

**Annex to draft Commission Regulation (EU) .../...
amending Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical
requirements and administrative procedures related to civil aviation aircrew pursuant
to Regulation (EC) No 216/2008 of the European Parliament and of the Council**

Amendments to Commission Regulation (EU) No 1178/2011

Annex I (Part-FCL)

(1) FCL.025 is amended as follows:

‘FCL.025 Theoretical knowledge examinations for the issue of licences and ratings

(a) *Responsibilities of the applicant*

[...]

(2) Applicants shall only take the theoretical knowledge examination when recommended by the **declared training organisation (DTO) or the** approved training organisation (ATO) responsible for their training, once they have completed the appropriate elements of the training course of theoretical knowledge instruction to a satisfactory standard.

(3) The recommendation by **a DTO or** an ATO shall be valid for 12 months. If the applicant has failed to attempt at least one theoretical knowledge examination paper within this period of validity, the need for further training shall be determined by the **DTO or the** ATO, based on the needs of the applicant.

(b) *Pass standards*

[...]

(3) If an applicant has failed to pass one of the theoretical knowledge examination papers within **4four** attempts, or has failed to pass all papers within either **6six** sittings or the period mentioned in paragraph (2), ~~he/she~~ **the applicant** shall retake the complete set of examination papers.

Before retaking the theoretical knowledge examinations, the applicant shall undertake further training at a **DTO or** an ATO. The extent and scope of the training needed shall be determined by the **DTO or the** ATO, based on the needs of the applicant.’

(2) FCL.115 is amended as follows:

‘FCL.115 LAPL — Training course

(a) Applicants for an LAPL shall complete a training course within **a DTO or** an ATO.

(b) The course shall include theoretical knowledge and flight instruction appropriate to the privileges given.

(c) Theoretical knowledge instruction and flight instruction may be completed at a DTO or at an ATO different from the one where applicants have commenced their training.’

(3) FCL.110.A is amended as follows:

‘FCL.110.A LAPL(A) — Experience requirements and crediting

[...]

(c) Crediting. Applicants with prior experience as PIC may be credited towards the requirements in (a).

The amount of credit shall be decided by the DTO or the ATO where the pilot undergoes the training course, on the basis of a pre-entry flight test, but shall in any case:

[...]

(4) FCL.110.H is amended as follows:

‘FCL.110.H LAPL(H) — Experience requirements and crediting

[...]

(b) Crediting. Applicants with prior experience as PIC may be credited towards the requirements in (a).

The amount of credit shall be decided by the DTO or the ATO where the pilot undergoes the training course, on the basis of a pre-entry flight test, but shall in any case:

[...]

(5) FCL.110.S is amended as follows:

‘FCL.110.S LAPL(S) — Experience requirements and crediting

[...]

(c) Crediting. Applicants with prior experience as PIC may be credited towards the requirements in (a).

The amount of credit shall be decided by the DTO or the ATO where the pilot undergoes the training course, on the basis of a pre-entry flight test, but shall in any case:

[...]

(6) FCL.135.S is amended as follows:

‘FCL.135.S LAPL(S) — Extension of privileges to TMG

The privileges of an LAPL(S) shall be extended to a TMG when the pilot has completed ~~in~~ at a DTO or at an ATO, at least:

[...]

- (7) FCL.110.B is amended as follows:

‘FCL.110.B LAPL(B) — Experience requirements and crediting

[...]

- (b) Crediting. Applicants with prior experience as PIC on balloons may be credited towards the requirements in (a).

The amount of credit shall be decided by the **DTO or the** ATO where the pilot undergoes the training course, on the basis of a pre-entry flight test, but shall in any case:

[...]

- (8) FCL.135.B is amended as follows:

‘FCL.135.B LAPL(B) — Extension of privileges to another balloon class

The privileges of the LAPL(B) shall be limited to the class of balloons in which the skill test was taken. This limitation may be removed when the pilot has completed in the other class, at a **DTO or at** an ATO, at least:

[...]

- (9) FCL.210 is amended as follows:

‘FCL.210 Training course

- (a) Applicants for a BPL, SPL or PPL shall complete a training course at a **DTO or at** an ATO.
- (b) The course shall include theoretical knowledge and flight instruction appropriate to the privileges given.
- (c) **Theoretical knowledge instruction and flight instruction may be completed at a DTO or at an ATO different from the one where applicants have commenced their training.’**

- (10) FCL.210.A is amended as follows:

‘FCL.210.A PPL(A) — Experience requirements and crediting

[...]

- (b) Specific requirements for applicants holding an LAPL(A). Applicants for a PPL(A) holding an LAPL(A) shall have completed at least 15 hours of flight time on aeroplanes after the issue of the LAPL(A), of which at least 10 shall be flight instruction completed in a training course at a **DTO or at** an ATO. This training course shall include at least 4 hours of supervised solo flight time, including at least 2 hours of solo cross-country flight time with at least 1 cross-country flight of at least 270 km (150 NM), during which

full stop landings at 2 aerodromes different from the aerodrome of departure shall be made.

- (c) Specific requirements for applicants holding an LAPL(S) or an SPL with a TMG extension. Applicants for a PPL(A) holding an LAPL(S) or an SPL with a TMG extension shall have completed:
 - (1) at least 24 hours of flight time on TMG after the endorsement of the TMG extension; and
 - (2) 15 hours of flight instruction in aeroplanes in a training course at a DTO or at an ATO, including at least the requirements of (a)(2).

[...]

- (11) FCL.210.H is amended as follows:

‘FCL.210.H PPL(H) — Experience requirements and crediting

[...]

- (b) Specific requirements for an applicant holding an LAPL(H). Applicants for a PPL(H) holding an LAPL(H) shall complete a training course at a DTO or at an ATO. This training course shall include at least 5 hours of dual flight instruction time and at least 1 supervised solo cross-country flight of at least 185 km (100 NM), with full stop landings at 2 aerodromes different from the aerodrome of departure.

[...]

- (12) FCL.725 is amended as follows:

‘FCL.725 Requirements for the issue of class and type ratings

- (a) Training course. An applicant for a class or type rating shall complete a training course at an ATO or, in the case of non-high-performance single-engine piston and TMG class ratings or single-engine helicopters referred to in DTO.GEN.110(b)(3), may complete the training course at a DTO. The type rating training course shall include the mandatory training elements for the relevant type as defined in the operational suitability data established in accordance with Part-21.

[...]

- (13) FCL.740 is amended as follows:

‘FCL.740 Validity and renewal of class and type ratings

[...]

- (b) Renewal. If a class or type rating has expired, the applicant shall:

- (1) ~~take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft, take refresher training:~~
 - (i) at an ATO; or
 - (ii) in the case of non-high-performance single-engine piston and TMG class ratings or single-engine helicopter type ratings referred to in DTO.GEN.110(b)(3), at a DTO or an ATO; or
 - (iii) in the case of non-high-performance single-engine piston and TMG class ratings which have expired for less than 3 years, at a DTO, at an ATO or with an instructor ~~when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft;~~ and
- (2) pass a proficiency check in accordance with Appendix 9 to this Part.'

(14) FCL.800 is amended as follows:

'FCL.800 Aerobatic rating

[...]

(b) Applicants for an aerobatic rating shall have completed:

- (1) at least 40 hours of flight time or, in the case of sailplanes, 120 launches as PIC in the appropriate aircraft category, completed after the issue of the licence;
- (2) a training course at a DTO or at an ATO, including:

[...]

(15) FCL.805 is amended as follows:

'FCL.805 Sailplane towing and banner towing ratings

[...]

(b) Applicants 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 aeroplanes, if the activity is to be carried out in aeroplanes, or in TMGs, if the activity is to be carried out in TMGs, completed after the issue of the licence;
- (2) a training course at a DTO or at an ATO including:

[...]

(c) Applicants 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 aeroplanes or TMGs, after the issue of the licence. At least 30 of these hours shall be in aeroplanes, if the activity is to be carried out in aeroplanes, or in TMGs, if the activity is to be carried out in TMGs;
- (2) a training course at a DTO or at an ATO including:

[...]

(16) FCL.810 is amended as follows:

‘FCL.810 Night rating

(a) Aeroplanes, TMGs, airships.

(1) If the privileges of an LAPL, an SPL or a PPL for aeroplanes, TMGs or airships are to be exercised in VFR conditions at night, applicants shall have completed a training course at a DTO or at an ATO. The course shall comprise:

[...]

(b) Helicopters. If the privileges of a PPL for helicopters are to be exercised in VFR conditions at night, the applicant shall have:

(1) completed at least 100 hours of flight time as pilot in helicopters after the issue of the licence, including at least 60 hours as PIC on helicopters and 20 hours of cross-country flight;

(2) completed a training course at a DTO or at an ATO. The course shall be completed within a period of 6 months and comprise:

[...]

(17) FCL.815 is amended as follows:

‘FCL.815 Mountain rating

[...]

(b) Training course. Applicants for a mountain rating shall have completed, within a period of 24 months, a course of theoretical knowledge instruction and flight training at a DTO or at an ATO. The content of the course shall be appropriate to the privileges sought.

[...]

(18) FCL.830 is amended as follows:

‘FCL.830 Sailplane cCloud fFlying rRating

[...]

(b)

[...]

(2) a training course at a DTO or at an ATO including:

[...]

(19) FCL.930, on training course, is amended as follows:

‘FCL.930 Training course

- (a) Applicants for an instructor certificate shall have completed a course of theoretical knowledge and flight instruction at an ATO or, in the case of applicants for an instructor certificate for sailplanes and balloons, may have completed a course of theoretical knowledge and flight instruction at a DTO.
- (b) In addition to the specific elements prescribed in this Part for each category of instructor, the training course shall contain the elements required in FCL.920.’

(20) FCL.910.FI is amended as follows:

‘FCL.910.FI FI — Restricted privileges

- (a) An FI shall have his/her privileges limited to conducting flight instruction under the supervision of an FI for the same category of aircraft nominated by the DTO or the ATO for this purpose, in the following cases:

[...]

(21) FCL.1015 is amended as follows:

‘FCL.1015 Examiner standardisation

- (a) Applicants for an examiner certificate shall undertake a standardisation course provided by the competent authority or by an ATO or, in the case of sailplanes and balloons, may undertake a standardisation course provided by a DTO, and approved by the competent authority.

[...]

(22) FCL.1025 is amended as follows:

‘FCL.1025 Validity, revalidation and renewal of examiner certificates

[...]

- (b) Revalidation. An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate:

[...]

- (2) attended an examiner refresher seminar provided by the competent authority or by an ATO or, in the case of sailplanes and balloons, may have attended an examiner refresher seminar provided by a DTO, and approved by the competent authority, during the last year of the validity period.

[...]

Annex VI (Part-ARA)

(23) ARA.GEN.105 is amended as follows:

ARA.GEN.105 Definitions

For the purposes of this Part and of Part-ORA, the following definitions apply:

1. 'Acceptable Means of Compliance (AMC)' are non-binding standards adopted by the Agency to illustrate means to establish compliance with the Basic Regulation and its Implementing Rules;
2. 'Alternative means of compliance' are those that propose an alternative to an existing AMC or those that propose new means to establish compliance with the Basic Regulation ~~(EC) No 216/2008~~ and its Implementing Rules for which no associated AMC have been adopted by the Agency;
3. 'Approved training organisation (ATO)' means an organisation qualified for the issue or continuation of an approval to provide training for pilot licences and associated ratings and certificates;
4. 'ARO.RAMP' means Subpart RAMP of Annex II to the Air Operations Regulation;
45. 'Basic instrument training device model (BITD model)' means a defined hardware and software combination, which has obtained a BITD qualification;
6. 'Declared training organisation (DTO)' means a pilot training organisation providing training limited to light aircraft pilot licence (LAPL), private pilot licence (PPL), sailplane pilot licence (SPL), and balloon pilot licence (BPL) as well as to the associated ratings, certificates and privileges, as specified in DTO.GEN.110 of Annex VIII, and having declared its compliance with this Regulation to the competent authority.
67. 'DTO training programme' is a document established by the DTO, describing in detail a training course provided by that DTO and to be verified by the competent authority that it complies with Part-FCL.
58. 'Certification specifications (CS)' are technical standards adopted by the Agency indicating means to show compliance with the Basic Regulation and its Implementing Rules and which can be used by an organisation for the purpose of certification;
69. 'Flight instructor (FI)' means an instructor with the privileges to provide training in an aircraft, in accordance with Part-FCL;
710. 'Flight simulation training device (FSTD)' means a training device which is:
 - (a) in the case of aeroplanes, a full flight simulator (FFS), a flight training device (FTD), a flight and navigation procedures trainer (FNPT), or a basic instrument training device (BITD);
 - (b) in the case of helicopters, a full flight simulator (FFS), a flight training device (FTD) or a flight and navigation procedures trainer (FNPT);

811. 'FSTD qualification' means the level of technical ability of an FSTD as defined in the compliance document;
912. 'FSTD user' means the organisation or person requesting training, checking or testing through the use of an FSTD to an ATO;
1013. 'Grounding' means the formal prohibition of an aircraft to take-off and the taking of such steps as are necessary to detain it;
1114. 'Guidance Material (GM)' means non-binding material developed by the Agency that helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of the Basic Regulation, its Implementing Rules and AMC;
1215. ~~'ARO.RAMP' means the Subpart RAMP of Annex II to the Regulation on Air Operations. Organisations means~~
1316. 'Other training device (OTD)' means an aid used for pilot training other than an FSTD that provides for training where a complete flight deck or cockpit environment is not necessary;
1417. 'Part-ARA' means Annex VI to the Regulation on Civil Aviation Aircrew;
1518. ~~'Part-ORO' means Annex III to the Regulation on Air Operations;~~ 'Part-DTO' means Annex VIII to the Regulation on Civil Aviation Aircrew;
1619. 'Part-ARO' means Annex II to the Air Operations Regulation;
1620. 'Part-CC' means Annex V to the Regulation on Civil Aviation Aircrew;
1721. 'Part-FCL' means Annex I to the Regulation on Civil Aviation Aircrew;
1822. 'Part-MED' means Annex IV to the Regulation on Civil Aviation Aircrew;
1923. 'Part-ORA' means Annex VII to the Regulation on Civil Aviation Aircrew;
2024. 'Part-ORO' means Annex III to the Air Operations Regulation;
2025. 'Principal place of business' means the head office or registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised;
2126. 'Qualification test guide (QTG)' means a document designed to demonstrate that the performance and handling qualities of an FSTD represent those of the aircraft, class of aeroplane or type of helicopter, simulated within prescribed limits and that all applicable requirements have been met. The QTG includes both the data of the aircraft, class of aeroplane or type of helicopter and FSTD data used to support the validation.

(24) ARA.GEN.120 is amended as follows:

'ARA.GEN.120 Means of compliance

[...]

- (d) The competent authority shall evaluate all alternative means of compliance proposed by an organisation in accordance with ORA.GEN.120 and DTO.GEN.120 by analysing the documentation provided and, if considered necessary, conducting an inspection of the organisation.

When the competent authority finds that the alternative means of compliance are in accordance with the Implementing Rules, it shall without undue delay:

- (1) notify the applicant that the alternative means of compliance may be implemented and, if applicable, amend the approval or certificate of the applicant accordingly or, in the case of declared training organisations, approve the alternative means of compliance by using the form contained in Appendix 8 to this Part; and

[...]

- (25) ARA.GEN.200 is amended as follows:

‘ARA.GEN.200 Management system

[...]

- (c) The competent authority shall establish procedures for participation in a mutual exchange of all necessary information and assistance with other competent authorities concerned including on all findings raised and follow-up actions taken as a result of oversight of persons and organisations exercising activities in the territory of a Member State, but certified by or making declarations to the competent authority of another Member State or the Agency.

[...]

- (26) ARA.GEN.220 is amended as follows:

‘ARA.GEN.220 Record-keeping

The competent authority shall establish a system of record-keeping providing for adequate storage, accessibility and reliable traceability of:

[...]

- (4) certification and declaration processes as well as ~~and~~ continuing oversight of certified and declared organisations;

[...]

- (b) The competent authority shall maintain a list of all organisation certificates, DTO declarations, FSTD qualification certificates and personnel licences, certificates and

attestations it issued, and the DTO training programmes it has verified for Part-FCL compliance.

[...]

(27) ARA.GEN.300 is amended as follows:

‘ARA.GEN.300 Oversight

(a) The competent authority shall verify:

[...]

(2) continued compliance with the applicable requirements of organisations it has certified, of persons and of FSTD qualification certificate holders, and of organisations from which it received a declaration;

[...]

(28) ARA.GEN.305 is amended as follows:

‘ARA.GEN.305 Oversight programme

[...]

(e) The oversight programme shall include records of the dates when audits, inspections and meetings, as applicable, are due and when such audits, inspections and meetings have been carried out.

(f) Notwithstanding paragraphs (b), (c), and (ca), the oversight programme of DTOs shall be developed taking into account the specific nature of the organisation, the complexity of its activities, the results of past oversight activities, and shall be based on the assessment of associated risks. The oversight shall include inspections, including unannounced inspections, as appropriate.’

(29) ARA.GEN.330 is amended as follows:

‘ARA.GEN.330 Changes — organisations

[...]

(d) Notwithstanding paragraphs (a), (b) and (c), in the case of changes to DTOs, the competent authority shall act in accordance with the requirements of ARA.DTO.105.’

(30) A new ARA.GEN.345 is inserted as follows:

‘ARA.GEN.345 Declaration — organisations

Notwithstanding ARA.GEN.310, a declared training organisation shall be allowed to provide training in accordance with Annex VIII (Part-DTO) to this Regulation.’

(31) ARA.GEN.350 is amended as follows:

‘ARA.GEN.350 Findings and corrective actions — organisations

[...]

(da) Notwithstanding paragraphs (a) to (d), in the case of DTOs, if during oversight or by any other means evidence is found by the competent authority that indicates non-compliance with the applicable requirements by a DTO, the competent authority shall:

(1) raise a finding, record it, communicate it in writing to the representative of the DTO and determine a period of time within which the DTO shall take corrective action;

(2) in cases where:

(i) a safety problem has been identified;

(ii) the DTO fails to take corrective action in accordance with DTO.GEN.150; or

(iii) requirements of Part-ARA Subpart DTO refer to this paragraph,

take immediate and appropriate action to limit or prohibit the training activities until successful corrective action is taken by the DTO;

(3) if applicable, limit or revoke, as appropriate, the training programme approval or the approval for using alternative means of compliance; and

(4) take any further enforcement measures necessary in order to prevent the continuation of the non-compliance.

(e) Without prejudice to any additional enforcement measures, when the authority of a Member State acting under the provisions of ARA.GEN.300(d) identifies any non-compliance with the applicable requirements of the Basic Regulation ~~(EC) No 216/2008~~ and its Implementing Rules by an organisation certified by, or declaring its activity to, the competent authority of another Member State or the Agency, it shall inform that competent authority and, except in the case of DTOs, provide an indication of the level of finding.’

- (32) A new ‘SUBPART DTO “SPECIFIC REQUIREMENTS RELATING TO DECLARED TRAINING ORGANISATIONS (DTOs)”’ on specific requirements relating to declared training organisations (DTOs) is added after SUBPART MED as follows:

SUBPART DTO

SPECIFIC REQUIREMENTS RELATING TO DECLARED TRAINING ORGANISATIONS (DTOs)

ARA.DTO.100 Declaration to the competent authority

- (a) Upon receiving a DTO declaration, the competent authority shall verify that the declaration contains all the information required by Part-DTO and shall acknowledge receipt of the declaration to the representative of the DTO.
- (b) If the declaration does not contain the required information, or contains information that indicates a non-compliance with the applicable requirements, the competent authority shall notify the representative of the DTO about the non-compliance and shall request the missing information or request the DTO to adequately rectify the non-compliance in accordance with DTO.GEN.150, as applicable. If deemed necessary, the competent authority shall carry out an inspection of the organisation. If the DTO fails to provide the missing information or to adequately rectify the non-compliance within the time period determined by the competent authority, the competent authority shall take action as defined in ARA.GEN.350(da)(2).

ARA.DTO.105 Changes

Upon receiving a notification of a change to the content of the initial declaration, the competent authority shall verify that the information listed in this notification contains all the information required by Part-DTO and shall act in accordance with ARA.DTO.100(b), as applicable.

ARA.DTO.110 Verification of compliance of the training programme(s)

- (a) The competent authority shall verify the compliance of the proposed DTO training programme(s), or subsequent changes thereto, with the applicable Part-FCL requirements.
- (b) When satisfied that the DTO training programme(s) and subsequent changes thereto are in compliance with the applicable Part-FCL requirements, the competent authority shall inform the representative of the DTO in writing respectively or, in the case of DTO.GEN.110(e), approve the training programme(s) using the form contained in Appendix 8 to this Annex.
- (c) In case of any non-compliance, the competent authority shall notify the representative of the DTO about the non-compliance and shall request changes to the DTO training programme(s).

- (d) If the DTO fails to implement and notify changes to its training programme(s) and notify them to the competent authority as requested by the competent authority in accordance with subparagraph (c) above within the time period determined by the competent authority, the competent authority shall take action as defined in ARA.GEN.350(da)(2) or, in the case of DTO.GEN.110(e), reject the application for approval of the training programme(s).

ARA.DTO.115 Standard training programmes

The competent authority may develop and publish standard training programmes for training courses listed in DTO.GEN.110.

ARA.DTO.120 Approval of examiner standardisation courses and refresher seminars

Before approving a DTO to conduct examiner standardisation courses and refresher seminars in accordance with DTO.GEN.110(e), the competent authority shall develop appropriate procedures.

(33) A new Appendix 8 is added as follows:

Appendix 8 to Annex VI (Part-ARA)

Training programme approval (*)

Approval of alternative means of compliance (*)

for a declared training organisation (DTO)

European Union (**)

Competent authority

<i>Issuing authority:</i>		
<i>Name of DTO:</i>		
<i>Training programme(s) approved (*):</i> <i>Alternative means of compliance approved (*):</i> Examiner standardisation — FE(S), FIE(S), FE(B), FIE(B) (*) Examiner refresher seminar — FE(S), FIE(S), FE(B), FIE(B) (*) Alternative means of compliance — [reference to rule requirement]	<i>Doc reference:</i>	<i>Remarks:</i>
The above-mentioned training programme(s) (*) / alternative means of compliance (*) have been verified by the above-mentioned competent authority to be in compliance with the requirements of Commission Regulation (EU) No 1178/2011. The above-mentioned DTO, when providing training towards the ratings and certificates listed above, shall follow this (these) training programme(s) (*) / may follow these alternative means of compliance (*).		
<i>Date of issue:</i>		
<i>Signed: [competent authority]</i>		

(*) To be adjusted as applicable.

(**) 'European Union' to be deleted for non-EU Member States.

Annex VII (Part-ORA)

- (34) ORA.ATO.120 'Record-keeping' is amended as follows:

'The following records shall be kept throughout the training course and for a period of at least 3 years after its completion:

[...]'

Annex VIII (Part-DTO)

- (35) A new Annex VIII (Part-DTO) is added as follows:

ANNEX VIII

REQUIREMENTS FOR DECLARED TRAINING ORGANISATIONS (DTOs)

[PART-DTO]

DTO.GEN.100 General

This Annex establishes the requirements to be met by a declared training organisation (DTO) providing training limited to light aircraft pilot licence (LAPL), private pilot licence (PPL), sailplane pilot licence (SPL) and balloon pilot licence (BPL), as well as for the associated ratings, certificates and privileges as specified in Annex VIII, DTO.GEN.110.

DTO.GEN.105 Competent authority

For the purpose of this Annex, the competent authority exercising oversight of a DTO shall be the authority designated by the Member State on whose territory the DTO has its principal place of business.

DTO.GEN.110 Scope

A DTO may provide the following training:

(a) For aeroplanes:

- (1) theoretical knowledge instruction for LAPL(A) and PPL(A);
- (2) flight instruction for LAPL(A) and PPL(A);
- (3) training towards class rating for SEP(land), SEP(sea) and TMG; and
- (4) training towards additional ratings: night, aerobatics, mountain, sailplane and banner towing.

(b) For helicopters:

- (1) theoretical knowledge instruction for LAPL(H) and PPL(H);
- (2) flight instruction for LAPL(H), PPL(H);
- (3) single-engine type rating for helicopters for which the maximum certified seat configuration does not exceed five seats; and
- (4) training towards night rating.

(c) For sailplanes:

- (1) theoretical knowledge instruction for LAPL(S) and SPL;
- (2) flight instruction for LAPL(S) and SPL;
- (3) training towards extension of privileges to TMG in accordance with FCL.135.S;
- (4) training towards additional launch methods in accordance with FCL.130.S;
- (5) training towards additional ratings: aerobatics, sailplane towing, and sailplane cloud flying rating;
- (6) training towards flight instructor rating FI(S); and
- (7) FI(S) refresher seminar.

(d) For balloons:

- (1) theoretical knowledge instruction for LAPL(B) and BPL;
- (2) flight instruction for LAPL(B) and BPL;
- (3) training towards class extension in accordance with FCL.135.B;
- (4) training towards class or group extension in accordance with FCL.225.B;
- (5) training towards extension to tethered flight in accordance with FCL.130.B;
- (6) training towards night rating;
- (7) training towards flight instructor rating FI(B); and
- (8) FI(B) refresher seminar.

- (e) A competent authority may approve a DTO to conduct standardisation courses for FE(S), FIE(S), FE(B) and FIE(B), as well as refresher seminars for these examiner certificates. These courses and seminars may be provided by a DTO only subject to prior approval by a competent authority.

DTO.GEN.115 Declaration process

- (a) Prior to the commencement of training activities, the representative of the DTO shall submit a declaration to the competent authority, which shall contain at least the following information:
 - (1) name of the DTO;
 - (2) contact details of the DTO's principal place of business and, if applicable, the contact details of any other operating sites of the DTO;
 - (3) names of the representative and the head of training (HT) of the DTO;
 - (4) the type of training provided in accordance with DTO.GEN.110;
 - (5) a list of all aircraft and FSTDs to be used for the training, if applicable; and
 - (6) a declaration by the representative that the DTO has a safety policy in place, and that the information provided above is in accordance with the applicable requirements.
- (b) The declaration, and any subsequent changes thereto, shall be made by using the form contained in Appendix 1 to this Annex.
- (c) The training programme(s) used shall be submitted together with the declaration. In the case of DTO.GEN.110(e), the DTO shall apply for approval of the respective training programme(s).
- (d) The representative of the DTO shall notify the competent authority without undue delay, and in any case within 3 days, in case of:
 - (1) any changes to the information contained in the declaration as specified in paragraph (a) and to the training programme(s) used;
 - (2) cessation of the training activities.

DTO.GEN.120 Means of compliance

- (a) Alternative means of compliance to the AMC adopted by the Agency may be used by an organisation to establish compliance with the Basic Regulation and its Implementing Rules.
- (b) When a DTO wishes to use alternative means of compliance, it shall, prior to implementing it, provide the competent authority with a full description of the alternative means of compliance. The description shall include any relevant revision to training programmes or other documentation, as applicable, as well as an assessment demonstrating that the Basic Regulation and its Implementing Rules are met.
- (c) The DTO may implement these alternative means of compliance subject to prior approval by the competent authority and upon receipt of the notification as prescribed in ARA.GEN.120(d).

DTO.GEN.125 Privileges of a DTO

A DTO shall provide training within the scope specified in its declaration and within the territory of the Member States only.

DTO.GEN.135 Exercise of training activities

A DTO may exercise training activities as declared to the competent authority in accordance with DTO.GEN.115 unless:

- (a) the competent authority takes enforcement measures in accordance with ARA.GEN.350(da);
- (b) the DTO declares to the competent authority the cessation of its training activities; or
- (c) after being inactive for more than 36 consecutive months, the DTO has submitted a new declaration to the competent authority in accordance with DTO.GEN.115.

DTO.GEN.140 Access

For the purpose of determining whether the DTO has established and maintains an acceptable level of safety in accordance with this Regulation, as well as compliance with the relevant requirements of the Basic Regulation and its Implementing Rules, the DTO shall grant access at any time to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity subject to the declaration to any person authorised by one of the following authorities:

- (1) the competent authority as defined in DTO.GEN.105;
- (2) the authority acting under the provisions of ARA.GEN.300(d), ARA.GEN.300(e) or ARO.RAMP.

DTO.GEN.150 Findings

After receipt of notification of findings, the DTO shall:

- (a) identify the root cause of the non-compliance;
- (b) take corrective action within the time period determined by the competent authority; and
- (c) inform the competent authority about the corrective actions it has taken.

DTO.GEN.155 Immediate reaction to a safety problem

A DTO shall implement any:

- (a) safety measures mandated by the competent authority in accordance with ARA.GEN.135(c); and
- (b) relevant mandatory safety information issued by the Agency, including airworthiness directives.

DTO.GEN.160 Occurrence reporting

- (a) A DTO shall implement an occurrence-reporting system that meets the requirements of Regulation (EU) No 376/2014 ⁽¹⁾.
- (b) A DTO shall report to the competent authority, and to any other organisation required by the State of the operator to be informed, any accident and serious incident as defined in Regulation (EU) No 996/2010 ⁽²⁾.
- (c) Without prejudice to paragraph (a), the organisation shall report to the competent authority and to the organisation responsible for the design of the aircraft any incident, malfunction, technical defect, exceedance of technical limitations, occurrence that would highlight inaccurate, incomplete or ambiguous information contained in data established in accordance with Commission Regulation (EU) No 748/2012 ⁽³⁾, or other irregular circumstance that has or may have endangered the safe operation of the aircraft and that has not resulted in an accident or serious incident.

DTO.GEN.210 Personnel requirements including tasks, responsibilities and procedures

- (a) A DTO shall designate:
 - (1) a representative whose responsibilities shall include at least the following tasks and procedures:
 - (i) ensuring compliance of the DTO and its activities with the applicable requirements as well as with the scope and conditions of its declaration;
 - (ii) developing and adhering to a safety policy which aims for a safe operation of all activities as well as implementation of appropriate measures in order to achieve the objectives of the safety policy;
 - (iii) ensuring availability of sufficient resources for the tasks and responsibilities identified in this paragraph; and
 - (iv) promoting safety within the DTO;
 - (2) an HT whose responsibilities shall be to ensure:
 - (i) that the training provided complies with Part-FCL and with the DTO's training programme(s);

⁽¹⁾ Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (OJ L 122, 24.4.2014, p. 18).

⁽²⁾ Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (OJ L 295, 12.11.2010, p. 35).

⁽³⁾ Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).

- (ii) the satisfactory integration of flight training in an aircraft or a flight simulation training device (FSTD) and theoretical knowledge instruction; and
 - (iii) supervision of the progress of students.
- (b) The roles of the representative and the HT may be fulfilled by a single person.
- (c) There should have been no sanctions imposed during the last 3 years on the person(s) fulfilling the roles of the representative and the HT, including suspension, limitation or revocation of any of their licences, ratings or certificates issued in accordance with this Part, as well as for non-compliances with the Basic Regulation and its Implementing Rules.
- (d) Theoretical knowledge instructors shall have:
 - (1) practical background in aviation in the areas relevant for the training provided and have undergone a course of training instructional techniques; or
 - (2) previous experience in giving theoretical knowledge instruction and an appropriate theoretical background in the subject on which they will provide theoretical knowledge instruction.
- (e) Flight instructors and flight simulation training instructors shall hold the qualifications required by Part-FCL for the type of training they are providing.

DTO.GEN.215 Facility requirements

A DTO shall have facilities in place allowing the performance and management of all planned tasks and activities in accordance with the applicable requirements.

DTO.GEN.220 Record-keeping

- (a) The following records shall be kept by a DTO throughout the training course and for at least 3 years after completion of the last training session:
 - (1) details of ground, flight and simulated flight training given to individual students;
 - (2) student progress; and
 - (3) information on the licences and associated ratings of the students, relevant to the training provided, including expiry dates of ratings and medical certificates.
- (b) The annual internal review and the activity report including all relevant documents and records shall be kept by the DTO for at least 3 years from the date they were created.
- (c) The DTO training programme shall be kept by the DTO for at least 3 years after the last training course had been conducted in accordance with it.

DTO.GEN.230 DTO training programme(s)

- (a) A DTO shall have DTO training programme(s) to cover the scope of the training courses provided.
- (b) The training programme(s) shall comply with the requirements of Part-FCL.

DTO.GEN.240 Training aircraft and FSTDs

- (a) A DTO shall use an adequate fleet of training aircraft or FSTDs appropriate to the training provided.
- (b) A DTO shall establish and maintain a list of all aircraft, including their registration, used for the training courses.

DTO.GEN.250 Aerodromes and operating sites

- (a) When providing flight training on an aircraft, a DTO shall use aerodromes or operating sites that have the appropriate facilities and characteristics to allow training of the relevant manoeuvres, taking into account the training provided and the category and type of aircraft used.
- (b) A DTO, when providing training as specified in DTO.GEN.110(a) and (b), shall not use more than two different aerodromes to be declared in accordance with DTO.GEN.115(a)(2).

DTO.GEN.260 Theoretical knowledge instruction

- (a) When offering theoretical knowledge instruction, a DTO may do so by using on-site instruction or distance learning.
- (b) In any case, the progress of the student shall be appropriately monitored by the DTO.

DTO.GEN.270 Annual internal review and annual activity report

A DTO shall:

- (a) conduct an annual internal review of the tasks and responsibilities identified in DTO.GEN.210;
- (b) issue within the first 2 months of each calendar year an annual activity report about the past calendar year; and
- (c) submit copies of the annual internal review and the annual activity report to the competent authority.

Appendix 1 to Annex VIII (Part-DTO)

DECLARATION	
pursuant to Commission Regulation (EU) No 1178/2011	
1.	Declared training organisation (DTO) Name:
2.	Place(s) of business Contact details (address, phone, e-mail) of the DTO's principal place of business: Contact details (address, phone, e-mail) of any other aerodrome or operating site (if applicable):
3	Personnel Name and contact details (address, phone, e-mail) of the representative: Name and contact details (address, phone, e-mail) of the head of training (HT):
4.	Training scope List of all training courses provided: List of all training programmes used (documents to be attached to the declaration): List of all alternative means of compliance intended to be used (documents to be attached to the declaration, prior approval required — see below under 7):
5.	Training aircraft and FSTDs List of aircraft models used for training: List of qualified FSTDs used for training (if applicable, including letter code as indicated on the qualification certificate):
6.	Date of intended commencement of training activities:
7.	Statements This organisation, its personnel as well as the above-mentioned training programmes and alternative means of compliance comply with the requirements of Commission Regulation (EU) No 1178/2011. All training aircraft used hold a valid certificate of airworthiness and comply with Commission Regulation (EU) No 1321/2014. The DTO has developed a safety policy in accordance with DTO.GEN.210(a)(1)(ii) according to which all training activities are carried out. All training activities are carried out in accordance with the DTO training programme(s). Changes to this declaration or cessation of training activities will be notified to

the competent authority in accordance with DTO.GEN.115(d).

If applicable:

We hereby apply for approval of the above-mentioned training programme(s) in accordance with DTO.GEN.110(e).

We hereby apply for approval of the above-mentioned alternative means of compliance in accordance with DTO.GEN.120.

Name, date and signature of the representative

Name, date and signature of the HT