



# Terms of Reference for rulemaking task

## RMT.0737 Issue 1

### Enabling electronic personnel licensing in Europe

#### OBJECTIVES

The objective of this rulemaking task is to develop and establish the requirements for the introduction and implementation of an electronic personnel licensing (EPL) system within the EU regulatory framework in order to:

- (1) enable the issue, display, validation and verification of EU electronic personnel licences (EPLs) on self-contained mobile electronic visual display devices in addition to the licences issued on high-quality paper or other suitable material, including plastic cards; EPLs shall be optional to the paper version — nevertheless, the Member States’ national competent authorities will have the obligation to recognise EPLs issued by all other Member States;
- (2) ensure the security, confidentiality, data protection, integrity, authentication, and accessibility as regards EPLs;
- (3) ensure EPL system interoperability between the different issuing and verifying national competent authorities and other affected stakeholders (e.g. examiners for pilot licences);
- (4) transpose ICAO Annex 1 SARPs related to EPLs (Amendment 178 to Annex 1) in the relevant EU regulations.

#### REGULATIONS TO BE AMENDED

- [Commission Regulation \(EU\) No 1178/2011 \(Aircrew\)](#)
- [Commission Regulation \(EU\) 2015/340 \(Air traffic controllers' licences and certificates\)](#)
- [Commission Regulation \(EU\) No 1321/2014 \(Continuing airworthiness\)](#)

#### RELATED EASA DECISIONS

Decisions on AMC and GM in support of the implementation of these Regulations

#### AFFECTED STAKEHOLDERS

Member States’ national competent authorities; pilots, including remote pilots; flight and cabin crews; instructors; examiners; training organisations; aircraft operators; aero-medical examiners (AMEs); aero-medical centres (AeMCs); air traffic controllers; Part-66 maintenance licence holders

#### WORKING METHOD(S)

Development	Impact assessment(s)	Consultation
By EASA with external support	Light	NPA — public

**PLANNING MILESTONES:** See Volume II of the latest EPAS



## 1. OBJECTIVES

### 1.1. Why we need to amend the regulatory material — issue/rationale

Digitalisation and automation in civil aviation are rapidly increasing. The concept of electronic personnel licencing (EPL) is considered in the context of the EU digital public services and fits in the European strategy to modernise the administration of personnel licences, develop cross-border EPL system interoperability among licencing authorities to promote the free movement of aviation personnel, and facilitate digital interaction between licencing authorities and aviation personnel for the provision of high-quality services.

Currently, the EU regulatory framework does not allow for the issue of electronic personnel licences (EPLs). ICAO, though, shall enable the issue of such licences through the adoption of Amendment 178 to Annex 1 (introduction of Chapter 5 *Specifications for Personnel Licences* in Annex 1 regarding the implementation of an electronic personnel licencing system in order to improve efficiency and global recognition of such licences), which shall be applicable as from 3 November 2022. It is important to note that while the implementation of the EPL provisions is optional for States, such provisions impose an obligation to all States to recognise EPLs.

In order to ensure the transposition of the ICAO Standards and Recommended Practices (SARPs) into the EU regulatory framework, the subject RMT has been set up. The digitalisation of personnel licences is a strategic priority in the European Plan for Aviation Safety (EPAS) for 2022–2026. EPLs help prevent frauds or forged licences, and improve the security measures for the authentication and access control of personnel licences.

### 1.2. What we intend to achieve — objectives of this RMT

The overall objectives of the EASA system are defined in Article 1 of Regulation (EU) 2018/1139 (the Basic Regulation). This RMT will contribute to achieving the overall objectives by addressing the issues described in Section 1.1.

The specific objective of this RMT is to develop and establish the requirements for the introduction and implementation of an electronic personnel licencing (EPL) system within the EU regulatory framework in order to:

- (1) enable the issue, display, validation and verification of EU EPLs on self-contained mobile electronic visual display devices in addition to the licences issued on high-quality paper or other suitable material, including plastic cards; EPLs shall be optional to the paper version — nevertheless, the Member States' national competent authorities will have the obligation to recognise EPLs issued by all other Member States;
- (2) ensure the security, confidentiality, data protection, integrity, authentication, and accessibility as regards EPLs;
- (3) ensure EPL system interoperability between the different issuing and verifying national competent authorities and other affected stakeholders (e.g. examiners for pilot licences);
- (4) transpose ICAO Annex 1 SARPs on EPLs (Amendment 178 to Annex 1) in the relevant EU regulations.



This RMT paves the way for a competitive European market for digital solutions while providing flexibility to the EASA Member States as licensing authorities to develop their own IT systems and tools to enable EPL.

### **1.3. How we want to achieve the objectives — initial outline of the regulatory material to be developed**

To achieve the objectives above, EASA shall do the following:

- (1) Define a common, single EU EPL form, based on the proposed ICAO Annex 1 amendments, which will be specific to the related aviation domains (e.g. flight crew licences, ATCO licences, Part-66 licences). That common, single form will facilitate the full recognition and standardisation of the EPLs by all EASA Member States.
- (2) Establish the requirements, functionalities and performance of the IT systems and related infrastructure for the issue, display and verification of EPLs in a secure, accessible and interoperable way, while ensuring confidentiality and data protection. The requirements shall address the interoperability aspects of the EPL system with the national personnel licensing systems of the EASA Member States, including their examiners and training organisations, and enhance examiner standardisation (in the case of flight crew licences). Common standards for information security and access rights shall be elaborated, as well as for methods for verifying the authenticity of the EPLs, which will enable the uniform implementation of the EPL system across the EASA Member States.
- (3) Clearly specify the roles and responsibilities for national competent authorities and, where relevant, examiners for the issue, amendment, renewal, and oversight of EPLs.
- (4) Develop, where necessary, aviation-domain-specific requirements related to the implementation of the EPL system for each of the personnel licensing domains (e.g. flight crew licences, ATCO licences, Part-66 licences). The requirements will be introduced into several EU regulations: Regulation (EU) No 1178/2011 for aircrews, Regulation (EU) 2015/340 for ATCO licences, and Regulation (EU) No 1321/2014 for Part-66 maintenance personnel licences.

Apart from some cross-domain requirements, this RMT will address domain-specific requirements, relevant for each of the affected regulations.

- (5) Allow that each EASA Member State develop IT systems and tools, based on the ICAO-established common EPL form, to enable the issue of EPLs under its oversight. Conform with common EU standards and specifications for the purpose of standardised and uniform implementation of the EPL system across the EASA Member States. This will facilitate the interoperability of the EPL system with different IT systems.

### **1.4. What is the outcome of this RMT — regulations intended to be amended**

- Issue of proposed amendments to Regulation (EU) No 1178/2011, Regulation (EU) 2015/340, and Regulation (EU) No 1321/2014;
- Issue of the related acceptable means of compliance (AMC) and guidance material (GM) to support the implementation of the amendments to the above-mentioned Regulations.



## 2. AFFECTED STAKEHOLDERS

The stakeholders affected by the outcome of this RMT are Member States' national competent authorities; pilots, including remote pilots; flight and cabin crews; instructors; examiners; training organisations; aircraft operators; aero-medical examiners (AMEs); aero-medical centres (AeMCs); air traffic controllers; and Part-66 maintenance licence holders.

## 3. WORKING METHODS

### 3.1. How we develop the regulatory material — Working methods

A rulemaking group shall be established to support EASA in the development of the regulatory material and its supporting material, and to offer advice on any specific issues that might arise during the rulemaking process.

The rulemaking group shall comprise personnel licensing experts as well as IT experts with experience among others in digital personnel licensing systems, selected:

- from the national competent authorities of the EASA Member States;
- from non-EASA Member States that participate in the ICAO Electronic Personnel License Task Force (EPL-TF) (for example, the Federal Aviation Administration (FAA) and Transport Canada Civil Aviation (TCCA));
- from the European Commission;
- among IT and cybersecurity experts that are familiar with digital personnel licensing systems, software and SMART electronic application developers, including developers of similar applications (e.g. digital COVID vaccination certificate);
- from industry associations representing air operators, flight and cabin crews, air traffic controllers and air navigation service providers, Part-66 maintenance licence holders, and training organisations.

In addition, for the development of the regulatory material, EASA may further seek support by drawing upon additional domain-specific expertise through workshops/focused discussions with the relevant sectorial advisory bodies for aircrew, Part-66 maintenance, and ATCO licensing.

This RMT shall be carried out in close coordination with the ICAO Electronic Personnel License Task Force (EPL-TF). During the development of the regulatory material in the context of this RMT, the applicable EU requirements on electronic signatures, electronic stamps and other relevant provisions stipulated in Regulation (EU) No 910/2014<sup>1</sup> on electronic identification and trust services for electronic transactions in the internal market shall also be taken into account.

### 3.2. How are the impacts assessed

Before the publication of the Terms of Reference for RMT.0737, an impact assessment was performed to support the decision to initiate and take rulemaking action, and to identify the best regulatory option. The impact assessment addressed the possible regulatory options for transposing the ICAO

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<sup>1</sup> Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC OJ L 257, 28.8.2014, p. 73 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0910&qid=1659712020639>).



Annex 1 SARPs into the EU regulatory framework, the governance of the EPL system at EU level and the application of a total system approach in regulating EPL across the various specific domains linked to aviation personnel licences. The results of the impact assessment were communicated and consulted with the MAB in May 2022, and the SAB in June 2022. Considering the nature and scope of the RMT, the impact assessment is deemed light. A further update of the impact assessment, if considered necessary, will be considered as the rulemaking task progresses.

### **3.3. How is draft regulatory material consulted**

A public consultation of the draft regulatory material in the form of an NPA will take place.

