

## Draft Annexes I, II, III and IV

### to draft Commission Implementing Regulation (EU) .../... amending Commission Regulation (EU) No 1178/2011 as regards the introduction of a gyroplane pilot licence

**Note:**

*Text boxes with rationales are inserted only for draft text that was either not part of NPA 2021-12 or part of that NPA but was significantly updated.*

#### ANNEX I

Annex I (Part-FCL) is amended as follows:

- (1) in point FCL.010, the following definition is inserted:

“gyroplane” means a heavier-than-air aircraft supported in flight chiefly by one or two non-engine-driven rotors.’;
- (2) point FCL.025 is amended as follows:
  - (a) in point (b), point (4) is replaced by the following<sup>1</sup>:

‘(4) If applicants for the issue of a light aircraft pilot licence (LAPL), a private pilot licence (PPL), a basic instrument rating (BIR) or a gyroplane pilot licence (GPL) have failed to pass one of the theoretical knowledge examination papers within four attempts or have failed to pass all papers within the period mentioned in point (b)(2), they shall retake the complete set of theoretical knowledge examination papers.’;
  - (b) in point (c)(1), point (i) is replaced by the following:

‘(i) for the issue of a light aircraft pilot licence, a private pilot licence or a gyroplane pilot licence, for a period of 24 months;’;

**Rationale**

*The introduction of a GPL requires to include a reference to that new licence in point FCL.025, for consistency.*

- (3) in point FCL.035(a), a new point (5) is inserted as follows:

‘(5) All hours flown in gyroplanes that fall within the scope of Annex I to Regulation (EU) 2018/1139 and which have a maximum certificated take-off mass of at least 450 kg shall be credited in full towards completing the 12 hours of flight time and 12 take-offs and landings in accordance with point FCL.240.G(a) but shall not be credited towards the requirement in point FCL.240.G(a)(2).’;

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<sup>1</sup> Text based on the amended text as proposed with [Opinion No 05/2023](#).

***Rationale***

*For consistency with the existing point FCL.035(a)(4), crediting of flight time in 'Annex I aircraft' is proposed to be possible also in the context of the GPL recency requirements. However, the refresher training as per point FCL.240.G(a)(2) needs to be completed in an EASA-certified gyroplane, to ensure minimum standards for such training events.*

- (4) in point FCL.055, point (a) is replaced by the following:
- ‘(a) General. Aeroplane, helicopter, powered-lift aircraft, airship and gyroplane pilots required to use the radio telephone shall not exercise the privileges of their licences and ratings unless they have a language proficiency endorsement on their licence in either in English or the language used for radio communications involved in the flight. The endorsement shall indicate the language, the proficiency level and the validity date, and it shall be obtained in accordance with a procedure established by a competent authority. The minimum acceptable proficiency level is the operational level (Level 4) in accordance with Appendix 2 to this Annex.’;
- (5) in point FCL.060, the introductory sentence of point (b) is replaced by the following<sup>2</sup>:
- ‘(b) Aeroplanes, helicopters, powered-lift aircraft, airships, VTOL-capable aircraft (VCA) and gyroplanes. A pilot shall not operate an aircraft in commercial air transport or for carrying passengers.’;
- (6) the title of Subpart C is replaced by the following:
- ‘SUBPART C — PRIVATE PILOT LICENCE (PPL) AND GYROPLANE PILOT LICENCE (GPL)’;
- (7) point FCL.200 is replaced by the following:
- ‘FCL.200 Minimum age**
- Applicants for a PPL or a GPL shall be at least 17 years old.’;

***Rationale***

*The introduction of a GPL requires to include a reference to that new licence in point FCL.200, for consistency.*

- (8) point FCL.205 is replaced by the following:
- ‘FCL.205 Conditions**

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<sup>2</sup> Text based on the amended text as proposed with [Opinion No 03/2023](#).

- (a) Applicants for the issue of a PPL shall have fulfilled the requirements for the class or type rating for the aircraft used in the skill test, as established in Subpart H.
- (b) Applicants for the issue of a GPL shall have fulfilled the requirements for the class or type of aircraft used in the skill test.’;

***Rationale***

*Privileges for gyroplane classes and types are proposed to be established along the lines of class and type privileges for LAPL holders, not constituting ‘ratings’ in terms of Part-FCL, Subpart H but privileges that are to be maintained through compliance with recency requirements. Hence, point FCL.205 is proposed to be amended by keeping the current text (for PPL applicants) in point (a) while adding a new point (b) to outline the conditions for GPL applicants.*

- (9) point FCL.210 is replaced by the following:

**‘FCL.210 Training course**

- (a) Applicants for a PPL or a GPL shall complete a training course at an ATO or a DTO.
- (b) The course shall include theoretical knowledge and flight instruction appropriate to the privileges of the PPL or GPL applied for.
- (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.’;

***Rationale***

*The introduction of a GPL requires to include a reference to that new licence in point FCL.210, for consistency.*

- (10) in point FCL.215, the introductory phrase is replaced by the following:

‘Applicants for a PPL or a GPL shall demonstrate a level of theoretical knowledge appropriate to the privileges granted through examinations in the following subjects:’;

***Rationale***

*The introduction of a GPL requires to include a reference to that new licence in point FCL.215, for consistency.*

- (11) in point FCL.235, point (a) is replaced by the following:

- ‘(a) Through the completion of a skill test, applicants for a PPL or a GPL shall demonstrate the ability to perform as PIC on the appropriate aircraft category the relevant procedures and manoeuvres with the competency appropriate to the privileges granted.’;

***Rationale***

*The introduction of a GPL requires to include a reference to that new licence in this point FCL.025, for consistency.*

(12) a new Section 5 is added:

‘SECTION 5 — *Specific requirements for the GPL*

**FCL.205.G GPL — Privileges**

- (a) The privileges of the holder of a GPL are to act as PIC in gyroplanes:
  - (1) without remuneration in non-commercial operations;
  - (2) performing the carriage of passengers only when they have completed 10 hours of flight time as PIC on gyroplanes after the issuance of the licence.
- (b) Notwithstanding point (a) above, the holder of a GPL with instructor or examiner privileges may receive remuneration for:
  - (1) the provision of flight instruction for the GPL;
  - (2) the conduct of skill tests and proficiency checks for the GPL;
  - (3) the training, testing and checking for the ratings and privileges associated with the instructor’s or examiner’s licence, as applicable.
- (c) The exercise of the privileges granted by a GPL shall be dependent upon the compliance of the licence holder with the applicable recency requirements.

**FCL.210.G GPL — Experience requirements and crediting**

- (a) An applicant for a GPL shall have completed at least 35 hours of flight instruction in gyroplanes, 5 of which may have been completed in an FSTD, including at least:
  - (1) 20 hours of dual flight instruction; and
  - (2) 8 hours of supervised solo flight time, including at least 4 hours of solo cross-country flight time with at least one cross-country flight of at least 150 km (80 NM), during which full-stop landings at two aerodromes different from the aerodrome of departure shall be made.
- (b) Crediting. An applicant that holds a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as PIC on such aircraft up to a maximum of 10 hours. In any case, credits shall not be given for the requirements of point (a)(2).
- (c) Applicants with prior experience as PIC on gyroplanes may receive credits towards the requirements of point (a). The amount of credit shall be decided by the DTO or the ATO where the applicant undergoes the training course, on the basis of a pre-entry flight assessment, but shall in any case not exceed any of the following:
  - (1) the total flight time as PIC;
  - (2) 50 % of the hours required in point (a).

In any case, credits shall not be given for the requirements of point (a)(2).

**FCL.235.G GPL — Privileges for classes, types and variants of gyroplanes**

- (a) For the purpose of gyroplane pilot licensing in accordance with this Annex, gyroplanes shall be categorised into the following class and types:
  - (1) Single-propeller gyroplane (SPG) class: Single-pilot gyroplanes whose single-centric propulsion unit is operated by a single thrust control and driven by either of the following types of engines:
    - (a) a piston engine system which, if so specified following the certification process in accordance with Commission Regulation (EU) No 748/2012, may consist of more than one piston engine;
    - (b) an electric engine system which, if so specified following the certification process in accordance with Commission Regulation (EU) No 748/2012, may consist of more than one electric engine;
    - (c) if so specified following the certification process in accordance with Commission Regulation (EU) No 748/2012, a hybrid engine system consisting of piston and electric engines;
  - (2) gyroplane types that require privileges for that individual type, as determined following the certification process in accordance with Commission Regulation (EU) No 748/2012.
- (b) Applicants for a GPL shall be issued with privileges for the class or type of gyroplanes in which the skill test was taken. In order to extend their privileges to another class or type, holders of a GPL shall complete, in that other class or type, all of the following:
  - (1) unless specified otherwise in the operational suitability data established in accordance with Annex I (Part 21) to Commission Regulation (EU) No 748/2012, where applicable, 3 hours of flight instruction, including:
    - (i) 10 dual take-offs and landings; and
    - (ii) 10 supervised solo take-offs and landings;
  - (2) a skill test to demonstrate an adequate level of practical skill in the new class or type. During this skill test, the applicant shall also demonstrate to the examiner an adequate level of theoretical knowledge for the other class or type in the following subjects:
    - (i) operational procedures;
    - (ii) flight performance and planning;
    - (iii) aircraft general knowledge.
- (c) In order to extend the privileges to another variant within a class or type, the pilot shall complete differences training or familiarisation. Where applicable, that differences training or familiarisation shall comply with the operational suitability data established in accordance with Annex I (Part 21) to Commission Regulation (EU) No 748/2012. The differences training shall be entered in the pilot's logbook or into an equivalent record and be signed by the instructor. When extending the privileges for an SPG class to a variant

with another type of engine, as specified in point (a)(1), the differences training shall consist of dual flight instruction and theoretical knowledge instruction which shall include, with regard to that other type of engine and related aircraft systems, at least all of the following:

- (1) operational procedures;
- (2) flight performance and planning;
- (3) aircraft general knowledge.;

***Rationale***

*Point (a) of point FCL.235.G is proposed to establish the grouping of gyroplanes into classes and types. At the moment, all single-pilot gyroplanes with a single propeller (which can be powered by different engine designs – as the case is for the revised SEP aeroplane class rating, see Opinion No 05/2023) can be grouped into a class rating, while other (more complex) will require individual type privileges. This point (a) can be subject to revisions in the future (introduction of further classes), if necessary.*

*Subsequently, and inspired by current requirements for class and type privileges for LAPL holders, a framework for obtaining and extending privileges for classes, types and variants of gyroplanes is proposed (points (b) and (c) of point FCL.235.G). Following the LAPL principles ('privileges' instead of expiring 'ratings') in this regard is deemed to be the most proportionate solution. Specific minimum requirements for differences training with regard to different engine types (point (c)) are modelled on the proposals developed under RMT.0678 (see the above-mentioned Opinion) in the context of electrically powered aeroplanes.*

**FCL.240.G GPL — Recency requirements**

- (a) Holders of a GPL shall exercise the privileges of their licence in a specific class or type of gyroplane only if in the last 2 years they have met any of the following conditions as pilots of gyroplanes in the relevant class or type:
  - (1) they have completed at least 12 hours of flight time as PIC or flying dual or solo under the supervision of an instructor, including:
    - (i) 12 take-offs and landings;
    - (ii) refresher training of at least 1 hour of total flight time with and to the satisfaction of an instructor who shall select those flight exercises that allow the applicant to refresh their competence in safely operating the aircraft and applying normal, abnormal and emergency procedures;
  - (2) they have passed a GPL proficiency check with an examiner. The proficiency check programme shall be based on the skill test for the GPL.
- (b) Holders of a GPL with privileges for the SPG class who, in accordance with point FCL.235.G(c), have extended their privileges to a variant with a different type of engine as specified in point FCL.235.G(a) shall, if they have not flown that variant within the

preceding 2 years, complete any of the following in that variant, before exercising their privileges in that variant:

- (1) further differences training in accordance with point FCL.235.G(c);
  - (2) a proficiency check;
  - (3) refresher training in accordance with point (a)(1)(ii).
- (c) The dual flights and the solo flights under supervision as per the introductory phrase of point (a)(1), the refresher training as per points (a)(1)(ii) and (b)(3), and the proficiency check as per point (a)(2) and (b)(2) shall be entered in the pilot's logbook or equivalent record and shall be signed by the instructor or examiner, as applicable.

***Rationale***

*With regard to the draft presented in NPA 2021-12, the following changes were applied to the draft rule text:*

- *In point FCL.205.G(a), the text setting out the privileges of GPL holders was revised to follow the Part-FCL requirements on PPL privileges. Since the GPL is 'the only' Part-FCL licence for gyroplanes, and considering that GPL holders will be required to hold a Class 2 aero-medical certificate, limitations on MTOM and number of passengers ('LAPL approach') could be deleted.*
- *Point FCL.235.G was revised and restructured:*
  - *to more accurately set out the framework for gyroplane classes and type (point (a));*
  - *to establish consistency with the developments of RMT.0678, regarding variants with different engine type, such as electric and hybrid engines (point (b)), rendering thus the gyroplane requirements for future-proof in terms of engine developments; and*
  - *to clarify the documentation obligations of flights with instructors and examiners (point (c)).*

(13) in point FCL.700, point (a) is replaced by the following:

- (a) Holders of a pilot licence shall act as pilots of an aircraft only if they have a valid and appropriate class or type rating, unless any of the following applies:
- (1) they exercise the privileges of an LAPL or a GPL;
  - (2) they take skill tests or proficiency checks for renewal of class or type ratings;
  - (3) they receive flight instruction;
  - (4) they hold a flight test rating issued in accordance with point FCL.820.;

***Rationale***

*Such as LAPL holders, GPL holders will not be subject to Part-FCL, Subpart H. They will not hold expiring class or type ratings; instead, they will hold privileges for classes and types which need to be kept 'alive' in accordance with recency requirements. Hence, a reference to the GPL needs to be inserted in point FCL.700(a)(1).*

*When drafting this amendment to point FCL.700(a)(1), it was identified that the current introductory phrase of point FCL.700(a) and its points (1) to (4) do not connect well and consistently with each other. The entire point FCL.700(a) is therefore proposed to be replaced as shown above (no technical change but wording improved).*

(14) point FCL.810 is amended as follows:

(a) point (b) is amended as follows:

(1) point (2) is replaced by the following:

‘(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:

(i) 5 hours of theoretical knowledge instruction;

(ii) 10 hours of helicopter dual instrument instruction time; and

(iii) 5 hours of flight time at night, including at least 3 hours of dual instruction, including at least 1 hour of cross-country navigation and 5 solo night circuits. Each circuit shall include a take-off and a landing.

An applicant that holds or has held an IR in an aeroplane or TMG shall be credited with 5 hours towards the requirement in point (2)(ii) above.’;

(2) point (3) is deleted;

(b) the following new point (c) is added:

‘(c) Gyroplanes. If the privileges of a GPL are to be exercised in VFR conditions at night, applicants shall have:

(1) completed at least 50 hours of flight time as pilot in gyroplanes after the issue of the licence, including at least 20 hours as PIC on gyroplanes 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:

(i) 5 hours of theoretical knowledge instruction;

(ii) 3 hours of gyroplane dual instrument instruction time; and

(iii) 5 hours of flight time at night, including at least 3 hours of dual instruction, including at least 1 hour of cross-country navigation and five solo night circuits; each circuit shall include a take-off and a landing.

An applicant that holds or has held an instrument rating in an aeroplane or a helicopter shall be credited with 2 hours towards the requirement in point

(2)(ii) above. An applicant that holds a night rating in an aeroplane, helicopter or TMG shall receive a full credit for the element specified in point (2)(i).’;

***Rationale***

*The text of point FCL.810(c)(3), as presented in NPA 2021-12, was redrafted to be a final (not numbered) paragraph of point (c)(2), since that text, as a separate point, does not connect well with the introductory phrase of point (c).*

*When redrafting, it was identified that the same issue applies to point FCL.800(b)(3). For consistency with the proposed point (c)(2), the text of the current point (b)(3) is therefore also redrafted to be a final (not numbered) paragraph of point (b)(2).*

(15) in point FCL.905.FI, point (a) is replaced by the following:

‘(a) a PPL, LAPL and GPL in the appropriate aircraft category;’;

***Rationale***

*The introduction of a GPL requires to include a reference to that new licence in point FCL.025, for consistency.*

(16) in point FCL.910.FI(c), the following new point (4) is added:

‘(4) for the FI(G):

- (i) 100 hours of flight instruction in gyroplanes and, in addition, has supervised at least 25 solo flights;
- (ii) in the case of an FI(G) who also holds an FI(A) or FI(H) certificate and complies with points (1) or (2), as applicable, 25 hours of flight instruction in gyroplanes and, in addition, has supervised at least 10 student solo flights.’;

(17) point FCL.915.FI is amended as follows:

(a) the introductory phrase of point (a) is replaced by the following:

‘(a) in the case of the FI(A), FI(H) and FI(G):’;

(b) the following new point (ca) is inserted:

‘(ca) additionally, for the FI(G), have completed at least 150 hours of flight time on gyroplanes, of which at least 100 hours as PIC.’;

(18) point FCL.930.FI is amended as follows:

(a) in point (b)(3), point (i) is replaced by the following:

- ‘(i) in the case of an FI(A), (H) and (G), at least 30 hours of flight instruction, of which 25 hours shall be dual flight instruction, of which 5 hours may be conducted in an FFS, an FNPT I or II, or an FTD 2/3;’;
- (b) point (b)(4) is deleted;
- (c) point (c) is replaced by the following:
  - ‘(c) Applicants for an FI certificate in another category of aircraft who are holding or have held an FI(A), (H), (As) or (G) shall be credited with 55 hours towards the requirement in point (b)(2).’;
- (d) the following new points (d) and (e) are added:
  - (d) Applicants for an FI(G) certificate that hold or have held an FI(A), (H) or (As) certificate shall be credited with 15 hours towards the requirement in point (b)(3)(i), of which a maximum of 10 hours shall be a credit towards the dual instruction time.
  - (e) Applicants for the FI certificate who hold or have held any other instructor certificate issued in accordance with this Annex shall be deemed to meet the requirements in point (b)(1).

***Rationale***

*In point (b)(3)(i), a reference to the FI(G) certificate needs to be included, to make this provision applicable also to FI(G) training courses.*

*The text of the existing point (b)(4) (55-hour credit for applicants who hold or have held other FI certificates) does not connect well with the introductory phrase of point (4). Hence, when adding additional text related to the FI(G), the text of point FCL.930.FI, from point (b)(4) onwards, is restructured: The existing point (b)(4) is deleted. Instead, new points (c), (d) and (e) are added. Point (c) contains the text of the previous point (b)(4), complemented with a reference to the FI(G) certificate. Point (d) is a new point with specific crediting provisions solely in the context of the FI(G) certificate. Point (e) contains the (unchanged) text of the previous point (c).*

- (19) point FCL.940.FI(a) is amended as follows:
  - (a) in point (1)(i), the following new point (C) is added:
    - ‘(C) in the case of an FI(G), at least 50 hours of flight instruction in gyroplanes as FIs or as examiners;’;
  - (b) point (2) is replaced by the following:
    - ‘(2) For at least each alternate revalidation, in the case of FI(A), FI(H) or FI(G), or each third revalidation, in the case of FI(As), holders of the relevant FI certificate shall pass an assessment of competence in accordance with point FCL.935.’;
- (20) in point FCL.1005.FE, the following new point (d) is added:

- ‘(d) FE(G). The privileges of an FE for gyroplanes are to conduct skill tests and proficiency checks for the GPL and for associated privileges for gyroplane classes and types, provided that the FE has completed at least 500 hours of flight time as a pilot on gyroplanes, including at least 100 hours of flight instruction, of which up to 40 hours may be flight instruction conducted as FI(A) or FI(H).’;

***Rationale***

*The privileges and conditions for flight examiners are modelled on existing privileges and conditions for other examiner certificates in Part-FCL. Based on comments received to NPA 2021-12, the figures for flight time experience have been slightly adapted, compared to the version as presented in the NPA (page 67), for proportionality.*

- (21) in point FCL.1005.FIE, point (c) is replaced by the following:

- ‘(c) FIE(As) and FIE(G). The privileges of an FIE on airships and gyroplanes are to conduct assessments of competence for the issue, revalidation, or renewal of instructor certificates in the applicable aircraft category, provided that the relevant instructor certificate is held.’;

- (22) in point FCL.1010.FIE, the following new point (d) is added:

- ‘(d) FIE(G). Applicants for an FIE certificate for gyroplanes shall:
- (1) hold an FI(G) instructor certificate;
  - (2) have completed 1 000 hours of flight time as a pilot on gyroplanes; and
  - (3) have completed at least 100 hours of flight time instructing applicants for an FI(G) certificate, In the case of applicants holding a FIE(A) or FIE(H) certificate, this requirement is reduced to 50 hours.’;

- (23) in Appendix 1, Point 1 of Section A is amended as follows:

- (a) the heading of Point 1. is replaced by the following:

‘1. LAPL, PPL and GPL’;

- (b) the following new point 1.5. is added:

‘1.5. For the issue of a GPL, the holder of a pilot licence for aeroplanes or helicopters in accordance with this Regulation shall be credited in full towards the theoretical knowledge instruction and examination requirements in the following subjects:

- (a) Air law and ATC procedures,
- (b) Human performance,
- (c) Meteorology,
- (d) Communications,
- (e) Navigation.’

***Rationale***

*Appendix 1 to Part-FCL needs to be amended to set out credits for theoretical knowledge requirements for applicants for a GPL, when already holding an aeroplane or helicopter licence. Compared to the version presented in NPA 2021-12, references to the subjects 'Operational procedures' and 'Flight performance and planning' were deleted, since, due to the specificities of gyroplanes, in these subjects a general credit for aeroplane and helicopter pilots were identified not to be appropriate. In these subjects, aeroplane and helicopter pilots would still need to complete gyroplane-specific theoretical knowledge training and examinations.*

*ANNEX II*

Annex IV (Part-MED) is amended as follows:

In point MED.A.030(c), point (2) is replaced by the following:

- ‘(2) private pilot licence (PPL) or gyroplane pilot licence (GPL), the pilot shall hold at least a valid class 2 medical certificate;’.

*ANNEX III*

Annex VI (Part-ARA) is amended as follows:

In Appendix I, the template following paragraph (c) is amended as follows:

- (a) the phrase ‘This licence complies with ICAO standards, except for the LAPL and BIR privileges or when accompanied by an LAPL medical certificate.’ is replaced by the following:

‘This licence complies with ICAO standards, except for the LAPL, GPL and BIR privileges, or when accompanied by an LAPL medical certificate.’;

- (b) the phrase ‘EASA Form 141 Issue 2’ is replaced by the following:

***‘EASA Form 141 Issue 3’.***

*ANNEX IV*

Annex VIII (Part-DTO) is amended as follows:

In point DTO.GEN.110(a), the following new point (5) is inserted:

‘(5) for gyroplanes:

- (a) theoretical knowledge instruction for the GPL;
- (b) flight instruction for the GPL;
- (c) training towards privileges for single-pilot gyroplane classes and types;
- (d) training towards night rating.’