of self-launch, launches may be done in self-launch or through take-offs in TMGs or a combination of these.

- (d) When an SPL holder does not comply with the requirement in paragraph (d), he or she shall perform the additional number of launches flying dual or solo under the supervision of an instructor in order to renew the privileges.

SFCL.160 SPL — Recency requirements

- (a) Sailplanes, excluding TMGs

An SPL holder shall only exercise the privileges of his or her licence on sailplanes, excluding TMGs, when he or she has, in the last 2 years:

- (1) completed, on sailplanes, at least 5 hours of flight time as PIC or flying dual or solo under the supervision of an FI(S), including, on sailplanes, excluding TMGs, at least:
 - (i) 15 launches; and
 - (ii) 2 training flights with an FI(S); or
- (2) passed a proficiency check with an FE(S) on a sailplane, excluding TMGs; the proficiency check shall be based on the skill test for SPL.

- (b) TMGs

An SPL holder shall only exercise the privileges of his or her licence in TMGs when he or she has, in the last 2 years:

- (1) completed at least 12 hours of flight time as PIC or flying dual or solo under the supervision of an instructor on sailplanes, including, on TMGs, at least:
 - (i) 6 hours flight time;
 - (ii) 12 take-offs and landings; and
 - (iii) a training flight of at least 1 hour total flight time with an instructor; or
- (2) passed a proficiency check with an examiner; the proficiency check shall be based on the skill test as specified in point SFCL.150(b)(2).

- (c) An SPL holder with privileges to fly on TMGs who also holds a licence including the privileges to fly on TMGs in accordance with the provisions of Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 shall be exempted from complying with paragraph (b).
- (d) The completion of the dual flights and flights under supervision as specified in paragraph (a)(1), the training flights as specified in paragraphs (a)(1)(ii) and (b)(1)(iii), and the proficiency checks as specified in paragraph (a)(2) and (b)(2) shall be entered in the logbook of the pilot and signed by, in the case of paragraphs (a)(1), (a)(1) and

(b)(1)(iii), the responsible FI(S) and, in the case of paragraphs (a)(2) and (b)(2), the responsible FE(S).

(e) Carriage of passengers

An SPL holder shall only carry passengers when he or she has carried out as PIC, in the preceding 90 days, at least:

- (1) 3 launches in sailplanes, excluding TMGs, if passengers are to be carried in sailplanes, excluding TMGs; or
- (2) 3 take-offs and landings in TMGs, if passengers are to be carried in a TMG. For carrying passengers at night in a TMG, at least 1 of these take-offs and landings shall be carried out at night.

SUBPART ADD
ADDITIONAL RATINGS AND PRIVILEGES

SFCL.200 Aerobatic privileges

- (a) An SPL holder shall only undertake aerobatic flights in sailplanes with any engine stopped, or, in the case of paragraph (d) and (e), with engine power, when he or she holds the appropriate aerobatic privileges in accordance with this point.
- (b) Basic aerobatic privileges:
 - (1) entitle its holder to undertake aerobatic flights limited to the following manoeuvres:
 - (i) 45-degree climbing and diving lines performed as aerobatic manoeuvres;
 - (ii) inside loops;
 - (iii) wingover;
 - (iv) lazy eight; and
 - (v) spins; and
 - (2) are included in the privileges of an SPL after a pilot has completed:
 - (i) after the issue of the SPL, at least 30 hours of flight time or 120 launches as PIC on sailplanes;
 - (ii) a training course at an ATO or a DTO, including:
 - (A) theoretical knowledge instruction appropriate for the privileges sought; and
 - (B) aerobatic flight instruction on the manoeuvres specified in paragraph (b)(1).
- (c) Advanced aerobatic privileges:
 - (1) entitle its holder to undertake aerobatic flights not limited to manoeuvres as specified in paragraph (b)(1); and
 - (2) are included in the privileges of an SPL after a pilot has:
 - (i) complied with the requirements of paragraph (b)(2)(i); and
 - (ii) completed a training course at an ATO or a DTO, including:
 - (A) theoretical knowledge instruction appropriate for the privileges sought; and
 - (B) at least 5 hours or 20 flights of aerobatic flight instruction.
- (d) The basic or advanced aerobatic privileges shall include aerobatic flights in sailplanes with engine power, provided that a pilot, during a training course in accordance with paragraphs (b)(2)(ii) or (c)(2)(ii), as applicable, has received training in aerobatic flight in sailplanes with engine power.

- (e) The privileges of an SPL shall include advanced aerobatic privileges for TMGs flown with engine power when a pilot also has or has had an aerobatic rating in accordance with point FCL.800 of Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011, including privileges for aerobatic flight on TMGs.
- (f) The completion of the training course as specified in paragraphs (b)(2)(ii) and (c)(2)(ii) and, as applicable, the inclusion of training specified in paragraph (d), shall be entered in the logbook and signed by the head of training of the ATO or the DTO that is responsible for the training.

SFCL.205 Sailplane towing and banner towing rating

- (a) An SPL holder who has privileges to fly TMGs shall only tow sailplanes or banners when he or she holds the appropriate sailplane towing or banner towing rating in accordance with this point.
- (b) An applicant for a sailplane towing rating shall have completed:
 - (1) at least 30 hours of flight time as PIC and 60 take-offs and landings in TMGs, after obtaining TMG privileges; and
 - (2) a training course at an ATO or a DTO, including:
 - (i) theoretical knowledge instruction on sailplane towing operations and procedures;
 - (ii) at least 10 training flights towing a sailplane, including at least 5 dual training flights; and
 - (iii) in the case of an SPL holder with privileges restricted to TMG in accordance with point SFCL.150(d), 5 familiarisation flights in a sailplane which is launched by an aircraft.
- (c) An applicant for a banner towing rating shall have completed:
 - (1) at least 100 hours of flight time and 200 take-offs and landings as PIC on TMGs, after obtaining TMG privileges;
 - (2) a training course at an ATO or a DTO, including:
 - (i) theoretical knowledge instruction on banner towing operations and procedures;
 - (ii) at least 10 instruction flights towing a banner, including at least 5 dual flights.
- (d) An applicant for a sailplane towing rating or a banner towing rating in accordance with this point who already holds a sailplane towing or banner towing rating, as applicable, in accordance with point FCL.805(b) of Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 or who has fulfilled all the requirements for the issue of that rating shall:

- (1) receive full credit towards the requirements in paragraph (b) or (c) for obtaining the sailplane towing or the banner towing rating, as applicable, when his or her relevant towing rating as specified in paragraph (d) includes privileges for towing with TMGs; or
 - (2) have completed at least 3 dual instruction flights covering the full sailplane towing or banner towing training syllabus, as applicable, in TMGs.
- (e) The completion of the training course as specified in paragraphs (b)(2), (c)(2) and (d)(2) shall be entered in the logbook and signed by the head of training of the ATO or the DTO or the instructor who is responsible for the training, as applicable.
 - (f) In order to exercise the privileges of the sailplane towing or banner towing rating, the holder of the rating shall have completed a minimum of 5 tows during the last 2 years.
 - (g) When a holder of the sailplane towing rating does not comply with the requirement in paragraph (f), before resuming the exercise of his or her privileges, he or she shall complete the missing tows with or under the supervision of an instructor.

SFCL.210 TMG night rating

- (a) An SPL holder with privileges to fly TMGs shall only exercise his or her TMG privileges in VFR conditions at night when he or she holds a TMG night rating in accordance with this point.
- (b) An applicant for a TMG night rating shall have completed a training course at an ATO or a DTO. The course shall comprise:
 - (1) theoretical knowledge instruction in flying in visual flight rules (VFR) conditions at night; and
 - (2) at least 5 hours of flight time in TMGs at night, including at least 3 hours of dual instruction, including at least:
 - (i) 1 hour of cross-country navigation with at least 1 dual cross-country flight of at least 50 km (27 NM);
 - (ii) 5 solo take-offs; and
 - (iii) 5 solo full-stop landings.
- (c) Before completing the training at night, an SPL holder shall have completed the basic instrument flight training necessary for the issue of a private pilot licence (PPL) in accordance with the provisions of Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011.
- (d) An applicant for a TMG night rating in accordance with this point shall receive full credit towards the requirements of paragraphs (b) and (c) when he or she holds a night rating in accordance with point FCL.810 of Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 or when he or she has fulfilled all the requirements for the issue of that rating.

SFCL.215 Sailplane cloud flying privileges

- (a) An SPL holder shall only operate a sailplane within cloud when:
 - (1) any engine is stopped; and
 - (2) he or she has sailplane cloud flying privileges in accordance with this point.
- (b) The privileges of an SPL shall include sailplane cloud flying privileges after a pilot has completed at least:
 - (1) 30 hours as PIC in sailplanes after the issue of the licence; and
 - (2) a training course at an ATO or a DTO, including:
 - (i) theoretical knowledge instruction; and
 - (ii) at least 2 hours of dual flight instruction in sailplanes with any engine stopped, controlling the aircraft solely by reference to instruments. However, a maximum of 50 % of the dual flight instruction may be completed in TMGs flown with engine power, provided that these training flights are conducted in VMC.
- (c) In order to obtain sailplane cloud flying privileges, an SPL holder who also holds a basic instrument rating (BIR) or an IR(A) in accordance with Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 or who has fulfilled all the requirements for the issue of one of these ratings, shall:
 - (1) be credited against the requirement of paragraph (b)(2)(i); and
 - (2) by way of derogation from paragraph (b)(2)(ii), complete at least 1 hour of dual flight instruction in a sailplane, controlling it solely by reference to instruments.
- (d) The completion of the training course as specified in paragraphs (b)(2) or (c)(2), as applicable, shall be entered in the logbook and signed by the head of training of the ATO or the DTO that is responsible for the training.
- (e) An SPL holder shall only exercise his or her sailplane cloud flying privileges when he or she has completed in the last 2 years at least 1 hour of flight time, or 5 flights, as PIC exercising cloud flying privileges in sailplanes.
- (f) An SPL holder with sailplane cloud flying privileges who does not comply with the requirements in paragraph (e) shall, before he or she resumes the exercise of his or her privileges:
 - (1) pass a proficiency check with an FE(S); or
 - (2) perform the additional flight time or flights required in paragraph (e) with an FI(S).
- (g) An SPL holder with sailplane cloud flying privileges who also holds a BIR or an IR(A) in accordance with Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 shall be credited in full against the requirements of paragraph (e).

SUBPART FI
FLIGHT INSTRUCTORS

Section 1

General requirements

SFCL.300 Flight instructor certificate

(a) General

An instructor shall only carry out flight instruction in a sailplane when he or she:

(1) holds:

- (i) an SPL including the privileges, ratings and certificates for which flight instruction is to be provided; and
- (ii) a sailplane flight instructor (FI(S)) certificate appropriate to the instruction carried out, and issued in accordance with this Subpart; and

(2) is entitled to act as PIC in the sailplane during flight instruction.

(b) Instruction provided outside the territory of the Member States

(1) By way of derogation from paragraph (a)(1), in the case of flight instruction provided during a training course approved in accordance with this Annex (Part-SFCL) outside the territory for which Member States are responsible under the Chicago Convention, the competent authority shall issue a flight instructor certificate to an applicant who holds a sailplane pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention, provided that the applicant:

- (i) holds at least a licence including, where relevant, privileges, ratings or certificates equivalent to those for which he or she is authorised to instruct;
- (i) complies with the requirements established in this Subpart for the issue of the FI(S) certificate with the relevant instructional privileges; and
- (iii) demonstrates to the competent authority an adequate level of knowledge of European aviation safety rules to be able to exercise his or her instructional privileges in accordance with this Annex.

(2) The certificate shall be limited to the provision of flight instruction:

- (i) outside the territory of the Member States; and
- (ii) to a student pilot who has sufficient knowledge of the language in which flight instruction is provided.

Section 2

Flight instructor certificate for sailplanes — FI(S)

SFCL.315 FI(S) certificate — Privileges and conditions

- (a) Subject to compliance of the applicant with point SFCL.320 and with the following conditions, an FI(S) certificate shall be issued upon application with privileges to conduct flight instruction for:
- (1) an SPL;
 - (2) additional sailplane privileges in accordance with point SFCL.150(e);
 - (3) launching methods in accordance with point SFCL.155, provided that the applicant has completed as PIC:
 - (i) in the case of aerotow launch, at least 30 launches; or
 - (ii) in the case of winch launch, at least 50 launches;
 - (4) additional TMG privileges in accordance with point SFCL.150(b), provided that the applicant has:
 - (i) completed 30 hours of flight time as PIC on TMGs;
 - (ii) completed the training as specified in point SFCL.330(b)(2); and
 - (iii) demonstrated the ability to instruct on TMGs to an FI(S) who is qualified in accordance with subparagraph (a)(7) and nominated by the head of training of the ATO or the DTO;
 - (5) basic aerobatic, advanced aerobatic or sailplane cloud flying privileges or the sailplane towing or the banner towing rating, provided that the applicant:
 - (i) in the case of instruction for basic aerobatic or advanced aerobatic privileges, holds advanced aerobatic privileges in accordance with point SFCL.200(c); and
 - (ii) has demonstrated the ability to instruct for the relevant privileges or rating to an FI(S) who is qualified in accordance with subparagraph (a)(7) and nominated by the head of training of an ATO or a DTO;
 - (6) TMG flight at night, provided that the applicant:
 - (i) complies with the night experience requirement in point SFCL.160(e)(2); and
 - (ii) has demonstrated the ability to instruct on TMGs at night to an FI(S) who is qualified in accordance with subparagraph (a)(7) and nominated by the head of training of an ATO or a DTO;
 - (7) an FI(S) certificate, provided that the applicant has:
 - (i) completed 50 hours or 150 launches of flight instruction in sailplanes; and

- (ii) has demonstrated the ability to instruct for the FI(S) certificate to an FI(S) who is qualified in accordance with this paragraph and nominated by the head of training of an ATO or a DTO.
- (b) The privileges listed in paragraph (a) shall include the privileges to conduct flight instruction for:
- (1) the issue of the relevant licence, privileges, ratings or certificate; and
 - (2) the revalidation, renewal or compliance with the relevant recency requirements of this Annex, as applicable.

SFCL.320 FI(S) certificate — Prerequisites and requirements

An applicant for an FI(S) certificate shall:

- (a) be at least 18 years of age;
- (b) comply with the requirements of subparagraphs (a)(1)(i) and (2) of point SFCL.300;
- (c) have completed 100 hours of flight time and 200 launches as PIC on sailplanes;
- (d) have completed an instructor training course in accordance with point SFCL.330 at an ATO or a DTO; and
- (e) have passed an assessment of competence in accordance with point SFCL.345.

SFCL.325 FI(S) competencies and assessment

An applicant for an FI(S) certificate shall be trained to achieve the following competencies:

- (a) prepare resources;
- (b) create a climate conducive to learning;
- (c) present knowledge;
- (d) integrate threat and error management (TEM) and crew resource management (CRM);
- (e) manage time to achieve training objectives;
- (f) facilitate learning;
- (g) assess trainee performance;
- (h) monitor and review progress;
- (i) evaluate training sessions; and
- (j) report outcome.

SFCL.330 FI(S) — Training course

- (a) An applicant for an FI(S) certificate shall have passed a specific pre-entry assessment at an ATO or a DTO within the 12 months preceding the start of the course, to assess his or her ability to undertake the course.
- (b) The FI(S) training course shall include:
 - (1) on sailplanes, excluding TMGs:
 - (i) the elements specified in point SFCL.325;
 - (ii) 25 hours of teaching and learning;
 - (iii) 30 hours of theoretical knowledge instruction, including progress tests;
 - (iv) at least 6 hours, of which a maximum of 3 hours may be completed in TMGs, or 20 launches of flight instruction; and
 - (2) additionally, when the privileges of the FI(S) certificate will include the privileges as specified in point SFCL.315(a)(4) and (a)(6), at least 6 hours of dual flight instruction on TMGs.
- (c) An applicant who already holds an instructor certificate in accordance with Annex III (Part-BFCL) to Commission Regulation (EU) 2018/395 or with Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 shall receive full credit for the requirement in paragraph (b)(1)(ii).
- (d) When applying for an FI(S) certificate, a pilot who holds or has held an FI(A), (H) or (As) shall be credited with 18 hours towards the requirements in paragraph (b)(1)(iii).

SFCL.345 FI(S) — Assessment of competence

- (a) An applicant for the issue of an FI(S) certificate shall pass an assessment of competence to demonstrate to an examiner who is qualified in accordance with point SFCL.415(c) the ability to instruct a student pilot to the level required for the issue of an SPL.
- (b) The assessment shall include:
 - (1) the demonstration of the competencies described in point SFCL.325, during pre-flight, post-flight and theoretical knowledge instruction;
 - (2) oral theoretical examinations on the ground, pre-flight and post-flight briefings, and in-flight demonstrations in sailplanes;
 - (3) exercises adequate to evaluate the instructor's competencies.
- (c) The assessment of competence for the initial issue of an FI(S) certificate shall be conducted in sailplanes, excluding TMGs.

SFCL.350 FI(S) — Restricted privileges

- (a) An FI(S) shall have his or her privileges limited to conducting flight instruction under the supervision of an unrestricted FI(S) nominated by the ATO or the DTO for this purpose, in the following cases:
 - (1) for the issue of an SPL;
 - (2) for extending the privileges of an SPL to additional sailplane or TMG privileges in accordance with point SFCL.150;
 - (3) for extending the privileges of an SPL to additional launching methods in accordance with point SFCL.155; and
 - (4) for basic aerobatic, advanced aerobatic or sailplane cloud flying privileges or for the sailplane towing or banner towing rating.
- (b) Whilst conducting training under supervision, in accordance with paragraph (a), the FI(S) shall not have the privilege to authorise a student pilot to conduct his or her first solo flight or first solo cross-country flight.
- (c) The limitations in (a) and (b) shall be removed from the FI(S) certificate when the FI(S) has completed at least 15 hours or 50 launches of flight instruction covering all phases of a sailplane flight. In the case of a restricted FI(S) who complied with point SFCL.330(b)(2), 5 out of these 15 hours may be completed in TMGs, and 15 out of these 50 launches may be replaced by take-offs and landings in TMGs.

SFCL.360 FI(S) certificate — Recency requirements

- (a) An FI(S) certificate holder shall only exercise the privileges of his or her certificate when he or she has:
 - (1) within the last 3 years, completed:
 - (i) instructor refresher training at an ATO, a DTO, or a competent authority during which the holder shall receive theoretical knowledge instruction for refreshing and updating the knowledge relevant for sailplane instructors; and
 - (ii) at least 30 hours or 60 launches or 60 take-offs and landings of flight instruction as FI(S); and
 - (2) within the last 9 years, demonstrated the ability to instruct on sailplanes to an FI(S) who is qualified in accordance with point SFCL.315(a)(7) and nominated by the head of training of an ATO or a DTO.
- (b) The hours flown as an FE(S) during skill tests, proficiency checks and assessments of competence shall be credited in full towards the requirement in paragraph (a)(1)(ii).
- (c) An FE(S) certificate holder who, for the purpose of revalidation of his or her FE(S) certificate, within the last 3 years, complies with the requirements in point SFCL.460(b), may exercise the privileges of his or her FI(S) certificate when complying only with paragraph (a)(1).

- (d) When the FI(S) certificate holder has failed to complete the instruction flight under supervision to the satisfaction of the FI(S) in accordance with paragraph (a)(2), he or she shall not exercise the privileges of the FI(S) certificate until he or she has successfully completed an assessment of competence in accordance with point SFCL.345.
- (e) An FI(S) certificate holder who does not comply with the requirements in paragraph (a) shall comply with the requirements of paragraph (a)(1)(i) and of point SFCL.345 before he or she can resume the exercise of the privileges of the FI(S) certificate.,

SUBPART FE
FLIGHT EXAMINERS

Section 1

General requirements

SFCL.400 Sailplane flight examiner certificates

(a) General

An examiner shall only carry out skill tests, proficiency checks or assessments of competence in accordance with this Annex when he or she:

(1) holds:

- (i) an SPL including privileges, ratings and certificates for which he or she is authorised to conduct skill tests, proficiency checks or assessments of competence, and the privileges to instruct for them;
- (ii) an FE(S) certificate including privileges appropriate to the skill test, proficiency check or assessment of competence conducted, issued in accordance with this Subpart; and

(2) is entitled to act as PIC in a sailplane during the skill test, proficiency check or assessment of competence.

(b) Examinations conducted outside the territory of the Member States

(1) By way of derogation from paragraph (a)(1), in the case of skills tests and proficiency checks performed outside the territory of the Member States, a competent authority shall issue an examiner certificate to an applicant who holds a sailplane pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention, provided that the applicant:

- (i) holds at least a licence including, where relevant, privileges, ratings or certificates equivalent to those for which he or she is authorised to conduct skill tests or proficiency checks;
- (ii) complies with the requirements established in this Subpart for the issue of the relevant examiner certificate; and
- (iii) demonstrates to the competent authority an adequate level of knowledge of European aviation safety rules to be able to exercise the examiner privileges in accordance with this Annex.

(2) The certificate referred to in subparagraph (1) shall be limited to performing skill tests and proficiency checks:

- (i) outside the territory of the Member States; and

- (ii) to a pilot who has sufficient knowledge of the language in which the test/check is provided.

SFCL.405 Limitation of privileges in case of vested interests

A sailplane examiner shall not conduct:

- (a) a skill test or assessment of competence of an applicant for the issue of a licence, rating or certificate to whom he or she has provided more than 50 % of the required flight instruction for the licence, rating or certificate for which the skill test or assessment of competence is taken; or
- (b) a skill test, proficiency check or assessment of competence whenever he or she feels that his or her objectivity may be affected.

SFCL.410 Conduct of skill tests, proficiency checks and assessments of competence

- (a) When conducting skill tests, proficiency checks and assessments of competence, a sailplane examiner shall do all of the following:
 - (1) ensure that communication with the applicant can be established without language barriers;
 - (2) verify that the applicant complies with all the qualification, training and experience requirements of this Annex for the issue, revalidation or renewal of the licence, privileges, rating or certificate for which the skill test, proficiency check or assessment of competence is taken; and
 - (3) make the applicant aware of the consequences of providing incomplete, inaccurate or false information related to his or her training and flight experience.
- (b) After completion of the skill test, proficiency check or assessment of competence, the sailplane examiner shall:
 - (1) inform the applicant of the results of the skill test, proficiency check or assessment of competence;
 - (2) in the event of a pass in an assessment of competence for the revalidation or renewal, endorse the new expiry date on the applicant's licence or certificate, if specifically authorised for that purpose by the competent authority that is responsible for the applicant's licence;
 - (3) provide the applicant with a signed report of the skill test, proficiency check or assessment of competence and submit without undue delay copies of the report to the competent authority that is responsible for the applicant's licence, and to the competent authority that issued the examiner certificate. The report shall include:
 - (i) a declaration that the sailplane examiner has received information from the applicant regarding his or her experience and instruction, and found that

experience and instruction comply with the applicable requirements of this Annex;

- (ii) confirmation that all the required manoeuvres and exercises have been completed, as well as information on the verbal theoretical knowledge examination, when applicable. If an item has been failed, the examiner shall record the reasons for this assessment;
 - (iii) the result of the skill test, proficiency check or assessment of competence;
 - (iv) a declaration that the sailplane examiner has reviewed and applied the national procedures and requirements of the applicant's competent authority if the competent authority that is responsible for the applicant's licence is not the one that issued the examiner's certificate;
 - (v) a copy of the sailplane examiner certificate containing the scope of his or her privileges as sailplane examiner in the case of skill tests, proficiency checks or assessments of competence of an applicant whose competent authority is not the one that issued the examiner's certificate.
- (c) The sailplane examiner shall maintain the records for 5 years with details of all skill tests, proficiency checks and assessments of competence performed and their results.
- (d) Upon request by the competent authority that is responsible for the sailplane examiner certificate, or the competent authority that is responsible for the applicant's licence, the sailplane examiner shall submit all records and reports, and any other information, as required, for oversight activities.

Section 2

Flight examiner certificate for sailplanes — FE(S)

SFCL.415 FE(S) certificate — Privileges and conditions

Subject to compliance of the applicant with point SFCL.420 and with the following conditions, an FE(S) certificate shall be issued upon application with privileges to conduct:

- (a) skill tests and proficiency checks for the SPL, provided that the applicant has completed, on sailplanes, excluding TMGs, 300 hours of flight time as a pilot, including 150 hours or 300 launches of flight instruction;
- (b) skill tests for the extension of the SPL privileges to TMG in accordance with point SFCL.150(e), provided that the applicant has completed 300 hours of flight time on sailplanes, including 50 hours of flight instruction in TMGs;
- (c) assessments of competence for the issue of FI(S) certificates on sailplanes, provided that the applicant has:
 - (1) completed at least 500 hours of flight time as pilot on sailplanes, including:
 - (i) if the privileges of the FE(S) certificate will be exercised in sailplanes, excluding TMGs, at least 10 hours or 30 launches instructing the applicant for an FI(S) certificate in sailplanes, excluding TMGs; and
 - (ii) if the privileges of the FE(S) certificate will be exercised in TMGs, at least 10 hours or 30 take-offs and landings instructing the applicant for an FI(S) certificate in TMGs; and
 - (2) received specific training during an examiner standardisation course in accordance with point SFCL.430.

SFCL.420 FE(S) certificate — Prerequisites and requirements

An applicant for an FE(S) certificate shall:

- (a) comply with the requirements of subparagraphs (a)(1)(i) and (2) of point SFCL.400;
- (b) have completed the FE(S) standardisation course in accordance with point SFCL.430;
- (c) have completed an assessment of competence in accordance with point SFCL.445;
- (d) demonstrate relevant background related to the privileges of the FE(S) certificate; and
- (e) demonstrate that he or she has not been subject to any sanctions, including the suspension, limitation or revocation of any of his or her licences, ratings or certificates issued in accordance with this Annex, with Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011, or with Annex III (Part-BFCL) to Commission Regulation 2018/395, for non-compliance with Regulation (EU) 2018/1139 and its delegated and implementing acts during the last 3 years.

SFCL.430 FE(S) certificate — Standardisation course

- (a) An applicant for an FE(S) certificate shall take a standardisation course which is provided either by the competent authority or by an ATO or a DTO and approved by that competent authority.
- (b) The standardisation course shall be tailored to the sailplane flight examiner privileges sought and shall consist of theoretical and practical instruction, including, at least:
 - (1) the conduct of 2 skill tests, proficiency checks or assessments of competence for the SPL or associated ratings or certificates;
 - (2) instruction on the applicable requirements of this Annex and the applicable air operations requirements, the conduct of skill tests, proficiency checks and assessments of competence, and their documentation and reporting;
 - (3) a briefing on the following:
 - (i) national administrative procedures;
 - (ii) requirements for the protection of personal data;
 - (iii) examiner's liability;
 - (iv) examiner's accident insurance;
 - (v) national fees; and
 - (vi) information on how to access the information contained in points (i) to (v) when conducting skill tests, proficiency checks or assessments of competence of an applicant whose competent authority is not the one that issued the examiner certificate.
- (c) An FE(S) certificate holder shall not conduct skill tests, proficiency checks or assessments of competence of an applicant whose competent authority is not the one that issued the examiner certificate, unless he or she has reviewed the latest available information containing the relevant national procedures of the applicant's competent authority.

SFCL.445 FE(S) certificate — Assessment of competence

An applicant for the initial issue of an FE(S) certificate shall demonstrate his or her competence to an inspector from the competent authority or to a senior examiner specifically authorised to do so by the competent authority that is responsible for the FE(S) certificate. During the assessment of competence, the applicant shall conduct a skill test, proficiency check or assessment of competence, including briefing, conduct of the skill test, proficiency check or assessment of competence, and assessment of the person to whom the test, check or assessment is given, debriefing and recording documentation.

SFCL.460 FE(S) certificate — Validity, revalidation and renewal

- (a) An FE(S) certificate shall be valid for 5 years.
- (b) An FE(S) certificate shall be revalidated when its holder has:
 - (1) during the validity period of the FE(S) certificate, completed an examiner refresher course which is provided either by the competent authority or by an ATO or a DTO and approved by that competent authority, during which the holder shall receive theoretical knowledge instruction for refreshing and updating the knowledge relevant for sailplane examiners; and
 - (2) within the last 24 months preceding the end of the validity period of the certificate, demonstrated the ability to conduct skill tests, proficiency checks or assessments of competence to an inspector from the competent authority or an examiner specifically authorised to do so by the competent authority that is responsible for the FE(S) certificate.
- (c) An FE(S) certificate holder who also holds one or more examiner certificates for other aircraft categories in accordance with Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 or with Annex III (Part-BFCL) to Commission Regulation (EU) 2018/395 may achieve combined revalidation of all examiner certificates held, in agreement with the competent authority.
- (d) If an FE(S) certificate has expired, its holder shall comply with the requirements of paragraph (b)(1) and of point SFCL.445 before he or she can resume the exercise of the privileges of the FE(S) certificate.
- (e) An FE(S) certificate shall only be revalidated or renewed if the applicant demonstrates continued compliance with the requirements of point SFCL.410 as well as with the requirements of point SFCL.420(d) and (e).