Comment-Response Document 2016-14

Appendix
to Opinion No 01/2019 (A)

RELATED NPA: 2016-14 — RMT.0677 — 18.2.2019

Table of contents

1. Summary of the outcome of the consultation

Please refer to the Explanatory Note to Opinion No 01/2019.

2. Individual comments and responses

In responding to comments, a standard terminology has been applied to attest EASA's position. This terminology is as follows:

(a) **Accepted** — EASA agrees with the comment and any proposed amendment is wholly transferred to the revised text.

(b) **Partially accepted** — EASA either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.

(c) **Noted** — EASA acknowledges the comment but no change to the existing text is considered necessary.

(d) **Not accepted** — The comment or proposed amendment is not shared by EASA.

(General Comments)	-

comment	*13* comment by: *G-OCAD* **Overall Comment** It appears overall that the BIR is very much aligned to the UK IR(R) and pilots with this qualification see multiple areas of similarity. I cannot agree therefore with your logic to choose Option 3 which is already a massive adoption of an existing rating; which therefore makes Option 2 more appropriate. The BIR offers no advantages to a UK IR(R) for those flying under their priviliges within UK desgnated airspace. Because of this the uptake of the BIR is likely to be drastically reduced amongst UK IR(R) holders. It is therefore essential that existing holders of the IR(R) have extensive priviliges with regard to being granted a BIR. No current IR(R) holder has any desire to go through the whole process of exams and flight training for something they have already acheived in the past so as to maintain the status quo. The encouragement to IR(R) holders must be of a sufficient level to make the transition easy and practically of minimal to no cost to the licence holder. The addition of having overall priviliges in Europe for basic GA IFR flying is obviously an advantage only if all the Member States sign up to the BIR. Without this the rating has no distinct advantage. EASA failed to listen and take notice to the comments from GA as regards to the E(IR), please do not make the same mistake again.
response	Noted. EASA would like to highlight that also for holders of a UK IR(R), the BIR will bring an added value: unlike the UK IR(R), the BIR will enable holders to fly not only within the UK airspace but within the territory of the European Union. Additionally, EASA would like to highlight that a credit report in accordance with Article 4 of Regulation (EU) No 1178/2011 could be established in order to grant credits to holders of a national IR who apply for a BIR.

comment	*16* comment by: *Neil MCGOVERN*

	Overall, this is an excellent proposal and should be widely welcomed. Compliments should be passed to the agents who prepared this document, it is highly legible and makes an excellent case.
response	Noted. Thank you for providing this positive comment.

comment	*80* comment by: *Spare Chan* I support this new rating but would prefer continuing to reform the existing CBM-IR and E-IR ratings instead.
response	Noted. EASA considers that Option 3 and the implementation of the BIR is the best way to address the needs of GA pilots. In parallel, while the competency-based instrument rating (CB-IR) will continue to provide a competency-based route to obtain an ICAO-compliant instrument rating, the en- oute instrument rating (EIR) will be deleted. However, existing EIR holders will be allowed to continue to exercise their privileges, and they will receive full credit for Modules 1 and 3 when stepping up to the BIR. Please also refer to EASA response to comments #410 and #412.

comment	*94* comment by: *M A Naylor* I fully support this proposal. It is a pragmatic way forward which will encourage PPL holders to become safer and more proficient and will make the achievement of some form of instrument rating much more accessible.
response	Noted. Thank you for providing this positive comment.

comment	*106* comment by: *René Meier, Europe Air Sports* Europe Air Sports thanks the Agency for preparing NPA 2016-14 proposing easier access for GA pilots to IFR flying. This NPA prepares next steps in the direction of safer flying and of more appropriate rules for flights under IFR for many members of our organisation. Flight planning will be easier and more straightforward, changing weather situations can better be coped with, less stress is put on flight crews, flight preparations will be less time-consuming, the risk for a continued VFR flight in IMC will be reduced to a great extent. Different pilots skills will be needed, of course. The presented syllabi cover these needs. We recommend to points of emphasis: 1) The pilot in command is responsible for his/her aircraft, even in a controlled environment. 2) Obstacle clearance and separation.
response	Noted. Thank you for providing this positive comment.

	EASA acknowledges the points raised, which should be covered in the syllabus for the BIR.
comment	*138* comment by: *UK CAA* **Page No:** N/A **Paragraph No:** General comment **Comment:** It should be ensured that the BIR training and privileges automatically includes PBN. It is suggested that the EASA RMG should determine whether the text needs changing, the key point is to ensure the skills test schedule includes PBN, which the NPA currently does not address. **Justification:** Consistency with forthcoming PBN IR.
response	Noted. EASA wishes to point out that performance-based navigation (PBN) training will be included in Module 2, as outlined in Section 2.4.2 of NPA 2016-14. Additionally, a reference to Appendix 7 of Part-FCL will be added to point FCL.835 in order to clarify that the skill test for the BIR needs to be completed in accordance with Appendix 7 (including PBN privileges as specified therein). Please also refer to the EASA response to comment #19.
comment	*173* comment by: *Wolfgang Lamminger* In general it is very welcome to implement the proposals for the BIR. To make it easier for aspirants, instructors, ATOs, examiners and last not least for authorities to recognise new rules, the attempt should be made, to bring IR rules into the same structure. For example: for IR and competence based IR the requirements for FLYING TRAINING are exposed in Appendix 6 (A) and (Aa), requirements for BIR are exposed in FCL.835 (c). This stucture maeks it not easy to compare rules. Another general point is as follows: the BIR is definitely a better way to start with IFR-experience, than the Enroute-IR is, and it will need less effort than a (full) CB-IR. In this context it is not understandable, that the advantage of training outside an ATO is cut down only to en-route procedure training (which is finally insignificant). The overhelming advantage of CB-IR is the chance to inspire VFR-pilots (commonly owners of well equiped aiurcraft) to receive IFR-training on their own schedule or needs, without the "official" walking through an ATO, and bringing them anyway goal-oriented close to the IFR-knowledge for a final training and tests with an ATO. This alternative should be maintained absolutely.
response	Noted. The modular IR and CB-IR are ICAO-compliant and internationally accepted ratings, whereas the BIR is not a fully ICAO-compliant rating, being valid only in EASA Member States. This is

	reflected in the present rule structure: the fully ICAO-compliant instrument rating is regulated in Subpart G and in the related Appendices 6 and 7 to Part-FCL, while other (non-ICAO-compliant) IR privileges are to be found in Subpart I (other ratings). Additionally, the CB-IR will of course be maintained within Part-FCL.
comment	*198* comment by: *Federal Office of Civil Aviation (FOCA), Switzerland* The Federal Office of Civil Aviation (FOCA) appreciates the opportunity to comment on this NPA and congratulates the Agency for this work.
response	Noted. Thank you for providing this positive comment.
comment	*223* comment by: *Czech Technical University* The BIR has a great potential. We appreciate EASA effort. EASA should focus on providing up to date information about new training methods to ATOs and instructors. ATOs lack CBT know-how. CBT-IR can be easily misunderstood, implemented and marketed as a new hours-based training. ATOs compete in terms of pricing. Price is set based on flight hours - minimum hours required by IR. Instructors may feel pressured to complete the training course within the minimum hours requirement to maintain the contracted prize unless the CBT concept is fully understood by trainees (clients), ATOs and instructors. The detailed guidance in GM1 FCL.835 is a huge step forward. EASA should continue developing similar materials. Not necessarily in terms of IR/AMC/GM; publishing training aids (similar to FAA Sample Lesson Plans) and running campaigns (similar to UK CAA Safety Projects) would be beneficial. It would contribute to a successful and safe implementation of BIR.
response	Noted. Thank you for your positive and constructive comments. EASA would like to highlight that AMC/GM need to contain the syllabus, while, following such a syllabus, detailed training material is subsequently developed by the training industry. Additionally, EASA will consider safety promotion activities in order to promote the new BIR.
comment	*228* comment by: *Luftfahrt-Bundesamt* The LBA has no comments on NPA 2016-14.
response	Noted.
comment	*229* comment by: *France* **Subject:** DGAC's support for option 3 (BIR) DGAC fully supports the option 3 aiming at introducing a new rating (BIR) and believes that such rating offers a more proportional access to instrument rating for GA pilots.

	In particular DGAC strongly supports the fact that the FCL.055 (d) (English language proficiency) is not required for a BIR application. As a matter of fact this requirement has been an unnecessary barrier to access to instrument flight privileges for many GA pilots in France.
response	Noted. Thank you for this positive comment. With regard to FCL.055(d), EASA considers that the proposal will increase the uptake of the BIR amongst pilots for whom English is not their mother tongue for flights conducted solely within an EASA Member State in which the language spoken is acceptable for radio communications.

comment	*285* comment by: *GNSS Centre of Excellence* Attachment #1 Thesr comments are presented as joint output of CabilAvi consortium. The introduction of Basic IR (BIR) as a new qualification proposed by this NPA, is a very positive step for general aviation pilots in order to allow them better access to IFR and we welcome it. We believe that the goal is very positive but we identified several important issues with this NPA, and we would like to address them. We identified 3 main issues which is not possible to connect with specific chapter or paragraph. These 3 main issues are: theory is based on outdated LOs, PBN is still not accepted as primary type of navigation and competency based training in general is putting more responsibilities on ATO. We discuss these main issues in detailed way in comments to executive summary. Other minor issues are connected with corresponding paragraph of the NPA. But as mentioned before, despite several issues, we believe, that this NPA is a step in right direction, we support this initiative and we are prepared to help with solving the issues. We attached PDF where we discuss severel issues more complexly - but every issue mentioned in PDF is also added via CRT to propriate part of the NPA
response	Noted. Thank you for this positive comment. Your detailed comments are addressed in the corresponding sections of this CRD. With regard to this comment at hand, EASA would like to highlight the following: An update of the existing Learning Objectives (LOs) was published on 6 February 2018 with ED Decision 2018/001/R. These updates will be considered when finalising the LOs for the BIR. Furthermore, as explained in Section 2.4.2 of NPA 2016-14, PBN procedures will be part of the training for obtaining a BIR, leading to respective PBN privileges of BIR holders. Finally, a competency-based training system aims at allowing a training organisation to better consider an individual student's development of competencies and learning progress and to take respective decisions when providing the training course. An increased responsibility of the training organisation is therefore inherent to competency-based training.

comment	*360* comment by: *Estonian Civil Aviation Administration*

	1. It isn't clearly stated of what are the requirements for BIR instructors and examiners. This needs to be addressed also.
response	Noted. Please refer to Section 2.4.6 of NPA 2016-14, which provides an overview of instructor and examiner privileges in the context of the BIR, as planned. The necessary changes to Subparts J and K of Part-FCL (requirements for instructors and examiners), although initially planned to be addressed with RMT.0596 ('Review of provisions for examiners and instructors (Subparts J and K of Part-FCL)'), will now be included in this proposal.

comment	*361* comment by: *Light Aircraft Association* The Light Aircraft Association is the UK's principal representative body for amateur-built and vintage light aircraft. Our history dates back to 1946, originally as the Ultralight Aircraft Association and more latterly the Popular Flying Association, and we are proud to have His Royal Highness, Prince Michael of Kent as patron. We are a not-for-profit association, owned by our members, providing airworthiness services under direct delegation from the UK's Civil Aviation Authority. We represent the aviation interests of over 7,600 pilot, amateur builder, vintage aircraft owner and enthusiast members, with over 2,800 operational aircraft, including 500 microlights and 100 gyroplanes, and another 1,700 aircraft under construction. In December 2016, the LAA was delegated by the UK CAA to approve national Night-IFR authorisation for selected Annex II aircraft operating on a LAA Permit to Fly. The LAA welcomes this proposal which addresses the issue of accessibility of the EASA Instrument Rating and provides a more proportionate alternative for General Aviation. Comments have been submitted at the relevant sections.
response	Noted. Thank you for this positive comment.

comment	*401* comment by: *European Transport Workers Federation - ETF* ETF regrets that the approach of this cross-domain activity did not include more ATM representatives especially frontline operators as two of the 4 items described as aims of the taskforce are closely linked to ATM (flight procedures and "more compatible" ATM (which is clearly interpretable as offensive to ATM workers we represent). There is little consideration given to the impact of the increased movements that GA access to IFR will have on the ATM structure and on ATS itself, not only in terms of actual numbers but in terms of the complexities it will introduce. There needs to be further consideration given to what expectations ATS can have with regards to the capabilities and abilities of those crew flying with the BIR as IFR. Such capabilities will surely go beyond the likes of an increased minima on an approach and these need to be highlighted and promulgated to all stakeholders and not just those taking part in the training i.e. those attaining the BIR.

	The ATM community needs to be able to build trust in an aircrew requirement for competence for a safe and orderly flow of traffic, and to have trust that every instruction will be understood and properly executed. This is key to the role of ATCOs and FISOs. Knowledge of the capacities of the flight crew is a crucial element which has been disregarded since the introduction of En Route-IR with which IFR flights could be conducted without any knowledge by ATS of the restrictions applicable to the flight. Increased consultation with stakeholders and acknowledgement of the concerns of those working in the ATM environment will be crucial.
response	Noted. EASA would like to highlight that it is indeed planned to take a holistic approach to ensure improvements regarding GA IFR flying across the different regulatory domains. However, as explained at the end of Section 2.1 of NPA 2016-14, due to time constraints and the need for prioritisation of actions, the current proposal addresses the aircrew domain only. Further tasks will be planned with regard to the other domains (e.g. air traffic management (ATM)). Please refer to Section 2.1 of NPA 2016-14 for more information.

comment	*407* comment by: *European Transport Workers Federation - ETF* **Pages 28/30/35/37/39/40/41/43-51/53-58/62-64/66-68** Various references to comms with ATC. The competencies reference comms with ATC but this may only be if ATC services are provided where BIR is being assessed. Interaction with ATC as part of competency-based training as listed in the syllabus must be mandated on every single item.
response	Noted. Please also refer to the EASA response to comment #212.

comment	*412* comment by: *Finnish Transport Safety Agency* **Question to stakeholders:** **The Agency would like to ask its stakeholders for their feedback on the proposal to delete the EIR in FCL.825, together with its associated AMC and GM and the references to other requirements.** **Answer:** It is difficult to foresee whether there will be market for the en-route instrument rating (EIR) if the Basic Instrument Rating (BIR) will be available. However, EIR could be one step on the way to BIR and IR. Similar privileges as with EIR could be issued after completing BIR module 1 and module 3, by adding demonstration of approaches, in order to allow pilot to fly en-route IFR before completing module 2. In any case, as EIR ratings have already been issued and will be issued until the possible deletion, the regulations to revalidate and renew EIR should stay. At the moment requirements for instrument flying are scattered in several paragraphs i.e. FCL.615, Appendix 6, FCL.825 and FCL.835. It could be preferable to review the requirements as a whole and draft a regulation where IFR flying privileges could be achieved step by step.

	At the same time it could be assessed whether an instrument rating exceeding ICAO Annex 1 requirement is still needed.
response	Noted. Based on the comments received, EASA has decided to delete the EIR. However, existing EIR holders will be allowed to continue to exercise their privileges, and they will receive full credit for Modules 1 and 3 when stepping up to the BIR. Please also refer to the EASA response to comment #410.

comment	*413* comment by: *Finnish Transport Safety Agency* Trafi supports the competence-based ideology in general. However, the method is new and it requires a lot of training and guidance to start implementing it. This should be taken into consideration when reviewing the rules. The explanatory note compares BIR requirements to FAA system. It should be noted that the EU system differs from FAA system in many areas. If the safety measures applied at the moment in the EU system are deleted, it should be confirmed that there are other safety measures in place.
response	Noted. EASA acknowledged the differences between the regulatory structure of Europe and the US in the Explanatory Note of NPA 2016-14. EASA also acknowledges that the adoption of competency-based training is different from the traditional hours-based approach, but this is not necessarily linked to a reduction in safety measures. Instead, as outlined in Section 2.3 of NPA 2016-14 (summary of the regulatory impact assessment (RIA)), an increased level of safety can be expected from enabling more pilots to access to IFR flying.

comment	*432* comment by: *Aero-Club of Switzerland* The Aero-Club of Switzerland thanks the Agency for preparing NPA 2016-14 proposing a Basic Instrument Rating. Our organistion supports the comments posted by Europe Air Sports but wishes to make a few additional comments proposing to the reviewers of the comments tio consider some additional points.
response	Noted. Your additional comments will be addressed in the corresponding sections of this CRD.

comment	*434* comment by: *trevor sexton* This should be able to done at an DTO (currenly RTO) Without this again i believe there will still be a poor take up by GA pilots. Reason,s being...

ATO,s have higher overheads mainly due to the additional burdens put on them by EASA/NAA and therefore cost,s will be a lot higher to pilots.

ATO,s are bussinesses and want to make profits for staff and directors.

ATO,s are not found at every GA airfield, therefore requiring some pilots to travel long distances to the nearest ATO this will put many pilots from taking this up.

Therefore ATO,s are not friendly places and once you have had your lesson/training and paid you money they kick you out..
where as DTO,s (RTO,s) tend to be club / Commitee run orginisations and therefore friendly places where you meet other pilots and chat about avaition.

response

Noted.

Thank you for your comment.
For the time being, the training scope of a declared training organisation (DTO) will not include the BIR. Please refer to Opinion No 11/2016, Section 2.3.5, for further information and explanations. As described there, EASA intends to carefully monitor the implementation of Part-DTO in order to evaluate, at a later stage, whether the training scope could be extended to include further ratings.

comment

442 comment by: *ATCEUC - Air Traffic Controllers European Unions Coordination*

These IFR flights may reduce the available sector capacity for commercial flights and increase complexity due to pilots non standard behaviour/capabilities when compared to regular IFR pilots. These new rated pilots will need additional knowledge and competence dealing with ATC when flying IFR in controlled airspace near standard routes and airports. This means more detailed training on ATS and even different language requirements if the ratings are to be used in different countries. Those considerations were not included in the elaboration of this NPA because EASA just ignored the added value of having ATM professionals in the working group.

response

Not accepted.

The training syllabus developed for the BIR, as indicated in NPA 2016-14, is believed to sufficiently train pilots to develop the competence to conduct IR flights within the privileges of the BIR. During the skill test following the training, this competence will be fully tested.
EASA would also like to highlight that ATM representation was included in RMT.0677.

comment

445 comment by: *Ryanair*

I would like to clarify that I would like to make the comment on behalf of Ryanair which is part of the A4E.

Our concerns are

• We are concerned that this proposal may lead to increased numbers of low/slow GA flights through busy TMAs which raises safety concerns with the resultant increased ATCO workload which in turn will inevitably lead to reduced capacity.

	• We strongly oppose any proposal which may allow pilots to any language other than English (see 2.4.8). International Civil Aviation Organization (ICAO) states in "ICAO Annex 10 ICAO (Vol I, 5.2.1.1.2) to the International Chicago Convention" that English be universally used for "international aeronautical radiotelephony communications." The use of languages other than Aviation English will harm the ability of pilots and air traffic controllers to communicate and thereby raise safety concerns. Choorah Singh
response	Noted. EASA recognises your concern about the potential increase in 'low/slow' aircraft in terminal areas but has the opinion that this has not proved to be an issue in other countries such as the USA, so should not be an issue in the EASA Member States. EASA considers that the optional use of a language other than English, for flights conducted solely within an area in which the language spoken is acceptable for radio communications, will not be a safety concern as BIR holders will mainly use smaller GA aerodromes rather than large international airports, and for those airports, the ATS providers can require all radio communications to be conducted in English. Where this applies and is stated in the national AIP, non-English speaking BIR holders would be excluded.

NPA 2016-14 — EXECUTIVE SUMMARY p. 1-2

comment	*299* comment by: *The Norwegian Air Sports Federation* The Norwegian Air Sports Federation (NLF – Norges Luftsportforbund) would like to thank the Agency for this proposal, as we strongly support its objectives; Even after the introduction of EIR and CB-IR, instrument training remains too cumbersome, costly and impractical to take part in for most general aviation pilots in Europe. For a summary of our response to this NPA, please see comment # 257.
response	Noted. Thank you for providing this positive comment. Your detailed comments will be addressed in the corresponding section.

comment	*311* comment by: *AOPA Sweden* AOPA Sweden strongly supports this RMT and the more proportionate proposals given. We strongly agree that this is high priority. In combination with increased access to infrastructure, i.e. GPS approaches to non-towered airports, this will open up the GA-aerodromes to safe operations and avoiding operating aircraft VFR at low altitude in marginal VFR weather. We strongly suggest EASA also look into the FAA system with instrument aerodromes allowed for IFR operation also where a control tower is not in service. In addition an extract of the safety record from the USA, regarding these operations should be studied.

response | Noted.

Thank you for this positive comment.
As explained in Section 2.1 of NPA 2016-14, priority was given to revising flight crew licensing requirements only. Revisions with regard to the ATM domain are planned for the future. Please refer to the said section of NPA 2016-14 for more information.

comment | *377* comment by: *CTU in Prague*

BIR license is very positive step towards improving access of GA pilots to IFR.
Many pilots of GA will be interested in BIR because it is more accessible alternative to IR.

There are only two issues in this initiative:
1. NPA didn´t specify how different DH for BIR holders will be provided. There is a risk that BIR will not be usable because there will be no maps and aircraft navigation database with DH for BIR holders. Unavailability or high cost of BIR maps may be serious issue for pilots who decide if they will go for BIR or IR.

2. Requested theory is based on actual PART-FCL and not on NPA 2016-03. Because NPA 2016-03 will probably become AMC to PART, in time when BIR will become available, there will be many issues with preparation for theoretical exams. Because important differences between today's syllabus and the new on proposed by NPA 2016-03, there will be many LO missing and other will become obsolete. it may lead to higher rate of failure during exams for first BIR. This may lead to decrease of interest of pilots about BIR.

Despite these issues I am very thankful to everyone who collaborated on this initiative, because it brings positive changes for GA pilots, and I hope this NPA will turn in to legislative very soon.

response | Noted.

Thank you for this positive comment.

Regarding your first point, EASA considers that the BIR-related addition to the published minima will be properly calculated by the pilot during pre-flight planning, based on the figures given in the new point FCL.835 'Basic instrument rating (BIR)'. The correct calculation of the decision height (DH) will be part of the training course as set out in the related AMC/GM to FCL.835.

Regarding your second point, EASA wishes to refer you to Section 2.4.4 of NPA 2016-14, which explains the reasoning behind the theoretical knowledge requirements for the BIR. Additionally, following NPA 2016-03 (A), (B), (C), (D), (E) and (F), an update of the existing Learning Objectives (LOs) has been already published (refer to ED Decision 2018/001/R). These updates will be considered when finalising the LOs for the BIR.

1. Procedural information p. 3-4

comment | *399* comment by: *AeroClub Roger Janin, FR.ATO.0087*

	1.1. The rule development procedure comment : On the NPA there is no sign that a Quality Department has approved the NPA release for public comment. Is this just not mentioned or does it means there is no quality control * of the NPA? (this one and others in general) (* note : here “quality control” does not mean checking spelling errors or similar, but avoiding noncompliance to procedures and rules or inconsistency with other related documents, activities or policies.)
response	Noted. EASA would like to highlight that NPAs (as well as other rule development documents) need to be developed in accordance with the provisions of the EASA Management Board Decision 18-2015 (‘Rulemaking Procedure’) which is adopted in accordance with Article 115(1) of Regulation (EU) 2018/1139.

2. Explanatory Note — 2.1. Overview of the issues to be addressed p. 5-6

comment	*14* comment by: *Neil MCGOVERN* Although the ToR priorities seem well thought out, it would be useful to see a stronger lead-through of these priorites. The current text seems to imply that they can be completed in sequence, whereas actually there may be areas of significant overlap. For example, training requiements specify experience with RNAV approaches, which certainly should be a required item in today's airspace. However, if this is not then backed up by a number of suitable RNAV appraoches at aerodromes and an ATM system in place to deal with them, issues could arise, leading to the lack of take-up of the BIR. That is not to say that the perfect should be the enemy of the good - but I would like to see either some text explaining this anomaly, or perhaps a timeline for the comprehensive action plan production.
response	Partially accepted. The availability of PBN approaches in the airspace of the EASA Member States is outside the immediate control of EASA. However, EASA wishes to refer you to Section 2.4.2 of NPA 2016-14 in connection with PBN training. As explained in Section 2.1 of NPA 2016-14, due to time constraints and the need for prioritisation of actions, aircrew issues were decided to be addressed first, while other domains will be tackled through a comprehensive action plan.

comment	*32* comment by: *R wise* Nowhere is the issue of LAPL users addressed. The basic difference between PPL and LAPL is the ability to take further ratings and a more straightforward Medical. As medical problems are not a major (? or minor) issue with instrument flying, then why not include LAPL holders. If necessary some modification to the training requirements could be made.

	As LAPL flyers are just as likely to fly into adverse weather as PPL holders , why not address this matter?
response	Not accepted. EASA would like to highlight that next to different medical requirements there are also different training requirements for LAPL and PPL. It has been decided that only the 'higher' PPL can serve as a basis for obtaining a BIR. However, as described in Section 2.5 of NPA 2016-14, the introduction of an 'aeroplane cloud flying rating' will be considered in another rulemaking task (i.e. RMT.0678 'Simpler, lighter and better Part-FCL requirements for general aviation'), which could also be open to LAPL holders.

comment	*38* comment by: *KSAK - Swedish Royal Aero Club* We strongly support this task and this NPA has come a long way. The more IFR-proficient pilots we have, the sooner we will see upgraded avionics in the ageing fleet and we will have a higher flight safety.
response	Noted. Thank you for this positive comment.

comment	*102* comment by: *Aeroclub of Gothenburg, flightschool* This is a great step in the right direction! The more IFR proficient piots, the higher flight safety will be. this is also a major step towards making GA more accessible as business tool.
response	Noted. Thank you for this positive comment.

comment	*258* comment by: *The Norwegian Air Sports Federation* The proposal states that "there is some evidence suggesting that amending the relevant European regulations may facilitate growth in this area". NLF would describe this as a euphemism: The more proportionate, simpler and more practically focused FAA instrument rating is the number one driver for the high number of N-registered aircraft being permanently operated in Europe[1]. In addition to the better selection of aircraft modifications for general aviation aircraft through a significantly larger range of FAA-STCs compared to EASA-STCs, this motivates European private pilots to go through the administrative burden of owning an N-registered aircraft. (The burden includes setting up an owner trust as well as sourcing FAA approved A&Ps for maintenance purposes.[2]) To make the EASA system attractive, the main goal of this task ought to be to make IR in Europe as accessible in all meanings of the word as it is in the US. It is not enough to fix the theoretical syllabus: We also have to make an analysis of all aspects making the FAA IR more attainable. If we fail to do this, the objectives of this rulemaking task will not be met. [1] The UK Department of Transportation (DoT) conducted a public consultation on N-registered aircraft being operated by private individuals in the UK in 2005. The consensus reached was that:

"Government action should instead focus on the reasons why people choose to place their aircraft on the US register and on disincentives to UK registration. Respondents emphasised in particular the perceived difficulty for holders of private pilots' licences of achieving an Instrument Rating in the UK under the prevailing JAR-FCL Instrument Rating requirements; the costs and commercial disadvantages of placing aircraft on the UK register; the relatively fewer aircraft and parts that are certified by the CAA as compared to the FAA or other Authorities; and the widespread recognition and acceptance of FAA licences and certificates worldwide."

For other sources backing up the popularity of N-registered aircraft please see the links below:

http://www.ainonline.com/aviation-news/aviation-international-news/2008-08-11/operators-give-dgac-f-aircraft-registration-reform

http://aircraft-trust.com/N-Registration_Advantages.html

[2] http://www.peter2000.co.uk/aviation/faa-nreg/

response

Noted.

EASA considers the proposal for the introduction of the BIR to be much more than just a revision of the theoretical syllabus — it is an overall new training concept for a simplified rating offering basic IFR privileges that are tailored to the need of general aviation. Hence, it is expected that the introduction of the BIR will indeed make the EASA system 'more attractive', as claimed in your comment.

comment

265 comment by: *Julian Scarfe*

We strongly agree that the issue of access to IFR flying for GA pilots needs to be addressed using a holistic approach. We are disappointed that domains other than FCL (e.g. equipment certification, ATM aspects and the availability of IAPs) were not considered in the project so far, and believe that these other aspects might be higher leverage overall in addressing GA safety performance. Nevertheless, we are grateful and encouraged that the Agency has put considerable effort into the aircrew regulatory issues in this NPA.

We note that the Agency's undertaking that "Further tasks will be planned in the other domains upon delivery of a comprehensive action plan, [1 SEP] as mentioned in the ToR, as one of the deliverables of this rulemaking task. In this context, it is expected that the comprehensive action plan will contain recommendations for amendments to the aircrew, airworthiness, ATM, and aerodrome requirements." and look forward to progress in these other domains without undue delay.

response

Noted.

Thank you for this positive comment.

As explained in Section 2.1 of NPA 2016-14, due to time constraints and the need for prioritisation of actions, aircrew issues were decided to be addressed first, while other

domains will be tackled through a comprehensive action plan which will address all issues in these other domains.

comment *317* comment by: *Uppsala Flying Club*

We strongly support the aims of the proposed amendement. More instrument rated GA pilots mean higher safety, better regularity and a motivation to upgrade old equipment in aircraft.

response Noted.

Thank you for this positive comment.

comment *330* comment by: *AOPA Finland*

Vibrant General Aviation sector is crucial to securing the success and future growth of commercial air transport and aerospace inside the European Union but EU and especially EASA has increased regulatory burden in recent years which has caused enormous implementation cost to training organisation. Regulatory climate has been very volatile making the sector less attractive to private operators and especially non-profit flying associations. The current regulatory system favours state owned organisations subsidised by government leaving very little room for real private training organisations.Combination of excessive regulation and increasing costs and taxation by EU/EASA/Finland Government have all contributed to a decline especially in Finland GA activity as well as amount of private pilote licenses and its position as a way of transport and particularly for flying training. There have also been recent declines in the number of hours flown by fixed-wing light aircraft: statistics show 36 % fewer hours flown in 2015 than 2006. By comparison, there has been some growth in the less regulated and less expensive Microlight sector, indicating how regulation and cost can influence levels of activity. See
https://www.trafi.fi/filebank/a/1462352079/2d02edf8af3125bf6f424e8a442c8144/20545-Lentotunnit_2006-2015.xlsx

Lentotunnit										
2006-2015										
	2006	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**	**2015**
Liikenneilmailu										
Lentokoneet	231 407	270 254	290 804	261 774	261 765	283 727	242 525	273 060	270 318	266 207
Helikopterit	555	0	1 332	0	0	0	0	0	0	0
Liikenneilmailu yhteensä	**231 962**	**270 254**	**292 136**	**261 774**	261 765	**283 727**	**242 525**	**273 060**	**270 318**	**266 207**
Yleisilmailu, ansiolentotoiminta										
Lentokoneet	26 474	29 092	29 131	25 046	27 425	24 935	18 612	10 034	21 308	16 553
Helikopterit	12 566	12 526	11 819	13 648	12 348	16 454	15 666	9 773	10 752	12 853
Ilmaa kevyemmät i/a	949	891	731	695	534	563	541	484	552	613

Yleisilmailu, yksityislentotoiminta										
Lentokoneet	32 756	28 584	26 084	26 172	23 679	23 576	18 626	20 245	17 789	17 411
Helikopterit	5 068	5 056	4 510	4 166	3 586	889	770	1 552	978	2 362
Yleisilmailu yhteensä	**77 813**	**76 149**	**72 275**	**69 727**	**67 572**	**66 417**	**54 215**	**42 088**	**51 379**	**49 792**
Harrasteilmailu										
Purje- ja moottoripurjelentokonee t	26 038	20 798	20 439	23 662	19 576	20 520	18 789	18 244	17 040	13 845
Ultrakevyet lentokoneet	12 841	12 686	12 586	13 357	13 589	13 344	13 785	13 294	11 978	13 532
Ilmaa kevyemmät ilma-alukset	426	416	498	484	571	711	775	475	317	85
Harrasteilmailu yhteensä	**39 305**	**33 900**	**33 523**	**37 503**	**33 736**	**34 575**	**33 349**	**32 013**	**29 335**	**27 462**
Ilmailu yhteensä	**349 080**	**380 303**	**397 934**	**369 004**	363 073	**384 719**	**330 089**	**347 161**	**351 032**	**343 461**

Here are a number of areas of EU policy which require immediate consideration. They include:

- The long term necessity for EU/EASA to regulate GA;
- Reducing the fiscal burden on GA, particularly energy taxes and VAT on training and aviation fuels;
- Coordination of EASA policy on GA across NAAs/CAAs;
- Safeguarding EU Network of Airfields for GA to support connectivity, training and leisure;
- EU capturing a share of training for Commercial Air Transport pilots and engineers by underwriting GA renaissance;
- EU recognising GA's potential to help the sparsely populated regions and regional airports

For instance, the number of private pilot's licence(A) holders has fallen dramatically from 374 in 2012 to 138 in 2016;

These two statistics reveal that combination of excessive regulation and increasing costs and taxation have all contributed to a decline in Finland GA activity. https://www.trafi.fi/filebank/a/1485330004/9919078097af57c8690a40a393a9cef8/23919-Lupakirjan_haltijoiden_vuotuiset_lukumaarat_20170103.xlsx

response

Noted.

EASA wishes to highlight that it is the overall objective of the EASA General Aviation (GA) Road Map to make life easier for general aviation through simpler, lighter and better rules applicable to this domain. Numerous rulemaking tasks are working in this area. Please refer to https://www.easa.europa.eu/easa-and-you/general-aviation for more information.

At the same time, it has to be highlighted that some of the issues listed in your comment (energy taxes and VAT for aviation fuel) is outside the remit of EASA.

comment *383* comment by: *NATS National Air Traffic Services Limited*

Attachment #2

NATS welcomes the opportunity to comment against the Notice of Proposed Amendment 2016-14 “Easier access for general aviation pilots to instrument flight rules flying”. We have provided detailed contents comments via the EASA CRT but also feel it necessary to offer the higher level comments and concerns contained within the attached letter as we consider that the issues this proposal raises need considering both now and later on in the process.

response Noted.

Your detailed comments will be addressed in the corresponding sections of this CRD.
With regard to the concerns raised in your attached letter, EASA would like to highlight as follows:

— As explained in Section 2.1 of NPA 2016-14, due to time constraints and the need for prioritisation of actions, aircrew issues were decided to be addressed first, while other domains (e.g. ATM topics) will be tackled through a comprehensive action plan which will address all issues in these other domains.

— Competencies of applicants for a BIR are described in detail in the draft Guidance Material published with NPA 2016-14 (GM1 FCL.835 point (c), starting from page 27 of the NPA document, refer to the box ‘Objective’ of every training element).

— With regard to your comment on language proficiency for BIR holders, please refer to the EASA response to comment #445.

2. Explanatory Note — 2.2. Objectives p. 6

comment *257* comment by: *The Norwegian Air Sports Federation*

We believe that the following items and issues must be addressed to achieve the objectives of this NPA:

1. **There are too few flying schools around that offer instrument training**, and those that exist are too costly for the average leisure pilot. Without affordable flying schools with instrument training capabilities close to where people live and work, the cost, time and inconvenience involved will remain a serious obstacle. In our view, this main concern has not been properly addressed in the proposal.

2. **The theoretical knowledge syllabus is currently excessive for general aviation purposes**. The FAA IR syllabus ought to be adequate, judged by the FAA IR rating's success in terms of popularity and safety record. NLF therefore applauds that NPA 2015-16 suggests a theoretical knowledge syllabus similar to the FAA IR.

3. **To complete the full IR (IR/CB-IR) may appear as too daunting a task for most general aviation pilots**. Dividing the training programme in modules therefore makes a lot of sense, as proposed by this NPA. However, if a completed module does not give any privileges at all, the incentive to embark on a module is very weak and has probably limited value. The EIR / CB-IR structure is in that respect superior. NPA 2016-14 is weakened further by opening the door for the deletion of the EIR; As long as the modules within the BIR does not provide any privileges, the EIR should be kept. As an alternative, the BIR modules should lead to similar privileges (e.g., the combination of Module 1 and Module 3 could give similar privileges as the EIR). Only then would the EIR become redundant.

4. **The training ought to follow a logical path with increasing complexity throughout the program**. This objective is not met when the approaches and departures (the most complex and demanding of all tasks) are covered in module 2, while en-route flight is covered in module 3. This is contrary to good learning practices and should be changed.

5. **The structure of the training should be tailored to what's desired as far as privileges go**. Seen from the general aviation pilot's perspective, the following four privileges could be desired:

i) Cloud flying rating (for breaking the clouds to fly VFR on top)
ii) En-route rating (similar to EIR)
iii) IR with restricted privileges (similar to the UK IMC rating / IR(R))
iv) IR (with full privileges, with the goal of being more or less identical to the current FAA IR)

These four sets of privileges cover the needs of the general aviation environment for flight in IMC. It is of course possible to combine i) and ii) into one rating, with the disadvantage that fewer pilots will embark on the first step on the ladder. Similarly, the more compact the BIR becomes, the less there is a need to introduce a medium step of IR (R).

Instead of opting for such an approach, this NPA gives us BIR only (which is more demanding than the UK IMC rating) in addition to CB-IR (which is more demanding than the FAA IR), while we risk loosing EIR. This will not provide GA in Europe with "better, simpler and lighter rules".

response

Not accepted.

EASA notes your suggestions and wishes to advise you that earlier work regarding easier access for general aviation pilots to instrument flight rules flying included consideration of the proposals for partial BIR privileges commensurate with the relevant flying training modules. However, EASA now considers that the option to introduce the BIR is better, together with the simple ‘Aeroplane cloud flying rating’, and wishes to refer you to Table 1 of Section 2.3.3 of NPA 2016-14 in this respect.
Furthermore, EASA considers that the use of flying training modules will allow the customer/applicant/candidate to decide their preferred sequence of training with guidance from the training organisation.

comment

334 comment by: *AOPA Finland*

EASA should be more transparent in its regulatory oversight delivering culture change within the organisation and NAAs, and avoiding CAAs to unnecessarily “gold-plating” of EU requirements.

It is a generally accepted principle of modern safety management that it is impossible to eliminate risk: **a regulator can only minimise it to optimise total system safety**, subject to imposed constraints such as the total available resource. The optimisation process may improve safety with respect to some types of risk, but lower it with respect to others. All those in the safety chain need to be bought in to the concept of total system safety, and accept any residual risk. We propose that the IAOPA Europe is best placed to assess the cumulative impact that national and EU regulation may be having on the sector. Risk management should differentiate between stakeholder classes according to their ability to assess and control risk. In considering the level of regulatory protection required, the regulator should consider the ability of all those who are exposed to risk to assess and control that risk. This is consistent with concepts to be introduced into the revisions to the EASA basic regulation with the SES2+ package.

response

Noted.

EASA believes that the combination of proportionate and flexible theoretical knowledge and competency-based flight training appropriate to the needs of general aviation pilots which includes the important themes of threat and error management, single-pilot crew resource management and pilot decision-making skills will increase the pilots' understanding of their role in ensuring the overall safety concept.
Competent authorities will oversee training organisations and examiners to ensure that standards are maintained.

2. Explanatory Note — 2.3. Summary of the regulatory impact assessment (RIA) p. 6-14

comment *15* comment by: *Neil MCGOVERN*

Table 4 could do with the percentage share adding for the total.

response

Accepted.

The share for each of the four types of rating of Table 4 are 40.2 %, 1.5 %, 14.7 % and 43.7 % respectively.

Type of rating	Before 8/Apr/2013	From 8/Apr/2013	Total
IR	36.7%	55.5%	40.2%
EIR	1.0%	3.6%	1.5%
3rd country IR	15.7%	10.0%	14.7%
National IR	46.5%	30.9%	43.7%
Total	100.0%	100.0%	100.0%

Note: The sum of the 'Total' column seems to be 100.1 % because of rounding errors.

comment *42* comment by: *KSAK - Swedish Royal Aero Club*

Cost is one important thing. But another, perhaps even more important, thing is availability. Are these training facilities easily accessible?

	By allowing DTOs to conduct BIR training, the availability would increase by tenfold. In Scandinavia we have many airfiels and aeroclubs where there simply is not an ATO within 500-700 kilometres. Therefore it is very important that the BIR is available through the DTO concept. Otherwise we will not see the sought after increase in instrument rated pilots.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*43* comment by: *KSAK - Swedish Royal Aero Club* Option 3, "Introduce a new BIR" seems to be the best way forward.
response	Noted. Thank you for this positive comment.

comment	*101* comment by: *Aeroclub of Gothenburg, flightschool* Option nr 3 is clearly the best option!!!
response	Noted. Thank you for this positive comment.

comment	*127* comment by: *René Meier, Europe Air Sports* 2.3.3. Policy options Table 1: Selected policy options p 9/230 Europe Air Sports supports the introduction of a new "Basic Instrument Rating". Rationale The proposed modular and competency-based, as possible, fits he need of our community, enhanced planned IFR flights and increase flight safety by easier planning and reduced stress on flight crews, particularly in single-pilot/single-engine operations.
response	Noted. Thank you for this positive comment.

comment	*162* comment by: *AOPA (UK)* Item is incorrect for UK IMCR - there is no requirement to hold a JAR Night Rating as a prerequisite.
response	Noted. Thank you for providing this comment which is correct and will be considered for updating the RIA.

comment	*199* comment by: *Federal Office of Civil Aviation (FOCA), Switzerland* *Comment FOCA:* FOCA is supporting **option 3 "Introduce a new BIR"**. From an operational point of view, the minimum of "200ft above minimums / 500ft AGL respectively 600ft AGL" for 3D and 2D approaches seems very little and does not present any major difference in security compared to a standard approach. A higher minimum for both approaches would certainly be more appropriate and should be studied. Futhermore in the case of option 3, in our opinion it is important that this option replaces, in the near future, the enroute IR (EIR).
response	Not accepted. EASA considers that the intention of the increased minima is to ensure that BIR holders depart/arrive in meteorological conditions no worse than SVFR as defined in SERA.5010. Furthermore, EASA holds the opinion that if clearance to land is not issued before BIR minima is reached, this will normally be a benign event leading to a low-level visual circuit, for which PPL holders have been trained and tested. Finally, with regard to the EIR, please refer to the EASA response to comment #412.

comment	*266* comment by: *Julian Scarfe* 2.3.3 We believe that policy option 1 deserves more consideration than it has been given. As is evident from the table that follows, there is a plethora of instrument qualifications in the European aircrew system, which leads to unnecessary complexity. The FAA system has a *single* instrument rating, which is designed to be accessible for the GA pilot. The value of the Task Force's work is in: • · designing a modular, competence-based approach to practical instrument skills and • · focusing theoretical knowledge on what is necessary for the exercise of those skills in operational situations then the syllabus described in GM1 FCL.835 (c) and GM2 FCL.835 would be a perfect syllabus for the instrument rating, and, thanks to its modern, competence-based approach, would deliver a higher standard of pilot competence than the current Appendix 6 requirements. 2.3.4, 2.3.5, 2.3.6 We disagree that option 1 is likely to provide lower uptake than option 3. The uptake will depend primarily on where the course may be taught (whether an ATO, or instead a DTO) and not whether the training is to 200 ft or 500 ft decision height. 2.3.7 We believe that option 1 is equivalent to option 3 in this regard. 2.3.8 We note that option 1 is superior to option 3 on the grounds of complexity. 2.3.9

	In the light of our comments on 2.3.3 to 2.3.8, we believe that the philosophy, modularity and competence-based nature of training set out in GM1 FCL.835 (c) and GM2 FCL.835 should be applied to the CB-IR. All the required elements of instrument theoretical knowledge and practical skills are included, and, because of a common skill test, the individual items in that syllabus need no modification to become an unrestricted IR syllabus.
response	Not accepted. EASA wishes to refer to Sections 2.4.1 and 2.4.3 of NPA 2016-14 which explain the principles and the reasoning behind the privileges and limitations of the BIR. EASA further wishes to refer to Section 2.4.9 of NPA 2016-14 which describes a proportionate upgrade path from the BIR to the CB-IR.

comment	*312* comment by: *AOPA Sweden* 2.3.2 It is true that the cost might be prohibitive. One part of the cost is the time needed for taking the theory course. Compare the scope and size of the theory course with the FAA licence.needing to take time off from work, in order to take the theory course, is also a great cost. Availability is another and very important issue in Sweden where there are large distances between each training organisation. I.e. there are appx 40 RF's in sweden but less than 18 ATO for aircraft training. Not all ATO's are aimed at the GA-market. This means giving the smaller training organisations the possibility to conduct BIR training. AOPA Sweden suggests that each competent IRI, or FI with IRI privileges, should be given the privilige conduct BIR training, on a similar basis as the CB-IR and EIR per today. This means the accessability for BIR training would increase drastically. EASA should publish the training manual as an AMC so that the Flight instructor As a second best suggestion, we propose that DTO's are given the privilige to conduct BIR training. The AMC and hard law has to be so simple that each DTO with an IRI or FI with IRI priviliges should be able to start the IR course with less than 4 hours of administration.
response	Noted. With respect to your comment regarding instructional qualifications, please refer to the EASA response to comment #360. With respect to your comment regarding BIR instruction at a DTO, please refer to the EASA response to comment # 434.

comment	*313* comment by: *AOPA Sweden* Option 3 is the best way to go. However, we would consider making the full BIR ICAO compliant. 2.3.4. We agree that there will be a positive impact on flight safety. in combination with better access to infrastructure (GPS approaches and approaches to non-towered airport) flight safety can increase even more.

2.3.5 Social impact:
A. AOPA Sweden agrees that the introduction of proportionate requirements is the way to go.

AOPA sweden does not agree that GA flying is generally a recreational activity. Especially IR-flying is a means of transport from A-B as well as any other means of transport.

If looking at a road or a car, it can be used both for people going to meetings as well as transporting a family. The upper end of GA-aircraft effectively makes the use of them mostly possible within commercial companies. By increasing the number of IR holders, a larger proportion of the PPL holders can benefit from better regularity and thus use their aircraft for a larger part of their transportation needs.

AOPA sweden does not agree that GA is generally a recreational activity. We do have many members who do use their PPL for personal transport within their businesses. IR holders have a better accessability to the transportation system than VFR pilots. This means we agree that the proposed BIR encourages travel and free movement of people. In sweden these changes are important since we have long distances and large areas that are sparesly populated.

2.3.6

Option 3.
If the BIR is combined with better access for IR-pilots to GA-aerodromes the economic benefit can be even bigger. Modern technology (GPS/SBAS approaches) to non-towered airports can give pilots the possibility to FLY IFR at safe altitude almost the whole part of a flight.

response

Partially accepted.

With regard to your comment concerning Sections 2.3.4 and 2.3.6 of NPA 2016-14, please refer to the EASA response to comment #265.
With regard to Option 3 in Section 2.3.5 of NPA 2016-14, EASA considers that the second paragraph should read: 'GA flying is generally a ~~recreational~~ flying activity that individuals conduct for ~~enjoyment~~ private purposes.'

EASA acknowledges the ambition for the BIR to be ICAO-compliant, but this may increase the requirements for the BIR if ICAO Annex 1, Doc 9868 and Doc 9841 are considered.

comment

318 comment by: *Uppsala Flying Club*

While cost issues have been addressed, availability has not. Outside central Europe and the UK, the number of ATOs may be low and access to them can be difficult due to geographical distances.

Consider the case of Sweden. The northernmost ATO currently offering IR training is located (in Västerås) some 900 km from the northernmost city in Sweden (Kiruna).
Due to the low population density of northern Sweden it would be completely unrealistic to expect ATOs being established for the purpose of training for the BIR.

The situation is similar in Norway and Finland.

	The problem is easily solved by allowing DTOs to train for the BIR. If the requirement for an ATO remains, we will not see the expected increase in the number of instrument rated pilots in many parts of Europe.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*320* comment by: *Uppsala Flying Club* We agree that Option 3 is best.
response	Noted. Thank you for this positive comment.

comment	*338* comment by: *David Chambers* I don't agree with the conclusion that *"Option 3 will have the greatest positive safety, economic and social impact. By introducing the BIR, the number of GA pilots undertaking instrument flight training will likely increase the most,the introduction of yet another Instrument Rating will result in the greatest".* The two differences between the CB-IR and FAA-IR are the theory knowledge (which is proposed to be improved for Basic IR anyway) and access to training at local flying schools (already available for 75% of the CB-IR). Surely it would be better to improve access and refine the CB-IR training program rather than introduce yet another option which only has relatively minor differences in privileges.
response	Not accepted. Please refer to the EASA response to comment #266.

comment	*357* comment by: *AOPA Sweden* The comparison table should also include a row for the type of organisation required to perform the aircraft (or FNPT) training. A second conclusion is that EU has higher requirements on the theoretical tests if a renewal is wanted after 7 years. This issue is not included in this RMT but a simplification should be considered since appearantly the FAA system works fine without such a limit. A full TK examination is very costly and it is questionable what it brings to flight safety compared to aircraft training or currency.
response	Noted. EASA would like to highlight that the renewal requirement laid down in point FCL.625(d) is not applicable to the BIR, and a similar requirement has not been placed in the draft point FCL.835 for the BIR.

comment	*400* comment by: *AeroClub Roger Janin, FR.ATO.0087*

2.3.1. Questionnaire / 2.3.2. Analysis

UK alone represent more than 50% of replies to the questionnaire, the remaining being shared by 23 other countries. The analysis does not talk about this. Is there nothing to be understood from these numbers ?

response

Noted.

EASA would to thank all those who responded to the questionnaire and to the NPA.
EASA is aware that the UK represents more than 50 % of the replies to the questionnaire. The language of the survey was English, this might have contributed to their higher response rate as well. EASA doesn't want to make conclusions on the high UK response rate.

comment

441 comment by: *AeroClub Roger Janin, FR.ATO.0087*

2.3.2. Analysis
"While there will always be a cost barrier associated with learning to fly under IFR, this emphasises the need to make it as proportionate and flexible as possible."

Comment:
It is true for pilot licensing, but it is by far not sufficient to reach the goal of increasing IFR flying in GA.
It is also needed that currently IFR flying GA aircraft can keep this capability in the future in a quickly evolving airspace environment. There is yet no direct rule requiring PBN equipment carriage to fly IFR, but:
- - published trajectories are increasingly becoming PBN based from departure to approach, and in a short future, IFR flying we be PBN flying including for GA aircraft.
- - PBN is simultaneously becoming part of the IR training requirements.
- - in a short future, not PBN approved aircraft will no longer be able to fly IFR.

Many GA aircraft owner (private and ATO) have, a long time ago, spent the money for the PBN capable equipment, their installations and the major approval dossier and fees, before PBN matter was clear enough to be put in the AFM in a way to be usable today. EASA should define simple low cost ways to update these aircraft AFM to recognize their PBN capabilities. The "Too expensive" issue is not going to be solved if currently IFR / GNS 430 or 530 (and few other GNSS equipment from other manufacturer(s)) equipped and technically PBN compliant aircraft, which is the case of the majority of IFR GA aircraft, cannot be made officially recognized in their AFM as PBN compliant in a simple low cost way. ILS and ADF approaches are disappearing on regional airports and replaced by GNSS approaches, and RNAV 1 is being mandated more and more in many places for SID's and STAR's. Some national authority(ies) are giving tickets to those who fly them without AFM approval for this, even if technically fully compliant. It is urgent to consider this question before the majority of GA IFR fleet registered in Europe can no longer fly IFR in Europe, while they are perfectly equipped for it but lacking a piece of paper that their authorities did not provided 10 or 15 years ago when the owners paid for installation and airworthiness approval, or putting operating limitations that where due to the space / ground segment but not identifying this fact, not due to the aircraft installation. This will significantly affect access easiness and cost to flying IFR and/or getting an IR of any kind, this is the opposite of the GA roadmap goal.

GM1 NCO.IDE.A.195 Navigation equipment seems to be an attempt in this way, but it is so unclear who should do what with it and how.

Example given: we have submitted an "Application for Approval of Stand-Alone or Minor Change related Revision of Flight Manual (FM)" for our Bonanza AFM GNS430 supplement (1999 installation), to clarify PBN capability of our aircraft. EASA accepted our application as minor for RNAV5 (automatic recognition of AMJ 20X2 + AC 20-138 in AMC 20-4A) and for RNP RNAV LNAV (AFM amendment written as minor in AMC 20-27A).
RNAV1 technical requirements are included in RNP-APCH LNAV requirements (with a very small exception: CF leg is requested in addition to IF, TF, DF and FA legs included in RNP APCH requirement) and GNS 430 is FAA approved for RNAV1, but, as there is nothing written in JAA TGL 10 rev1 about major/minor for AFM update, EASA asks us an STC (major) which we cannot make on our own.

TGL 10 rev1 paragraph 9.3 states that the operator may submit the amendment for approval (which cannot be anything else than minor) :
9.3 For existing aircraft already equipped with an RNAV system but where the Flight Manual or Pilot's Operating Handbook does not define, or is unclear about, the system capability, the aircraft operator may adopt, as an alternative to Change Sheets or Supplements produced by the aircraft constructor, one of the following options, subject to agreement of the responsible authority:
(a) Submit a compliance statement as discussed in 8.1.2 together with a proposed Supplement, devised by the operator, in accordance with the guidelines of 9.1, and in a format using the template given in Annex E; or
(b) Submit a compliance statement as discussed in 8.1.2 together with a proposed Operational Specification that includes information equivalent to that normally contained in a Flight Manual.

By asking an STC, EASA is denying us the benefit of JAA TGL10 rev1 paragraph 9.3.

At the same time, GM1 NCO.IDE.A.195 Navigation equipment states:
(b) Where such a reference cannot be found in the AFM/POH, other information provided by the aircraft manufacturer as TC holder, the STC holder or the design organisation having a privilege to approve minor changes may be considered.

To make it as proportionate and flexible as possible???

What does it mean ? Ununderstandable.

response

Noted.

EASA has the opinion that the BIR will introduce a proportionate path to the skills required for IFR flying. However, although the topics you raise were examined in depth by the Task Force, they are outside the scope of RMT.0677.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.1. Principles of the proposal p. 14-15

comment

2 comment by: *YVES BRUCKER*

Sir

	The question appears to be a choice between option 1 (amended CB IR oriented toward FAA IR requirements) and option 3 (new BIR). The main reasons preventing GA pilots to get an IFR privilege are: 1. Theorical exam: although already simplified as regard to what it used to be, remains tricky because the bank of question is constantly changed. The aim should be to have the candidate knowledgeable and to make sure he knows what he should know. Trying to avoid candidates who memorize questions without understanding the matter is useless. That is what the candidates do to a certain extent, for any exam, it simply eliminates those who cannot memorize as well as others or/and those who cannot afford to get access to a school that give them up to date questions. This point seems to be THE barrier to IFR access. Following the FAA standards solves that aspect and the FAA system has proved its efficiency. 2. Practical standards: the CB IR provides already a formation that suits IFR needs for pilots flying single or multi reciprocal engines. Lowering those standards might very well be working against safety. 3. Minimums: Flying down to minimums is a matter of practice, not of initial training. Lowering initial training to suit higher minimum will displace the security concern by rendering pilots less efficient where they absolutly need to be efficient : when they are approaching ground. The BIR looks like a new chapter inside a regulation process that counts already largely enough of them. The FAA system works and has been working for decenies, why should we re-invent the wheel ? Sincerely Yves BRUCKER FI(A) IRI IRE CMM ATO REIMS CFI CFII
response	Noted. Please refer to the EASA response to comments #199 and #266.

comment	*5* comment by: *John Milner* 2.4 is very clear and reflects the views of a number ICAO compliant IR holders who wish to see a wider population of European pilots with full IFR priveleges. It is likely to make the EIR redundant as the primary need is for approach capability, en route is relatively trivial by comparison.
response	Noted. Please refer to the EASA response to comment #412.

comment	*10* comment by: *trevor sexton* Agree with this.. There will be no minimum hours requirement set for the BIR.
response	Noted. Thank you for this positive comment.

comment	*44* comment by: *KSAK - Swedish Royal Aero Club* Yes, we think that by introducing the BIR, the EIR is made redundant and may be removed. The current EIR holders shall be given a BIR with modul 1 and 3 privileges.
response	Noted. Please refer to the EASA response to comment #412.

comment	*100* comment by: *Aeroclub of Gothenburg, flightschool* We believe that introducing the BIR makes the EIR redundant and ghe EIR should therefore be removed.
response	Noted. Please refer to the EASA response to comment #412.

comment	*139* comment by: *UK CAA* **Page No:** 14 **Paragraph No:** 2.4. **Comment:** It is not clear whether helicopters are in scope for the BIR. **Justification:** Clarity required.
response	Noted. EASA wishes to refer you to the draft for point FCL.835(a)(1), as shown in the NPA, which indicates that the BIR will not be available for helicopter IFR flight.

comment	*180* comment by: *ANPI (National Flight Instructors Association)* Defining required pilots performances is a basic issue.. Suggestion is to verify that spreading out widely IFR flights requires probably less expertise on some domains (e.g technicals) but may be more concerning other. Accidents data and Risk Analysis studies taking care of small aircrafts vulnerability flown with standard PPL culture can be the basis for better defining pilots performances.
response	Noted. EASA wishes to refer you to the key principles for the BIR as explained in Section 2.4.1 of the NPA.

comment	*301* comment by: *NATS National Air Traffic Services Limited* It is unclear how the following text will correlate to Doc 9868 Amendment 5. The key principles for the BIR are as follows:

— Training that is entirely competency-based. There will be no minimum hours requirement set for the BIR. Instead, the TF analysed all the required competencies that a GA pilot would need for an IFR flight, and grouped them into three modules of training. Candidates will progress to the next module or skill test when ready to do so.

There are potentially conflicting requirements here and we would wish to seek clarification.

response

Partially accepted.

EASA accepts that the BIR will not be fully aligned with ICAO Annex 1 and Doc 9868 'PANS-TRG' recommendations.
Additionally, EASA is pursuing a more competency-based approach to ensure that proportionate and performance-based requirements are implemented while still delivering safe instrument flying skills.

comment *314* comment by: *AOPA Sweden*

We agree that option 3 will have the greatest impact.

AOPA Sweden strongly agrees with Both aim and the four principles.

When it comes to high standards of training and testing, it is important to note that high standards can also be achieved by training outside an ATO.

Since the EIR is a way of obtaining an ICAO compliant IR, we do not completely share the view that the EIR is reduntant since many members also use their licence when abroad. Using the pilot licence throughout the world is one of the largest advantages of an ICAO compliant licence.

response

Noted.

Thank you for this positive comment.
With respect to your point concerning training, please refer to the EASA response to comment #42.
With respect to your point concerning the EIR, please refer to the EASA response to comment #412.

comment *344* comment by: *David Chambers*

Regarding the EIR, this rating has not proved popular because the additional effort required to achieve the full CB-IR is comparatively small but provides substantial additional privileges. If the Basic IR is to be introduced, it seems this would render the EIR worthless, since the BIR provides an even greater return for additional effort, and should be retired.

response

Noted.

Please refer to the EASA response to comment #412.

comment *387* comment by: *BCAA - Licensing - Formation - Grisel*

Belgian CAA comments :

"no minimum hours requirement".

The BCAA thinks that this would lead to significant differences in trainings offered by the ATOs driven by a price war between ATOs.

Proposal : only specific designated examiners should take the skill test for a BIR rating in order to maintain an adequate level of proficiency and therefore a minimum amount of training to reach that level.

response

Not accepted.

EASA would like to highlight that standardised application of the applicable training requirements is to be ensured through oversight conducted by competent authorities. Additionally, there is already today a general requirement for competent authorities to develop procedures for the designation of examiners for skill tests (point ARA.FCL.205(c) of Annex VI (Part-ARA) to Regulation (EU) No 1178/2011).

comment

410 comment by: *AeroClub Roger Janin, FR.ATO.0087*

2.4.1 Principles of the proposal
The Agency would like to ask its stakeholders for their feedback on the proposal to delete the EIR in FCL.825, together with its associated AMC and GM and the references to other requirements.

2.6.3. Proposed amendments when EIR will be deleted (as described in 1.1.1.)

Comment :
EIR has been part of a full regulatory process with NPA 2011-16 (239 pages) with safety, social, economic analysis and justifications given. CRD to the NPA was 991 pages. Opinion 03/2013: 13 pages; draft amendment: 11 pages. EASA decision 2014/22 and Annex: 107 pages. (**total: 1361 pages**).
https://www.easa.europa.eu/document-library/opinions/opinion-032013 :
"During the drafting phase, the Agency has taken into account the EASA Management Board General Aviation Safety Strategy Paper and the objectives identified by the General Aviation roadmap established by the European Commission and the Agency."
Please refer to these documents for full details.

Analysis:
a) In this NPA 2016-14 there is no safety, social, economic analysis or justification given for the EIR deletion proposal, and even no analysis nor explanation of the stated possible redundancy with BIR. This seems to be **not compliant with EASA rulemaking processes requirements.**
The EIR creation justification given in NPA 2011-16 was said by EASA opinion 03/2013 to be fully consistent with GA roadmap and compatible with a "simpler" IR. Deletion of EIR would be a 180° turn, only 2 years after its introduction in PART-FCL. It would again make access to IFR flying difficult for non-commercial users. If there is nothing between VFR and BIR, for many people who would like (or have no other way) to improve their capabilities progressively, the step to BIR will already be too high. We strongly believe that multi-step ratings are beneficial to encourage access to IFR flying, to avoid pilots see it as a too high

single step. **All that was written by EASA in NPA 2011-16 and follow-on documents**. EIR must be kept. We encourage EASA to be proactive and keep and develop bridge(s) in between the various IR, starting from EIR.
If EIR is dropped out from Part-FCL, what will happen to those European citizens who have started to invest in EIR training and those already holding an EIR on their license? This is simply not possible.
(And what will happen to the European feelings??? Europe killing Europe…)

Conclusions:
a) EIR must be kept.
Such EASA straight and unjustified proposal to delete something which :
has been created and fully justified by EASA just few years ago,
was and is still fully supported by stakeholders,
was and is still fully in line with valid EASA and EC policies,
seems to be a self-attack to EASA credibility.

response

Noted.

Please refer to the EASA response to comment #412.

With regard to your comment, EASA would like to highlight that the EIR had been introduced based on the considerations outlined in the related rulemaking documents, as referred to in your comment. However, is has turned out that the number of EIRs issued after its implementation is very low for various reasons. With the introduction of the BIR, a more comprehensive new approach towards GA IR flying is undertaken. In order to avoid unnecessary complexity in the legal framework, and also with regard to the low demand for EIRs, the EIR will be discontinued. In any case, pilots who already hold an EIR will maintain their privileges and get credits for upgrading to a BIR.

comment

411 comment by: *AOPA Finland*

As seen during the last decade within EU/EASA regulatory frame work has been very volatile influencing especially member states national non-profit flight training organisations existence, formulation, implementation, and operations. We propose that EASA should create competitive advantages in flight training through the use of organizational dynamic capability induced relation-based strategies (RBSs); by establishing deeply embedded relationships with member states civil aviation authorities and their flight training organisations.

We find that the positive relationship between EASA and member states civil aviation authorities on flight training organisational performance become stronger when flight training operators perceptions of regulator volatility and regulatory excessiveness, as well as regulatory distance, are low.

Our opinion is that current EIR and CBIR training programs are capable to deliver the very same key principles as proposed BIR. In addition member states' flight training organisations have been consumed hundreds of thousands of euros to fullfil the ATO, EIR and CBIR training, organisational and operational requirement.

response

Noted.

Please refer to the EASA responses to comments #410 and #412. Additionally, EASA would like to highlight that there will be no changes to the requirements for ATOs or the CB-IR.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.1. Principles of the proposal — Question on the deletion of the EIR in FCL.825 p. 15

comment	*36* comment by: *Cubair Flight Training* The EIR would still have relevance for pilots of aircraft that fall outside the scope of the BIR so it should remain.
response	Noted. Please refer to the EASA response to comment #412.

comment	*55* comment by: *TL Aviation GmbH* Some ATOs just received their approval of the written E-IR trainings manual acc. ORA.ATO.230. Therefore the agency should keep the E-IR as it has been just successfully implemented in the ATOs after a long approval procedure due to the overload of some national aviation agencies. The cost and workload conected with the implementation of a new rating by erasing a existing "new" EIR rating has to be covered again by the ATOs. The finacall burdan should be considered in a risk assessment by the agency. The time in between those to ratings is to short. The EIR rating is still attractive to PPL(A) holder and allows VFR / IFR flights with prescribede weather minimas at dearture and destination aerodromes. it allows training outside of an ATO and enables futher crediting to the CB-IR. Keep the E-IR rating and let the customer decided.
response	Noted. Please refer to the EASA response to comment #412.

comment	*119* comment by: *DC-AL* The EIR has not been available for very long. I suggest it remains available for those who possess it or have commenced training for it until the training for it can be incorporated into the rest of the IR structure.
response	Noted. Please refer to the EASA response to comment #412.

comment	*140* comment by: *UK CAA* **Page No:** 15

Paragraph No: 2.4.1 (Question Box)

Comment: The UK would not object to the removal of the EIR from the regulation. Although existing holders should not be disadvantaged (EASA principle of protecting grandfather rights).

Justification: If the BIR is successful we would not see much demand for the EIR and indeed the EIRs issued to date by the UK have been in very limited numbers. We believe having unnecessary ratings in Part-FCL adds to the overall length and complexity of the Regulation.

response

Noted.

Please refer to the EASA response to comment #412.

comment

163 comment by: *AOPA (UK)*

AOPA (UK) considers this to be inappropriate at this stage. The EIR has not been in existence for long enough to assess its impact; moreover it would be nugatory effort to spend limited EASA resources on work necessary to delete FCL.825 and to consider conversion criteria for existing EIR holders. It should also be noted, as stated in para 2.4.3. of this NPA, that there may well be a limited number of aircraft on which EIR privileges may be exercised, but not the proposed BIR privileges. Hence we recommend leaving FCL.825 as it is for the time being.

response

Noted.

Please refer to the EASA response to comment #412.

comment

221 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page
15 of 230

Relevant Text:
The Agency would like to ask its stakeholders for their feedback on the proposal to delete the EIR in FCL.825, together with its associated AMC and GM and the references to other requirements.

Comment:
The Swedish Transport Agency agrees with the Agency that EIR will become redundant. However, this is only true if there is a possibility to hold a BIR without approach privileges. It is important that we do not issue rules which would mandate EIR holders to undergo additional training at an ATO, because there are no alternates, as this would impose an unnecessary cost for those pilots.

Proposal:
Remove EIR, but include the possibility to hold a BIR with only en-route privileges.

response

Not accepted.

Please refer to the EASA response to comment # 412.

comment *222* comment by: *Czech Technical University*

We believe the EIR is redundant and should be deleted. Additionally, there has been very little demand for EIR.

response Noted.

Please refer to the EASA response to comment #412.

comment *230* comment by: *France*

Subject:
Deletion of EIR

DGAC supports the deletion of EIR. As long as the BIR covers the en-route privileges, it appears that the EIR is no longer needed. The deletion of the EIR will improve the readability of the regulation for all stakeholders and will participate to the simplification of the regulatory framework for GA users.
DGAC France has only issued two EIR since the entry into force of FCL.825. We believe that the BIR will match much more the need of GA community.
The deletion of the EIR needs to be completed by specific provisions to deal with the current holders of such rating (grand-father rights). The NPA should be clarified on those aspects. What are the intentions of the Agency? Will it be required to all EIR holders to comply with FCL.835 (j) in a given timeframe (transition date is not defined)?

response Noted.

Please refer to the EASA response to comment #412.

comment *259* comment by: *The Norwegian Air Sports Federation*

In NLF's view, it is **critical to maintain** the EIR rating (or other interim sets of privileges). As mentioned under chapter 2.2, NLF supports a "ladder like" modular approach, meaning that each step on the ladder should ideally be honoured with a privilege. We know EIR holders locally who explicitly would not have started the instrument training programme if the first step on the ladder gave no more than a course completion certificate. By ensuring that a private pilot career can consist of manageable steps – both in terms of time, complexity and cost – the regulation can contribute to a revitalisation of general aviation. For instance, a private pilot career could look like this in an ideal world:

LAPL(S) –> LAPL(A) –> PPL(A) –> night rating –> cloud flying rating –> EIR –> IR with limited privileges -> IR with unrestricted privileges (FAA style)

In this example, each increment is small, and between each step, there is plenty of room to collect experience through the granted privileges. By frequently pulling the pilot back into the training environment through the career, such an approach is likely to improve skills, correct bad habits and increase safety.

We are aware of the often discussed risks linked to the EIR: For instance the risk that EIR pilots become over-confident and trapped in bad weather (or on top), without the critical skill of performing an instrument approach. In our view, this is a risk in any private flying activity, and we can't see a principal difference between such a scenario and a person flying VFR, being trapped on top.

In any case, the EIR is not redundant as long as the BIR is split in modules leading to no separate privileges and no real-life chances of flying in IMC on ones own between the modules to practice what has been taught.

Finally, we have a comment about the numbers: While EIR pilots are still far in between, Table 5 in the proposal shows that among those in the survey who are involved in instrument training at the moment, 30% are training for the EIR (52% for the CB-IR). It appears unwise to shut down a system, which is chosen by such a percentage.

response

Noted.

Please refer to the EASA response to comments #410 and # 412.
EASA further wishes to refer you to Section 2.4.9 of NPA 2016-14, which describes a proportionate upgrade path from the BIR to the CB-IR.

comment

267 comment by: *Julian Scarfe*

We strongly support all the principles of the proposal. These principles are universally applicable to GA training.

response

Noted.

Thank you for providing this positive feedback.

comment

297 comment by: *CAA Norway*

Removing the EIR will raise the bar for entering instrument flight. It will limit instrument flying only to those who want and/or are able to handle approach flying.

From a practical point of view and speaking from experience of teaching GA pilots instrument flying, the difficult thing to learn is not how to handle the aircraft and maintaining the correct side up. The difficult part is learning approach flying. A GA pilot will quite easily learn aircraft handling and instrument navigation, basically module 1 and 3 of the BIR. Module 2, or instrument approach flying, is the major obstacle in getting the IR. While being enroute the pilot have more time to plan the next step and he also has higher safety margins. On approach, challenges are thrown upon the pilot a lot quicker and being lower to the ground we also have lower safety margins.

A proposal would be to keep the EIR and make it an increment in getting the BIR. It could look like this:

	Module 1 + module 3 = EIR EIR + module 2 = BIR Module 2 would then be an "add on" to the EIR so the order of the three modules should be revised. This way pilots can take the modules they want or need, and then add further modules when competence, time and economy favors it. Making pilots complete the whole thing before they get a rating or privilege will increase the requirements of getting an instrument rating, and could also decrease the amount of pilots pursuing this rating. The difference in the theoretical knowledge training between EIR and BIR also calls for a deletion of the EIR, but **only** if same privileges can be obtained thorugh a real modular BIR, as indicated above.
response	Not accepted. Please refer to the EASA response to comment #412.

comment	*315* comment by: *AOPA Sweden* Regarding the deletion of the FCL.825, AOPA Sweden stresses that if FCL.825 is deleted: * EIR-holders shall be able to get corresponding BIR priviliges entered in their licences without any additional training or administration. Each NAA should convert the EIR rating(s) into BIR ratings without any cost for the licence holder.
response	Noted. Please refer to the EASA response to comment #412.

comment	*319* comment by: *Uppsala Flying Club* We agree that the EIR could be removed.
response	Noted. Please refer to the EASA response to comment #412.

comment	*364* comment by: *Light Aircraft Association* The LAA support removal of the EIR from the regulations, since low uptake of the rating across Europe and the proposed addition of a further instrument rating adds complexity to the regulations. However, we do recommend a method is found to retain privileges for a defined period for those who currently hold the EIR to allow time to transition to the B-IR.
response	Noted. Please refer to the EASA response to comment #412.

comment	*388* comment by: *BCAA - Licensing - Formation - Grisel* Belgian CAA comments : We do not have any objection to delete the EIR.
response	Noted. Please refer to the EASA response to comment # 412.

comment	*431* comment by: *AOPA Finland* Our opinion is that current EIR and CBIR training programs are capable to deliver the very same key principles as proposed BIR. In addition, member states' flight training organisations have been consumed hundreds of thousands of euros to fullfil the ATO, EIR and CBIR training, organisational and operational requirement.
response	Noted. Please refer to the EASA response to comments #410 and #412.

comment	*433* comment by: *Aero-Club of Switzerland* 2.4.1 Question as regards deletion of the En-route Instrument Rating (EIR) page 15/230 We do not support the idea of deleting the EIR, this rating is to be maintained. Rationale We discussed the question of to delete or not to delete the EIR with several dozens of pilots flying in alpine areas. We found out that south of the alpine arc the EIR is highly appreciated, the related training enables pilots to operate aircraft safely in longer-range operations when departure and arrival are easy to execute, the en-route part being different up to a certain extent. North of the alpine arc the pilots contacted did not make negative statements on the EIR contents, when discussing the syllabi they then preferred training according to CB-IR, one point put forward was the altitude of several Initial Approach Fixes (IAF). In this respect the Basic Instrument Rating (BIR) is a step in the right direction, but this does not justify the deletion of the EIR introduced not so long ago. However, if we get it for granted that "Module 1" combined with "Module 3" fully create without any restrictions what the EIR is all about, our comment may be disregarded.
response	Noted. Please refer to the EASA response to comment #412.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.2. Training structure p. 15-16

comment	*6* comment by: *John Milner* 2.4.2 seems a sensible structure and reflects the relative importance of each set of skills
response	Noted. Thank you for this positive comment.

comment	*81* comment by: *KLM aeroclub ATO* Support the idea of division in 3 modules. What I do not understand is the sequence of modules 2 and 3. I would propose : 1- foundation 2- enroute 3- 2D and 3D approaches Hence swap items 2 and 3. I am aware you can swap items 2 and 3, but above brings more logic into the document.
response	Noted. Please refer to Section 2.4.2 of NPA 2016-14 which states that the order in which flying training Modules 2 and 3 are completed is up to the applicant, so the order of presentation in the NPA or, later on, the rule text, is not deemed to be crucial.

comment	*141* comment by: *UK CAA* **Page No:** 15/16 **Paragraph No:** 2.4.2 (Modules) **Comment:** It is recommended that individual modules must be completed at the same organisation to ensure standardisation **Justification:** Standardisation.
response	Not accepted. EASA holds the opinion that such a restriction would be too prescriptive, also taking into consideration that similar restrictions are not in place in other parts of Part-FCL. ATO procedures must ensure compliance with all applicable training requirements and standards in cases where students change the training organisation.

comment	*260* comment by: *The Norwegian Air Sports Federation* NLF would prefer a rather different training structure, following a more logical path where the simplest tasks are completed first (following standard teaching practice). Each module should lead to specific privileges, which the pilot can benefit from in order to collect further experience within the limits of these privileges.

Obviously, the more compact the BIR becomes, the fewer and more compact the modules can be. If the instrument training broadly follows the FAA IR path and gives similar priveleges as the FAA IR, two modules in total may be sufficient. However, the BIR appears to be more complex, while providing restricted priveleges. In such a scenario, each increment (module) should be brought within reach, by spilliting the programme into four modules (+ the fifth module for multi-engine purposes, i.e. Module 4 in the NPA).

Module 1 should obviously remain the basic module, and it could also include a simple cloud flying rating for short cloud break procedures to climb on top, etc, please refer to the NPA Chapter 2.5. Instead of including the aeroplane cloud flying rating in RMT.0678, this rating could be seen as a viable tool for the rule makers to make the "BIR ladder" attractive.

Module 2 should be focused on standard en-route flying procedures, covering a similar syllabus as the current EIR. The module should be concluded with an EIR rating.

Module 3 should focus on departures and approaches, leading to a restricted instrument rating with privileges similar to the UK IMC rating (IR(R)), except for the exclusion of airways, since Module 2 ought to cover the required skills.

Module 4 should be aimed at improving the real world skills further, reaching the level of an FAA IR, providing full IR privileges, as CB-IR today.

[Module 5: Optional flight with one engine inoperative, as proposed in the NPA.]

For those not interested in ratings between each module, it should of course be possible to continue directly from one module to the next. It should be taken into account that the entire practical and theoretical training in its scope and content ought to be similar to the FAA IR.

response

Not accepted.

Please refer to the EASA response to comment #257.

comment

268 comment by: *Julian Scarfe*

We support the modular approach. However, we believe that the detailed content of the modules, and in particular the relationship of Module 3 to Modules 1 and 2, require review and modification.

The precision required in en-route phases of flight is in general considerably less than that required for instrument approach procedures. Put another way, RNAV 5 is not as demanding as a navigation specification as RNP APCH incorporating RNP 0.3 segments.

En-route flight under IFR is, in itself, a trivial competence. Module 3 should therefore be about building experience in practical IFR operations, e.g. cross-country flying, dealing with weather, learning unfamiliar procedures and dealing with different ATM environments. It is inappropriate to consider these to be competences of the “en-route” phase of flight only.

response

Noted.

	The need for further modifications to the BIR syllabus in the context of your comment can only be assessed once the implementation of the current concept has been subject to an in-depth ex post evaluation. EASA invites you to submit a respective rulemaking proposal with details when further experience with the current concept has been gained. According to Article 3(3) of the Rulemaking Procedure adopted by EASA's Management Board, any person or organisation may propose the development of a new rule or an amendment thereto. In order to be considered in the development of the next Rulemaking Programme (RMP), now part of the European Plan for Aviation Safety (EPAS), the rulemaking proposals should be submitted to EASA using the new Candidate Issue Form. This form is meant to encompass a larger range of proposals for actions, including proposals for new rulemaking tasks/activities as well as the identification of new issues. https://www.easa.europa.eu/document-library/rulemaking-programmes/rulemaking-proposal
comment	*306* comment by: *NATS National Air Traffic Services Limited* **2.4.2 Training Structure** "There is no proposal to have a particular expiry date for the successful completion of the different modules." - Whilst understanding the principal to allow pilots to have a longer time to complete due time/financial constraints. Surely there still should be some minimum to ensure knowledge is current under what is quite a rapidly changing regulatory environment? There is a risk that Pilots Theoretical Knowledge is out of date with what was learnt in previous module and therefore a maximum time from commencement to end should still be set, which considers the constraints of finance/access etc. but protects knowledge being current.
response	Not accepted. Please refer to the EASA response to comment #143.
comment	*316* comment by: *AOPA Sweden* We support the training structure. However, in terms of complexity and workload during flight, Module 3 is easier to perform than Module 2. This means a pilot able to fly module 2 is, in terms of pilot skills, with a great level of certainty already able to fly module 3 We suggest that Module 2 and 3 switch place with each other, to reflect a natural progress in piloting skills.
response	Noted.

	EASA wishes to refer you to Section 2.4.2 of NPA 2016-14, which states that the order in which the flying training Modules 2 and 3 are completed is up to the applicant. This will also be reflected in the final rule text.
comment	*402* comment by: *European Transport Workers Federation - ETF* Consideration for interaction with ATC where increased access to IFR is likely to include aircraft being under an air traffic control service, and with ATS, should be listed here as part of the training modules.
response	Noted. Please refer to the EASA response to comment #407.
comment	*414* comment by: *Finnish Transport Safety Agency* It is expected that competency-based training will be used also for other licences and ratings in the future. It is important to streamline the competencies used, and avoid situation where training for different licences and ratings has different core competencies.
response	Noted. The future rulemaking task RMT.0194 will address competency-based training in Part-FCL in a holistic manner.
comment	*436* comment by: *AOPA Finland* Our opinion is that current EIR and CBIR structures and training programs are capable to deliver the very same key principles as proposed BIR. In addition, member states' flight training organisations have been consumed hundreds of thousands of euros to fullfil the ATO, EIR and CBIR training, organisational and operational requirement.
response	Noted. Please refer to the EASA response to comments #410, #411 and #412.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.3. Privileges and limitations p. 16

comment	*7* comment by: *John Milner* 2.4.3 is reasonable, though probably not essential. In the UK this has been a recommendation for IR(R) holders and most take it to be a formal restriction rather than a mere recommendation as they have been taught risk management and are in most cases sensibly cautious. However experience shows that current practice is the key issue and it is quite possible for an IR(R) holder in current practice to be more capable than a ICAO compliant IR holder who is "rusty" and not fully in practice.
response	Noted.

	As described in Section 2.4.3 of NPA 2016-14, the limitations for BIR holders are a necessary consequence from the reduced theoretical and practical training. EASA wishes to refer you to the proposed amendment to Appendix 6 (Aa) which outlines the additional requirements for BIR holders who wish to obtain a CB-IR in order to fly to limits below those of the BIR.
comment	*45* comment by: *KSAK - Swedish Royal Aero Club* **Privileges and limitations** This is not a show stopper but we would strongly encourage the task force to consider removing the minima restrictions since it adds very little to safety. The pilots ability to fly an instrument approach down to minima depends little on the initial training he has received. Instead, it depends a lot more on pilot recency than anything else. An IR(A) holder that has not flown for 12 months should definitely not fly an approach down to minima in poor weather. But a BIR holder that flies 15 approaches a month will definitely be fully competent to fly it down to 200 ft or visibility below 1500 m. We agree with the group that it is very rare to encounter weather for this category of pilots but we should not impose limitations that are not justified by safety nor established through a risk based approach. This seems more to be a regulatory approach where one is looking for something to differentiate the BIR from the IR. That kind of thinking needs to take a step back for the benefit of General Aviation. Remove these limitations and ensure that people stick to the BIR as long as they are private pilots. Then there will be no need to upgrade to CB-IR as long as your are flying non-HPA. The restrictions regarding HPA is sensible and we do not oppose them in any way.
response	Not accepted. The intention of the increased minima is to ensure that BIR holders depart/arrive in meteorological conditions no worse than SVFR as defined in SERA.5010. EASA holds the opinion that if clearance to land is not issued before BIR minima are reached, this will normally be a benign event leading to a low-level visual circuit, for which PPL holders are trained and tested. EASA also holds the opinion that achievement of the necessary competence to fly to limits below those of the BIR requires significant additional training.
comment	*95* comment by: *M A Naylor* These are sensible minima and mirror what has proven to be acceptable in the UK's IMC rating.
response	Noted. Thank you for this positive comment.
comment	*103* comment by: *Charles STEEL*

	The lower training and lower theoretical knowledge requirements seem disproportionate to the small difference in privileges in the full ICAO-compliant Instrument Rating. Can EASA justify ythe lower training requirements for marginally higher minma only? Why should (for example) Air Law exams be easier for the BIR than the IR or CBIR - there is nothing in those exams which makes any difference to flying at different minima or non-complex aircraft. The UK-only IR(R) does not permit flight in IFR in Class A, B or C airspace. Maintaining this restriction seems proportionate for the BIR given the lower levels of training and theoretical knowledge. If a large number of largely inexperienced GA BIR holders are constantly requesting access to busy Class A (particularly TMA) airspace, it is likely that the end result is controllers not granting any access to GA aircraft at all. This will cause problems for GA traffic where the pilots have a full instrument rating. The USA is different from Europe here given the size of the country, and there is much less pilot need to fly in busy airspace (where premission is often refused)
response	Noted. EASA wishes to refer you to Section 2.4.4 of NPA 2016-14 which explains the reasoning behind the BIR training requirements. With regard to your comment concerning restrictions on IFR flight which apply to UK IR(R) holders, EASA wishes to explain that the allocation of airspace classes varies across many EASA Member States. Hence, a BIR which restricts access to certain classes of airspace is considered to be unacceptable.

comment	*120* comment by: *DC-AL* I agree with the higher approach minima and aircraft limitation
response	Noted. Thank you for this positive comment.

comment	*181* comment by: *ANPI (National Flight Instructors Association)* Possibly revisiting already required IFR skills using the 80/20 technique (20%of requirements cover 80% of experted results) completed by a Revisited Risk severity analysis of pilot's performances. For example such analysis may lead to consider that most accidents scenarios are not related with approach minimum but more with meteorological situations analysis and en-route decision process.
response	Noted. Please refer to the EASA response to comment #45. Additionally, EASA holds the opinion that threat and error management is already included in all Part-FCL training. EASA wishes to refer you to Section 2.4.1 of NPA 2016-14, which explains that particular emphasis on the practical application of TEM will be included in BIR training.

comment	*182* comment by: *ANPI (National Flight Instructors Association)* Small aircraft IFR accident data do not seem to justify such restricted weather minima. They will reduce the interest of BIR and not applicable if EIR becomes obsolete. In the air forces, it

	is usually considered that being able to fly safely accurate instrument approaches is part of basic IMC flying skills necessary for all IMC phases (e.g. en-route or SIDs or STARs with AP failure). These skills are (human) automated practices that shall be required right from the first IMC authorization. They can be acquired with rehearsals, like scales in music playing. Corresponding competence level is easier to acquire than en route decision making. Air Forces places more pilots restriction on STARs an SIDs in complex TMA where civil Radar assistance is weaker than military Operational Air Traffic procedures. In addition to that, there are situations where it is safer to land with lower decision high than diverting, providing that the pilot feels confident with himself. All the above is obviously dependent on Collision Risk Model, part of approach plates design where coherence is necessary between DH and all the other variables (e.g. lighting system, RVR, obstacle, missed approach etc). A DH at 600Ft at 2NM from RWY, may generate adverse safety events, possibly missed approach hazards.. Flight management strategy and decision making in flight is another issue, in our view far more difficult to acquire and to maintain.
response	Not accepted. Please refer to the EASA response to comment #45.

comment	*269* comment by: *Julian Scarfe* We believe that the aerodrome operating minima, transposed from the UK IMC rating, are unnecessarily complex. A simple increment of 200 ft to DH or MDH will have almost the same effect in practice. We support a 1 500 m planning minimum, but would revise the cloud requirement to the cloud **ceiling** being above the DH/MDH (including the 200 ft increment).
response	Not accepted. Please refer to the EASA response to comment #45.

comment	*300* comment by: *NATS National Air Traffic Services Limited* This text indicates that “the target audience is generally pilots flying typical piston-engine GA aircraft.” We wish to highlight that the speed difference from common commercial aircraft might have significant implications on Air Traffic Controller workload in order to maintain separation, this is of significant concern to us as an ANSP.
response	Noted. EASA acknowledges the difficult task of maintaining separation between aircraft with different performance abilities. This is a task that ANSPs are already doing as appropriately equipped and approved single- and multi-engine piston aircraft are already using the same airspace as turbine and jet aircraft.

comment	*302* comment by: *NATS National Air Traffic Services Limited* The text reads “BIR holders will be restricted to 200 ft. above the published minima on an approach procedure, down to a maximum of 500 ft. above ground level (AGL)…” it is unclear whether the word “maximum” should read “minimum” We believe this to be a typographical error.

response | Accepted.

Thank you for pointing out this error; the correct wording is stated in point FCL.835(a)(5)(i).

comment | *307* comment by: *NATS National Air Traffic Services Limited*

What is defined as a non High Performance aircraft?

response | Noted.

Aircraft are categorised as either high-performance or non-high-performance aircraft during the initial aircraft certification in accordance with the provisions of 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'.
In the list of aircraft classes and types, as published by EASA, it is indicated whether a particular aircraft is categorised as high-performance.

comment | *321* comment by: *Uppsala Flying Club*

While the BIR will still be valuable with the proposed limitations, they seem to have been introduced mainly to differentiate the BIR from the full IR.

The ability to safely fly to minima has very little to do with training and everything to do with currency. The arguments given for increased minima could equally well be applied to the full IR.

Even you accept higher minima, the cloudbase requirements are difficult to understand. Why require a 600 ft cloudbase with a 500 ft DH? Also, it is hard to see the point of the departure minima.

If increased minima are really seen as a necessity, the rules should be formulated so that they do not apply to BIR holders with sufficient currency.

response | Noted.

Please refer to the EASA response to comment #45.
EASA also holds the opinion that the ground visibility and ceiling at the departure aerodrome should be no lower than the BIR approach minima, to enable an expeditious return to land at the departure aerodrome if so required.

comment | *327* comment by: *AOPA Sweden*

AOPA sweden strongly supports the principle that the training standards should be high.

In line with this, we do emphasise that the flight training requirements should make the pilots proficient enough to fly all the way down to an IFR minima as published.

Instead of posing a limitation on priviliges and minima, AOPA Sweden would stress that the task force considers

A: Currency requirements (i.e. as per FAA IR)
B: Recurrect Training requirements if the pilot does not fulfil the currency requirement. A IRI or FI with IRI privileges should be able given the privileges to conduct this training.

These requirements would of course add some cost to each licence holder but on the other hand it would give more proficient pilots.

The limitations given by the group, might cause other safety implications. For instance, if the weather is above the minima for the approach, but just slightly below the "proposed minima", the pilot might need to divert to an alternate and burn extra fuel, instead of being able to perform a safe IFR approach to the original destination. As a consequence a pilot might put him/herself into a low fuel situation which was acutally not really necessary.

Indeed the need to fly an approach all the way to minima is probably not used so often for a IR holder. However it seems like the regulators think that a higher minima will always cause better safety. This is, as described above, not always be the case since you create other implications i.e. fuel.

In the RIA, we have not noticed the safety statistics giving the facts at hand what a higher minima will reduce the number (or fraction) of incidents/accidents by a certain amount. Due to the lack of facts supporting the use of higher minima, and also the well established use of recency requirements in the FAA system, AOPA Sweden supports a system of recency instead of higher minimas on approaches. The level of competence established during training should allow for flying the approach all the way down to the applicable minima and of course the missed approach.

Instead we do emphasise the initial principle of good training standards and currency(recency) requirements. We do suggest that the task force gets in touch with FAA and their experience on IR and currency requirements, as well as their safety record.

it is good that an upgrade from BIR to CB-IR / IR is possible for pilots wishing to do so.

response

Not accepted.

EASA holds the opinion that the regulatory requirements of the BIR meet the Basic Regulation (Regulation (EU) 2018/1139) requirements for the maintenance of practical skills by regular assessment, examinations, tests or checks that are proportionate to the level of risk associated with the activity.
A regulatory scheme reliant on recency criteria alone would not be compliant with the Basic Regulation.
With regard to your point concerning an upgrade from BIR to CB-IR, EASA thanks you for your positive comment.

comment

389 comment by: *BCAA - Licensing - Formation - Grisel*

Belgian CAA comments :

"the BIR holders will be restricted to 200 ft above the published minima on an approach procedure, down to a maximum of 500 ft..."

	From a safety point of view this is not a bad idea, but who will verify this and how will NAAs impose this? As stated before, BIR is not ICAO-compliant. What about legal aspects in case of accidents: there is no way of verifying that these minima were respected (technically very difficult), so why impose them? Although well meant for the benefit of safety, these measures seem impractical and unverifiable. Train these pilots properly to the published minima, or keep them out out IMC all together.
response	Not accepted. EASA holds the opinion that it is in any case difficult (e.g. for a competent authority) to verify whether the approach minima during a particular flight were complied with, irrespective of the type of IR privileges held. Please also refer to the EASA response to comment #45.

comment	*397* comment by: *FAA* This limitation creates potential confusion, reduces operational flexibility, and is unlikely to achieve any significant safety benefit. For example, assuming a pilot were to fly a stabilized 3D approach to the current specified minima (say 200 feet AGL, as opposed to that proposed by the rule), that would mean in most light non-high performance aircraft an additional 20-30 seconds of descent. If the aircraft is properly configured on a stabilized approach, the minimal additional challenge created should be manageable.
response	Not accepted. Please refer to the EASA response to comment #45.

comment	*403* comment by: *European Transport Workers Federation - ETF* This requires consideration for the impact on ATS. Where is the impact assessment of this change on the ATM system ?
response	Noted. The impact assessment does indeed not consider the impact on ATM.

comment	*437* comment by: *AOPA Finland* Our opinion is that current EIR and CBIR training programs resulting priviledges and limitations are capable to deliver the very same key principles as proposed BIR. In addition, member states' flight training organisations have been consumed hundreds of thousands of euros to fullfil the ATO, EIR and CBIR training, organisational and operational requirement. More important than BIR it is to create LAPL(SEA) priviledge available for the GA community as the amount of PPL(SEA) holders will be rapidly declining in Finland due to MED requirements if regulations are not changed;

	PPL(SEA) holders age histogram
response	Noted. Please refer to the EASA response to comments #410, #411 and #412. EASA wishes to advise you that EASA Opinion No 05/2017 'Amendments to Commission Regulation (EU) No 1178/2011' already contains a proposal to make SEP(sea) privileges accessible for LAPL(A) holders.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.4. Theoretical knowledge p. 17

comment	*46* comment by: *KSAK - Swedish Royal Aero Club* **Theoretical knowledge** The step towards lighter theoretical knowledge is great. A maximum of three exams would be ok but striving towards the simplicity of the FAA system would be even greater. However, a step more important than the number and size of exams is the availability. It is not mentioned here but we should strive towards having rules that allows for 100% self studies(outside a training organisation) where the student can study by himself and take the test at an approved test site. This is something that also would increase the amount of students that are able to evolve their flying. I think that this option needs to be considered in a risk based approach.
response	Noted. Thank you for this positive comment. EASA would like to highlight that distance learning will be available in accordance with point ORA.ATO.300 of Annex VII (Part-ORA) to Regulation (EU) No 1178/2011.

comment	*96* comment by: *M A Naylor* I would hope that the definition of the syllabus and a sample set of questions may be generated ahead of the Amendment coming into force. This will aloow ATO's to start developing TK material in good time. I woudl encourage EASA to encourage NAA's to encourage comapetent bodies (such as PPL/IR or AOPA) to become involved in the setting of syllabi and examination questions.
response	Noted. EASA wishes to highlight that the training syllabus, being guidance material to Regulation (EU) No 1178/2011, can only be published once the respective final implementing rules are published.

comment	*104* comment by: *Charles STEEL*

	There is no reason why the CBIR should be examined any differently to the BIR - fundamentally the privileges are the same.
response	Noted. EASA intends to introduce this new approach in theoretical knowledge examinations with the BIR and to gain experience with it, before extending its scope to other areas.

comment	*107* comment by: *René Meier, Europe Air Sports* 2.4.5 Training organisations p 17/230 The Agency's statements on Declared Training Organisations (DTO) training scope are difficult to understand: We think it would be an easy task to adjust all parts requiring adjustments, even section 2.3.5 of Opinion 11/2016, or at least the consequences of this section. Rationale A specialised small DTO will for sure deliver the same quality of training and identically qualified IR pilots as an ATO. The requirements for an approval are much too onerous in our view. For this reason ways must be found to enable DTO to offer IR training.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*242* comment by: *ECQB Team* According to Part-ARA.FCL.300 (b), the questions for theoretical knowledge examinations for instrument ratings shall be selected by the competent authority from the ECQB as per ATPL, CPL and MPL exams. NAAs interpret this rule as the obligation to conduct those TK exams themselves. If the Agency wishes to make the exam process as straightforward as possible and mentions a possibility of conducting the BIR exams at ATOs, please consider whether the current rule text obliges the EASA MS to adopt secure processes that would allow the exams to be conducted at ATOs.
response	Noted. Thank you for your comment which will be taken into consideration for the further process of RMT.0677.

comment	*252* comment by: *CAA Norway* Changing the way theoretical training is conducted for the BIR also implies changes to examination. In the NPA it says that "it is intended that EASA member states shall adopt a secure process [...]" which implies that examination for the BIR can´t be conducted the same way as todays examinations. It seems like there is or is going to be a requirement that examinations are to be held at the ATO and by the ATO. The "intention" is that the member state shall adopt a "secure process" to allow ATOs handle the theoretical examinations. One of the security measures of todays examinations is to have independent invigilators handle the exams. If the ATO itself is going to handle the process, we may see a decrease in the

	security of the ECQB and a decrease of the intellectual property rights. This may lead to a situation where the ECQB is no longer a secure database and where candidates for other licenses or ratings have access to the ECQB, or parts of it, prior to their exams. If independent invigilators are to handle the exams at the ATO, we see no reason to limit the physical execution of exams to the ATO facility. Have EASA considered the vast differences in the way theoretical examinations are conducted in the different EASA member states? Today there are as many different ways of dealing with examinations as there are member states in EASA. If it is made a requirement to conduct examinations the way it is intended in this document, it is our opinion that it needs to be accompanied by an examinations system provided by EASA itself. This NPA states that the theoretical training is to be conducted as a competence based training alongside the practical training. However, it does not raise the issue of whether theory and flight training has to be performed at the same ATO.
response	Noted. The overall legal framework of the Basic Regulation (Regulation (EU) 2018/1139) and its implementing rules allocates the competence for the issue of licences and the related conduct of theoretical knowledge examinations to the EASA Member States and their competent authorities. Hence, EASA cannot provide an examination system. Additionally, as explained in Section 2.4.4 of NPA 2016-14, the intention is that only those training organisations which can demonstrate compliance with the secure processes necessary to meet the ECQB requirements may be permitted to conduct BIR exams. In this context, please also refer to the EASA response to comment #242. Finally, EASA does not intend to restrict the delivery of theoretical knowledge and flight training to the same training organisation, as such restrictions are in general not part of Regulation (EU) No 1178/2011 and would not be in line with the mutual recognition of training done in accordance with Part-FCL throughout Europe.

comment	*261* comment by: *The Norwegian Air Sports Federation* NLF strongly supports a much simplified theoretical knowledge syllabus. We see absolutely no need to perform gold-plating on the FAA IR syllabus, so we hope the term "broadly similar" in the NPA Chapter 2.4.4 second paragraph equates to "as identical as the differences in aviation regulation in the two territories allow".
response	Noted. EASA holds the view that GM2, GM3 and GM4 to FCL.835 meet the proportionality objectives as outlined in Section 2.4.4 of NPA 2016-14.

comment	*270* comment by: *Julian Scarfe* We strongly support the principle of not duplicating TK topics from the PPL. We also support the reduction in the number of questions and emphasise the need for the TK to be of practical value. As a rule of thumb, if an instrument rated pilot who has been flying IFR around Europe for 20 years does not need to know a piece of theoretical knowledge in everyday operations (in other words, it's OK if it is forgotten), there should be no need to teach it to those seeking the rating.

While we understand the need to avoid creating a separate question bank, the accessibility of the examinations is critical to the success of the rating. Today, the IT tools exist to allow examinations to be as ubiquitous as TK for the driving licence. The intent of the BIR makes it even more critical that the exams are not only available on limited occasions at the NAA headquarters, as has historically been the case for ATPL/CPL/IR exams, but can be taken conveniently at almost any time. We would urge the Agency to put effort into getting this aspect right.

response

Noted.

Thank you for your supportive comments.
EASA holds the view that only those pilot training organisations which can demonstrate compliance with the secure processes necessary to meet the ECQB requirements may be permitted to conduct BIR exams.
EASA also holds the view that EASA Member States should strongly encourage training organisations to adopt such processes, so that the delivery of BIR exams at such organisations should become the primary examination system.

comment

310 comment by: *AOPA Sweden*

In general, the step towards lighter theoretical knowledge requirements is good. The earlier and very stringent IR requirements have effectively stopped many licence holders from taking an IR, thus reducing the number of IR holders.

We do know many pilots who has not been able to take the IR, simply due to the excessive theory syllabus and training. (total amount). Compare with the FAA system where there is more focus on items relevant to flight safety.

We do agree that the scope and depth of the knowledge should be similar to the FAA IR. In addition we add that examinations and study requirements should be benchmarked against the FAA system. This means both written exams and allowed types of study methods (i.e. self studies) should be comparable to the FAA IR. All aspects of the simplicity of the FAA IR should be thorough examined so that we can achieve the same accessability of the IR as in USA.

We suggest that EASA propose a system where 100% of the theory studies can be self studies outside an ATO. This would greatly improve the accessability for the BIR in Sweden where there are only a small number of ATO's being able to give theoretical instruction on IR/ATPL level.

response

Noted.

Thank you for this positive comment.
Please refer to the EASA response to comment #46.

comment

322 comment by: *Uppsala Flying Club*

Removing redundancy and irrelevant knowledge from the TK is very good.

The rules should explicitely allow for 100% self-study of the TK. This is particularly important in Scandinavia and other parts of Europe with large distances and few training organisations.

response | Noted.

Thank you for this positive comment.
Please refer to the EASA response to comment #46.

comment | *339* comment by: *David Chambers*

It is unfortunate, but understandable for cost reasons, that EASA is not able to revise the IR question bank to be more suitable and appropriate for real-world GA IFR flight. I see no difference in the theoretical requirements for the Basic IR vs CB-IR since the only differerence in privileges relates to how low an approach can be flown. All other aspects are common. Therefore I would hope that any revised and simplified Basic IR theory syllabus is also applicable to the CB-IR. Perhaps a single common set of exams could satisfy both.

response | Noted.

EASA wishes to refer you to the proposed amendment to Appendix 6 Section Aa of Annex I (Part-FCL) to Regulation (EU) No 1178/2011 with regard to credits granted to holders of a BIR who apply for an IR following the competency-based course. In such a case, further written theoretical knowledge examinations will not be required.

comment | *362* comment by: *Light Aircraft Association*

The LAA fully support the proposal for the B-IR theoretical knowledge examination(s) to be taken at the training organisation.

response | Noted.

Thank you for providing this positive feedback.
Please also refer to the EASA response to comment #270.

comment | *378* comment by: *Light Aircraft Association*

In order to meet the objective of making the exam process as straighforward as possible, the LAA considers that the theoretical knoweldge element of the BIR should be a single examination taken at a Declared Training Organisation (DTO) or Approved Training Organisation (ATO) rather than the current proposal of three examinations.

response | Noted.

As outlined in Section 2.4.4 of NPA 2016-14, the three theoretical knowledge examinations should support the relevant content of the three practical flying training modules being undertaken at the time. However, this does not preclude the option of an applicant to take all three parts of the BIR examination in one sitting.
With regard to your comment on the involvement of a DTO, please refer to the EASA response to comment #434.

comment | *392* comment by: *BCAA - Licensing - Formation - Grisel*

Belgian CAA comments :

	BCAA is not in favor of exam subcontracting.
response	Noted. Please refer to the EASA response to comment #242.

comment	*398* comment by: *FAA* While a separate theoretical exam for the BIR is prudent, multiple exams (given at the end of each module) creates additional barriers to completion. Applicants might be better served if a single theoretical test were given at the completion of the entire course.
response	Noted. Please refer to the EASA response to comment #378.

comment	*438* comment by: *AOPA Finland* Our opinion is that current EIR and CBIR training programs contain the minimum theoretical knowledge for the safe operation of GA aircraft in IMC or under IFR. In addition, member states' flight training organisations have been consumed hundreds of thousands of euros to fullfil the ATO, EIR and CBIR training, organisational and operational requirement.
response	Noted. Please refer to the EASA response to comments #410, #411 and #412.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.5. Training organisations p. 17

comment	*3* comment by: *Cubair* I suggest that a RF can train for the BIR but that the instructor needs to be a fully qualified IR instructor. If only ATO's can do this the rating becomes more expensive and many RF's will lose business for the IRR as well.
response	Noted. In respect of your point concerning training organisations, please refer to the EASA response to comment #434. In respect of your point concerning instructors, please refer to the EASA response to comment #360.

comment	*8* comment by: *John Milner* 2.4.5 is a great disappointment, to restrict training to ATOs will damage a number of very good Registered Training Facilities, (soon to become DTOs) who have great experience in instructing for IR(R). Those facilities at least ought to be able seek authorisation through a

	simple check of their competences, which should include instructors holding at least a BIR in their own right, to offer training for the BIR, if necessary through some sort of derogation.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*9* comment by: *trevor sexton* Disagree with this, the BIR should be able to be taught at a DTOs (Declared Training Organisations). Maybe the BIR skills test can be done by an ATO approved instructor on a DTO aircraft.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*12* comment by: *jly_6891* If the DTO is setup to conduct training towards non-commercial licences, and the BIR is being proposed specifically to help easy access for PPl towards IFR privileges - how is ruling out DTO symapthetic to this proposed amendment? Could module 1 be limited to ATO with further development (module 2 & 3) done outside of an ATO environment? Practically once basic IFR training has been accomplished pilots will want to undergo assessment and training within their own aircraft for practicality (availability & costs). If limited to ATo this becomes more difficult. Understanding that training outside an ATO may require more time to develop towards a test standard but none the less should be decision for trainees to take rather tahn regulators.
response	Noted. Please refer to the EASA response to comment #434.

comment	*34* comment by: *Cubair Flight Training* As the BIR is intended to promote IFR flight amongst the GA community, for the BIR to be a success it is of the utmost importance that training courses should be available from GA training organisations, flying clubs and schools. Assuming that the DTO becomes part of the Aircrew Regulation as expected, including the BIR within the scope would mean GA training organisations are much more likely to be able to offer the rating. The BIR proposal is very similar, to the existing UK IR(R) training for the IR(R) has historically been carried out at RTFs very many of which will become DTOs. It is likely that in the UK candidates for the BIR would be the same as those for the IR(R) today. By forcing these candidates out of the GA training sector there would be a loss of valuable revenue to the DTOs in an area of our industry in which the business is already marginal. There is nothing to be gained by exclusively using an ATO for BIR training. Standards could be maintained equally well at a DTO through the use of IRIs to deliver the training and through the skill test. Should the candidate wish to progress to full CB-IR, the relevant 10 hours of training would have to be completed at an ATO.

response | Not accepted.

Please refer to the EASA response to comment #434.

comment | *47* comment by: *KSAK - Swedish Royal Aero Club*

Training organisations
By allowing DTOs to conduct BIR training, the availability would increase by tenfold. In Scandinavia we have many airfiels and aeroclubs where there simply is not an ATO within 500-700 kilometres. Therefore it is very important that the BIR is available through the DTO concept. Otherwise we will not see the sought after increase in instrument rated pilots.

We hope that you will reconsider this limitation, otherwise a lot of the work is wasted.

response | Not accepted.

Please refer to the EASA response to comment #434.

comment | *54* comment by: *Mickey Kaye*

Training for the BIR should be able to be undertaken by appropriately qualified instructors at DTO's as well as ATO's. Limiting it to ATO's will reduce its availability and in turn uptake as it will not be readily accessible to the pilots that this rating is being aimed at.

If both the theory and practical testing are the same regardless of whether a candidate trained at an ATO or DTO then there would be no difference in standard.

response | Not accepted.

Please refer to the EASA response to comment #434.

comment | *98* comment by: *Frank PFEFFERKORN*

As the basic idea of the BIR is to increase the number of pilots being able to fly safely in IMC the limitation for the training to ATOs might be an unnecessary threshold limiting the wanted effect of introducing the BIR.
Presumably, there is a large number of GA airfields with pilots having an interest in BIR without an ATO on site or nearby.
To limit the (total) training to ATOs will significantly increase time and costs for such pilots without primarily increasing quality of training.
Therefore, it should be considered to define a way how DTOs could be involved into the training for BIR to make it as efficient as possible.

response | Not accepted.

Please refer to the EASA response to comment #434.

comment | *121* comment by: *DC-AL*

	One major concept of the BIR is to make safe flight on instruments more accessible to recreational pilots. Evidence from the UK IMC rating suggests that the training carried out at RTFs has been perfectly adequate to achieve a safe level of flight to similar higher apprroach minima without complicating the training procedure by requiring the pilot to attend an ATO. I strongly believe that a DTO should be permitted to provide training for the BIR; after all the most important factor in safe instrument flight is accepted as being the pilot's experience and recency.
response	Noted. Please refer to the EASA response to comment #434.

comment	*125* comment by: *David Trouse* Training should be possible at proposed part DTO not just ATO. In order to make the uptake and availability of BIR as wide possible training should be readily available at all training organisations that wish to offer it. In the UK training for the IR(R) (which is broadly equivalent to the proposed BIR) has been available at Registered Facilities as well as ATOs and this wide availability has promoted uptake. Standards are maintained by Skill Test.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*142* comment by: *UK CAA* **Page No:** 17 **Paragraph No:** 2.4.5 Training organisations **Comment:** The UK supports allowing the BIR to be conducted at a Declared Training Organisation (DTO). **Justification:** It was the UK understanding that this would be included within the scope of the DTO. However, the NPA does not reflect the position agreed in the Task Force instead it requires training at an ATO. In the UK the IMC rating has been taught by independent qualified Flight Instructors and at Registered Training Facilities with no issues. Furthermore were the BIR to be limited to ATOs it would become impractical and effectively, unavailable to many GA pilots. Most GA pilots have easy access to a DTO but not ATOs. **Proposed Text:** See proposed text provided with CAA comment on paragraph No FCL.835 Basic instrument rating (BIR), (c) & (d)
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*161* comment by: *Dr C R Mills*

If the aim of this qualification is to improve safety by increasing the overall competence and level of training for non-commercial pilots then it would seem counter-productive to restrict the organisations which are able to provide training.

If competence is assessed in a summative way during the flight test, rather than through ongoing formative assessment during training then the designation training organisation is essentially irrelevant.
The IMC (Instrument Meteological Conditions) rating has been available to UK PPL holders. Training is widely available and is recognised as improving competence and safety withing the General Aviation community. This model should be considered.

If safety, rather than regulation, is a primary aim then it makes sense to make training as widely available as possible.

response

Not accepted.

Please refer to the EASA response to comment #434.

comment

164 comment by: *AOPA (UK)*

AOPA (UK) reminds the Agency that the RMT.0677 Task Force agreed the following, as included in the draft version of this NPA:
"Training organisations
The Agency considered it important to the success of the BIR that training courses will be available from typical training organisations that GA pilots would be familiar with. This will assist with socialising the concept of GA flight under IFR, as well as increasing access to the rating in the GA community.

While this NPA was under development, NPA 2015-20 on 'Training outside of ATOs' was published. At the time of writing, it is understood that the concept of the 'Declared Training Organisation' (DTO), in which the organisation makes a declaration of compliance to the competent authority, will be the outcome.

Assuming the DTO enters the Aircrew Regulation in the anticipated format, including the BIR within the scope would mean GA training organisations are much more likely to be able to offer the rating. While drafting this NPA.677 and during the TF discussions, it was queried as to whether the DTO concept would include enough in the way of standardisation and oversight for teaching towards an instrument rating qualification, and therefore whether inclusion in the DTO would be appropriate. The Agency concluded that inclusion of BIR training in the scope of the DTO would be, due to the following considerations:

— It will be possible within the DTO concept to tailor the standardisation and oversight requirements in line with the activities of the organisation - for example DTOs offering the BIR could be subject to more comprehensive oversight;
— While the less controlled environment of the DTO may increase the risk of poor standardisation, this must be weighed against the likely increase in uptake (and therefore potentially safety) that allowing training in a DTO environment would facilitate;
— Assurance of the quality of applicants for the BIR will be achieved through the skill test; and
— Should the applicant wish to upgrade his BIR to the full Part-FCL CB-IR, the applicant will have to have completed the relevant 10 hours at an ATO.

For modules one and two, it was considered appropriate to require them to be taught in pilot training organisation of some sort (either ATO or DTO), since in these elements standardisation is more important. Module 3, in which the candidate may benefit from more experience of practical 'real world' IFR flying, naturally lends itself to being taught by an independent instructor."

AOPA (UK) objects to the restrictions of para 2.4.5 of this NPA and consider it vital that BIR training may be conducted within the scope of DTO training, provided that NAAs apply appropriate oversight. The UK has conducted largely similar IMCR and IR(R) training for many years at RFs (and also outside RFs); there has been never been any problem with permitting such instrument flight training activity.

response | Not accepted.

Please refer to the EASA response to comment #434.

comment | *174* comment by: *Wolfgang Lamminger*

as EASAs plan is to make it easier to access instument flying skills, it is not understandable and should be reviewed, to give DTO (or basic training organisations - what will be the new term?) the chance to give training for BIR, maybe partly only or in collaboration with an ATO

response | Not accepted.

Please refer to the EASA response to comment #434.

comment | *253* comment by: *CAA Norway*

CAA Norway supports the proposal to do the BIR training at an ATO, as this complies with the intention of the DTO. However, it is our opinion that in the long term the DTO shall be considered getting the privileges of performing the BIR training. This is due to the fact that the BIR in all terms is a "GA rating". As mentioned in Fcl.835 the BIR can only be used according to FCL.205.A, i.e. in non-commercial operations.

Seen from a Norwegian perspective, limiting the BIR to ATOs will at best lead to two schools providing this training. This is contrary to the results of the questionnaire saying that one of the reasons for not getting an IR is that there is no training available nearby. Allowing DTOs to provide BOR training will increase the possible locations of IR training, which again will increase the activity.

response | Noted.

Please refer to the EASA response to comment #434.

comment | *262* comment by: *The Norwegian Air Sports Federation*

One of the weakest points in the entire NPA is that instrument training can only be completed at ATOs. As long as a DTO comply with a few key requirements (for instance an approved training programme), we see no reason why a DTO could not perform also the final part of the training programme.

The main problem with instrument training in Europe is that it is unaccessible. The training organisation needs to be close to where people live and work to be attractive for leisure pilots. If the BIR concept is to work for all parts of Europe, also the sparsely populated areas have to be taken into account. Norway has the world's second longest coast line, and the country spans across approx 2000 km from north to south. We are reasonably well covered with approx 35 flying schools in the DTO (RF) range, but only a handlfull of ATOs, which would be suitable for private pilots training for the BIR. This is simply not adequate, and it ought to be possible to implement some mechanisms qualifying DTOs to perform such training, while maintaining good training standards.

response

Not accepted.

Please refer to the EASA response to comment #434.

comment

271 comment by: *Julian Scarfe*

The training environment, independent instructor vs DTO vs ATO, is the most critical factor for the success of the IR (or BIR). We strongly disagree with the Agency's approach. It writes: "Apart from not having to obtain a prior approval, the new DTO benefits from simplified organisational requirements as well as from revised provisions for oversight by competent authorities. In return for these alleviations, the training scope of a DTO had to be limited."

As we have expressed in advisory bodies, the Agency's approach to the whole DTO seems like a poor application of risk-based principles. These principles were not properly developed in the DTO Opinion, and the restriction of DTO training scope appears to be arbitrary as a result.

The fundamental reason for applying organisational requirements on any organisation is to mitigate the risk of organisation errors (during its operation) as organisations become more complex. In other words, applied to training organisations, it is to improve safety of the training operations themselves against such organisational errors. The primary criterion for the application of organisational requirements should therefore be the complexity of the organisation itself. Training scope is not relevant.

A secondary reason for applying organisational requirements is, ostensibly, about quality assurance of the output of the organisation. The primary quality assurance mechanism for training output (the quality of the pilots after training) is the skill test, and it should remain so. If the Agency believes that poor training delivers poor quality pilots who nevertheless pass skill tests, then it is time for it to examine the skill test itself.

Nevertheless, we would agree that organisational requirements (of the sort applied to an ATO) may improve the output quality of an organisation training professional pilots for the ATPL and perhaps CPL, where that quality is designed to meet the target level of safety of CAT. Our experience of the training of pilots for GA operations is actually the opposite: large training organisations tend to lack the flexibility necessary to address the sorts of operations that GA pilots will perform.

Comparisons with the USA tend to provoke controversy in EU rulemaking processes, but they are unavoidable here. This entire task was initiated after the GA Safety Conference in Rome in 2014, at which the FAA impressed the conference (including EASA's Executive Director)

with the US GA safety performance record. The FAA IR requires no training organisation at all, and indeed much IR training is carried out by individual instructors.

We make no assertion about the competency of pilots trained through the FAA IR in their ability to perform CAT operations. It may be that European pilot training performs better in that regard when the aircrew reach the cockpit of an Airbus 380. However, as regards competence in GA operations, there is no doubt for us that the FAA IR training process and environment is far superior in achieving the competences pilots need in GA operations.

In fact, the entire raison d'être of our organisation PPL/IR Europe is to fill the obvious gap between what European instrument rated pilots are trained to do and what they need as competence and attitude to survive in real life. The introduction of the BIR is an opportunity to address that safety issue, and we would be disappointed if the Agency failed to do so.

We would also note that the success of the IMC rating in the UK was another driver for this task. One pivotal difference between the IMC rating and the traditional IR is that IMC-rating training is available at local flying clubs, almost as an extension of the PPL.

The principles of risk differentiation, to be included in the new Basic Regulation, do not and should not require increased regulatory protection for a GA pilot and passengers merely because of the choice to fly IFR rather than VFR. There is a perception that the competences of an instrument rated pilot are in some way more critical for the safety of other airspace users than the competences of a VFR pilot, and that therefore the IR should be treated as "special", akin to a professional licence.

This perception is illusory. In the real world, safety and efficiency in the ATM system comes from the ability of pilots to hold a heading and a level, and communicate reasonably with ATC. This is taught be any competent instructor and examined throughout the skill test, and is not improved by the imposition of organisational requirements on the training organisation. It is the reason why we have insisted that the performance demanded and tolerances allowed in the skill test are, in this regard, entirely the same for a BIR as for an IR. All other risk, relevant to the principle of risk differentiation is associated with the pilot's own aircraft, and it is not appropriate to demand different standards of risk for IFR – in fact it is counterproductive to do so.

In summary, a requirement for ATO involvement in the BIR will kill the concept. We would prefer to provide a mechanism that makes no organisational demands on the training. However, in keeping with the general approach of Opinion No 11/2016, a requirement for some involvement of a DTO would be acceptable.

We are aware that some national authorities are nervous that the unmodified DTO framework does not permit the NAA to oversee the training syllabus in advance, and that the novelty of the BIR risks a lack of standardization compared to the much better established PPL. We would therefore be comfortable with a requirement, like the one established for instructor refresher training in DTOs, that a syllabus is subject to approval in advance by the NAA. This should not preclude the NAA developing or accepting a standard syllabus whose use does not require advanced approval. Such a syllabus may include minimum equipment fit for aircraft to be used at various stages of the training, and we do not see an advantage in listing specific aircraft. We also acknowledge that good performance-based-oversight might require more timely inspection of DTOs providing training for the BIR, though we do not see a need for this to be called out in the regulation.

With the modifications set out in the previous paragraph, we urge the Agency in the strongest possible terms to avoid ATO involvement and make use of the DTO framework. Without this modification to the BIR proposals, we believe they will fail.

response

Not accepted.

Please refer to the EASA response to comment #434.

comment

323 comment by: *Uppsala Flying Club*

Outside central Europe and the UK, the number of ATOs may be low and access to them can be difficult due to geographical distances.

Consider the case of Sweden. The northernmost ATO currently offering IR training is located (in Västerås) some 900 km from the northernmost city in Sweden (Kiruna).

Due to the low population density of northern Sweden it would be completely unrealistic to expect ATOs being established for the purpose of training for the BIR.

The situation is similar in Norway and Finland.

The problem is easily solved by allowing DTOs to train for the BIR.

If a DTO can not train for the BIR, many of the expected benefits will be lost in these parts of Europe. We earnestly ask you to reconsider this limitation.

response

Not accepted.

Please refer to the EASA response to comment #434.

comment

336 comment by: *AOPA Sweden*

AOPA Sweden strongly opposes the suggestion that BIR is only to be trained at ATO's. This limitation will pose great restrictions to accessablity of the BIR in Sweden, while giving no quantified increase in terms of flight safety.

This also means that one of the overall goals, "Easier Access for GA pilots to IFR flying", is hardly to be achieved in Sweden. Please see below for the background.

AOPA Sweden proposes that EASA once more re-consideres providing IR training outside ATO's. DTO or certified instructors are fully qualified for this task. This will also reduce the regulatory burden since it is more and more expensive to hold an ATO approval, at least in Sweden.

1.
We do not see that the ATO certificate provides much in terms of flight safety to IR training. Rather it reduces the accessability to the BIR training and it will probably render the availability in for BIR training in Sweden to stick to a low level.

2.

In Sweden, accesability of an ATO to provide the IR training is one of the major hurdles for providing IR training.

For instance Basic level IR aircraft training is only available at 11 ATO's the following airports:(military and ATOs providing only type ratings are excluded in this list)
Västerås 2 schools
Kalmar 1 school
Malmö 1 school
Gothenburg 1 school
Norrköping 1 school
Linköping 1 school
Jönköping 1 school
Eslöv 1 school
Ljungbyhed 1 school
Nyköping 1 school

A number of the above ATO's mainly provide ATPL integrated courses. This means they are not even aiming at IR of PPL holders. Looking at the geographical footprint:
A: North of the city of Stockholm there is no ATO providing IR training. This means some people might have to travel over 1000 km for getting to the closest IR-training facility on PPL-level (upcoming BIR). This is not feasible nor proportional.
B: All airports listed above are all situated in the southern third of Sweden, but also within southern sweden, the distance to the closest ATO might be long.

In Sweden there are 42 Registred Facities (RF) which are probably continued as DTO later. This means that by allowing DTO to provide BIR training the theoretical accessability to IR training in sweden would 4-fold compared to the suggestion in the NPA.

As seen above, the limitation in the NPA, to only allow IR training at ATO's will cause a very big disadvantage since the availability of IR training in sweden would remain at a minimum.

The best way of providing BIR training would be in the manner of EIR and CB-IR, where the Flight instructor can provide training without the need for a training organisation. Second best would be to allow the DTO's to provide IR training. Our opinion is that as long as the syllabus is stated out, the organisation in form of a ATO adds little in terms of flight safety. Instead it should be the responsibility of each instructor to teach to the desired level.

If the task force decides to stick with the ATO requirement for IR training, we do not except any big changes of the accessability to the BIR for the PPL holders in Sweden.

response

Not accepted.

Please refer to the EASA response to comment #434.

comment

346 comment by: *David Chambers*

Up to 75% of the training for a CB-IR can take place outside an ATO today, such as by an independent IRI.

	This paragraph suggests that all IFR training must be conducted within an ATO. It seems surprising that this is the case. What evidence has arisen to suggest that indepenent IRI training towards the CB-IR is inadequate or inappropriate? The minimum 10 hours ATO training for the CB-IR seems to be a sensible approach, where those flying schools focussing on IFR training can ensure high standards while the majority of practice and perfecting technique can be done outside the ATO environment. Mandating that all IFR training must be done within an ATO conflicts with other proposals that permit FI(A) with very limited IFR experience to conduct such training. Perhaps 10 hours minimum at an ATO could also be adopted also for the Basic IR.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*363* comment by: *Light Aircraft Association* The LAA recommend an amendment to this proposal which allows training towards the B-IR within a Declared Training Organisation (DTO). This would provide wider access of the proposed course across Europe to the target audience with appropriate levels of oversight for training towards a rating which is limited to single pilot non-high performance aircraft privileges.
response	Not accepted. Please refer to the EASA response to comment #434.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.6. Instructor and examiner qualifications p. 17-18

comment	*48* comment by: *KSAK - Swedish Royal Aero Club* This is a good proposal, we agree.
response	Noted. Thank you for this positive comment.

comment	*105* comment by: *Charles STEEL* Should be a provision for CRIs to teach for the BIR, if they have a full ICAO instrument rating to further expand the availability of instructors which is currently a significant issue in Europe The use of a FE(A) rather than an IRE seems disproportionate compared to the levels required for the IR(A) and CBIR
response	Not accepted.

	In Part-FCL, the CRI certificate in general does not include privileges to instruct for the issue of an IR. With regard to your proposal to allow IREs to conduct skill tests for the BIR, EASA would like to refer you to Section 2.4.6 (first bullet point) of NPA 2016-14 which explains that all examiners that are currently allowed to examine for the IR (this includes the IRE) will also get the privileges to examine for the BIR.
comment	*165* comment by: *AOPA (UK)* AOPA (UK) strongly supports these draft proposals and asks that our support is made known to the RMT.0596 Rulemaking Group.
response	Noted. Thank you for providing this positive feedback.
comment	*197* comment by: *Federal Office of Civil Aviation (FOCA), Switzerland* *Comment FOCA:* the term "pilot supervising" is not known and not referenced in the EASA Standard flight logbook.
response	Accepted. Thank you for your comment which will be considered when drafting the BIR-related changes to Subpart K of Part-FCL.
comment	*234* comment by: *France* **Subject:** BIR instructors and examiners DGAC understands that the revision of subpart J and K was not in the scope of the NPA. The RMT.0596 will propose some amendments to those subparts to include BIR instruction and examination privileges. DGAC wonders if the timeframe for inclusion of BIR in the rule and the timeframe of RMT.0596 are compatible. The BIR is needed as soon as possible to offer a solution to GA pilots. RMT.0596 will need time as a complete review of the subpart J and K will be done. Therefore we propose to include some minimal amendment in subparts J and K in order to be sure that the text as proposed in the present NPA could be used even if RMT.0596 is delayed. The minimal proposed amendments are the following: - add that an IRI and a FI with the privileges to instruct IR hold the privilege to instruct BIR, - add that an IRE holds the privilege to revalidate, renew and issue a BIR, - add that a FE complying with FCL.1005.FE (a) (5) holds the privilege to revalidate and renew a BIR, - add that a CRE complying with FCL.1005.CRE (b) (2) holds the privilege to revalidate and renew a BIR. **Proposed amendment**

Subpart J
FCL.905.FI FI — Privileges and conditions
The privileges of an FI are to conduct flight instruction for the issue, revalidation or renewal of:
[…]
(g) ***a BIR,*** an EIR or an IR in the appropriate aircraft category, provided that the FI has:
(1) at least 200 hours of flight time under IFR, of which up to 50 hours may be instrument ground time in an FFS, an FTD 2/3 or FNPT II;
[…]

FCL.905.IRI IRI — Privileges and conditions
(a) The privileges of an IRI are to instruct for the issue, revalidation and renewal of ***a BIR,*** an EIR or an IR on the appropriate aircraft category.
[…]

****

Subpart K
FCL.1005.FE FE — Privileges and conditions
[…]
(5) proficiency checks for the revalidation and renewal of ***BIRs and*** EIRs, provided that the FE has completed at least 1 500 hours as a pilot on aeroplanes and complies with the requirements in FCL.1010.IRE(a)(2).

FCL.1005.CRE CRE — Privileges
[…]
(b) proficiency checks for:
[…]
(2) revalidation and renewal of ***BIRs and*** IRs, provided that the CRE complies with the requirements in FCL.1010.IRE(a);

FCL.1005.IRE IRE — Privileges
The privileges of the holder of an IRE certificate are to conduct skill tests for the issue, and proficiency checks for the revalidation or renewal of ***BIRs,*** EIRs or IRs.

response

Partially accepted.

Your comment largely matches with the concept already outlined in Section 2.4.6 of NPA 2016-14. As explained in the EASA response to comment #360, the BIR-related amendments to Subparts J and K will be now processed not with RMT.0596 but with RMT.0677.

comment

254 comment by: *CAA Norway*

"An aeroplane class rating examiner (CRE(A)) may conduct revalidation or renewals of BIRs, provided they have 1 000 hours flight time as **pilot supervising (PS)** on aeroplanes and have passed the IRI course."

We can´t seem to find anything on the CRE defining the term "pilot supervising". What is this? Do you mean "as class rating instructor", "as class rating examiner" or "as pilot"? Could this be a misinterpretration of FCL.1005.CRE(b)(3) and that the intended text was to be:

	♣*revalidation and renewal of BIRs, provided that the CRE has completed at least 1 000 hours as a pilot on aeroplanes and complies with the requirements in FCL.1010.IRE(a)(2).* If so, it seems inconsistent that a CRE can conduct proficiency checks for EIR when he has 1500 hours as pilot on aeroplanes, but to do proficiency checks for BIR (that includes approches) he only need 1000 hours as pilot on aeroplanes.
response	Noted. With regard to the term 'pilot supervising', please refer to the EASA response to comment #197.

comment	*272* comment by: *Julian Scarfe* We support the proposals.
response	Noted. Thank you for this positive response.

comment	*283* comment by: *AeroClub Roger Janin, FR.ATO.0087* "Amending the relevant instructor ratings to accommodate the BIR is not within the scope of this NPA. Instead, the Agency will transfer the TF's draft proposals to the Rulemaking Group for RMT.0596 'Review of provisions for examiners and instructors (Subparts J and K of Part-FCL)'. RMT.0596 is dealing with this area, i.e. Subpart J and K of Part-FCL." Comment : This is a typical dogmatic administrative approach which will introduced evolutions pieces by pieces and undesirable delay in the regulations evolution consistently as a whole. Constantly evolving regulations by small pieces is becoming a major burden, if not a threat to safety, for front actors of all kinds. Instead we would have expected EASA to be more proactive by introducing the instructor rating(s) accommodation to BIR in this NPA, in coordination with RMT.0596 team.
response	Noted. Please refer to the EASA response to comment #360.

comment	*284* comment by: *AeroClub Roger Janin, FR.ATO.0087* "An FI(A) holding a BIR, and having passed the instrument flying instructor (IRI) course, may teach for the BIR without being required to have completed 200 hours flight time under IFR; " a) to avoid any ambiguity: "or an IR" should be added after "holding a BIR". b) We fully support this proposal, because: - it is participating to costs reduction, - it gives opportunity to build IR teaching experience in a less demanding weather+flight environment than "full IMC minima/full IR training" could create if done at beginning of IR instructing exprience.

response	Accepted. Your proposal will be reflected in the updated draft rule text for point FCL.905.FI.

comment	*324* comment by: *Uppsala Flying Club* We agree!
response	Noted. Thank you for this positive comment.

comment	*337* comment by: *AOPA Sweden* AOPA Sweden supports the proposed most changes to the Instructor and Examiner Qualifications. Two additions are deemed appropriate: Second suggestion under 2.4.6: Since IR and CB-IR are higher level IRs than the BIR, an instructor holding an IR or CB-IR should also get the suggested privileges that are suggested for an FI(A) holding a BIR. Fifth suggestion under 2.4.6:(CRE(A)) The meaning of "pilot supervising" PS is not clear to US. Do you mean instructional flight time(Dual given) or Examiner flight time or something else?
response	Noted. With regard to your point concerning FI(A) privileges, please refer to the EASA response to comment #284. Please also bear in mind that a 'CB-IR', as a separate rating, does not exist. There is just a competency-based (CB) route for obtaining an 'IR'. With regard to your point concerning 'pilot supervising', please refer to the EASA response to comment #197.

comment	*342* comment by: *David Chambers* The list of permitted Basic IR flight instructors only indirectly references IRI's, giving those permitted to instruct for the IR also these privileges. However there is a pre-requisite for a PPL to gain an IRI of 800 hours IFR, compared with this proposal that an FI requires none beyond holding a Basic IR and passing the IRI course. It seems unusually harsh not to allow a PPL with IRI course to instruct for the Basic IR with a lot less than 800 hours IFR. Experienced IFR GA pilots have a lot of knowledge to pass on without necessarily having completed the ab-initio flight instructor course. I would have thought as little as 50 hours or at most 200 hours IFR is a reasonable limit, and perhaps 100 hours would be a useful compromise. I do not see why the pre-requisite number of IFR hours flown should differ between an IRI and FI(A).

	Equally some practical experience with SEP IFR would ensure some real-world knowledge to pass on, given that today's training typically focusses strongly on the skill test rather than longer airways flights. I would have thought hours flown SEP IFR represents substantial experience compared with longhaul airline flights under autopilot and it may even be worthwhile specifying that the pre-requisite IFR hours be flown outside an airline environment on a SEP or MEP.
response	Not accepted. EASA would like to highlight that a pilot who holds an FI certificate is already qualified and trained to instruct ab initio students, unlike a pilot who holds a PPL but not yet any instructor certificate and now applying for an IRI certificate. Therefore, the different approach constitutes a consistent solution.

comment	*415* comment by: *Finnish Transport Safety Agency* Although there is no exact requirements yet, Trafi would like to emphasize the importance of instructor and examiner qualifications within competency-based training. The instructors and examiners need to have proper experience on IFR operations as well as on assessing the competencies. Instructors should undertake an assessment of instructor competencies and also of knowledge of the competency-based approach to training. If compered to FAA system, the FAA instructor training is completed in an aircraft, which gives broader understanding of training environment compared to IRI training completed only in an FSTD.
response	Noted. In the context of the competency-based approach as included in the BIR, EASA holds the opinion that instructors already today should be competent to judge a student's progress through the training course, particularly in the context of the extensive guidance material provided, as shown in NPA 2016-14. However, your comment will be included and considered during the work of RMT.0596.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.7. Revalidation or renewal of BIR and of class or type ratings p. 18

comment	*11* comment by: *trevor sexton* " The Agency considered it to be appropriate for the revalidation to introduce the concept of alternating between a proficiency check and an hour's instruction from an instructor qualified to teach for the BIR. Renewal will always be via a proficiency check." No mention of revalidation time period before a proficiency check for the BIR this should 24 months. Also no mention of renewal requirements for somebody whos out of check..

	Up to one year out of revalidation time. Renewal with refresher training by authorised instuctor followed by a proficiency check flight. (this would allow for somebody whos, out by even 1 day to be able to revalidate without having to do a skills test) Over 1 year Refresher training by authorised instructor and skills test.. Over 7 years also retake TK exams.
response	Noted. EASA wishes to refer you to Chapter 3 of NPA 2016-14, in particular point FCL.835(i), which includes detailed revalidation and renewal proposals for the BIR. With regard to your point concerning retaking the BIR theoretical knowledge examinations, please refer to the EASA response to comment #357.

comment	*48* ❖ comment by: *KSAK - Swedish Royal Aero Club* This is a good proposal, we agree.
response	Noted. Thank you for this positive comment.

comment	*82* comment by: *KLM aeroclub ATO* Agree with proposal
response	Noted. Thank you for this positive comment.

comment	*97* comment by: *M A Naylor* This is a good proposal, which mirrors the way more advanced ratings (such as the FI(A) are currently renewed in alternate periods. I think there is immense value in alternating a proficiency check with a 1 hour instruction session.
response	Noted. Thank you for this positive comment.

comment	*263* comment by: *The Norwegian Air Sports Federation* There should be more proportionate ways to revalidate the license than the concept of a proficiency check (PC) and an hour with an instructor every second year. An experience based revalidation approach should be considered, meaning that those who have flown a high number of instrument departures and approaches during the past 12 months should not require a PC.
response	Not accepted. Please refer to the EASA response to comment #327.

comment	*273* comment by: *Julian Scarfe* We support the proposals. We believe that the "flight review" mechanism of a relevant training flight with an instructor offers assurance of continued competency almost equivalent to a proficiency check, and may also add extra value.
response	Noted. Thank you for this positive comment.

comment	*325* comment by: *Uppsala Flying Club* We agree!
response	Noted. Thank you for this positive comment.

comment	*343* comment by: *David Chambers* I very much like this idea and believe it would also be useful for the standard Instrument Rating.
response	Noted. Thank you for this positive comment. EASA wishes to point out that proposals for possible amendments to FCL.625 are not within the scope of RMT.0677.

comment	*365* comment by: *Light Aircraft Association* The LAA fully support the proposal to allow combining of class rating and BIR revalidation or renewal into one flight in the same way as is currently permitted for the class rating and IR at Appendix 9 to Part-FCL.
response	Noted. Thank you for this positive comment.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.8. Language proficiency p. 18

comment	*1* comment by: *Austro Control GmbH* On behalf of the devision "Language Proficiency" of Austro Control and as a member of the ICAO LPRI Task Force I want to express our great concern regarding EASA's proposal to exclude pilots with BIR from demonstrating a minimum of plain English proficiency (FCL.055(d) refers) and wish to register the following comment:

Is it correct to assume that licence holders with a BIR will no longer be required to have a language endorsement in their licence? Assuming that this is the case, there are concerns about safety in cases where such licence holders are flying in air space 'D' and higher where English language is required.
It is possible that situations may arise in which proficient speakers will have to share the airspace or frequency with licence holders with a BIR who do not even meet the minimum ICAO Language Proficiency Requirements. A pilot with a BIR will use ATM services and will be part of the international ATM system in which services are provided in English in most of the countries. Such practice would be clearly in conflict with the requirements in ICAO Annex I.

Consequently, this then raises the question of the mutual international recognition of licences among the contracting states of ICAO that are also in EASA.

There are further concerns over the lack of guidance regarding the interpretation of national BIR application. Will it be limited to countries which share a national language with the country in which the licence was issued, e.g. Austria, Germany and Switzerland? The proposal to not amend the language proficiency requirements in FCL.055(d) to include the BIR assumes that pilots will only fly within the confines of the country in which the BIR was acquired. In other words, is it correct to assume that a licence holder with a particular BIR is not permitted to fly into another country?

The ICAO Language Proficiency Requirements were put in place to ensure a minimum level of English for all stakeholders sharing the same airspace to ensure mutual intelligibility. This can no longer be ensured if licence holders with a BIR are not required to have a language endorsement.

Furthermore, in the proposed NPA there seems to be a genuine misunderstanding by confusing FCL.055's language proficiency requirements (based on ICAO Doc 9835) with the use and demonstration of standard phraseology (refer to 6.2.8.6 ICAO Doc 9835 *2nd ed.*:
The use of ICAO standardized phraseology is an operational skill that is taught by qualified aviation operational specialists and is acquired to the required level of proficiency by trainee pilots and controllers during operational training. Teaching and testing standardized phraseology are operational issues, not a language proficiency issue. It follows that a test designed to evaluate knowledge or use of standardized phraseology cannot be used to assess plain language proficiency.)

Having said this, I strongly oppose to follow through with the respective NPA and NOT amend FCL.055(d) to include the BIR into the language proficiency requirement.

The "*more holistic approach as regards an eventual amendment to FCL.055 'Language proficiency' for GA pilots*" which the Agency strives to follow shall not exclude pilots with BIR from demonstrating a minimum of plain English proficiency. In fact, a "more holistic approach" would be to finally include a certain mandatory English training program for level 4 holders or lower into FCL.055 as has been stipulated in ATCO.B.045 - see below.

Instead of pushing "simpler and lighter" requirements for GA pilots and herby reducing aviation safety for pilots and ATCs, I suggest, the Agency consider the following:

1. Clarification of the applicability of FCL.055(e)
From a legal point of view, the requirements should be made more specific to make it clearer

which types of ratings the language proficiency requirements apply to. Currently, FCL.055(e) is interpreted in some countries as being only applicable to IR holders.

2. EASA shall rectify discrepancy between ICAO Doc 9835/ICAO Circ. 323 and AMC 1 FCL.055 as well as FCL.055 and ATCO.B.03ff regarding

Formal Testing Environment
It is considered common practice in many countries to do the initial and/or recurrent language proficiency check for pilots during one of the existing checking or training activities (line check, prof check, etc.). However, this is not conducive to achieving reliable language proficiency testing results. First of all, such a setting may result in construct-irrelevant variance which cannot be controlled by the assessors. Secondly, any test should assess the speaker's ability to use plain English in unusual or unexpected situations, which may not occur during a line check. On a routine flight the test taker is likely to only use standard ICAO phraseology. However, the focus of any assessment of language proficiency should be specifically on plain language and not focusing on ICAO standard phraseology alone. Furthermore, ICAO Doc 9835 (Manual on the Implementation of ICAO Language Proficiency Requirements) recommends that the assessment be conducted by a rater team made up of an operational expert and a linguistic expert. This can also be difficult to achieve if the assessment is done during an operational check.

Limitation of Level 6 for pilots as it has already been established for air traffic controllers in Commission Regulation (EU) 2015/340.
Limiting validity period of the language proficiency endorsement provides a good opportunity to reassess a speaker's language ability and to address issues of language loss and language attrition. For air traffic controllers the validity period of the language proficiency endorsement at level 6 has already been limited (ATCO.B.035). There seems to be no reason why a similar period of validity of level 6 should not apply to pilots as well.

Make training available for (L4) pilots, as outlined in ICAO Doc 9835, which has already been established for air traffic controllers in Commission Regulation (EU) 2015/340, ATCO.B.045:
Specific aviation-related language training for pilots shall be made available to maintain the required level of language proficiency.
(1) to holders of language proficiency endorsement at operational level (level 4);
(2) to licence holders without the opportunity to apply their skills on a regular basis in order to
maintain their language skills.
(3) language training should contain communication in a job-related context particularly to handle abnormal and emergency situations and conduct non-routine coordination with colleagues, crews and technical staff.
(4) emphasis should be placed on the six criteria of speech as emphasized in the ICAO Rating Scale - listening comprehension, speaking interaction, structure, fluency and vocabulary building."

2. Assignment and commission of an expert in language proficiency at EASA level

a) to conduct a survey on how FCL.055 has been interpreted and actual LPRIs have been established by individual MS
b) to counter steer existing lack of transparency and standardization
c) to assist states in establishing and maintaining uniform testing environments and oversight processes

	d) to evaluate A) tests in use B) test service providers C) individual CAA requirements for the establishment of language assessment bodies D) individual CAA provisions for the nomination and training of assessors E) oversight capability and activity conducted by CAAs F) how language proficiency endorsements are issued by the CAAs The EASA language proficiency expert shall undertake necessary actions to closely liaise with other groups/bodies/CAAs/national ICAO Focal Points of EASA member states in order to harmonize and streamline the relevant processes and procedures across the Region.
response	Not accepted. EASA wishes to point out that NPA 2016-14 does not include any proposal to amend point FCL.055(a), hence BIR holders will be required to have a language proficiency endorsement included in their licences. With regard to FCL.055(d), EASA considers that the proposal will increase the uptake of the BIR amongst pilots for whom English is not their mother tongue for flights conducted solely within an EASA Member States in which the language spoken is acceptable for radio communications.

comment	*48* ❖ comment by: *KSAK - Swedish Royal Aero Club* This is a good proposal, we agree.
response	Noted. Thank you for this positive comment.

comment	*83* comment by: *KLM aeroclub ATO* Agree
response	Noted. Thank you for this positive comment.

comment	*99* comment by: *Frank PFEFFERKORN* Yes, English might be a threshold for a number of elderly pilots. However, the ability to communicate on a basic level among pilots and controllers so that anyone can follow what was said is a key for safety to me personally.
response	Noted. With regard to FCL.055(d), EASA considers that the proposal will increase the uptake of the BIR amongst pilots for whom English is not their mother tongue for flights conducted solely within an EASA Member States in which the language spoken is acceptable for radio communications.

comment	*130* comment by: *René Meier, Europe Air Sports* 2.4.8. Language proficiency

	p 18/230 We welcome the Agency's proposal to assess the "language question" as part of RMT.0678 which we hope will bring risk-based results very soon. We think no uniform solution covering ECAC-Europe will be achieved. The "one-frequency-one language" solution would work, but will be, for obvious reasons, not be acceptable to nations governing large airspace sectors. FCL.055 needs some rework to cover all forms of instrument ratings in the future. Rationale We believe it is acceptably safe that pilots operating in airspaces like mentioned above do not necessarily need a LPR Level 4 in English when another language which he/she is familiar with is offered. Risk-based solutions must be put in place to cover the needs of holders ATPL, CPL/IR, CB-IR and of the future BIR.
response	Noted. Thank you for this positive comment which will be forwarded to RMT.0678.

comment	*200* comment by: *Federal Office of Civil Aviation (FOCA), Switzerland* *Comment FOCA:* Since the maxim “See and avoid” cannot be applied for flights in IMC/under IFR, it is of utmost importance that pilots are able to understand what happens in the vicinity (situational awareness!. If different languages are used on the same frequency for flights in IMC/under IFR, this is undoubtedly a safety-issue. English is seen as the “lingua franca” in aeronautical communications. The BIR should therefore be included into the language proficiency requirement according to the current version of FCL.055(d).
response	Not accepted. Please refer to the EASA response to comment #99.

comment	*241* comment by: *LBA / German CAA* Attachment #3 *Preliminary note:* *In Germany we use the German version of Commission Regulation (EU) 1178/2011. Therefore, the following comments refer to that German version and are in German, an official and a working language of the EU.* **Problem:** Gefährdung der Flugsicherheit möglich. Einschätzung *„Some positive impact on safety“* bei Ziff. 2.3.4 der NPA 2016-15 (s. *Option 3 ‘New BIR‘*) ist zu optimistisch. **Begründung:** Im Luftraum über der Bundesrepublik Deutschland ist gemäß *Bekanntmachung über Sprechfunkverfahren* (s. Nr. 3 der Nachrichten für Luftfahrer – NfL 1-878-16 vom 25. November 2016) der Sprechfunkverkehr im beweglichen Flugfunkdienst in englischer Sprache durchzuführen. Die deutsche Sprache darf nur verwendet werden: 1. Bei Flügen nach Sichtflugregeln und im Rollverkehr auf Frequenzen, die für den Sprechfunkverkehr in

deutscher Sprache zugelassen sind, oder 2. Wenn der Empfänger der Meldung mit der englischen Sprache nicht vertraut ist.

Inhaber eines *Basic Instrument Rating (BIR)* müssten den Sprechfunkverkehr in englischer Sprache durchführen. Dabei teilen sich BIR-Piloten der allgemeinen Luftfahrt den Luftraum mit anderen englischsprechenden IR Piloten, u.a. von gewerblichen Luftfahrtunternehmen. Folglich ist eine Gefährdung der Flugsicherheit nicht auszuschließen, zumal der fehlende Prüfungsdruck bei BIR-Piloten keine positive Auswirkung auf deren englische Sprachkompetenz hätte.

Vorschlag:
Sofern an den aktuellen Regelungen des FCL.055(d) festgehalten werden soll, müsste auch BIR in die LPRs aufgenommen werden.

ZUSATZ: Bei einem detaillierten Vergleich der Regeln des FCL.055 mit den Inhalten des ICAO Doc 9835 ergeben sich <u>Widersprüche zu den Vorgaben der ICAO.</u>

Daher Alternativ-Vorschlag:
Neufassung des FCL.055(d).

Begründung:
Der Verordnungsgeber hat sich bei der Schaffung des FCL.055(d) / AMC 3 zur FCL.055(d) offenbar an den früheren Regelungen der nicht mehr gültigen "*Bestimmungen für Privatpiloten, Berufspiloten und Linienpiloten (JAR-FCL 1 deutsch)*" [engl. *Joint Aviation Requirements JAR-FCL 1 Flight Crew Licensing (Aeroplane)]* orientiert (vgl. dort Anhang I zu JAR-FCL 1.200 [bzw. *Appendix 1 to JAR-FCL 1.200*]). Diese Regelungen waren zu einem Zeitpunkt konzipiert worden, als die Regelungen der ICAO Sprachanforderungen nicht existierten. Im *Manual on the Implementation of ICAO Language Proficiency Requirements* (*ICAO Doc 9835 2nd ed.*) spricht die ICAO an keiner Stelle von *Specific requirements for holders of an instrument rating* o.ä., sondern allgemein von ...*specific requirements of aviation operations...* (s. Ziff. 6.2.2.5 ICAO Doc 9835 *2nd ed.*). Die Sprachanforderungen gelten also für VFR- und IFR-Piloten –**ohne** Unterschied. Erst die in der Flugausbildung zu erwerbenden Fähigkeiten im Bereich Sprechfunkverfahren machen den Unterschied zwischen VFR- und IFR-Verfahren aus. Hier geht es aber um das Erlernen der Anwendung von Sprechgruppen (*Phraseologie*), was mit Sprachkompetenz (*language proficiency*) im Sinne des ICAO doc 9835 nichts zu tun hat. Vgl. hierzu Ziff. 6.2.8.6 ICAO Doc 9835 *2nd ed.*:

*The use of ICAO standardized **phraseology** is an **operational skill** that is taught by qualified aviation operational specialists and is acquired to the required level of proficiency by trainee pilots and controllers during operational training. Teaching and testing standardized phraseology are operational issues, **not a language proficiency issue**. It follows that a test designed to evaluate knowledge or use of standardized phraseology cannot be used to assess plain language proficiency.*

Die Formulierung in FCL.055(d) ist problematisch. Beispielsweise geht man in mindestens einem EASA MS / EU MS seitens der zuständigen Behörde aufgrund dieser Formulierung davon aus, dass VFR-Piloten vom Erfordernis eines Sprachnachweises ausgenommen sind.
Leider enthält auch FCL.055(**b**) eine Formulierung, die nicht im Sinne der ICAO Vorgaben ist: *"...Sprachkenntnisse sowohl auf der **Ebene der Einsatzfähigkeit für den Gebrauch der Sprechgruppen** als auch für den Gebrauch normaler Sprache…"*.

Dies impliziert eine Überprüfung von Sprechgruppen mit Hilfe der ICAO Rating Scale (Einstufungsskala), was in fachlicher Hinsicht unmöglich ist. Ein Bewerber, der sich ausschließlich Phrasen bedient, wäre bestenfalls mit ICAO Level 2 zu bewerten, würde also nie die Ebene der Einsatzfähigkeit (Level 4) erreichen! Dennoch gibt es in Deutschland – aufgrund der Formulierung in FCL.055(b)- Bestrebungen das bewährte System der Sprechfunkprüfungen abzuschaffen und die Überprüfung der Sprechgruppen mit der ICAO Sprachprüfung zu verbinden.

Langfristig ist eine Gefährdung der Flugsicherheit durch Vermischung der Überprüfung von Sprechfunkverfahren (*Anwendung von Sprechgruppen / Phraseologie) und der* Sprachkompetenz (Anwendung von *normaler Sprache* / *plain language*) nicht auszuschließen, zumal die Art und Weise wie geprüft (und sich auf entsprechende Prüfungen vorbereitet) wird, auch Auswirkungen auf die spätere Kommunikation während des Fliegens haben wird. Ein weniger striktes Festhalten an Sprechgruppen wäre fatal.

Bei der Erstellung der Regelungen in FCL.055(b) hat man sich wohl an den *ICAO Holistic Descriptors* orientiert und dabei übersehen, dass diese sich **nicht** auf *phraseology*, sondern ausschließlich auf *plain language* / normale Sprache beziehen (vgl. Ziff. 4.5.3 ICAO Doc 9835 *2nd ed.*).

Konkreter Vorschlag zur Neufassung des FCL.055(d):

Aktuelle Regelung des FCL.055(d) und die dazugehörige AMC 3 (*SPECIFIC REQUIREMENTS FOR HOLDERS OF AN IR)* streichen. Stattdessen eine separate Regelung für den Gebrauch der Sprechgruppen einfügen, um den Gebrauch der "normalen Sprache" vom Gebrauch der "Sprechgruppen" deutlich abzugrenzen und um die Bedeutung der Sprechgruppen deutlicher hervorzuheben (entsprechend Ziff. 4.3.1 des ICAO Doc 9835 *2nd ed.*).

In FCL.055(b) müssten zusätzlich die Worte "...sowohl...für den Gebrauch der Sprachgruppen..." gelöscht werden. Die neue Formulierung des FCL.055(d) könnte sodann lauten:

Ein Sprachenvermerk wird nur in die Lizenz eines Bewerbers eingetragen, wenn dieser über die Berechtigung oder nachgewiesene Befähigung zur Durchführung des Sprechfunkverkehrs unter Anwendung der Sprechgruppen in der entsprechenden Sprache verfügt. Sprechgruppen sind im Sprechfunkverkehr stets vor normaler Sprache zu verwenden.

Sollte dem Vorschlag gefolgt werden, müsste unter FCL.055(e) die Formulierung "*...des Gebrauchs der englischen Sprache für IR-Inhaber oder EIR-Inhaber...*" ersetzt werden durch "*...des Gebrauchs der Sprechgruppen...*".

Weitere Hinweise / Vorschläge zu FCL.055:

Die Formulierung in FCL.055(**a**): "...*entweder für Englisch oder*..." sollte gelöscht werden, zumal die Forderung nach ausreichenden Sprachkenntnissen im Sinne der Flugsicherheit unbedingt für **alle** Sprachen, die im Sprechfunkverkehr zugelassen sind, gelten sollte.
Viele Piloten sind aufgrund der aktuellen Formulierung der Meinung, dass ein Sprachvermerk für Englisch als alleiniger Sprachnachweis ausreicht.

Bezüglich der Geltungsdauern der Stufen (Level) 4 und 6 in FCL.055(**c**) wird auf die unterschiedlichen Regeln für Fluglotsen (vgl. ATCO.B.035 der CR (EU) 2015/340) und Piloten

	in FCL.055(c) der VO (EU) Nr. 1178/2011 hingewiesen. Insbesondere die unbegrenzte Geltungsdauer der Stufe 6 bei Piloten ist fachlich nicht nachvollziehbar. Das anliegende pdf-Datei „Level 6 Validity Limitation“ enthält eine fachliche Argumentationskette für die **Befristung der Geltungsdauer der Stufe 6 auch bei Piloten** - ungeachtet etwaiger politischer Zwänge und im Sinne der Flugsicherheit.
response	Not accepted. With regard to the proposal to require BIR holders to demonstrate the ability to use the English language pursuant to point FCL.055(d), please refer to the EASA response to comment #445 (second paragraph). With regard to all the other proposals related to point FCL.055, EASA would like to highlight that a general revision of this provision is outside the scope of RMT.0677.

comment	*264* comment by: *The Norwegian Air Sports Federation* We support the proposal in the NPA with regard to language proficiency, as long as the training clearly emphasises how lack of English language proficiency will greatly limit ones options when flying to other European countries.
response	Noted. Thank you for this positive comment. EASA will consider to draft guidance material (GM) to explain the limitations of pilots that have a language proficiency endorsement in a language other than English in their licences (limited to flights within the airspace where that language is available for radio communication).

comment	*274* comment by: *Julian Scarfe* We support the Agency’s proposal on language proficiency. We acknowledge the safety value of the use of English, but believe that the need for accessibility of the BIR (which would be hindered by an ELP requirement) outweighs this consideration in this case.
response	Noted. Thank you for this positive feedback. Please also refer to the EASA response to comment #264.

comment	*296* comment by: *CAA Norway* The suggestion in this NPA to not require English language proficiency from BIR holders is based on the argument that such a requirement would be a barrier to GA pilots. CAA Norway strongly advise against this proposal and advise that English proficiency shall be an absolute requirement for IR pilots. Instrument flying is mostly done in airspace and to/from airports used by commercial traffic. If we are to mix native speaking IR pilots with English speaking pilots, there will be a lack in situational awareness for both. We will have situations where a commercial airliner and a GA pilot are approaching an airport to fly an instrument approach. If one pilot is using English standard phraseology and the other one is using completely different native phraseology,

none of them will have an understanding of where the other aircraft is and what its intentions are. The air traffic controller will have to, more or less, translate the communication in order to bring some sort of situational awareness to the pilots. This will increase the amount of radio communication, at the expense of other traffic. The workload of both pilots and controllers will increase, and this is not in the interest of safety.

Please be aware that in this example there were only two aircraft involved.

If we instead stick to English as the only language used in aviation radio communication, situational awareness will increase for controllers and all aircraft in the vicinity.

Another argument against not requiring English language proficiency is that it will create borders. Having an instrument rating, whether it is an EIR, BIR or IR, enables you to plan and execute longer flights. If the holder is limited to native language he/she is also limited to his/her home country. We see it as better use of an instrument rating if the holder is able to use it beyond the borders that limit native speakers. Increased activity will again have a positive economic impact and will sustain the development of the GA community.

In the second paragraph of 2.4.8., the Agency states that it "strives to follow a more holistic approach" regarding language proficiency. In this respect, English is and should be the only aviation language. Communication and English proficiency is as an integral part of flight training as being able to land a plane. Hence if you can´t land a plane, you don´t get a license.

CAA Norway therefore request that this issue is reconsidered and that the requirement for English language proficiency includes holders of the BIR.

response | Not accepted.

Please refer to the EASA response to comment #264.
EASA also holds the opinion that ATS providers in certain busy areas may require all radio communications to be conducted in English. Where this applies and is stated in the national AIP, non-English-speaking BIR holders would be excluded.

comment | *308* comment by: *NATS National Air Traffic Services Limited*

With the principal that this will allow GA to access airspace they may have previously not had access, and operate in more complex environments – not mandating as the other IR qualifications that the English proficiency requirements are incorporated into the BIR is a significant safety risk.Pilots operating in airspace (en-route, and complex approaches that do not have a proficiency in English could impact the safety of airspace and issues to ATC.

We recommend mandating appropriate English language proficiency requirements.

response | Not accepted.

Please refer to the EASA response to comment #296.

comment | *326* comment by: *Uppsala Flying Club*

We agree!

response	Noted. Thank you for this positive comment.

comment	*340* comment by: *AOPA Sweden* AOPA sweden supports the proposal.
response	Noted. Thank you for this positive comment.

comment	*390* comment by: *BCAA - Licensing - Formation - Grisel* Belgian CAA comments : Absolute veto: if you want to perform instrument flights and travel internationally, among professional pilots, one should demonstrate ELP Level 4. The FCL.055 allowing all kinds of local language, even in IFR/IMC is a result of political lobby and is in utter conflict with the intent of ICAO ELP requirements, to stimulate knowledge and use of ENGLISH ONLY for the benefit of aviation safety. Allowing a further erosion of the use of aviation related English on the frequency and replacing it with local language, is a deeper manifestation of destruction of aviation safety, rather than an effort to enhance safety in aviation. Absolute veto against the “more holistic approach” which is a euphemism for BIR holders will be able to fly on IFR-airway all through Europe, without any legal requirement knowing any proper English. The BCAA does not wish to have such pilots in its airspace, considering the complexity of its airspace and the number of airspace infringements (140 on average annually, of which 10-15% results into near-misses). If we add some language issues to the Swiss cheese, we will only be counting down for the first mid-air collision of this decade.
response	Not accepted. Please refer to the EASA response to comment #296.

comment	*395* comment by: *IATA* The fact that the English language proficiency check could be a barrier for GA pilots has to be evaluated and balanced with the risk posed by having air traffic in IFR not being able to properly communicate. It is of serious concern the risk of having pilots not proficient in the English language being granted access to IFR. It is strongly requested that BRI is included in FCL.055(d).
response	Not accepted. EASA holds the view that the risk assessment to which you refer has led to the conclusion of Section 2.4.8 of NPA 2016-14. Please also refer to the EASA response to comment #296.

comment	*404* comment by: *European Transport Workers Federation - ETF* Strong concerns for the continuity of safety in not mandating English proficiency as part of the BIR. This will also have an impact on cross-border IMC flight where Member States' language requirements will differ.
response	Not accepted. Please refer to the EASA responses to comments #264 and #296.

comment	*416* comment by: *Finnish Transport Safety Agency* As mentioned in page 15, interaction with other airspace users is important. Therefore the BIR holder should have English language proficiency, as is the requirement for IR and EIR holders.
response	Not accepted. Please refer to the EASA responses to comments #264 and #296.

2. Explanatory Note — 2.4. Overview of the proposed amendments — 2.4.9. Relationship between Part-FCL and third-country instrument ratings (IRs) p. 18-19

comment	*49* comment by: *KSAK - Swedish Royal Aero Club* This is a good proposal, except for the minima restrictions. We can not really see how the training program would look when going from a minima of 500 ft down to 200 ft, "keep flying and stay established". That also might give you an indication that the most sensible approach would be to get rid of those restrictions.
response	Not accepted. Please refer to the EASA response to comment #45.

comment	*84* comment by: *KLM aeroclub ATO* Agree with proposal. This is an interesting element for pilots in possession of (full) IR issued by third country, but do not or no longer need full IFR privileges. For them this is a more relaxed route whereby pilots envisaged can still fly IFR with higher minima (so with some more restrictions). For many private pilots flying simple SEP aircraft the BIR privileges will do the job for most of the typical flight missions : adding planning and operational flexibility at one end and increasing the safety level at the other end. Increasing safety because the pilot can maintain his/her skills by flying IFR and in IMC, and compensating for lower proficiency level by increasing the limitations/minima. Therefore a logic an good plan. Much better than EIR which is basically a mistake because there are no (IFR) departure/approach provisions. This induces various risks.
response	Noted. Thank you for this positive comment.

comment	*131* comment by: *René Meier, Europe Air Sports* 2.4.9. Relationship between Part-FCL and 3rd country IRs p 18/230 The appropriate upgrade paths and the proposed way to obtain a BIR is welcome. Rationale The proposed path highlights the fact of a minimum familiarisation needed when flights according to IFR will be operated in formerly unknown airspaces.
response	Noted. Thank you for this positive comment.

comment	*275* comment by: *Julian Scarfe* Please review our comments on section 2.3 which are relevant to the relationship with the IR. We support the proposed mechanism for upgrade to an IR, including and in particular the use of an oral examination of TK. The removal of the limitation on aerodrome operating minima associated with upgrade from BIR to IR is not related to TK, but it is implicit in any check that the examiner assesses the candidate's relevant TK. We also support the proposed mechanism of conversion from ICAO Annex 1 IRs.
response	Noted. Thank you for this positive comment.

comment	*328* comment by: *Uppsala Flying Club* The requirement for additional training for approaches to 200 ft DH is strange. What exactly is this training supposed to entail? This again highlights the absurdity of the increased minima for the BIR considering that currency, not training is the important factor. Apart from that we agree!
response	Noted. Please refer to the EASA response to comment #45.

comment	*341* comment by: *AOPA Sweden* Good to provide a path for upgrading to higher level IR, except for the restrictions regarding IFR minimas. It would be more sensible to have the BIR pilots qualified for flying approaches all the way to the minima from the start. This would add more pilot proficiency and also there would be no questions among examiners or airline pilots if this is an IR or not.

	What kind of training is required when teaching a student to be able to fly all the way to the minima istead of making the go around at a couple of hundred feet higher?
response	Not accepted. Please refer to the EASA response to comment #45.

comment	*391* comment by: *BCAA - Licensing - Formation - Grisel* Belgian CAA comments : BCAA applies a written multiple choice exam for the CB-IR exams for holders of the “50 hrs PIC in IMC”. Until further notice, BCAA maintains this policy.
response	Noted. EASA wishes to clarify that point 8 of Section Aa of Appendix 6 to Part-FCL foresees a demonstration of theoretical knowledge to the examiner during the skill test, meaning a verbal demonstration. This has also been clarified with the new GM1 to Appendix 6, introduced with ED Decision 2017/022/R.

2. Explanatory Note — 2.5. Aeroplane cloud flying rating p. 19

comment	*50* comment by: *KSAK - Swedish Royal Aero Club* We do not see this as an option and it will add very little to the GA community.
response	Noted. EASA wishes to refer you to Section 2.5 of NPA 2016-14, which states that this topic will be further reviewed with RMT.0678.

comment	*122* comment by: *DC-AL* I think this is a good idea, but its introduction should not hinder the introduction of the BIR.
response	Noted. Thank you for this positive comment. Please also refer to the EASA response to comment #50.

comment	*166* comment by: *AOPA (UK)* AOPA (UK) very strongly supports the concept of an Aeroplane Cloud Flying Rating as we consider that it will meet the needs of a large number of GA pilots who have no wish either to conduct IFR approaches or to fly under planned IFR for protracted periods. We recommend that RMT.0678's work on this Rating should be started as soon as possible. Such a Rating would also introduce safety benefits for LAPL(A) holders.
response	Noted.

	Thank you for this positive comment. Please also refer to the EASA response to comment #50.
comment	*276* comment by: *Julian Scarfe* We do not support the concept of an "aeroplane cloud flying rating" to "mitigate the risks from unexpected IMC while conducting a flight under VFR". If a flight is planned under VFR without consideration of IFR, then entry into IMC is an emergency. If a flight is planned under IFR or with IFR as a normal contingency, including "to achieve VFR on top" then the competences associated with an EIR or BIR are all required. Of course training for emergency situations, including inadvertent IMC entry, is useful, but it does not need a rating and should not be associated with privileges.
response	Noted. Please refer to the EASA response to comment #50.
comment	*329* comment by: *Uppsala Flying Club* We don't see that this option will add much value.
response	Noted. Please refer to the EASA response to comment #50.
comment	*446* comment by: *Ryanair* Dear EASA, The A4E thanks for the chance to comment on the NPA 2016-14. We would like to comment the following part. 2.5. Aeroplane cloud flying rating As discussed in the introduction in the RIA, the TF also considered the concept of a more basic rating that would be similar to the sailplane cloud flying rating in FCL.830, but for powered aeroplanes. The purpose of the rating would be to allow short-term entry into IMC, for example, to achieve 'VFR on top' and to mitigate the risks from unexpected IMC while conducting a flight under VFR. This rating would be attractive to those for whom the full BIR would not be justified, but who still desire some cloud penetration capability, for either safety or utility. Since the primary focus of the TF's work is to propose a BIR in order to encourage planned IFR flights for GA, it was considered appropriate to propose that work on and consultation of aeroplane cloud flying rating to be included in RMT.0678 instead. However it is strongly recommended to carefully assess airspace structure, consequences for defined weather minima and on "see and avoid" ability within respective airspace

	classification as well as possible ATC contact and clearance requirements to provide respective visibility to controllers and IFR traffic, thus avoiding IFR/VFR conflicts. VFR flying is based on see and avoid any penetration of clouds makes it impossible to use see and avoid. In addition separation might be lost. Furthermore VFR pilots are not trained to control their airplanes in IFR conditions nor are the airplanes certified to fly in IMC conditions. We would kindly request you to take our concerns into consideration. Regards Choorah Singh
response	Noted. Please refer to the EASA response to comment #50.

2. Explanatory Note — 2.6. Overview of the proposed amendments p. 19

comment	*133* comment by: *René Meier, Europe Air Sports* 2.6. Overview of the proposed amendments p 19-20/230 Many thanks for 2.6.1., 2.6.2., 2.6.3. Rationale The details published there are a helpful guidance to quickly find out what is new.
response	Noted. Thank you for this positive comment.

2. Explanatory Note — 2.6. Overview of the proposed amendments — 2.6.3. Proposed amendments when EIR will be deleted (as described in 1.1.1.) p. 20

comment	*85* comment by: *KLM aeroclub ATO* Support the idea to delete EIR elements, in favour of BIR. No-brainer
response	Noted. Please refer to the EASA response to comment #412.

comment	*108* comment by: *René Meier, Europe Air Sports* 2.6.3. Proposed amendments when EIR will be deleted (as described in 1.1.1.) p 20/230 Question: Which "1.1.1." is meant? This statement is unclear to us.
response	Noted.

Thank you for your comment. The reference '1.1.1' is a typographical error — the intention was to refer to the EASA request to stakeholders included in the last paragraph of Section 2.4.1 of PA 2016-14.

comment *243* comment by: *ECQB Team*

Please align the amendments with the outcome of RMT.0595. That task is at an advanced stage, and will merge the tables in the AMCs to FCL.615(b) into the tables for the ATPL, MPL, CPL and IR in AMC1 FCL.310; FCL.515(b); FCL.615(b). The amendment proposed by RMT.0677 will therefore need to refer to the latter AMC. Please also align the amendments with the outcome of RMT.0582, which is proposing changes to the subject Communications and credits between ratings and licences.

response Accepted.

Thank you for your comment. The outcome of RMT.0595 resulted in the publication of Decision 2018/001/R on 8 February 2018. EASA will indeed align all the AMCs of those different tasks when applicable.

comment *396* comment by: *IATA*

In FCL.055(d) EIR will be deleted but BIR should be included, see comments above.

response Noted.

In respect of the EIR, please refer to the EASA response to comment #412.
In respect of language proficiency requirements for the BIR, please refer to the EASA response to comment #99.

comment *439* comment by: *AOPA Finland*

Our opinion is that current EIR and CBIR training programs are capable to deliver the very same key principles as proposed BIR. In addition, member states' flight training organisations have been consumed hundreds of thousands of euros to fullfil the ATO, EIR and CBIR training, organisational and operational requirement.

response Noted.

Please refer to the EASA response to comments #410, #411 and #412.

3. Proposed amendments — 3.1. Draft Regulation (draft EASA opinion) — FCL.010 Definitions p. 21

comment *51* comment by: *KSAK - Swedish Royal Aero Club*

Definition of 'en-route'

	This definition seems a bit strange. It sounds like a pilot with BIR(en-route only) would not be allowed to fly in controlled airspace near any airports. There may be approach services to other airports along the route and it would be unfortunate if they had to route around them. Why not define it as being between the VFR transition point after departure and to the initial approach fix of the intended destination, not below MSA? We understand that this was not the intention but it might need some adjustment.
response	Noted. Thank you for providing this comment on the definition of 'en-route'. Please refer to the EASA response to comment #196

comment	*183* comment by: *ANPI (National Flight Instructors Association)* In many countries, en-route IFR flights in lower airspace, are mostly conducted through approach control services in a kind of "approach to approach" logic, this definition should be amended.
response	Noted. Thank you for providing this comment on the definition of 'en-route'. Please refer to the EASA response to comment #196.

comment	*196* comment by: *Czech Technical University* 'en-route' We suggest reword: means that part of a cross-country flight after reaching the cruise level before commencing descent from the cruise level. The entire cruise portion of a low altitude flight may be controlled by approach control services in congested European airspace. e.g. A flight from Vienna to Katowice at FL90 will mostly be under control of approach services.
response	Partially accepted. EASA agrees that the current definition of 'en-route' is not clear and will revise it. Similar comments were received on this definition of 'en-route' in comments #182, #196, #206, #277, #282, #309, #332 and #345.

comment	*206* comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Relevant Text: FCL.010 Definitions. The definition of en-route is not complete. Example 1: An aircraft making an IFR departure or an IFR approach in Class G airspace (AFIS) would with this definition be considered as flying "en-route". Example 2: An aircraft flying IFR level flight on low level (e.g. FL 060) crossing a TMA and therefore under the control of approach control service would with this definition not be considered as flying en-route.
Comment:

The definition should not be in relation to under what Air traffic service the aircraft is flying at the moment. It should instead focus on the phase of flight.
Proposal: “en-route” means the phase of flight, including any necessary level adjustments, starting from the end of departure climb to the beginning of the decent for approach.

response

Partially accepted.
Please refer to the EASA response to comment #196.

comment

277 comment by: *Julian Scarfe*

The definition of “en-route” is nugatory and inconsistent with other domains. Delete it.

response

Partially accepted.

Please refer to the EASA response to comment #196.

comment

282 comment by: *AeroClub Roger Janin, FR.ATO.0087*

"the following definitions apply:‘en-route’ means that part of a cross-country flight which is not under the control of an approach control service or an aerodrome control service."

Comment :
Typically, when outside of mountainous areas, atmospheric piston engines GA aircraft cruise around FL070, this means that it happens frequently that cruising level be attained while still in the TMA, and that the descent be started in the TMA as well.
If this definition intends to define (or restrict) the part of the flight on which the holder of an En route IR (EIR) may use it, it is too restrictive to exercise the privileges of FCL.825 a) (2), as VFR-to-IFR and IFR-to-VFR transitions will likely be done in the TMA. Criteria for the EIR should instead include consideration to the safety altitude(s) and/or IAF specified altitude (or other relevant item(s) ?) in relation to the flight profile, and not only be linked to the airspace structure.

response

Noted.

Please refer to the EASA response to comment #196.

comment

309 comment by: *NATS National Air Traffic Services Limited*

3.1 1 FCL.010

'en-route' means that part of a cross-country flight which is not under the control of an approach control service or an aerodrome control service. - Some En-route functions are controlled/provided by Approach control services in certain airspaces. As this definition does not reflect the true nature of airspace we recommend rewording the text to allow for the variety of means of provision of en-route services.

response | Partially accepted.

Please refer to the EASA response to comment #196.

comment | *332* comment by: *Uppsala Flying Club*

While we understand the intention of the definition, we consider it inappropriate.

Crusing levels for light GA IFR traffic are usually low due to several factors: lack of oxygen/pressurisation, lack of sufficient engine power and lack of deice equipment. Thus light GA IFR will typically be controlled by approach or even tower control units during the enroute phase of flight.

The restriction to the "en-route" phase should rather be done similarly to how it is expressed for the EIR in AMC1 FCL.825(a).

response | Partially accepted.

EASA agrees that the current text is too confusing and will amend it, but differently from your proposal.
Please refer to the EASA response to comment #196.

comment | *345* comment by: *AOPA Sweden*

The definition of "en-route" is very strange and will cause many practical complications for the "BIR Enroute" holder, while adding very little, if any to flight safety. We assume the concequences of this defition was not intended. nonetheless we need to address them.

By the given definiotion of "en-route", a BIR holder can never fly IFR in Terminal Areas (TMA). The effect will be that BIR holders will have to make large detours also in the low density airspace of Sweden. The pilot might have to circumnavigate large TMA, despite there is no traffic to circumnavigate.

The BIR holder will face large re-routings and these might also lead the pilot into worse weather conditions compared to the originially planned route. GA airplanes mostly operate below FL100 and at these levels TMA is generally the type of controlled airspace. The proposed regulation would also prohibit safe flight enroute anywhere close to the largest cities in Sweden (Stockholm, Gothenburg and Malmö).

We do not see this restriction as proportional, nor appropriate. It must be a higher level of flight safety if the pilot holds a BIR, compared to being a pure VFR pilot. Also at cruising level in a controlled airspace environment the workload is lower so the pilot would be able to handle ATC.
Please check relevant statistics in the USA regarding controlled IFR flights.

AOPA Sweden proposes the normal definition of En-route in line with the normal ICAO definitions:
From the point where the IFR En-route obstacle clearance is acheived and until the IFR portion of the flight ends, i.e. IAF, however not below the MSA or minimum off route altitude.

response	Partially accepted. Please refer to the EASA response to comment #196.

3. Proposed amendments — 3.1. Draft Regulation (draft EASA opinion) — FCL.035 Crediting of flight time and theoretical knowledge p. 21

comment	*143* comment by: *UK CAA* **Page No:** 21 **Paragraph No:** FCL..035 Crediting of flight time and theoretical knowledge **Comment:** Provision does not appear to have been made for any expiry dates of theoretical knowledge exams. **Justification:** Clarity is needed as to whether the exams have an expiry date or not.
response	Accepted. Thank you for providing this comment regarding FCL.035 'Crediting of flight time and theoretical knowledge'. EASA agrees that clarity is needed as to whether the exams have an expiry date or not. EASA's intention for the BIR is the following: The applicant will have to pass three different theoretical exams during the BIR flying training modules (Module 1 to 3). The competent authority will have to organise three different exams and will issue a certificate after the applicant has passed each of those exams. Before the BIR skill test, the applicant will have to hold those three theoretical certificates. The successful completion of those theoretical examinations will remain always valid. There will be no expiry date on those certificates. In addition, the '7 year rule' (FCL.625 IR (d)) is not applicable for the BIR. It means that even if the BIR has not been revalidated or renewed within the preceding 7 years, the holder will not be required to pass again the BIR theoretical knowledge examinations. The text in FCL.025 and FCL.835 will be amended accordingly.

comment	*184* comment by: *ANPI (National Flight Instructors Association)* Verification has to be done that ATPL theoretical knowledge includes specific light airplane "hazards". In particular, Weather related hazards such as icing, severe turbulences, thunderstorms, possibly without Weather Radar, flying in mountainous area and single engine aircraft emergencies, shall be handled differently with a small aircraft .
response	Noted. Thank you for providing this comment.

The applicant of a theoretical ATPL has to follow an ATP integrated course or a CPL/IR integrated course. During the practical part of this course, the applicant has to cope with the environment of light aircraft. It will be the same for a BIR applicant.

comment

201 comment by: *Federal Office of Civil Aviation (FOCA), Switzerland*

Comment FOCA: The theoretical instruction and exam for CPL doesn't cover all topics which are relevant for flights in IMC/under IFR. Some may have been mentioned, but not as much in depth as required, and others aren't mentioned at all. It should be possible to have a reduced syllabus and a bridge exam CPLàIR taking into account the specific "IFR topics", but in our view a full credit of all subjects except IFR communications cannot be justified. The fact that applicants shall demonstrate to the examiner during the skill test that they have acquired an adequate level of theoretical knowledge of air law, meteorology, and flight planning and performance is very probably not sufficient.

response

Noted.

Thank you for providing this comment.

comment

215 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page
21 of 230

Relevant Text:
FCL.035 An applicant having passed the theoretical knowledge examination for a commercial pilot licence shall be credited with the theoretical knowledge requirement for:
(i) a light aircraft pilot licence or in the same category of aircraft;
(ii) a private pilot licence in the same category of aircraft; and
(iii) the theoretical knowledge examination for the BIR, except IFR communications

Comment:
It is a stretch that a CPL holder would get full credit for the theoretical knowledge examination, except 092, as the subjects 010 and 062 lacks instrument related knowledge in the CPL syllabus.

Proposal:
Add a requirement for a BIR composite examination for relevant parts of subjects 010, 062 and 092, with corresponding training and syllabus requirements.

response

Not accepted.

EASA does not agree with your proposal, and the proposed text regarding the crediting of theoretical knowledge examination for the BIR remains the same.

comment

244 comment by: *ECQB Team*

	RMT.0582 is proposing to merge subjects VFR Communications and IFR Communications. Please align your proposal with the outcome of that task as far as the subjects that are referred to in this rule. The ECQB will be aligning its content with this merge, once it becomes applicable. This means that, in the future, applicants for a CPL or ATPL without an IR will be covering both IFR and VFR Communications in their theoretical knowledge training and testing. Therefore, holders of a CPL or ATPL who apply for an IR will be given credit towards the Communications subject. It is not clear if the TK course for a PPL covers IFR aspects of Communication. For this reason, please run the analysis again on what aspects of the Communication subject would need to be covered for the BIR.
response	Noted. The merge of the subjects 'VFR Communications' and 'IFR Communications' is proposed in Opinion No 06/2017 'Loss of control prevention and recovery training' and is expected to be adopted by the European Commission in 2019/Q1. Only thereafter EASA shall publish the amended LOs for Subject 090 'Radio Communications' in AMC1 FCL.310, FCL.515(b) and FCL.615(b), and align this amendment with the BIR proposal.

comment	*292* comment by: *GNSS Centre of Excellence* There is some degree of risk of competency based training in that it puts more responsibility on ATOs and instructors. Even in the case of non-competency based training, there are signs in the industry that several ATOs are rather profit-oriented rather than driven by safety considerations. With competency based training the risk of some ATOs preferring to accommodate their students' ideas about the length of training instead of proceeding according to their real abilities will be higher. Therefore there should be stricter approach from CAAs to oversee this training with more diligence. CAAs are often understaffed so the risk of insufficient oversight is real. **We propose initial monitoring of BIR training from the side of EASA for several years.** Output of this monitoring should be used as tool for CAA to unify requrements of BIR training in all EASA countries.
response	Not accepted. Thank you for providing this comment. EASA disagrees that initial monitoring of the BIR training from the side of EASA for several years is needed. EASA has the opinion that competency-based training requires more response from instructors and the ATO management. It also requires proper conduct of the skill test by the examiners involved.

comment	*417* comment by: *Finnish Transport Safety Agency* FCL.035 (b)(2)(iii) CPL licence is a VFR licence. Therefore there should be **no credit** of CPL theory knowledge examination for BIR rating. Please delete the FCL.035 (b)(2)(iii).

response	Not accepted. EASA disagrees that there should be no credit of CPL theory knowledge examination for the BIR rating.

3. Proposed amendments — 3.1. Draft Regulation (draft EASA opinion) — FCL.600 IR — General p. 22

comment	*294* comment by: *GNSS Centre of Excellence* This addition should be made to all PART-FCL based training to be reflected in every training: 010 04 02 00 Part-FCL 010 04 02 01 Definitions LO Define the following: competency based training,
response	Noted. Thank you for providing this comment. This should be considered as the LOs are further updated in the future.

comment	*295* comment by: *GNSS Centre of Excellence* This addition should be made to all PART-FCL based training to be reflected in every training: 010 04 02 05 Ratings LO explain differences in privileges of BIR and other IR qualifications
response	Noted. Thank you for providing this comment. This should be considered as the LOs are further updated in the future.

3. Proposed amendments — 3.1. Draft Regulation (draft EASA opinion) — FCL.740.A Revalidation of class and type ratings — aeroplanes p. 22

comment	*52* comment by: *KSAK - Swedish Royal Aero Club* *(5) The revalidation of a BIR may be combined with a proficiency check for the revalidation of a single-pilot single-engine aeroplane class rating.* Why would this not be possible towards a multi engine class rating? I suggest that you add that as well.
response	Not accepted.

	Thank you for providing this comment. EASA would like to state that a combined revalidation of the BIR with multi-engine class rating is possible according to the amendment of FCL.740.A(4). Similar comments were received on this subject in comments #333 and #347.
comment	*86* comment by: *KLM aeroclub ATO* item 5 = OK
response	Noted. Thank you for providing this comment.
comment	*207* comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)* Relevant Text: FCL.740.A (b) ... (5) The revalidation of a BIR may be combined with a proficiency check for the revalidation of a single-pilot single-engine aeroplane class rating. Comment: Unnecessary paragraph. This is already described in FCL.740.A ... (a) ... (4) above. By describing it twice, in different manner, only makes the regulation difficult to interpret. Proposal: Delete FCL.740.A (b) ... (5).
response	Partially accepted. Thank you for providing this comment. EASA does not agree to delete FCL.740.A(b)(5), but will amend it. FCL.740.A(a)(4) only allows to perform revalidation of the BIR combined with multi-engine class rating only. Therefore, it was necessary to include a specific paragraph for single-pilot single-engine class ratings. As the currently drafted point FCL.740.A(b) does not explicitly allows combined revalidation of an IR(A) with a single-pilot single-engine class rating, EASA will amend it. A similar comment was received on this subject in comment #418.
comment	*333* comment by: *Uppsala Flying Club* Revalidation of the BIR should also be possible in combination with the revalidation of ME class ratings.
response	Noted.

	Thank you for providing this comment. Please refer to the EASA response to comment #52.

comment	*347* comment by: *AOPA Sweden* (5) it should be possible to revalidate the BIR also in a multi-engine aircraft.
response	Noted. Thank you for providing this comment. Please refer to the EASA response to comment #52.

comment	*366* comment by: *Light Aircraft Association* The LAA fully support the proposal to allow combining of class rating and BIR revalidation or renewal into one flight in the same way as is currently permitted for the class rating and IR at Appendix 9 to Part-FCL.
response	Noted. Thank you for providing this comment and your support.

comment	*418* comment by: *Finnish Transport Safety Agency* FCL.740.A point (b)(5) Please add also EIR and IR(A) as in point (a)(4). There's no reason why instrument flying could not combined with revalidation of SE class rating if it is possible with ME class or type rating. Proposed text: (5) The revalidation of a BIR, an EIR or an IR(A), if held, may be combined with a proficiency check for the revalidation of a single-pilot single-engine aeroplane class rating.
response	Noted. Thank you for providing this comment. Please refer to the EASA response to comment #207.

3. Proposed amendments — 3.1. Draft Regulation (draft EASA opinion) — FCL.835 Basic instrument rating (BIR) p. 22-24

comment	*4* comment by: *John Milner* In section C Training Course Change to "Applicants for the BIR shall have completed at an ATO or duly Authorised DTO
response	Not accepted.

Please refer to the EASA response to comment #434.

comment | *17* comment by: *Stephen Oddy*

FCL.835(a)(1) line 2

amend to 'for which class or type ratings are held'

BIR can be used on non-HPA aeroplane types as well as on classes

response | Not accepted.

The intention of EASA is to restrict the BIR to aeroplanes that are commonly used for GA. Therefore, complex aeroplanes and HPA aeroplanes were excluded from the scope.
Non-HPA type rating are all multi-engine and therefore are all that are classified as complex. As a consequence, it was not the intention to allow exercising BIR privileges on those aeroplanes.

comment | *18* comment by: *Stephen Oddy*

FCL.835 (d)
Delete sub-para (d)

This contradicts para 2.4.5 of explanatory note on pa 17 which justifies why all IFR training must be at an ATO.

response | Noted.

In the current regulation, part of the CB-IR training could be performed outside an ATO. Therefore, for consistency and for GA facilitation, EASA's proposal is to authorise Module 3 of the BIR flight training to be conducted outside an ATO.

comment | *19* comment by: *Stephen Oddy*

FCL.835 (g) line 1

After 'Skill Test' insert '...in accordance with Appendix 7 to this part …'

Nowhere in the NPA is the skill test for the BIR defined. However, the implication is that it will take the same format as a normal IR Skill Test.

response

Accepted.

Appendix 7 will be used to perform the BIR skill test. For clarity, the text in FCL.835 and in Appendices 7 and 9 is amended accordingly.
Please refer to the EASA response to comment #19.

comment *20* comment by: *Stephen Oddy*

FCL.835 (g) line 3

Add 'A multi-engine centreline thrust aeroplane shall be considered a single-engine aeroplane for the purposes of this paragraph.'

Maintain consistency with FCL.620 IR (b)

response

Accepted.

EASA agrees with your text proposal, and the text is amended accordingly.

comment *21* comment by: *Stephen Oddy*

FCL.835 (i)(2)(i)

Replace with para similar to FCL.625.A IR (a) (1) and (2)
Nowhere in the NPA is the proficiency check for the BIR defined. However, the implication is that it will take the same format as a normal IR Proficiency Check.

response

Accepted.

EASA agrees with your text proposal, and the text is amended accordingly.

comment *22* comment by: *Stephen Oddy*

FCL.835 (i)(5) line 1

Amend 'section' to 'sections'
There are more than one relevant section.

response | Accepted.

EASA agrees that there are more relevant sections and will amend this accordingly.

comment | *23* comment by: *Stephen Oddy*

FCL.835 (i)(6)(ii)

Change 'complete' to 'pass'
Completion does not imply passing. One must pass the proficiency check.

response | Accepted.

EASA agrees that completion does not imply passing. One must indeed pass the proficiency check. EASA will amend this accordingly.

comment | *24* comment by: *Stephen Oddy*

FCL.835 (j) line 3

Delete 'relevant sections of'
The way the paragraph is written, using the words 'relevant sections of' could imply that one or more sections of the BIR Skill Test (such as the en-route section) could be omitted for EIR holders.

response | Partially accepted.

EASA agrees that the wording is not really clear and will delete the part ‘relevant sections of’. However, in the light of the deletion of the EIR, FCL.825 will be deleted. This provision will be moved to the cover regulation.

comment | *25* comment by: *Stephen Oddy*

FCL Appendix 7
If the BIR Skill Test format is to be the same as the IR Skill Test then Appendix 7 should be amended to change 'IR' to 'BIR and IR'. If the format is not the same then a new Appendix or GM is required.

response | Accepted.

	Please refer to the EASA response to comment #19.
comment	*26* comment by: *Stephen Oddy* FCL Appendix 9 If the BIR Proficiency Check format is to be the same as the IR Proficiency Check then Appendix 9 should be amended to change 'IR' to 'BIR and IR'. If the format is not the same then a new Appendix or GM is required.
response	Accepted. Please refer to the EASA response to comment #19.
comment	*35* comment by: *Cubair Flight Training* Proposed text: FCL.835 (c) Training course. Applicants for the BIR shall have completed at an ATO or a DTO: FCL.835 (d) Notwithstanding point (c), the module as referred to in point (c)(2)(iii) may be delivered outside an ATO or a DTO.
response	Not accepted. Please refer to the EASA response to comment #434.
comment	*37* comment by: *TL Aviation GmbH* In reference to (C)(2) (i) to (iii) the agency should review the usage of a FSTD(A) FNPT I or II. Parts of practical IR training can be done better in a FNPT instead of the aircraft. Best example is the introduction to IR holding procedures. It needs additional time to re-position the real aircraft in space to enable the student pilot to fly another holding entry procedure. This can be done more easily and effective by a moue klick in a FSTD(A) FNPT I or II. To provide a complete IR training and include as well IR procedures which are not established at any airport in the vicinity of the ATO / training airport, the usage of a FSTD(A) FNPT I or II should be considered to train the following procedures which are not established (available) in German airspace for example • DME ARC • 45° / 80° procedure turns The following recommendation is issued to the agency to enable a minimum of • 10 hours flight training in a FNPT I • 20 hours flight training in a FNPT II

	The only difference to the Competency based IR are the higher meteorological requirements for approach procedure, but the procedure itself has to be known by the student pilot who must be able to fly any approach within the limitations of part FCL. To instruct and familiarize the student pilot for the first time with precision and non-precision approaches, flight training in FNPT I or II should be possible acc. FCL.835 (c).
response	Noted. BIR training is competency-based. The amount of FNPT I or II used during the training course is under the responsibility of the training organisation.

comment	*39* comment by: *TL Aviation GmbH* In reference to paragraph (c) (2) (i) to (iii) minimum instructional hours for the practical flight training shall be published by the agency per modules to enable an easier approval by the national aviation authority. To avoid a decrease in safety level, while pilots with minimum IR training of only 15 to 20 hours flying across the airspace, the agency should review this point. If you decide to erase the E-IR paragraph (FCL.825) in which you have published minimum training hours, the same should apply for this new training course, even to established a standard among all ATO working in any EASA member state. In reference to my IR training expereince the follwoing minimum hours should be considered for SEP(L). • Enroute flying only - 15 hours • Enroute flying include departure and approach privileges - 30 hours During those hours mentioned above I was able to train IR students outside of an ATO to an acceptable level.
response	Noted. BIR training is competency-based.

comment	*40* comment by: *TL Aviation GmbH* In reference to paragraph (b) it should be considered by the agency, to allow LAPL(A) holder, who have completed the night vfr flight training in reference to FCL.810, to gain a BIRrating for SEP(L). Why? The flight training acc. FCL.810 for LAPL(A) holder consists of aditional 5 hours flight training prior commencing the night flying training in reference to instruments and radio navigation acc. to the PPL(A) syllabus and AMC/GM "Mission 18 & 19". Due to that a LAPL(A) pilot has received, after gaining the NFQ rating, the same training and theoretical knowledge instruction like a PPL(A) pilot.

	By allow the LAPL(A) owner with NFQ qualification to be able to gain a BIR rating acc. FCL.835 **only for SEP(L)** the safety level would be increased significantly as more pilots will have the possibility to increase their pilots skills.
response	Not accepted. EASA disagrees with your argumentation and will not allow the LAPL(A) owner with NFQ qualification to be able to gain a BIR rating according to FCL.835 only for SEP(L).

comment	*53* comment by: *KSAK - Swedish Royal Aero Club* Remove the weather minima restrictions. They do not add much to safety and practicality. Add "or DTO" wherever it says ATO. We agree on the division into training modules.
response	Not accepted. Based on experience with the IMC rating, EASA considers that the weather minima restrictions should be maintained. Regarding the comment on the DTO: please refer to the EASA response to comment #434.

comment	*87* comment by: *KLM aeroclub ATO* item 3 also a significant improvement compared to the existing EIR provisions. Agree with proposal.
response	Noted. Thank for your positive comment.

comment	*88* comment by: *KLM aeroclub ATO* - propose to change sequence of (2) (2) (ii) and (iii) - see my earlier comment on this - item (d) : propose to replace 'completed' instead of 'delivered'. You complete or follow a module (successfully). 'Deliver is typically used for items seen from standpoint of supplier.
response	Partially accepted. EASA agrees to amend the wording ‘delivered’ into ‘completed’ in FCL.835.

comment	*89* comment by: *KLM aeroclub ATO* - item k : important element for a substantial number of pilots in possession of 3rd country (ICAO) IR licenses and seeking B-IR privileges. Agree with proposal.
response	Noted. Thank for your positive comment.

comment	*110* comment by: *René Meier, Europe Air Sports* FCL.835 BIR p22/230 Thank you forFCL.835 (a)(4). Rationale This statement reduces the nearly endless discussion we have as regards the validity of a multi-engine rating when a suitably rated pilots wishes to fly a single-engine aeroplane.
response	Noted. Thank for your positive comment.

comment	*111* comment by: *René Meier, Europe Air Sports* FCL.835 BIR p 23/230 (c) Training course. Applicants for the BIR shall have completed at an ATO...: We are convinced that a DTO will deliver equal results as an ATO will do. Rationale Training quality and pilot competence is not a result of oversight and administration, it is the outcome of the organisations' training means and methods, of the trainers attitude and aptitude, of the selection of candidates and of their mental performance.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*112* comment by: *René Meier, Europe Air Sports* FCL.835 BIR p 23/230 Thank you for (d)! Rationale Even when we ask for more we consider (d) to be a step in the right direction to keep costs down without reducing safety.
response	Noted. Thank for your positive comment.

comment	*123* comment by: *DC-AL* Comment 1 :FCL 835(c) - I consider that the training should be permitted at a DTO, as explained earlier.

Comment 12 :
FCL 835 (i) - (2) (ii) - I consider the revalidation flight with an instructor should contain at least one instrument approach to minima. in an aeroplane (not a simulator). Safe instrument flight requires recency and experience.

response

Comment 1: Not accepted.
Please refer to the EASA response to comment #434.

Comment 2: Accepted.
Please refer to the EASA response to comment #233.

comment

137 comment by: *Vereniging IFR PROPILOT*

Dear Sirs,

First of all my compliments for this new proposed rating. A good piece of work. It will surely contribute to a much safer general aviation. I subscribe your point of view that the EIR can be withdrawn after implementation of this BIR.

Please find below a few proposals of change for clarification purposes to avoid confusion/interpretation differences between the national CAA´s of the member States. Those interpretation differences are going on now by the way as we speak for the third country license conversions. This, amongst others, might lead to "license swapping" to another member State by candidates, as their own CAA does not interprete the rules correctly.

First remark:
Now some CAA´s demand that candidates have to demonstrate to the examiner during the skill test that they have acquired an adequate level of theoretical knowledge of air law, meteorology, and flight planning and performance in written.

That is not correct. It must be verbal, not written. Please have this corrected. Please add the word "verbally" in the BIR and CB-IR.

Second remark:
Secondly the third country license conversions for IR (=CB-IR and BIR) need no ATO routing/approval as some CAA´s now demand. That is not correct. Third country license holders can go for the skill test without any prior approval or signature from whoever, and certainly not an ATO. Please have this corrected, also in the CB-IR.

Third remark:
Thirdly, some CAA´s appoint and accept only their own senior examiners for taking the third country license IR conversion skilltest. These tests must and can be done by any IR examiner.

Fourth remark:
Replace the word "..may be credited in full" to "...shall be credited in full".
I marked the words to be changed in bold for you in the article beneeth.

'FCL.835 Basic instrument rating (BIR)

(k) Applicants for the BIR holding a Part-FCL PPL or CPL and a valid IR(A) issued in accordance with the requirements of Annex 1 to the Chicago Convention by a third country **shall** be credited in full towards the training course mentioned in point (c)(2). In order to be issued with the BIR, the applicants shall:

(1) successfully complete the skill test referred to in point (g);

(2) v**erbally** demonstrate to the examiner during the skill test that they have acquired an adequate level
of theoretical knowledge of air law, meteorology, and flight planning and performance; and

(3) have a minimum experience of at least 25 hours of flight time under IFR as PIC on

aeroplanes.'

Fifth remark
These changes also apply to the EIR and CB-IR third country IR conversion legislation.

Sixth remark
If you want it simular to FAA style: limit the number of questions in the databank for those 3 theoretical exams to max. one thousand questions and make it 60 questions in a 2,5 hr. theoretical exam.

I hope this helps.

In case of remarks/questions from your side: please feel free to contact me.

Best regards,
Vereniging IFR PRO-PILOT
Yvan Pieters, chairman

response

Partially accepted.

Thank for your positive comment.

Regarding your first remark: EASA will amend the text here and will add the term 'orally' (instead of 'verbally').

Anyway, the three focused theoretical exams that the BIR applicant will have to pass will be written exams.

Regarding your second remark: For the conversion of a third-country IR (BIR or CB-IR), it is not required for the applicant to apply to an ATO. The existing regulation (CB-IR) and the current proposal is in line with this statement.

Regarding your third remark: The regulation does not require the skill test to be performed by a senior examiner. The issue raised is a matter of standardisation among the Member States.

Regarding your fourth and fifth remark: The amendment proposed was not within the scope of RMT.0677. The proposal shall be further assessed in a future rulemaking activity.

	Regarding your sixth remark: Noted. The proposal will be considered when developing AMC/GM for the BIR theoretical exam.

comment	*144* comment by: *UK CAA* **Page No:** 23 **Paragraph No:** FCL.835 Basic instrument rating (BIR), (c) & (d) **Comment:** DTOs should also be included and it is recommended that the text is amended as proposed below. **Justification:** GA pilots' access to BIR training will be facilitated by inclusion of DTOs **Proposed Text:** Amend paragraphs (c) and (d) as follows: '(c) Training course. Applicants for the BIR shall have completed at an ATO or DTO: ' '(d) Notwithstanding point (c), the module as referred to in point (c)(2)(iii) may be delivered outside an ATO or DTO.'
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*145* comment by: *UK CAA* **Page No:** 23 **Paragraph No:** FCL.835 Basic instrument rating (BIR), (c)(2), sub-paragraphs (i) to (iii) **Comment:** It is recommended that sub-paragraphs (i) to (iii) are amended as proposed below. **Justification:** Clarity. **Proposed Text:** Amend to read: "(2) instrument flight instruction modules: (i) Module 1 - the core flying training module of flight handling skills by sole reference to instruments; (ii) module 2 - the applied flying training module of IFR departure, holding, 2D and 3D approach procedures; (iii) module 3 - the applied flying training module of en-route IFR flight procedures."
response	Accepted. EASA agrees with your proposal and will amend the text accordingly.

comment	*146* comment by: *UK CAA* **Page No:** 23 **Paragraph No:** FCL.835 Basic instrument rating (BIR), (e) **Comment:** It is recommended that paragraph (e) is amended as proposed below. **Justification:** Clarity **Proposed Text:** Amend to read: "(e) If BIR privileges are sought for multi-engine aeroplanes, instrument flight training under instruction in multi-engine aeroplanes, shall include asymmetric instrument approach and go-around procedures."
response	Accepted. EASA agrees with your proposal and will amend the text accordingly. The text will be moved to another paragraph in point FCL.835.

comment	*147* comment by: *UK CAA* **Page No:** 23 **Paragraph No:** FCL.835 Basic instrument rating (BIR), (i)(2)(ii) **Comment:** It is recommended that sub-paragraph (ii) 'complete at least 1 hour of instrument flight time with an instructor holding privileges to provide training for the BIR' should include some guidance on the content of the flight. **Justification:** To ensure that the skills required for flight in IMC are sufficient for continued safe use.
response	Accepted. Please refer to the EASA response to comment #233.

comment	*175* comment by: *Wolfgang Lamminger* Paragraph (a) (1) to (5)are reasonable and comprehensible. Paragraph (d) is not understandable: the advantage of training outside an ATO is cut down only to en-route procedure training (which is finally insignificant). The overhelming advantage of CB-IR is the chance to inspire VFR-pilots (commonly owners of well equiped aiurcraft) to receive IFR-training on their own schedule or needs, without the "official" walking through an ATO, and bringing them anyway goal-oriented close to the IFR-knowledge for a final training and tests with an ATO.

	This alternative should be maintained absolutely.
response	Noted. Please refer to the EASA response to comment #434.

comment	*176* comment by: *Wolfgang Lamminger* Paragraph (i) (4) (earlier revalidation ...): the explanation of this regulation is comprehensible; in terms of understanable and comparable stuctures a similar regulation should be entered in FCL.625/FCL.625.A
response	Noted. Changes to other provisions of Part-FCL with regard to this subject matter will be addressed by the ongoing rulemaking task RMT.0188 ‘Update of EASA FCL implementing rules’.

comment	*177* comment by: *Wolfgang Lamminger* Paragraph (i) (6) (i) "renewal": it is reasonable to specify refresher training "by an instructor" (not with an ATO) - in terms of understanable and comparable stuctures a similar regulation should be entered in FCL.625 (c) This regulation about training shows, that training for BIR outside an ATO is an option.
response	Not accepted. The amendment proposed was not within the scope of RMT.0677. The proposal shall be further assessed in a future rulemaking activity.

comment	*178* comment by: *Wolfgang Lamminger* Paragraph (k) (holders of an ICAO-IR): this regulation shows, that training for BIR outside an ATO is an option.
response	Noted. The proposal shall be further assessed in a future rulemaking activity.

comment	*185* comment by: *ANPI (National Flight Instructors Association)* Agreed, but It shall be taken care that in any segment of en-route, one of the most fundamental activity is the mental preparation and management of next flight phases including approaches at destination and at possible alternate airfields. No doubt that instructors outside ATO can do that, but they need to be prepared for that and corresponding student training has to be mentioned in the syllabus.
response	Accepted.

	The points mentioned are already covered in the syllabus of flying training Module 3 (GM1 to FCL.835), in particular it included elements relevant for attitude. The GM will be 'upgraded' to AMC so that the instructor who provides BIR training outside an ATO will be required to use this material for the CB training.

comment	*186* comment by: *ANPI (National Flight Instructors Association)* Not understood. An EIR is a valid CPL / IR and is supposed to be more severe than a BIR, therefore should give right to obtain a BIR at least at the next validation for renewal skill test.
response	Noted. Crediting and transitional provisions for the EIR holder will be part of the cover regulation.

comment	*195* comment by: *Czech Technical University* **(a)(5)(i)** Many general aviation aircraft are not equipped with a baro minimums reference selector. Additives to charted minima increase workload and can easily lead to an error. EASA should impose a requirement to have apporoach minima readiliy available: e.g. hand written amendment on approach plate in case aircraft is not equipped with a minimums selector. **(a)(5)(ii)** We suggest to use "cloud ceiling" instead of "cloud base". EASA should clarify: Is "1500 visibility and 600 cloud base" operational limitation (apporach ban) or planning minima?
response	Regarding your first comment: Not accepted. There are many factors that can influence minima, and the pilot-in-command has a responsibility to use the appropriate values. How the pilot-in-command does this is a matter of detail, and would be for the Air Ops regulation if it were specified. Regarding your second comment with the proposal to change the wording 'cloud base' into 'cloud ceiling': Accepted. EASA will amend the text accordingly. Please also refer to the EASA response to comment #278 regarding the new text of FCL.835(a)(1)(5).

comment	*208* comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)* Relevant Text: FCL.835 (a) (1) The privileges of a BIR holder are to conduct flights under IFR on single-pilot aeroplanes for which class ratings are held, excluding high-performance aeroplanes or aeroplane variants for which operational suitability data has determined that an IR or competency-based instrument rating is required. Comment: Competency-based is a different training method to achieve an IR, it is not a rating itself. Proposal: Delete the words: "…or competency-based instrument rating..."

response | Accepted.

EASA agrees with your comment and indeed competency-based is a different training method to achieve an IR, it is not a rating itself.
The wording '…or competency-based instrument rating...' will be deleted.

comment | *209* comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Relevant Text:
FCL.835 (a) (2) BIR privileges shall only be exercised in accordance with FCL.205.A and after completion of the relevant training modules of FCL.835(c).

Comment:
Clarification required. It is unclear if it is required for an applicant to complete all training modules before exercising the privileges of the BIR or if the applicant can complete two modules and be given their respective privileges.
It is also unclear what should be included in the examination.

Proposal:
Clarification of the requirements

response | Accepted.

The three flying training modules have to be performed before the BIR is issued. It has to be noted that flying training Module 1 shall be completed first. The applicant may choose the order in which flying training Modules 2 and 3 (and if applicable, Module 4) are performed.

EASA will amend FCL.835 accordingly to make this clearer.

comment | comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Relevant Text:
FCL.835 (d) Notwithstanding point (c), the module as referred to in point (c)(2)(iii) may be delivered outside an ATO

Comment:
IR flight training should only be performed within the scope of an ATO. By taking the associated safety risks into account IR flight training should not be performed outside an

organisation that is subject to a safety management system and appropriate oversight. It is also mentioned in 2.4.5 (page 17) that a DTO are not able to do this, so leaving the training to an individual instructor to complete an entire module of training seems contradictory.

Proposal:
Delete the paragraph or insert measures to ensure that an ATO will take responsibility for the completion of the module.

response

Partially accepted.

Please refer to the EASA response to comment #434.
The text of FCL.835(d) from NPA 2016-14 is deleted and included (slightly amended) in a new paragraph in point FCL.835.

comment

211 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Relevant Text:
FCL.835 (e) If BIR privileges are sought for multi-engine aeroplanes, instrument flight training under instruction in multi-engine aeroplanes, including asymmetric instrument approach and go-around procedures.

Comment:
This sentence is not complete and does not make any sense.

Proposal:
Re-write the paragraph.

response

Accepted.

Please refer to the EASA response to comment #146.

comment

216 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page
23 of 230

Relevant Text:
FCL.835 (i) (2) (ii)
complete at least 1 hour of instrument flight time with an instructor holding privileges to provide training for the BIR

Comment:
It should be clear that the intention is a training flight as opposed to a flight with an instructor onboard.

Proposal:

Change wording to “complete at least 1 hour of dual instructional instrument flight time...”

response

Accepted.

Please refer to the EASA response to comment #233.

comment

217 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page
24 of 230

Relevant Text:
FCL.835 (i)(4) If a pilot chooses to fulfill the revalidation requirements earlier than prescribed, the new validity period shall commence from the date of the proficiency check or flight with an instructor

Comment:
This is a great addition to the rule and should be included for all ratings.

Proposal:
Include this wording in coming regulatory updates for revalidation of ratings.

response

Noted.

EASA will consider this for upcoming regulatory updates for the revalidation of ratings.

comment

218 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page
24 of 230

Relevant Text:
FCL.835 (i)(8) The proficiency check for revalidation or renewal of a BIR may be combined with a proficiency check for the renewal of a single-pilot aeroplane class rating on which BIR privileges may be exercised in accordance with FCL.835(a)(1).

Comment:
It should also be possible to renew a BIR in combination with a revalidation of a class rating.

Proposal:
The proficiency check for revalidation or renewal of a BIR may be combined with a proficiency check for the revalidation or renewal of a single-pilot aeroplane class rating on which BIR privileges may be exercised in accordance with FCL.835(a)(1).

response | Accepted.

EASA agrees with your proposal and will amend the text accordingly.

comment | *231* comment by: *DGAC France*

Subject:
Conversion IR CB into BIR

As FCL.055 is currently drafted, if the validity date of the English language endorsement has expired on the licence of an IR or EIR holder then the associated IR or EIR privileges cannot be exercised anymore.
The NPA proposed to not require a valid English language endorsement (FCL.055) for BIR holder.
Consequently DGAC believes that a good proportion of French GA pilots currently holding an IR or CB IR and only flying on the national territory may decide to no longer revalidate their English language proficiency and request to have their IR or CB IR converted into a BIR (and continue to fly IFR).
Therefore DGAC strongly suggests adding a specific provision in FCL.835 to cover those situations.

Proposed amendment

FCL.835
[…]
(j) The holder of an IR or CB IR who wishes to obtain a BIR may be credited in full towards all the FCL.825 requirements in order to be issued with the BIR.

response | Partially accepted.

Please refer to the EASA response to comment #233.
Crediting and transitional provisions for the EIR holder will be part of the cover regulation.

comment | *232* comment by: *DGAC France*

Subject:
BIR theoretical knowledge instruction and exam

As far as the BIR theoretical training and examination are concerned, DGAC understands that the intention is to have theoretical knowledge instruction included in the three flight instruction modules of BIR and at the end of each module to have a theoretical exam to validate the learning objectives.
DGAC requires that this intention is completely clarified in the proposed rule change (and not only in the explanatory note §2.4.4).
As a matter of fact concerning the theoretical training a simple reference to FCL.615 (a) is mentioned in the proposed FCL.835 (c). But FCL.615 (a) only mentions modular course (in accordance with appendix 6) and integrated training courses (in accordance with appendix

	3). A new provision should be added in FCL.615 (a) and/or in a dedicated AMC (like for EIR) to explain that the theoretical training is broken down in the three BIR training modules. FCL.835 (f) referring to FCL.615 (b) needs also to be clarified in order to make it clear that the demonstration of the level of theoretical knowledge is done in three different exams. In addition it is not clear if and when a BIR theoretical certificate is issued to the applicant. Are there three different certificates or only one issued after the successful completion of the three exams? As far as the BIR theoretical exam is concerned DGAC fully supports that the questions will be taken from the relevant areas of the ECQB (see page 147/230 §2.4.4).
response	Noted. EASA would like to confirm that the theoretical training is broken down in the three BIR flying training modules, and the demonstration of the level of theoretical knowledge is done in three different exams. For each exam, a different certificate will be issued.

comment	*233* comment by: *DGAC France* **Subject:** BIR revalidation (FCL.835 (i) (2)) The proposed revalidation conditions by experience for the BIR (FCL.835 (i) (2)) are less stringent than the present conditions to revalidate an EIR (FCL.825 (g) (2)). As a matter of fact when considering the revalidation by experience: - the EIR holder has to justify that within 12 months preceding the expiry date of the rating, he has completed 6 hours as PIC under IFR and has completed a training flight of at least 1 hour with an instructor holding privileges to provide training for the IR(A) or EIR. - the BIR holder has only to justify that within 3 months preceding the expiry date of the rating he has completed at least 1 hour of instrument flight time with an instructor holding privileges to provide training for the BIR. At least the same experience (6h as PIC under IFR) over the last 12 months should be required to the BIR holder to revalidate. In addition, as the BIR includes the privilege to perform IFR approaches, it should be required that the holder has to justify that he has completed at least 3 approaches. In addition it should be clarified that the 1h flight with an instructor (FCL.835 (i) (2) (ii)) is **a training** flight (and not only a 1h flight in dual command). The proposed text does not make any reference to it. Moreover the content and objectives of such training flight should be clarified in an AMC. Such AMC exists today for the 1h training flight performed to revalidate the EIR (see AMC1 FCL.825 (g) (2)). See below the alternative proposal for NPA. **Proposed amendment** **FCL.835** **(i) Validity, revalidation and renewal** (1) A BIR shall be valid for 1 year. (2) Applicants for the revalidation of a BIR shall ~~***within a period of 3 months immediately preceding the expiry date of the rating***~~: (i) pass a proficiency check in an aeroplane ***within a period of 3 months immediately preceding the expiry date of the rating***; or

(ii) ***within 12 months preceding the expiry date of the rating, complete 6 hours as PIC under IFR including 3 approaches and*** complete ***a training flight of*** at least 1 hour ~~***of instrument flight time***~~ with an instructor holding privileges to provide training for the BIR.
(3) For each alternate subsequent revalidation, the holder of the BIR shall pass a proficiency check in accordance with point (i)(2)(i).

****

AMC1 FCL.835 (i) (2) (ii) Basic Instrument Rating (BIR)
TRAINING FLIGHT FOR REVALIDATION
The training flight for the revalidation of a BIR should be based on the exercise items of the BIR proficiency check as deemed relevant by the instructor and should depend on the experience of the candidate. The training flight should include a briefing including a discussion on threat and error management with a special emphasis on decision making when encountering adverse meteorological conditions, unintentional Instrument Meteorological Conditions (IMC) and navigation flight capabilities.

response

Accepted.

EASA agrees with your proposal and will amend the rule text accordingly, and will add the new AMC.

comment

235 comment by: *DGAC France*

Subject:
BIR skill test and appendix 7

FCL.835 (g) requires a skill test before the BIR is issued to the candidate.
DGAC understands that the current appendix 7"IR skill test" will also be applicable for the BIR.
It would be preferable to clarify it in the text. To avoid any problem of interpretation the title of current Appendix 7 should be amended to also mention the BIR.
Finally the title of current Appendix 9 should be amended to mention the BIR.

Proposed amendment

FCL.835
(g) Skill test.
After the completion of the training, the applicant shall pass a skill test ***in accordance with Appendix 7*** in an aeroplane. For a multi-engine BIR, the skill test shall be taken in a multi-engine aeroplane. For a single-engine BIR, the skill test shall be taken in a single-engine aeroplane.
****
Appendix 7
IR ***and BIR*** skill test
****
Appendix 9
Training, skill test and proficiency check for MPL, ATPL, type and class ratings, and proficiency check for IRs ***and BIR***

response

Accepted.

	Please refer to the EASA response to comment #19.
comment	*236* comment by: *DGAC France* **Subject:** Part FCL licence endorsement (Appendix I Part ARA) DGAC believes that the front page of the Part FCL licence should be amended to include an information about the fact that the BIR is not ICAO compliant. **Proposed amendment** **Appendix I – Flight crew licence (Front Page)** The licence complies with ICAO standards, except for the LAPL ~~***and,***~~ EIR ***and BIR*** privileges
response	Accepted. EASA will include the information about the fact that the BIR is not ICAO-compliant in Appendix I of Part ARA. At the same time, reference to the EIR will be deleted.
comment	*245* comment by: *ECQB Team* FCL.835 (f) Please provide the relationship between the 6/7 subjects that are referred to in FCL.615 and how the exams are to be structured. Additional AMC should be provided to ARA.FCL.300 in order to allow the NAAs to comply with ARA.FCL.300's requirement for exams towards an instrument rating to be selected by the competent authority according to a common method. The starting point for this AMC should be what is already provided for the CBIR and EIR exams - to consider the final number of questions to be raised and their spread across the subjects. Of course it should then indicate how the desire to have three exams can be met, as expressed in 2.4.4 of the NPA. Specifically for the ECQB, in order to guarantee that a sufficient number of questions are available to support BIR examinations, exam blueprints are necessary. Exam blueprints will also help NAAs to establish how to comply with FCL.025 as regards pass standards for the BIR TK exams.
response	Noted. Thank you for your comment which will be taken into consideration for the further process of RMT.0677.
comment	*278* comment by: *Julian Scarfe* FCL.835 (a)(5)(i) This is too complex and the use of “minima” is incorrect. FCL.835 (a)(5)(ii) The DH/MDH may exceed 600 ft. We propose: **When exercising the privileges of a BIR, pilot-in-command shall:**

(i) apply an increment of 200 ft to the DH/MDH calculated in accordance with the relevant provisions of Part-NCO to any instrument approach operations; and
(ii) only commence or continue an IFR flight towards the planned destination aerodrome if the latest available meteorological information indicates that, at the estimated time of arrival, the weather conditions at the destination and at least one destination alternate aerodrome indicate a visibility of no less than 1 500 m and a cloud ceiling of no less than the highest of 600 ft, the published circling minimum applicable to the aeroplane category, and the DH/MDH calculated in accordance with (i).

FCL.835 (c)
See the extensive comments under 2.4.5. Delete "at an ATO". Delete FCL.835 (d) as a consequence.

FCL.835 (h)
Delete "at an ATO".

response

Partially accepted.

Regarding the first and second comment on FCL.835(a)(5)(i) and (ii), EASA will redraft FCL.835(a)(5) to make it more clear, and will also take into account comment #195.

Regarding the third and fourth comment on the deletion 'at an ATO', EASA does not agree with this proposal, but will make it more clear in the redrafted FCL.835 which flying training module can be completed outside an ATO.

comment *288* comment by: *GNSS Centre of Excellence*

Confusing and/or missing information about how theoretical exam will be completed,

we porpose change to PART-ARA:

ARA.FCL.300(c) Examination procedures
All aspects of theoretical exams for Basic IR shall be the same as for IR(A)

Remark: this is a very simplified change! We suggest that PART-ARA is updated to include more details for BIR exams including the number of questions and time for each subject., Moreover, other additions to Part ARA should be made to address this issue. Stating that BIR exams should be done in the same way as IR(A) exams might be sufficiently understandable to CAA personnel, but it is incorrect and insufficient from the point of view of legislation. However, formulating a proposal of change in the exact wording would deserve more time and resources.

response

Partially accepted.

An AMC should be drafted in order to clarify the content of the three theoretical exams.

comment *298* comment by: *CAA Norway*

FCL.835(i)(2)(ii) states that the BIR can be revalidated by completing a flight with an instructor. After completion of this flight, the instructor shall endorse the candidate´s license. The suggestion is inconsistent with FCL.945 which states that instructors can endorse a license

	for the 12-hour renewal of the SEP only when "specifically authorised" by the authority. In that respect, instructors for BIR is given wider privileges thatn instructors for the SEP. Suggestion: Either state that instructors mentioned in FCL.835(i)(2)(ii) may complete these hours of flight training (and endorse the license) when specifically authorised to do so, or make all instructors mentioned in FCL.945 able to endorse, independent of a specific authorisation.
response	Noted. Please refer to the EASA response to comment #233.

comment	*335* comment by: *Uppsala Flying Club* Remove the restrictions to weather and approach minima. Replace "ATO" with "ATO or DTO". The division into training modules is good!
response	Partially accepted. Please refer to the EASA response to comments #278 and #434.

comment	*348* comment by: *AOPA Sweden* FCL.835 (4) is very good. The same cross credit should also be transferred into the FCL paragraphs regulating the normal IR for aeroplanes. This is of course not in the scope of this task, but would ease the access for the IR for GA pilots of Multi-engine aircraft. (5) The weather minima restritcions should be removed. Instead focus should be on pilot training to the required level from the beginning. The introduction of lower class IR pilots is, in the long run, lowering the status of the BIR. Once the pilot is trained to fly down to the minimas suggesting in (5), the additional training for increasing the competence from 200 ft above the minima, to normal IR level is, according to our experience, not really big. A better BIR is highly desired, and in this case up to normal IFR standards. The risk is we create a second class IR with lower standards. The position of AOPA Sweden is that any IFR pilot holding the privilige to fly an IFR approach, should be able to demonstrate the proficiency being able to fly all the way down to the minima. Alternate means should be considered, i.e. recency a la the FAA IR. Currency is a true way of letting the pilot stay prificient in a positive manner. Please see earlier comments regarding recency.

response	Noted. Please refer to the EASA response to comment #195. The aim of the BIR is to give GA pilots easy access to IR with a proportionate training. In consequence, the content and the privileges are not the same as a full IR training.

comment	*350* comment by: *AOPA Sweden* (k) Good with appropriate credits for third country IR(A) holders.
response	Noted. Thank you for providing this positive comment.

comment	*358* comment by: *Estonian Civil Aviation Administration* 1. FCL.835 (a)(2) - According to FCL.835 (a)(2) BIR privileges shall only be exercised in accordance with FCL.205.A (PPL(A) privileges) and according to FCL.835 (b) applicants for the BIR shall hold at least a PPL(A). Is it allowed for a person to hold for example a CPL(A) and BIR? How should this be entered on the licence?
response	Noted. It is possible to hold a BIR on a CPL licence but the privileges of the BIR are limited to non-commercial flights.

comment	*359* comment by: *Estonian Civil Aviation Administration* 1. FCL.835 (c)(1) - According to (c)(1) applicants for the BIR shall have completed at an ATO theoretical knowledge instruction in accordance with FCL.615(a). FCL.615(a) is setting requirements for integrated and modular courses. In addition – GM2-GM4 FCL.835 describe theoretical knowledge syllabus for BIR. Which course do applicants need to complete? 2. 2. FCL.835 (e) is missing some information. The sentence appears not complete. 3. 3. FCL.835 (f) - According to (f) prior to taking the skill test, the applicant shall demonstrate a level of theoretical knowledge. How must the applicant demonstrate it? According to ARA.FCL.300 in the case of ATPL, MPL, CPL, and instrument ratings questions for an examination shall be selected from the European Central Question Bank (ECQB). ECQB does not contain BIR questions at the moment. 4. 4. FCL.835 (g) - Which skill test/proficiency check form must be used according to (g) and (i)(2)(i)? 5. FCL.835 (k) - Do applicants need to complete BIR theoretical knowledge training? If not then why may only the practical part of training course be credited?
response	Regarding your first comment: Noted. Please refer to the EASA response to comment #232. Regarding your second comment: Noted. If BIR privileges are sought for multi-engine aeroplanes, instrument flight training in a multi-engine aeroplane has to be completed.

	Regarding your third comment: Noted. Please refer to the EASA response to comment #232 and also to Section 2.4.4 of the explanatory note of NPA 2016-14. Regarding your fourth comment: Noted. The BIR skill test is performed in accordance with Appendix 7. Please refer to the EASA response to comments #19 and #138. Regarding to your fifth comment: Noted. Please refer to the EASA response to comment #137.

comment	*367* comment by: *Light Aircraft Association* The LAA recommend an amendment to FCL.835 paragraphs (c) and (d) to allow all of the training course for the BIR to be conducted at a DTO or ATO.
response	Not accepted. Please refer to the EASA response to comment #434.

comment	*368* comment by: *Light Aircraft Association* The LAA recommend guidance is provided as an AMC to FCL.835 (i)(2)(ii) as to specific items which should be revised with the flight instructor in order to maintain proficiency in instrument flying.
response	Accepted. Please refer to the EASA response to comment #233.

comment	*380* comment by: *Light Aircraft Association* FCL.835(e) does not provide sufficient guidance for those wishing to add multi-engine privileges to a new or existing BIR. This should be amended to ensure those wishing to include or add multi-engine privileges to the BIR must have completed relevant items of the applied flying training module at FCL.835(c)(2)(ii) in a multi-engine aircraft.
response	Noted. Please refer to the EASA response to comment #359, point 2.

comment	*381* comment by: *DGAC France* **Subject:** Teminology suggestion to avoid interpretation problem DGAC suggests to replace in the text the terms "2D approach" and "3D approach" by " 2D instrument approach operation" and "3D instrument approach operation". The terminology used will be more consistent with regulation (EU) n°539/2016 and the definition introduced by this regulation in FCL.010 (Annex I Part FCL):

"Three-dimensional (3D) instrument approach operation" means an instrument approach operation using both lateral and vertical navigation guidance.
"Two-dimensional (2D) instrument approach operation" means an instrument approach operation using lateral navigation guidance only.

In addition using this terminology will avoid any interpretation problem that may arise (see example mentionned below).

Example:
Consider a non precision approach procedure (without vertical navigation guidance) like for example a VOR/DME procedure.
A pilot of a CS23 aeroplane may be equiped with a Garmin providing an "advisory" vertical navigation guidance based on a SBAS signal.

Given the current draft FCL.835 (a) (5) (i), it is not clear what will be the applicable absolute minimum height for this pilot using this "advisory" vertical guidance to perform the approach procedure ? 500ft of 600ft ?

If this approach procedure is considered as a 3D instrument approach operation (according to ICAO terminology) the answer should be 500ft.
Nevertheless as it is a non precision approach procedure (without vertical navigation guidance) an interpretation of the text could lead to retain 600ft (2D approach).

By applying the wording modification suggested at the beginning of this comment the interpretation issue will be avoided. The answer to the question raised in the example will be 500ft.

Proposed amendment
FCL.835
(a)
[…]
(5) (i)
instrument approach procedures shall be subject to a further addition of 200 ft to published minima, but subject to an absolute minimum height of 500 ft for a 3D instrument approach operation or 600 ft for a 2D instrument approach operation; and

response

Partially accepted.

Please refer to the EASA response to comment #278.

comment

393 comment by: *BCAA - Licensing - Formation - Grisel*

Belgian CAA comments :

Point (d) :
The Belgian CAA is not in favor of training delivered outside an ATO. As this rating will be competency based, the documentation proving the proper training will have to be very precise.

	This could be done only if the IRI has an agreement with an ATO covering the working procedure and reporting methods in order to have a proper transmission of information and a common reporting/judgement base. Point (i)(2)(ii) : How will this training be reported? Would the instructor be allowed to extend the rating on the licence? We already have issues to standardise our examiners, adding instructors on the list will lead to unconsistancies on the rating validity date. Point (6) (i) : This training has to be made within an ATO and not with a standalone instructor. ATO has proper experience and procedures to evaluate the candidates. Why allow further training with an instructor and prevent suh training within a DTO?
response	Noted. Please refer to the EASA response to comment #434.

comment	*405* comment by: *European Transport Workers Federation - ETF* about (c) : Interaction with ATS as part of the training should be listed here as part of modules.
response	Noted. The interaction with ATS as part of the training will be addressed in the Learning Objectives (LOs) and in practical training.

comment	*419* comment by: *Finnish Transport Safety Agency* FCL.835 (a)(2) *BIR privileges shall only be exercised in accordance with FCL.205.A and after completion of the relevant training modules of FCL.835(c).* It is unclear what is meant with 'in accordance with FCL.205.A'. FCL.205.A states the privileges of a PPL holder. The BIR may be issued for CPL holder also. If the intention is that BIR privileges shall only be used in non-commercial operations, please state it directly.
response	Noted. Please refer to the EASA response to comments #209 and #358.

comment	*420* comment by: *Finnish Transport Safety Agency* FCL.835 (a)(4) *BIR privileges on multi-engine aeroplanes shall also be valid on single-engine aeroplanes for which the pilot holds a valid single-engine class rating.* This privilege is in contradiction with FCL.835 (g):

	Skill test. After the completion of the training, the applicant shall pass a skill test in an aeroplane. For a multi-engine BIR, the skill test shall be taken in a multi-engine aeroplane. For a single-engine BIR, the skill test shall be taken in a single-engine aeroplane. Please clarify the intention of the rules.
response	Noted. Please refer to the EASA response to comments #19, #20 and #138.

comment	*421* comment by: *Finnish Transport Safety Agency* FCL.835 (a)(5) The operating minimas for BIR holder are different compared to IR holder. Are there plans to amend Regulation Air OPS to clarify how BIR holder should apply the operating and planning minimas?
response	Noted. Please refer to the EASA response to comment #195.

comment	*422* comment by: *Finnish Transport Safety Agency* According to the explanatory note the BIR theoretical knowledge has three focused examination. However, according to FCL.835 (c) applicants for the BIR shall have completed theoretical knowledge instruction in accordance with FCL.615(a). In addition, according to FCL.835 (f) applicants shall demonstrate a level of theoretical knowledge appropriate to the privileges granted in the subjects referred to in FCL.615(b). Please clarify which theoretical knowledge requirements the applicant for BIR shall follow.
response	Noted. Please refer to the EASA response to comment #232.

comment	*423* comment by: *Finnish Transport Safety Agency* FCL.835 (d) In Trafi's opinion the BIR training should be completed in an ATO. The competency-based training is still new method, therefore controlled training environment with effective SMS system is important safety measure. Please delete FCL.835 point (d).
response	Partially accepted.

	Please refer to the EASA response to comment #434. The text of FCL.835(d) from the NPA 2016-14 text has been deleted but moved to another paragraph in point FCL.835 in a modified version: flying training Module 3 (the applied flying training module of en-route IFR flight procedure) may be completed outside an ATO.
comment	*424* comment by: *Finnish Transport Safety Agency* FCL.835 point (e) Please clarify the sentence.
response	Accepted. Point FCL.835(e), as drafted in NPA 2016-14, is deleted as such, and the amended content is moved to another paragraph in point FCL.835 as flying training Module 4.
comment	*425* comment by: *Finnish Transport Safety Agency* FCL.835 (h) Unclear paragraph as point (f) refers to theoretical knowledge and point (e) is unfinished. Please clarify the intention of the requirement.
response	Accepted. The reference to (f) in FCL.835(h), as drafted in NPA 2016-14, is amended and the text has been clarified. In the Opinion this will be FCL.835(f).
comment	*426* comment by: *Finnish Transport Safety Agency* FCL.835 (i)(8) Repetition with FCL.740.A.
response	Noted. EASA would like to state that FCL.740.A covers combined revalidation, whereas FCL.835(i)(8) as drafted in NPA 2016-14 (in the Opinion, this will be FCL.835(g)(8) covers the combination of revalidation and renewal.
comment	*427* comment by: *Finnish Transport Safety Agency* FCL.835 (j) *Notwithstanding (c) and (d), the holder of an EIR in accordance with FCL.825, who wishes to obtain a BIR, shall complete a training course at an ATO comprising point (c)(2)(ii) and shall pass the relevant sections of the skill test referred to in point (g);*

	The BIR rating is competency-based. The amount of credit should be left to ATOs to decide based on assessment of competence.
response	Noted. FCL.835(j), as drafted in NPA 2016-14, will be deleted and the crediting and transitional provision for the EIR holder will be part of the cover regulation.

comment	*428* comment by: *Finnish Transport Safety Agency* FCL.835 (k) *Applicants for the BIR holding a Part-FCL PPL or CPL and a valid IR(A) issued in accordance with the requirements of Annex 1 to the Chicago Convention by a third country may be credited in full towards the training course mentioned in point (c)(2). In order to be issued with the BIR, the applicants shall: …* The BIR rating is competency-based. The amount of credit should be left to ATOs to decide based on assessment of competence.
response	Noted. EASA would like to state that in this case there is no need that the crediting should be assessed by an ATO.

comment	*435* comment by: *Aero-Club of Switzerland* FCL.835 Basic Instrument Rating (BIR) page 22/230 (a)(2) BIR privileges... We got comments that combining FCL.205.A with FCL.835(c) in one sentence makes understanding, particularly for non-native speakers, quite difficult because of the word "and" we find in the sentence. Please change to "in accordnce with FCL.205.A, after completion of the relevant training modules of FCL.835(c)" Rationale This makes understanding easier, in our view.
response	Accepted. EASA agrees that replacing ‘and’ with a comma (,) makes the text more clear. The text has been amended accordingly.

comment	*440* comment by: *AOPA Finland* Our opinion is that current EIR and CBIR training programs are capable to deliver the very same key principles as proposed BIR. In addition, member states' flight training organisations have been consumed hundreds of thousands of euros to fullfil the ATO, EIR and CBIR training, organisational and operational requirement.
response	Noted.

Please refer to the EASA response to comments #410, #411 and #412.

3. Proposed amendments — 3.1. Draft Regulation (draft EASA opinion) — Appendix 6 — Modular training courses for the IR p. 24-25

comment	*41* comment by: *TL Aviation GmbH* The amount of hours which could be credited by an ATO should be published by the agency. Otherwise there will be huge differences among the ATO´s in reference to their own approved training manual. One standard should be applied for all ATO of any EASA member state.
response	Noted. The crediting in full towards the training course, provided that all competency-based instrument rating topics have been included, is assessed by the ATO that provides the competency-based modular flying training course. Please also refer to the EASA response to comment #219.

comment	*56* comment by: *KSAK - Swedish Royal Aero Club* We support that the transition from BIR to IR shall be easy. It is important to keep the requirements for theoretical examinations away from it, just as is proposed in the draft.
response	Noted. Thank you for providing this positive comment.

comment	*90* comment by: *KLM aeroclub ATO* idem (d) what is adequate level of theoretical knowledge ? May I suggest that the number of questions of each topic is outlined as well as the minimum score(s) to support passing the 'adequate level'. E.g. minimum score of 65% of the xyz questions comprising air law, meteo and flight planning and performance. Something like this. This can avoid discussions and different interpretations.
response	Noted. The intention of point 10(d) in Appendix 6 is to facilitate the transition from BIR to CB-IR. It is the same way that it is for an applicant that holds a valid IR(A) issued in compliance with the requirements of Annex 1 to the Chicago Convention by a third country. NPA 2016-16 gives guidance on the oral examination to be completed.

comment	*219* comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)* Page 25 and 26 of 230 Relevant Text:

Appendix 6
9. Applicants for the IR(A) competency-based modular flying training course holding a BIR in accordance with FCL.835, and who have received at least 10 hours of instrument flight time under instruction at an ATO, may be credited in full towards the training course mentioned in paragraph 4, provided that all competency-based instrument rating topics have been included.

10. Applicants for the IR(A) competency-based modular flying training course holding a BIR shall have at an ATO:
(a) been approved as having an acceptable standard of competency-based instrument rating theoretical knowledge;
(b) received appropriate flight training to extend IFR privileges in accordance with FCL.605.IR(a);
(c) successfully completed the skill test for the IR(A) in accordance with Appendix 7;
(d) demonstrated to the examiner during the skill test that they have acquired an adequate level of theoretical knowledge of air law, meteorology, and flight planning and performance; and
(e) a minimum experience of at least 50 hours of flight time under IFR as PIC on aeroplanes.

Comment:
Bullet points 9 and 10 are unclear and should be revised. Are both points valid for all BIR holders or are there provisions? As they read now the only difference before starting the course is the 10 hours mentioned in point 9. All items in point 10 shall be completed in an ATO which doesn't seem reasonable as it includes skill test and PIC flying. It seems as if the intention was to create a credit for pilots with IFR PIC experience, but now it is written as part of the course. Is the 10 hours in point 9 to be interpreted as after the issue of BIR or can it be during the BIR course? Who makes the assessment regarding if all topics in the CBIR has been covered?

Proposal:

9. Applicants for the IR(A) competency-based modular flying training course holding a BIR in accordance with FCL.835, and who have received at least 10 hours of instrument flight time under instruction at an ATO, may be credited in full towards the training course mentioned in paragraph 4, provided that all competency-based instrument rating topics have been included, as assessed by the ATO providing the competency-based modular flying training course.

10. Applicants for the IR(A) competency-based instrument rating, holding a BIR and a minimum experience of at least 50 hours of flight time under IFR as PIC on aeroplanes, shall (i) at an ATO:
(a) be approved as having an acceptable standard of competency-based instrument rating theoretical knowledge;
(b) receive appropriate flight training to extend IFR privileges in accordance with FCL.605.IR(a);
(ii) after completion of (i) (a) and (b)
(a) successfully complete the skill test for the IR(A) in accordance with Appendix 7;
(b) demonstrate to the examiner during the skill test that they have acquired an adequate level of theoretical knowledge of air law, meteorology, and flight planning and performance; and

response | Accepted.

EASA agrees that bullet points 9 and 10 are unclear and will amend the text according to your proposal.

comment | *220* comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page General
Relevant Text: Missing
Comment: There are no references to a skill test protocol, this need to be included.
Proposal: Include a reference to the relevant skill test protocol.

response | Accepted.

Please refer to the EASA response to comment #19.

comment | *279* comment by: *Julian Scarfe*

Appendix 6
In the conversion we need to permit conventional TK for those who do not have 50 hours IFR as follows:

10. Applicants for the IR(A) competency-based modular flying training course holding a BIR shall have:
(a) have received at an ATO appropriate flight training to extend IFR privileges in accordance with FCL.605.IR(a);
(b) successfully completed the skill test for the IR(A) in accordance with Appendix 7;
(c) either met the theoretical knowledge requirements of paragraphs 4(a) and (5) or:
(i) have been assessed by an ATO as having an acceptable standard of competency-based instrument rating theoretical knowledge; and
(ii) demonstrated to the examiner during the skill test that they have acquired an adequate level of theoretical knowledge of air law, meteorology, and flight planning and performance; and
(iii) have a minimum experience of at least 50 hours of flight time under IFR as PIC on aeroplanes.

response | Not accepted.

	EASA is of the opinion that 50 hours is a minimum to benefit from the credit defined in point 10 of Appendix 6. Please also refer to the EASA response to comment #219.
comment	*349* comment by: *AOPA Sweden* (6) and (7): it is very good that BIR renewal can be performed by training performed by a certified instructor + PC. Outside the scope of this RMT, but this type of renewal should be added to the normal IR and single pilot class and type ratings too.
response	Noted. This is indeed outside the scope of RMT.0677.
comment	*351* comment by: *AOPA Sweden* Use of FNPT: We did not see this in the NPA, but in general it should be allowed to use FNPTI and FNPTII for BIR training. This is a good way of reducing the cost for students taking the BIR at Flight academies providing FNPT training.
response	Noted. EASA would like to state that the BIR training is competency-based. The amount of FNPT I or II used during the training course is under the responsibility of the training organisation.
comment	*352* comment by: *AOPA Sweden* Good that there is smooth way to transit from BIR to IR without further theoretcial examinations.
response	Noted. Thank you for providing this positive comment.
comment	*379* comment by: *Light Aircraft Association* Full credit should be applied for applicants for the IR(A) competency-based modular flying training course holding a BIR where the training was conducted under a DTO or ATO since the applicant is assessed individually at Appendix 6 Aa. 10 (b) and (c) for additional theoretical knowledge and flight training to meet the required standard.
response	Not accepted. It is mandatory due to the CB-IR training content and in particular by paragraph 9 to have 10 hours at a minimum at an ATO.

3. Proposed amendments — 3.2. Draft AMC & GM (draft EASA decision) — GM1 FCL.835 Basic instrument rating (BIR) p. 25-27

comment	*27* comment by: *Stephen Oddy* GM 1 FCL.835 line 15 Add 'Tracking' Heading omitted. However, if the test/check format is to be in accordance with Appendices 7 and 9 then this para can be omitted as the limits appear in the appendices.
response	Accepted. The heading 'Tracking' will be added in front of the table indicating the respective tolerances ('on radio aids', 'angular deviations', etc.). Additionally, a reference to Appendix 7 to Part-FCL will be added to point FCL.835. Please refer to the EASA response to comment #19.
comment	*91* comment by: *KLM aeroclub ATO* (a) modules : suggest to swap sequence of modules 2 and 3 in the text. See earlier comments on this.
response	Noted. Please refer to the EASA response to comment #81.
comment	*92* comment by: *KLM aeroclub ATO* Heading (5deg) and speed (5 kts) flight tolerances are tight. I feel that 10deg and 10kts respectively is more appropriate. The minima are higher than for full IR, so the flight tolerances are more appropriate to the risk and skills. Don't forget that pilots seeking for BIR privileges are probably less proficient than full IR pilots. Tolerances should be proportionate to the type of operation and risk, hence more tolerance on these elements can be justified.
response	Not accepted. The requirement to hold heading to 5 degrees is necessary to avoid disruption to ATM. The other figures should not be changed either, for both safety reasons and consistency with Appendix 7 to Part-FCL according to which the skill test will need to take place.
comment	*113* comment by: *René Meier, Europe Air Sports* (c) Sample table

	Training element 3.2.1. Title of assessed item taken from training module... Attitude p 27/230, lower third... - leadership and teamwork As given on the following pages, mostly under a c) or a d), a short description of what is the intent of the item should be given. Rationale We think what was created here was created foremost for single-piloted single-engine aeroplanes, so "leadership" and "teamwork" is quite a specific item. For sure, i.e guiding the ATCO (sorry for that...) and co-operating with ground staff, where available, needs some kind of training.
response	Not accepted. The description is given on the following pages, for which this page acts only as a generic template.

comment	*124* comment by: *DC-AL* The limits seem rather tight for a basic rating. I consider that a competent pilot at this stage would only be able to achieve many of the quoted limits in calm conditions, which are seldom found. Please consider widening the required limits slightly for normal conditions.
response	Not accepted. Consideration for the conditions is addressed in the introductory text for this point (b) of GM1 to FCL.835 ('Due consideration should be given to make allowance for turbulent conditions').

comment	*148* comment by: *UK CAA* **Page No:** 25-26 **Paragraph No:** GM1 FCL.835 Basic instrument rating (BIR) **Comment:** It is recommended that the Modules and tolerances are AMC rather than GM. **Justification:** To enable standardisation. If it is only guidance material it will be difficult for an FE to fail a candidate as this is only guidance rather than a standard to be met. **Proposed Text:** Move to AMC.
response	Accepted. The GM is changed to AMC. Additionally, the flight tolerances given reflect the tolerances also already covered by the rule text in Appendix 7 to Part-FCL. A reference to Appendix 7 to Part-FCL is added to point FCL.835. Please refer to the EASA response to comment #19.

comment	*167* comment by: *AOPA (UK)* AOPA (UK) considers that BIR flight tolerances should be harmonised with those for the EIR as stated in **AMC1 FCL.825(e); (g) En route instrument rating (EIR)**: Height (*as stated in this NPA*) Heading (all engines operating): ±10° Heading (with simulated failure of one engine of a ME aeroplane): ±15° Speed (all engines operating): +10 knots/–5 knots Speed (with simulated failure of one engine of a ME aeroplane): +15 knots/–5 knots Tracking (on radio aids): ±10° Tracking (not on radio aids): *(as stated in this NPA)* These flight tolerances should only apply for flight conducted with all instruments fully serviceable. For flight on 'limited panel' or standby instrument systems, we recommend the following flight tolerances as stated in the UK Flight Examiners' Handbook applicable to the IR Skill Test: Height: ± 200 ft Heading: ±15° Speed (all engines operating): ± 10 knots
response	Not accepted. Please refer to the EASA response to comment #92.

comment	*179* comment by: *Wolfgang Lamminger* To make it easier for aspirants, instructors, ATOs, examiners and last not least for authorities to recognise new rules, the attempt shouild be made, to bring IR rules into the same structure. For this purpose a suggestion would be, to bring the elements of the GM into one table and identify IR - CB-IR - BIR (and EN-IR) - according to theier paragraphs in part FCL for flight tolerances, training elements etc.
response	Not accepted. EASA agrees that consolidation of the structure of the elements of each of the IRs would be desirable. However, this exercise is outside the scope of RMT.0677.

comment	*187* comment by: *ANPI (National Flight Instructors Association)* These numbers are not compatible with stabilized approach criteria. I tend to consider that much more severe numbers are needed at least during final approaches. Thta's perfectly accessible for most candidate with a proper training.
response	Not accepted. The tolerances are intended as a general guide, not what is acceptable in every phase of flight. On final approach, a stabilised approach is expected. Additionally, EASA would like to highlight that the tolerances given in point (b) of GM1 to FCL.835 are largely consistent with the tolerances given in Appendix 7 to Part-FCL (please refer to the EASA response to comment #92 for further information).

comment

212 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Relevant Text:
GM 1 FCL.835 (c) sample table

Comment:
In several places there is a use of terms and requirements that is not applicable to the BIR. Since BIR is a rating that aims at the single pilot community, the training criteria should reflect that. It is given the impression that this is a “copy paste” rather than training criteria specifically designed for the BIR.

Below you will find a non-exhaustive list of examples:
“manage crew”
“academic knowledge”
“operator safety manual”
“call for landing gear”
“accelerate go”
“demonstrate effective crew communication”
“demonstrate effective crew coordination”
“Operator policy”
“Operator engine out path”

Proposal:
Check the complete sample table for terms and requirements that are not suitable for the BIR training.

response

Accepted.

The terminology has been revised and slightly adapted.

comment

238 comment by: *France*

Subject:
Update of Los following publication of Annex I to ED Decision 2016/008/R

The proposed NPA and LOs do not take into account the publication of Annex I to ED Decision 2016/008/R (PBN regulation) and the update of AMC7 FCL.615 (b) (IR Los for PBN).
Therefore it is suggested to align the content of the NPA with the Annex I to ED Decision 2016/008/R and delete ‘062 05 01’, ‘062 05 02’, ‘062 05 03’ and replace by ‘062 07 00 00’ as drafted in Annex I to ED Decision 2016/008/R.

Proposed amendment
See amendment of AMC7 FCL.615 (b) as introduced by Annex I to ED Decision 2016/008/R

response | Noted.

This has been corrected with the publication of ED Decision 2018/001/R on 8 February 2018. Please also refer to the Explanatory Note of this Decision.

comment | *406* comment by: *European Transport Workers Federation - ETF*

About (b) : Have these items been assessed in comparison to current SOPs for other commercial IFR aircraft?
ATS will need to understand the impact of the accuracy or possible decreased accuracy of GA crew flying with BIR.

response | Noted.

The tolerances for altitude (relevant for vertical separation) have not been changed, neither have the tolerances for heading/tracking been changed.

3. Proposed amendments — 3.2. Draft AMC & GM (draft EASA decision) — GM1 FCL.835 Basic instrument rating (BIR) — Module 1: Pre-flight operations and general handling p. 28-37

comment | *28* comment by: *Stephen Oddy*

GM1 FCL.835 Module 1 page 33

Current text:
Skill (D). Demonstrate correct operating procedure for autopilot or flight director in all modes.

Whilst training can include use of autopilot in all modes, assuming that a serviceable autopilot is fitted to the aircraft or FPT, there is no guidance in Part FCL regarding the use of the autopilot or flight director during BIR or IR skill tests or proficiency checks. This can generate inequalities between the testing regimes of different member states who apply different limitations on the use of the autopilot.

response | Noted.

Establishing detailed guidance for the use of the autopilot (in general) is outside the scope of RMT.0677.

comment | *29* comment by: *Stephen Oddy*

GM 1 FCL.835 Module 1 page 36

Skill (D). Insert 'the techniques described in' after 'deviation using…'
Current sentence is not meaningful.

response | Accepted.

The phrase has been revised to read '…using the procedures described in the aircraft flight manual…'.

comment | *30* comment by: *Stephen Oddy*

GM1 FCL.835 Module 1 page 37

Skill and Knowledge.

There is no definition of 'limited panel', although 'knowledge of looping error' implies the use of a rate gyro. Many training aeroplanes these days have a standby AI and some do not have a direct reading compass (current Seneca V). It is unclear whether training and or testing is required using a rate gyro and direct reading compass. Different interpretations by different member states means that there can be variations both in the training and test/check requirements for the BIR and IR.

response | Accepted.

EASA agrees that a definition of the term 'limited panel' should be added as follows:
'"limited panel instrument flight" means attitude interpretation by reference to pressure instruments, turn rate gyro and slip indicator.'

Additionally, the following text will be added to the table in GM1 to FCL.835 Module 1:
'NB: Most modern light aircraft are now fitted with a "standby" horizon in addition to or instead of a turn rate gyros. Where this is the case, the pilot under training is to be taught these exercises using the "standby horizon".'

comment | *224* comment by: *Czech Technical University*

Pre-flight inspection: Objective: Full initial pre-flight inspection in accordance with the approved checklist assuming the risk to IFR flights such as icing conditions, database, etc.

EASA should provide a sample checklist. By whom is it supposed to be approved?

response | Not accepted.

A pre-flight inspection checklist should be included in the aircraft flight manual.

comment | *225* comment by: *Czech Technical University*

Page 36: Recovery from approach to stall in level flight, climbing/descending turns and in landing configuration, Skill (B):
"**Trim must not be used at less than 1.45 of VS or flight manual restrictions**"
Consider removing or rewording. I do not understand the meaning.

	e.g. C172 has a stall speed of 48 KIAS. Typical final approach speed is 60-70 KIAS - less than 1.45 Vs. There is no limitation on use of trim in C172. It is very important to train stalls/approach to stalls in near-trimmed configuration. Typical loss of control in flight scenario is intercepting the GS from above and trimming to maintain the GS without adding power. Eventually, the stall occurs at almost zero stick force.
response	Accepted. The sentence is replaced by the following: 'Normal trim should be used as the aircraft speed reduces, but trim should not be used below V_{REF} for the aircraft configuration, or as stated in the flight manual restrictions.'

comment	*353* comment by: *AOPA Sweden* Relating to skill items: items (1) and (2) are normally not published for single engine piston nor multi engine piston aeroplanes and should be removed, since they are not part of the applicable CS. To make the licencing requirements in line with the appropriate airplane certifications standards.
response	Noted. The terms 'accelerated-stop-distance' and 'accelerate-go distance' have been reworded to read 'accelerate-stop-distance available' and 'landing distance available'.

comment	*354* comment by: *AOPA Sweden* Knowledge: (C) the use and need of RAIM is different for SBAS operations vs. normal GPS operation. This should be reflected in the knowledge item.
response	Accepted. The phrase 'if applicable' has been added where RAIM is referred to.

comment	*370* comment by: *Light Aircraft Association* Level rate 1 turns does not appear to be in the Module 1 syllabus.
response	Accepted. Level rate 1 turns have been added to the syllabus in flying training Module 1.

comment	*384* comment by: *BCAA - Licensing - Formation - Grisel* **Belgian CAA comment** : OBJECTIVE - (E) : The UPRT studies and best practices requires a cultural change in respect of "minimum height loss". This should be replaced by "reducing the angle of attack".

response	Not accepted. The 'correct technique' referred to in this training objective is in fact the reduction of the angle of attack.

comment	*408* comment by: *European Transport Workers Federation - ETF* This guidance as to a competency checks in liaison with ATC must become a mandatory part of sign-off and renewal with regards to BIR.
response	Noted. EASA would like to highlight that communication and coordination with ATC is a fundamental part of the ATTITUDE section of the relevant flying training modules.

comment	*429* comment by: *Finnish Transport Safety Agency* GM1 FCL.835 point (d) In Trafi's opinion it would be practical to have training for IFR tracking already in module 1. The tracking skills are needed when the applicant starts module 2.
response	Noted. It should be emphasised that flying training Module 1 is designed to introduce the pilot to flight by sole reference to instruments before moving to the applied use of such techniques.

3. Proposed amendments — 3.2. Draft AMC & GM (draft EASA decision) — GM1 FCL.835 Basic instrument rating (BIR) — Module 2: Departure, precision (3D) approach procedures and non-precision (2D) approach procedures p. 38-55

comment	*115* comment by: *René Meier, Europe Air Sports* Module 2... Approach and landing briefing... p 49/230 Objective "all procedures"? We think "applicable procedures" is sufficient. Rationale Correct briefings based upon reliable and up-to-date information reduce the number of existing choices to the minimum of applicable approaches.
response	Accepted. The term 'all procedures' has been replaced by the term 'applicable procedures'.

comment	*149* comment by: *UK CAA*

Page No: 44

Paragraph No: Table, SKILL (B)

Comment: It is recommended that the text is amended as proposed below.

Justification: Recognised terminology.

Proposed Text: Amend to read:

"Complete a short self briefing with regard to arrival, holding, approach, minima, weather conditions, associated performances, taxiing and missed approach procedure. "

response

Accepted.

The phrase has been reworded as proposed.

comment

150 comment by: *UK CAA*

Page No: 45

Paragraph No: Table, ATTITUDE (A) (2) to (5)

Comment: We believe the attitudes numbered (2) to (5) are in the wrong area and should be relocated as they seem to be skills rather than attitudes.

Justification: Appropriateness and clarity.

response

Partially accepted.
Item (2) has been moved into the related item in the Section 'KNOWLEDGE'; the others have been deleted (as duplicates).

comment

151 comment by: *UK CAA*

Page No: 46

Paragraph No: Table, SKILL (C)

Comment: It is recommended that item (C) is amended as proposed below.

Justification: Clarity.

Proposed Text: Amend to read:

'Arrive at the minima on a stabilised approach in order to …'

response

Accepted.
The text has been rephrased as proposed.

comment	*152* comment by: *UK CAA* **Page No:** 49 **Paragraph No:** Table, SKILL (B) **Comment:** It is recommended that the text is amended as proposed below. **Justification:** Recognised terminology. **Proposed Text:** Amend to read: "Complete a short self briefing with regard to arrival, holding, approach, minima, weather conditions, associated performances, taxiing and missed approach procedure. "
response	Accepted. The phrase has been reworded as proposed.

comment	*153* comment by: *UK CAA* **Page No:** 50 **Paragraph No:** Table, KNOWLEDGE (D) **Comment:** In item (D) 'Autopilot and flight director limitations' there is no reference to understanding the modes on GPS systems that are more likely to be used in GA aircraft. **Justification:** Safety and proportionality. Incorrect use of GPS modes has resulted in at least one fatal accident in the UK.
response	Not accepted. The understanding of the GPS system is one aspect of the navigation system in point (A) of the Section 'KNOWLEDGE'.

comment	*154* comment by: *UK CAA* **Page No:** 50 **Paragraph No:** Table, ATTITUDE (A) (2) to (4) **Comment:** We believe the attitudes numbered (2) to (4) are in the wrong area and should be relocated as they seem to be skills rather than attitudes. **Justification:** Appropriateness and clarity.

response | Accepted.

Item (2) has been moved, (3) is a duplicate, and (4) has been deleted as it is covered by other items.

comment | *155* comment by: *UK CAA*

Page No: 51

Paragraph No: Table, SKILL (C)

Comment: Suggest re-wording 'Arrive at the minima stable in order to make a correct decision to perform a landing, go-around or circling approach safely. '

Justification: Clarity

Proposed Text: Amend to read:

'Arrive at the minima on a stabilised approach in order to …'

response | Accepted.

The phrase has been reworded as proposed.

comment | *156* comment by: *UK CAA*

Page No: 51

Paragraph No: Table, ATTITUDE (A)

Comment: It is recommended that item (A) 'identify whether the approach is not stabilised' is amended as proposed below.

Justification: Clarity.

Proposed Text: Amend to read:

'confirm the approach is stable'

response | Partially accepted.

The phrase has been reworded to read 'confirm that the approach is stabilised'.

comment | *157* comment by: *UK CAA*

Page No: 53

Paragraph No: Table, OBJECTIVE

Comment: It is recommended that the text is amended as proposed below.

Justification: Improved grammar.

Proposed Text: Amend to read:

'At the minima, ~~or~~ as directed by ATC, in the event of an unstable approach or ~~in~~ due to a~~-~~ loss of integrity, make a smooth transition to a climb at the correct speed and complete the checks. '

response

Noted.

Thank you for providing this comment. The text has been completely revised to contain a list, for better readability.

comment

193 comment by: *Uhland Burkart*

Given that

- the use of NDB in general and for approaches specifically is rapidly phasing out
- the number of NDB stations is rapidly decreasing
- the NDB approaches tend to be the most non precision approaches compared to VOR or GPS approaches in D2 approaches

and

the fundamental idea of the BIR is to make IFR flying and training simpler and more accessible to non professional pilots

it is recommended to take NDB approaches out of the privileges and therefore out of skill tests for the Module 2 part of the BIR.

It is recommended to include those old and nearly obsolete approaches (i.e.NDB approaches) on an information only part in the syllabus and teach those NDB approaches only during training and NOT include these approaches in the practical skill tests for examination, proficiency tests and renewals.

response

Not accepted.

Until ground-based NDB is completely withdrawn, training on this subject is still necessary in certain parts of Europe.

comment

213 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page: 45 of 230
Relevant Text: GM 1 FCL.835 (c) sample table ... Knowledge... (D) Auto-Swap system.

Comment: It is unclear what is meant by this. Is this a suitable requirement for the BIR?
Proposal: Delete.

response

Accepted.

The objective 'auto-swap' is deleted, as it is only relevant for large aircraft.

comment

214 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Page: 47 of 230
Relevant Text: GM 1 FCL.835 (c) sample table ... Objective... (D) Calculate the true attitude as required.
Comment: Correct to true altitude
Proposal: GM 1 FCL.835 (c) sample table ... Objective... (D) Calculate the true altitude as required.

response

Accepted.

Thank you for spotting this editorial error. The text has been corrected.

comment

226 comment by: *Czech Technical University*

Page 53: Go Around, Skill (A) and (B):
We appreciate EASA recognizes the need to train go around from unstabilized approach.

response

Noted.

Thank you for providing this positive comment.

comment

227 comment by: *ANPI (National Flight Instructors Association)*

1. Estimate drift during descent, permitting to determine where runway will show up. This is necessary to prepare a smooth and safe transition from instrument to visual, keeping up RWY axis.
2. Circle to land also has to be mentally prepared and memorised, pilots have also to be trained to perform low Alt/High landing patterns (300Ft). This is of major importance with

	strong turbulences and low visibility. This type of excercise (low high patern) has been unfortunately removed from PPL training.
response	Noted. EASA believes that circling approaches are sufficiently included in the syllabus.

comment	*256* comment by: *GNSS Centre of Excellence* word "climate" gradient shall be changed to "climb"
response	Accepted. Thank you for spotting this editorial error. The text has been corrected.

comment	*291* comment by: *GNSS Centre of Excellence* One of our major issues mentioned in first comment: Modules for practical training are prepared with more emphasis on radionaviagtion than on RNAV/RNP. PBN navigation is still not accepted as the main type of navigation. Radio navigation is still understood as most important even though most GA pilots use it as a primary means. More modules are made for classic navigation than for PBN. Although nearly all PBN navigation aspects are mentioned, there should be some differentiation between important points and less important knowledge Furthermore, training in the use of navigation equipment in TERMINAL area is missing altogether. Module 2 is focused on approaches and module 3 on en-route navigation, but neither of them mentions navigation equipment use in TERMINAL area. We propose another element of training focused on operations in TERMINAL area should be added with emphasis on proper use of RNAV or RNP and limitations of RNAV. It is confusing that the terminal arrival altitude is mentioned in one of the modules but proper use is not. We believe that this is a result of too much focus on conventional navigation. Another problem related to the practical modules is that BIR will use DH/MDH different from other qualification and such fact is not reflected in the practical training. Hence the practical part shall be updated accordingly or requirements extended to cover this fact. **We porpose that there shall be adddtional module or change in existing module to cover:** **Operations in TERMINAL area.** **Practical differences of aircraft capability based on different RNAV and/or RNP classes** **Trainig about proper usage of maps and proper determination of DH/MDH becasue of BIR limitations**

response	Not accepted. EASA believes that PBN procedures are sufficiently covered by the syllabus. Additionally, it needs to be highlighted that the determination of the DH/MDH will be trained as essential part of the flight preparation. Finally, it should also be noted that the obstacle clearance height/altitude on which the DH/MDH is based is published in the AIP of each country.

comment	*371* comment by: *Light Aircraft Association* Weather minima: Knowledge of Part-FCL requirements is also needed since the BIR has more restrictive minima associated with the rating contained in Part-FCL.
response	Not accepted. The specific and more restrictive BIR minima are not related to weather data but constitute operational limitations. Hence, the reference to Part-NCO is sufficient.

comment	*372* comment by: *CTU in Prague* There is missing Module to check important skill and knowledge about determinig DH/MDH. Because of restriction for BIR holders to 200 ft above the published minima, and similar restriction for circle to land, there shall be additional module to prove if pilots have knowledge and skills to determine their appropriate DH/MDH. There also shall be some information about how will be different DH/MDH for BIR shown in maps and in aircraft navigation database.
response	Partially accepted. A knowledge item ‘Determination of approach minima’ has been added to the exercises ‘Approach and landing briefing (…)’ for both 3D and 2D approaches.

comment	*373* comment by: *Light Aircraft Association* Necessary adjustments to the published approach minima also include those associated with rating privileges contained in Part-FCL.
response	Partially accepted. Please refer to the EASA response to comment #372.

comment	*374* comment by: *Light Aircraft Association* Necessary adjustments to the published approach minima also include those associated with rating privileges contained in Part-FCL.
response	Partially accepted. Please refer to the EASA response to comment #372.

comment	*375* comment by: *Light Aircraft Association* Under 'Attitude', (A)(2) would normally be considered a skill, and item (A)(3) is correctly listed as knowledge, which is already listed, so should be omitted.
response	Noted. Unfortunately, it is not possible to establish which page the comment refers to. However, in general, there is some overlap between skills and attitudes. Your comment will be taken into consideration when revising the AMC/GM material.

comment	*376* comment by: *Light Aircraft Association* Under 'Attitude', (A)(2) would normally be considered a skill, and item (A)(3) is correctly listed as knowledge, which is already listed, so should be omitted.
response	Noted. Please refer to the EASA response to comment #375.

comment	*430* comment by: *Finnish Transport Safety Agency* As the applicant for BIR will most probably fly in single-pilot operations, please consider replacing 'crew coordination' with more appropriate criteria.
response	Noted. Please refer to the EASA response to comment #212.

3. Proposed amendments — 3.2. Draft AMC & GM (draft EASA decision) — GM1 FCL.835 Basic instrument rating (BIR) — Module 3: En-route IFR procedures p. 56-65

comment	*31* comment by: *Stephen Oddy* GM1 FCL.835 Module 3 page 68 Knowledge. Delete 'English' ICAO Level 4 English is not required for the BIR. See para 2.4.8 of Explanatory Notes on page 18.
response	Accepted. The term 'English' has been deleted; the phrase has been amended to refer to the ICAO language proficiency level 4 or greater, as also done in other sections of GM1 to FCL.835.

comment	*117* comment by: *René Meier, Europe Air Sports* Level flight...

	Module 3... Attitude p 60/230 (A)(2)(3): Question is this not much tooooooooo basic first flight hour stuff?
response	Noted. Thank you for your comment. However, EASA does not share your opinion.

comment	*158* comment by: *UK CAA* **Page No:** 60 **Paragraph No:** Table, SKILL (C) **Comment:** Suggest re-wording item (C) '[...] or navigation aircraft system' **Justification:** Better phrasing **Proposed Text:** Amend to read: '[….] or aircraft navigation system'
response	Accepted. The text has been amended accordingly.

comment	*159* comment by: *UK CAA* **Page No:** 60 **Paragraph No:** Table, SKILL (D) **Comment:** It is recommended that item (D) should include GPS systems. **Justification:** There is a greater likelihood of a lighter GA aircraft having a GPS system on the aircraft.
response	Partially accepted. The term 'aircraft navigation system' has been added which includes GPS systems.

comment	*160* comment by: *UK CAA* **Page No:** 63 **Paragraph No:** Table, SKILL (B) **Comment:** It is recommended that item (B) should be reworded as proposed below.

Justification: Clarification.

Proposed Text: Amend to read:

'Navigate by means of an appropriate navigation system for the cleared route.'

response | Accepted.

The text has been amended accordingly.

comment | *188* comment by: *ANPI (National Flight Instructors Association)*

Preparation of ATC flight plan should be done after completing a strategic flight plan that has to include a careful Risk analysis. Answering to questions "what may go wrong or differ from planned" prepares technically and mentally to react properly and to plan enough dispositions in FPL.
In a single engine aircraft, this preparation includes engine performance and monitoring of failure precursors, definition of GO/TO nearest airports selection criteria, distance needed to reach them from cruise altitude with consideration of winds.
Icing conditions affect route selection and acceptability of ATC rerouting proposals. Fuel budget with margins is fully dependent.

response | Noted.

A new point 'appropriate threat and error management for the flight' has been added to the 'ATTITUDE' section for additional clarity.

comment | *189* comment by: *ANPI (National Flight Instructors Association)*

Acquired meteorological background and aircraft icing limitation, as well as knowledge of aerodynamic degradations due to ice are fundamental for a correct risks analysis all along intended flight. This analysis shall include:
* weather predictions error margins that may worsen the situation and the pilot's capability to detect tendencies.
* risk reduction measures to minimize icing.
* escape maneuver to get out safely from icing area.
The process starts at flight preparation and is continuously updated during the flight.

response | Noted.

In flying training Module 3, the exercise 'Preparation of ATC flight plan and IFR flight plan or log' — 'SKILL' section, point (B) has been amended to include an evaluation of weather-related threads.

comment | *190* comment by: *ANPI (National Flight Instructors Association)*

The best signature of icing, is aircraft performance reduction due to ice that may start to be noticeable with a very thin ice layer. Think also at the relative roughness K/C (ice thinkness/chord) making wing tips stalling first.
Icing during climb at a lower speed affects wings leading edge at a lower airflow burst point and may be more challenging. Also ATC controllers may require level changes placing the

	aircraft in more severe icing conditions. Pilots have to be informed not to accept possible dangerous trajectories, they have to react accordingly.
response	Noted. EASA believes that the topic 'icing' is sufficiently covered by the respective exercise in flying training Module 3 (refer to p. 64 of NPA 2016-14).

comment	*280* comment by: *Julian Scarfe* As noted in our comments on 2.4.2, the scope of Module 3 is poorly thought out. As examples drawn from Module 3: "(A) Use of the correct documents, including maps. (B) Use of charts and approach procedure plates to prepare flight plan and flight log. (C) Collating and interpreting weather documents to determine the route weather." Are we to deduce that the use of the correct documents, including maps and charts, is not important in Module 2 on instrument procedures?! Or that it is not equally important to collate and prepare weather documents? "Preparation of the ATC IFR flight plan for the route, including any off-airway sectors, and preparation of a full navigation and RTF flight log." Again, this is a competence required for the entire flight. "(A) Intercept and maintain the route or amended route, including tracking to and from a position derived from NDB or VOR or RNAV (GNSS) using aircraft display. (B) Follow the flight-planned route or any other ATC route requirements within the specified limits. (C) Identify and use navigation systems correctly. (D) Use the correct altimeter-setting procedures and show awareness of protected areas." Is there anything in A to D that is not equally or more important during an arrival, departure or approach procedure? "(A) Smooth control of heading, attitude and airspeed, power, trim and ancillary controls. (B) Correct use of autopilot where appropriate. (C) Demonstrate correct technique for instrument flight manoeuvring within specified limits. (D) Maintain balanced and trimmed flight." Again is there anything in A to D that is not equally or more important during an arrival, departure or approach procedure? In fact, **everything** is easier en-route, because it progresses more slowly and is flown to less demanding tolerances. Module 3 should deal instead with building experience of practical IFR flying:

- · differences (and similarities) between instrument approach procedures at several different airports
- · dealing with weather en-route
- · diversions and alternates
- · emergencies that may be encountered
- · different air traffic environments

Where a candidate has previous experience that delivers equivalent competences, the exercises need not be repeated.

response

Noted.

Thank you for your comments. It should be noted that flying training Modules 2 and 3 may be undertaken in any order and therefore there is the likelihood that some of the objectives may appear to overlap. EASA would be pleased to consider your detailed proposals for improving the content of this section along the lines indicated by your penultimate paragraph.

comment

289 comment by: *GNSS Centre of Excellence*

We believe some basic information about SBAS shall be added to training,
for example :

Skill: I) manage SBAS navigation in accordance with SBAS service areas

Knowledge : F) SBAS providers and their usability

response

Not accepted.

While understanding of SBAS may be particularly important for GA, this is covered in the theoretical knowledge and in the understanding of the aircraft navigation system.

comment

385 comment by: *BCAA - Licensing - Formation - Grisel*

BCAA comments :

Part-SERA items should be added.

response

Accepted.

A reference to Part-SERA has been added.

comment

408 ❖ comment by: *European Transport Workers Federation - ETF*

This guidance as to a competency checks in liaison with ATC must become a mandatory part of sign-off and renewal with regards to BIR.

response | Noted.

EASA would like to highlight that communication and coordination with ATC is a fundamental part of the 'ATTITUDE' section of the relevant modules.

3. Proposed amendments — 3.2. Draft AMC & GM (draft EASA decision) — GM1 FCL.835 Basic instrument rating (BIR) — Module 4:Optional flight with one engine inoperative (multi-engine aeroplanes only) p. 66-69

comment | *118* comment by: *René Meier, Europe Air Sports*

ATC liasion - compliance, RTF procedures
Module 4...
Knowledge
p 69/230

Question to the authors of NPA 2016-14: Was "ICAO (English level 4, minimum) standard phraseology" copied from the existing IR?

response | Noted.

Please refer to the EASA response to comment #31.

comment | *202* comment by: *Federal Office of Civil Aviation (FOCA), Switzerland*

Comment FOCA: Standard phraseology can't be at a level higher than 4 (see requirements for Levels 5 and 6 according to the ICAO Rating Scale) as it doesn't contain any grammatical structures, "higher level vocabulary" (and no idiomatic language) etc. Furthermore, especially in unusual/abnormal situations, the applicant may be required to use plain language where standard phraseology does not exist.

Proposed new text:
SKILL:
(A) Use standard RTF phraseology as far as possible and plain language as required when declaring an emergency.
(B) Seek assistance as appropriate.

KNOWLEDGE: ICAO standard phraseology and plain language (English level 4, minimum)

response | Partially accepted.

The term 'English' has been deleted — please refer to the EASA response to comment #31. With regard to your comment on 'plain language', EASA does not believe that 'use plain language' is necessary to be listed as knowledge that has to be gained during the training.

comment | *281* comment by: *Julian Scarfe*

We believe "ICAO (English level 4, minimum) standard phraseology" has been preserved in error.

response	Noted. Please refer to the EASA response to comment #31.

comment	*408* ❖ comment by: *European Transport Workers Federation - ETF* This guidance as to a competency checks in liaison with ATC must become a mandatory part of sign-off and renewal with regards to BIR.
response	Noted. EASA would like to highlight that communication and coordination with ATC is a fundamental part of the 'ATTITUDE' section of the relevant flying training modules.

3. Proposed amendments — 3.2. Draft AMC & GM (draft EASA decision) — GM2 FCL.835 Module 1: Pre-flight operations and general handling p. 70-106

comment	*58* comment by: *KSAK - Swedish Royal Aero Club* **Errors on the Pitot/Static system:** This is not necessary. This can never be influenced by the pilot and the knowledge has very little practical use when it comes to flying. The pilot has to trust the instruments Remove it completely since it is already covered at a sufficient level during PPL.
response	Not accepted. EASA holds the opinion that an understanding of pitot/static system errors aids in the appreciation of the limitations of the instruments and is more critical for instrument approaches where errors of the barometric altimeter are a main contributor to prejudicing the obstacle clearance height.

comment	*59* comment by: *KSAK - Swedish Royal Aero Club* **Different types of altimeters:** This is of very little practical use by the pilot. He will use whatever altitude he is shown no matter the type of altimeter. The basics has been covered during the PPL and that is enough.
response	Not accepted. The knowledge of the functioning and possible failures of the different altimeter types can be safety-relevant.

comment	*60* comment by: *KSAK - Swedish Royal Aero Club* **Vertical Speed Indicator:** Not relevant to have that detailed knowledge about it. The pilot will use whatever is represented to him.
response	Not accepted.

	EASA holds the opinion that an understanding of the VSI aids and its limitations is more critical for IFR than for VFR operations.
comment	*61* comment by: *KSAK - Swedish Royal Aero Club* **"Describe the construction and principles of operation of a turn coordinator (or turn and bank indicator)."** This is absolutely not relevant. The construction is simply knowledge that is of no use for practical flying. The basics are already covered in PPL and is enough.
response	Not accepted. EASA holds the opinion that an understanding of the TC aids and related instrument limitations is particularly important for instrument flights.
comment	*62* comment by: *KSAK - Swedish Royal Aero Club* **Equilibrium, Functional Anatomy:** Not necessary to go any deeper than what is already covered in the PPL training. The relevant parts are illusions.
response	Accepted. The analysis table has been amended accordingly, and this will be considered when drafting the final version of the Learning Objectives for the BIR.
comment	*63* comment by: *KSAK - Swedish Royal Aero Club* **"tropopause inversion."** Not relevant for the lighter end of general aviation. It can be removed.
response	Not accepted. EASA holds the opinion that the knowledge that there is an inversion at the tropopause is helpful.
comment	*64* comment by: *KSAK - Swedish Royal Aero Club* **"Distinguish between low-, medium- and high-level clouds according to the WMO 'cloud etage' (including heights): — for mid latitudes, — for all latitudes."** Not necessary.
response	Not accepted. Some numerical meteorological models use the classification in their outputs. A pilot that holds a BIR may be presented with a chart of 'low cloud amount' or 'medium cloud amount' to interpret.
comment	*65* comment by: *KSAK - Swedish Royal Aero Club*

	Distinguish between the two following processes by which precipitation is formed: **— summarise the outlines of the ice crystal process (Wegener-Bergeron-Findeisen);** **— summarise the outlines of the coalescence process.** Not relevant.
response	Not accepted. EASA holds the opinion that an understanding of how precipitation forms is important in understanding icing threat.

comment	*66* comment by: *KSAK - Swedish Royal Aero Club* **State the ICAO/WMO approximate diameters for cloud, drizzle and rain drops.** **State the approximate weights and diameters for hailstones.** Completely irrelevant knowledge for practical flying. What are you going to do with this information when you encounter hailstones? Please remove this.
response	Partially accepted. An understanding of droplet sizes is important in understanding icing threat. The 'weights and diameters for hailstones' is deleted.

comment	*93* comment by: *KLM aeroclub ATO* some elements have no entry in most right column (1, 2 or 3). On purpose ? Does it mean that this items can be skipped for B-IR ?
response	Noted. It is intended that a 'yes' or 'no' in the 'BIR syllabus to be covered' column is included for all LOs. Without specific examples, it is not possible to respond. EASA will however take your comment into account when further working on the BIR syllabus.

comment	*134* comment by: *René Meier, Europe Air Sports* GM2 FCL.835 Module 1: Pre-.flight operations and general handling p70-106/230 We think the "Levels 1...3" are correctly attributed to the individual LO's. Rationale We did not find contradicting items.
response	Noted. Thank you for providing this positive feedback.

comment	*191* comment by: *ANPI (National Flight Instructors Association)*

	Add AOA (Angle of Attack) indicator. More aircraft will have that instrument in the near future. It can save the day in many LOC or/and icing conditions. Need to be taken care of in flight procedures and training to get the best safety benefit.
response	Not accepted. The AOA indicator is not yet ubiquitous enough to justify inclusion in the BIR syllabus.

comment	*192* comment by: *ANPI (National Flight Instructors Association)* The concept SPRM : (single pilot resource management) looks to be adapted here.
response	Noted. However, without further specificity, it is not possible to respond.

comment	*203* comment by: *Federal Office of Civil Aviation (FOCA), Switzerland* *Comment FOCA:* the PPL syllabi in AMC1 FCL.210 don't contain any Learning Objectives. This means that each State (or even all training organisations) has to define individually these objectives and the level/depth of learning, which may lead to huge differences within the EU. Therefore, in our opinion a valid and reliable comparison between the syllabi for PPL and the Learning Objectives for the IR (including also BIR, CBM IR etc.) is impossible and the determination of an expected knowledge level for PPL is purely hypothetical (and probably too optimistic for many different topics). Furthermore, there are several items in the tables listed under PPL in column 3 (mentioning items covered in the PPL syllabus) which aren't mentioned at all in the PPL syllabi (for instance the EHSI) and are therefore very probably not instructed. In addition to this, there are several items which (according to the tables) are not covered in the PPL syllabi, respectively there is no mention (yes/no) in column 3, but despite this, an expected level of knowledge for PPL has been determined (for instance subject 40, Swiss Cheese Model, components which form safety culture according to J. Reason etc.).
response	Noted. With regard to the absence of LOs for the PPL, it has to be stressed that eventually the pilot needs to pass the theory exam following standardised LOs for the BIR. With regard to your comments on possible inconsistencies in the syllabi comparison, EASA invites you to submit a detailed analysis which could be taken into consideration for the further development of the AMC/GM material. Please refer to the EASA response to comment #268.

comment	*237* comment by: *France* **Subject:** Check terminology *Page 28/230 "Module 1: Pre-flight operations and general handling"* DGAC wonders if the term "accelerate-go distance" used the correct one. It does not match with any ICAO (or EASA) declared distance.

response | Noted.

The ‘accelerate-go distance’ has been deleted as it is not relevant to the performance of CS-23 aircraft.

comment | *246* comment by: *ECQB Team*

Please note that this comment applies not only to GM2 FCL.835, but also to GM3 FCL.835, GM4 FCL.835. In the absence of any AMC material, it is difficult to assure standardisation in the BIR training or testing. Please therefore add an additional column to AMC1 FCL.310; FCL.515(b); FCL.615(b) for the BIR, indicating with a cross ONLY those LOs that are to be included in the training course and TK exams. Please take into account the use of "Background Knowledge" that is promoted by RMT.0595, whereby certain LOs are required to be covered during training, but will not be tested in the exam. The ECQB will therefore not contain questions based directly on the "Background Knowledge" LOs. RMT.0595 is also including PBN-related elements in Radio Navigation for the CBIR and EIR, by indicating which LOs would be applicable, and providing an exam blueprint for that subject. By adding the BIR into AMC1 FCL.310; FCL.515(b); FCL.615(b), we will ensure full alignment with the LOs that are the basis for the ECQB. That AMC already clearly states that the LO tables are not a ground-training syllabus. The GMs to FCL.835 will then serve as a ground-training syllabus, and can be reduced to the LO reference numbers only (please take into account the final outcome of RMT.0595, to check for final LO numbering).

response | Noted.

Thank you for your comment which will be taken into consideration for the further process of RMT.0677.

comment | *247* comment by: *ECQB Team*

Please note that this comment applies not only to GM2 FCL.835, but also to GM3 FCL.835, GM4 FCL.835. The GM is interesting in explaining how the training syllabus for the BIR has been defined. For the final text, please consider reducing the content to a list of the relevant LO reference numbers (i.e. only the LOs that need to be taught), and deleting the 3rd, 4th, 5th and 6th columns. Much of the introductory text to the GM could then also be deleted.

1. Levels - RMT.0595 has also considered how each LO can be phrased to more clearly express the depth of learning that is to be achieved/tested.
    1. RMT.0595 has made modifications to the LOs in order to be more clear in this respect. Please see GM1 FCL.310; FCL.515(b); FCL.615(b) (proposed in NPA 2016-03(A)). It is therefore possible to draw parallels between the levels as described in this GM and the controlled use of verbs as promoted by GM1 FCL.310; FCL.515(b); FCL.615(b) and applied when updating the LOs. In some cases, the expected level of knowledge as expressed in the GM is not clearly matched by the LO concerned. For example, LOs using the words "State", "Define", "List" typically address the lowest level of cognitive learning, i.e. remember. This can be equated to the "level 1" described in the GM. E.g. the 1st LO under 040 02 02 04 has ECQB questions that really address lower levels of comprehension, and certainly do not reach the level 3 as described in the GM. E.g. 062 02 02 02 the 4th and 5th LOs require very simple calculations to be made, and at most are level 2 according to the scale described.

2. Regarding level 3, there are very few individual LOs that require the candidate to demonstrate this level of understanding. That level assumes testing a candidate's understanding in multiple subjects (where Part-FCL has "Air Law", "Meteorology" etc. as individual subjects). In terms of the ECQB content, we cannot assume someone sitting a Meteorology exam has already studied Flight Planning and Navigation. ECQB questions do not test an applicant's ability to explore the interrelationship between subjects; given the Aircrew Regulation's flexible approach towards the structure of any training course and the sequence in which a candidate can take exams, it is not possible to assume that a candidate sitting an exam in one subject has even started to study for another subject. Area KSA 100 in RMT.0595 does promote assessing the student's knowledge across subjects, but this is proposed to only be applicable to licence applicants. The BIR may wish to consider adopting the Area KSA 100 approach as a means of applying "level 3".
3. Finally, the word "level" in this GM has a different meaning, compared to how it is used in FCL.835 (f), which by implication means reaching a pass mark of 75% or higher per exam paper, as per FCL.025 (b).

2. For the ECQB, it would be very helpful to have guidelines on identifying/drafting questions appropriate for BIR candidates. These need not be published as GM.

response

Noted.

Thank you for your comment which will be taken into consideration for the further process of RMT.0677.

comment

248 comment by: *ECQB Team*

Please note that this comment applies not only to GM2 FCL.835, but also to GM3 FCL.835, GM4 FCL.835. Please carry out a check with the final outcome of RMT.0595 to ensure that there are sufficient LOs in each module that are NOT "Background Knowledge". In the future the ECQB will not contain questions based on Background Knowledge LOs. This is important for the exam integrity. For each of the three exams, any blueprint topic (e.g. 010 05 00 00, 062 02 00 00) the number of required questions should be based on a larger number of LOs. E.g. if 2 questions are to be set in an exam paper on 010 05 00 00 and only 1 LO that is not Background Knowledge has been identified as applicable by the BIR syllabus, this cannot ensure a balanced testing of the candidate's knowledge.

response

Noted.

Thank you for your comment which will be taken into consideration for the further process of RMT.0677.

comment

249 comment by: *ECQB Team*

Please note that this comment applies not only to GM2 FCL.835, but also to GM3 FCL.835, GM4 FCL.835. Please provide AMC material containing exam blueprints for the BIR, ensuring that there is no overlap of subject topics in different exams. You may wish to indicate that the three exams should be taken at the end of the training. It may be possible to fit them all into 1 day/1 sitting.

1. Using LOs from the same syllabus topic in different modules creates difficulties for the ECQB - the exam blueprints published as AMC to ARA.FCL.300 go down to the 2nd level of detail in the syllabus (the topic, e.g. 010 04 00 00 Personnel licensing). The ECQB is managed to ensure that its content supports the blueprints. The three modules proposed in the GMs to FCL.835 sometimes have the LOs from the same blueprint topic on different modules. E.g. both module 1 and module 3 take LOs from 010 05 00 00. This creates an additional administrative burden on the ECQB team to ensure that there would be sufficient questions to support any exam blueprint. It is not clear how exams could be generated that ensure only questions based on the appropriate LOs appear on any exam. One solution is to ensure that any LOs falling under the same blueprint topic are only examined in 1 module/exam. So for example, the LOs from 010 05 00 00 would be tested under only module 1 or only module 3. Please make a thorough check on the three modules and revise the structures so that LOs falling under the same blueprint topic are only tested in 1 module.
2. Do not test the same LOs in different exam papers - the exam integrity cannot be assured if the same LOs are to be tested in more than 1 exam. Otherwise it is very possible that a candidate can see the same ECQB questions in multiple exam papers. In 6 b. e.g. both module 1 and module 3 take the same LOs from 010 05 00 00 and require the same difficulty level 3 (In module 1, the expected level of knowledge of LO 010 05 03 00 “Describe the required actions to be carried out if the continuation of a controlled VFR flight in VMC is not practicable anymore” identified for PPL is 2, but in module 3, the expected level of knowledge of the same LO identified for PPL is 3).

response

Noted.

Thank you for your comment which will be taken into consideration for the further process of RMT.0677.

comment

255 comment by: *GNSS Centre of Excellence*

CBM IR abbreviation shall be changed in whole document to CB-IR

response

Accepted.

Please refer to the EASA response to comment #135.

comment

290 comment by: *GNSS Centre of Excellence*

This is one of our major issues mentioned, in first comment.

This issue same for many parts of this NPA from page 71 to 229

Theoretical learning objectives are based on **AMC5 FCL.615(b) IR – Theoretical knowledge and flight instruction.** Although this is the valid legislation at this time, EASA rmt0.595 is alredy preparing new theoretical knowledge LOs for, besides other qualifications, CB-IR.
Using the current PART-FCL version of TK LOs is inappropriate, because, as stated in NPA 2016-03, “(existing) syllabi and LOs must be urgently reviewed and updated”.
Therefore there are some obsolete LOs such as:
„062 06 01 01 State that there are two main GNSSs currently in existence, with a third one planned to be fully operational by 2011.“

There is large number of LOs and related theoretical knowledge which are according to NPA 2016-14 meant to be covered in BIR, but NPA 2016–03 states that they are not necessary either for CB IR or IR, Ffor example 050 05 01 01. Furthemore, on other hand and more importantly, a lot of LOs and knowledge which was added in NPA 2016-03 are missing in NPA 2016-14, for example ***062 02 01 01 Principles of radionaviagationaids*** and many more**.**

BIR shall be based on theoretical knowledge as published in NPA 2016-03, hence NPA 2016-14 shall change accordingly. Morevoer, a new comparison shall be conducted for theoretical knowledge for PPL training (in a similar way to that done on page 70, but with relevant LOs from NPA 2016-03)

Furthemore, neither too much nor too little information is desirable. If this NPA proposes some redundant theoretical knowledge, it is confusing for pilots but not dangerous. However, some Los,now understood as essential (according to NPA2016-03), are missing and this may lead to a serious hazard!

We propose that this part of this NPA shall be reworked and shall be based on outcome of RMT 0.595. We understand that it would take lot of work to change this NPA to correspond with NPA 2016-03, but we believe it is necessary. Especially because most of theory training for BIR will be done independently by pilots without TKI and therefore they need to know what part of the syllabus is important for them.

remark: If needed, we are ready to help with any necessary work to change this NPA properly, because we believe this change s really important.

response

Noted.

An update of the existing LOs has been published already (refer to ED Decision 2018/001/R). These updates will be considered when finalising the LOs for the BIR.

comment

355 comment by: *AOPA Sweden*

AOPA Sweden strongly suggests that the GM2 is revised to remove items not necessary for the BIR holder.
Many of them are covered already on PPL level which should be enough.

Examples:
different types of altimeters
Vertical speed indicators (reduce details)
Construction and principles of operation of a turn co-ordinator.
Equilibrium functional anatomy (too deep into details)
Tropopause inversion (not relevant for BIR holders)
Two types of processes by which preciptiation is formed (not relevant)
Diameters of Cloud, Rain and drizzle drops (not relevant)

response

Partially accepted.

Please refer to the EASA responses to comments #58 and #66.

comment	*369* comment by: *CTU in Prague* Comparison is based on outdated LOs. NPA 2106-03 proposes significant changes in theoretical training. In this state is usability of this comparison very limited, because pilots will have do their own comparison when NPA 2016-03 will become AMC to PART FCL. We suggest to rework the whole comparison based on changes in AMC based on NPA 2106-03.
response	Noted. Please refer to the EASA response to comment #290.

comment	*386* comment by: *BCAA - Licensing - Formation - Grisel* Belgian CAA comments : AWR, HF-volmet, SELCAL, TCAS, ACARS should not included in the LOs as this rating will apply only for single-pilot non-high-performance aeroplane
response	Partially accepted. The HF-VOLMET, AWR, SELCAL and ACARS as well as the TCAS phraseology will be deleted from the syllabus.

comment	*394* comment by: *BCAA - Licensing - Formation - Grisel* Belgian CAA comments : Some elements should be emphasized : - Flight planning (meteo minima); - Partial panel exercises. - Why route weather determination/flight planning is seen in module 3 instead of module 1? - EIR holders will not be trained in module 3 to get a BIR. Or, route weather determination/flight planning elements are seen in this module. Those elements are not part of the EIR. Those items should be transfered in module 1.
response	Noted. The flying training modules have been designed in a way that no module is overloaded. In order to obtain the BIR, all flying training modules need to be completed, so in the end all elements of the course will have been covered by the training undertaken.

3. Proposed amendments — 3.2. Draft AMC & GM (draft EASA decision) — GM3 FCL.835
Module 2: Departure, precision (3D) approach procedures and non-precision (2D) approach procedures p. 107-174

comment	*33* comment by: *Flughafen Berlin Brandenburg GmbH*

	In order to support a holistic approach for the (potential) implementation of an ARIWS (as proposed in NPA 2016-10), the training syllabus for shall contain the application and characteristics of those new lighting elements.
response	Not accepted. General updates to the LOs for ATPL, CPL and IR are not within the scope of RMT.0677.

comment	*67* comment by: *KSAK - Swedish Royal Aero Club* **"List the conditions for the installation of an AD beacon and describe its general characteristics."** Not relevant information. There are also some national differences here. This has very little to with practical flying and the PPL knowledge is enough. Please remove it.
response	Accepted. This LO will be deleted.

comment	*68* comment by: *KSAK - Swedish Royal Aero Club* **"Interpret typical AWR images."** Very few aircraft in this sector have this kind of equipment, less than 1%? This should be removed to lighten the burden for everybody. This is typical knowledge that is up to the pilot to learn on his own responsibility. Most pilots will never touch a radar.
response	Accepted. The LOs under 062 03 03 00 (‘Airborne weather radar’) will be deleted.

comment	*69* comment by: *KSAK - Swedish Royal Aero Club* **"State that an NDB station emits a NON/A1A or a NON/A2A signal."** This is hardly relevant for the practical flying. Please remove it.
response	Not accepted. For the time being, NDBs are still in use and will continue to do so for an indeterminate time. Hence, NDB-related knowledge needs to be part of the BIR syllabus.

comment	*70* comment by: *KSAK - Swedish Royal Aero Club* **Interpret the following Mode S terms:** **— selective addressing,** **— mode ‘all call’,** **— selective call.** Not relevant knowledge for the pilot. At least not on a deeper level than PPL.
response	Accepted. The table for this LO in 062 03 04 02 will be adjusted accordingly.

comment	*71* comment by: *KSAK - Swedish Royal Aero Club* **State that Mode S interrogation contains either:** **— aircraft address,** **— all-call address,** **— broadcast address.** Not relevant knowledge on a deeper level than PPL. Remove please.
response	Accepted. The table for this LO in 062 03 04 02 will be adjusted accordingly.

comment	*72* comment by: *KSAK - Swedish Royal Aero Club* **ELEMENTARY SURVEILLANCE:** This is not relevant! Please remove it since this is of no practical use for the average BIR pilot.
response	Not accepted. The pilot does need to know that the aircraft identification must correspond with FPL or registration.

comment	*73* comment by: *KSAK - Swedish Royal Aero Club* **Errors and accuracy:** Not relevant on a deeper level than PPL.
response	Accepted. The table for this LO in 062 03 04 04 will be adjusted accordingly.

comment	*74* comment by: *KSAK - Swedish Royal Aero Club* **State that there are two main GNSSs currently in existence, with a third one planned to be fully operational by 2011. These are:** 2011? Hardly relevant or needs to be corrected. Is this really relevant to the pilot on a deeper level than PPL?
response	Partially accepted. Awareness of the names of constellations is useful. The general update of the LOs is beyond the scope of this rulemaking task, but it is noted that the introductory sentence is unnecessary.

comment	*75* comment by: *KSAK - Swedish Royal Aero Club* **NAVSTAR GPS:** Not relevant at all for the pilot. He/she can not do anything about it. Please remove it.

response	Not accepted. Awareness of the principles of operation of GPS is useful to the pilot.

comment	*135* comment by: *René Meier, Europe Air Sports* GM3 FCL.835 Module 2: Departure... p 107-174/230 We think the "Levels 1...3" are correctly attributed to the individual LO's. Rationale We did not find contradicting items. Remark Both abbreviations, CB-IR and CBM-IR are used, here it is CBM-IR, in other areas it was CB-IR. We propose to only make use of CB-IR throughout the entire NPA. Rationale To avoid misunderstandings and confusion.
response	Accepted. Thank you for your comment; the abbreviations will be changed to read ‘CB-IR’.

comment	*168* comment by: *AOPA (UK)* AOPA (UK) considers that syllabus reference 010 09 04 02 'Markings' is adequately covered in the PPL syllabus and requires no greater expected level of knowledge for the BIR; the topic does not need to be included in the BIR syllabus.
response	Not accepted. VFR and IFR runway markings are different, hence this topic should be addressed in the BIR syllabus.

comment	*169* comment by: *AOPA (UK)* Although a Night Rating is not a prerequisite for the BIR and VFR/SVFR limits must apply at aerodromes where the privileges of the BIR may be exercised, AOPA (UK) recommends that syllabus reference 010 09 04 03 'Lights' should remain in the BIR syllabus in order to be credited for CB IR theoretical knowledge requirements.
response	Noted. The table indicates that the LOs under 010 09 04 03 will be part of the BIR syllabus, with one exception for which please refer to the EASA response to comment #67.

comment	*170* comment by: *AOPA (UK)*

	AOPA (UK) considers that syllabus reference 010 09 04 04 'Signs' is adequately covered in the PPL syllabus and requires no greater expected level of knowledge for the BIR; the topic does not need to be included in the BIR syllabus.
response	Accepted. The table for this LO in 010 09 04 04 will be amended accordingly.

comment	*171* comment by: *AOPA (UK)* Although a Night Rating is not a prerequisite for the BIR and VFR/SVFR limits must apply at aerodromes where the privileges of the BIR may be exercised, AOPA (UK) recommends that syllabus reference 010 09 08 03 'Approach lighting systems' should remain in the BIR syllabus in order to be credited for CB IR theoretical knowledge requirements.
response	Noted. The table indicates that the LOs under 010 09 08 03 will be part of the BIR syllabus.

comment	*172* comment by: *AOPA (UK)* AOPA (UK) considers that syllabus reference 062 06 02 00 ***European Geostationary Navigation Overlay Service (EGNOS)*** incorrectly states that '3 geostationary Inmarsat satellites are used'. This is no longer true as other satellites are now used. There is no need for the names of these to be known, so we recommend that this LO should read 'State that EGNOS consists of a network of ground stations supporting 3 geostationary satellites which transmit satellite navigation correction data'.
response	Noted. Please refer to the EASA response to comment #290. A further review of the LOs is outside the scope of RMT.0677.

comment	*194* comment by: *Uhland Burkart* Given that - the use of NDB in general and for approaches specifically is rapidly phasing out - the number of NDB stations is rapidly decreasing - the NDB approaches tend to be the most non precision approaches compared to VOR or GPS approaches in D2 approaches and the fundamental idea of the BIR is to make IFR flying and training simpler and more accessible to non professional pilots it is recommended to take NDB approaches out of the privileges and therefore out of skill tests for the Module 2 part of the BIR.

	It is recommended to include those old and nearly obsolete approaches (i.e.NDB approaches) on an information only part in the syllabus and teach those NDB approaches only during training and NOT include these approaches in the practical skill tests for examination, proficiency tests and renewals.
response	Not accepted. Until ground-based NDB is completely withdrawn, training on this subject is still necessary in certain parts of Europe.

comment	*204* comment by: *Federal Office of Civil Aviation (FOCA), Switzerland* see comment under GM2 FCL.835 (page 70)
response	Noted. Please refer to the EASA response to your comment on GM2 FCL.835 (page 70).

comment	*239* comment by: *France* **Subject:** Expected level of knowledge for BIR: LO 62-02-03-02 For LO 62-02-03-02 DGAC believes that the level of knowledge for a BIR applicant should be level 2 and not level 1
response	Accepted. The table for this LO in 062 02 03 02 will be amended accordingly.

comment	*240* comment by: *France* **Subject:** Expected level of knowledge for BIR: LO 62-02-04-02 For LO 62-02-04-02 DGAC believes that the level of knowledge for a BIR applicant should be level 2 and not level 1.
response	Accepted. The table for this LO in 062 02 04 02 will be amended accordingly.

comment	*250* comment by: *ECQB Team* Please see the comments made to GM2 FCL.835 by the ECQB Team and apply the same principles.
response	Noted.

	Thank you for your comment which will be taken into consideration for the further process of RMT.0677.

comment	*303* comment by: *NATS National Air Traffic Services Limited* **010 08 02 00** The Term 'Integrated Aeronautical Information Package' (IAIP) will be replaced (Annex 15 Amendment 40 planned) with the term "AIS Products". We suggest removing the term IAIP from the list, as all AIS products are already listed in the table
response	Noted. Please refer to the EASA response to comment #290. A further review of the LOs is outside the scope of RMT.0677.

comment	*304* comment by: *NATS National Air Traffic Services Limited* **010 08 04 02** General Comment: The term NOTAM's should read as NOTAM as that word is a representation of Notices to AIRMEN (Plural).
response	Noted. Your comment will be considered for the next review of the LOs.

comment	*305* comment by: *NATS National Air Traffic Services Limited* **010 08 04 02** The table states that the requirement to "*Summarise the essential information which leads to the issuing of a NOTAM."* is neither part of the PPL syllabus or the BIR syllabus. However it is identified in the table as expected knowledge level 2? If the subject is not part of the training syllabus then it should either be removed from the table or become part of the training syllabus.We suggest amending column 'PPL Syllabus' or 'BIR syllabus' to read 'Yes'
response	Accepted. The table for this LO in 010 08 04 02 will be amended accordingly.

comment	*356* comment by: *AOPA Sweden* Remove or re-write some items that are far too detailed or irrelevant for the BIR holder: For instance: Interpretation of AWR images. (Very basic level is enough. Training can be performed when taking differences training)

	NDB details, ie. NON/A1A or NON/A2A. (NDBs are in a few years obsolete and are already being decommisioned at large scale.) Errors and accuracy (too detailed)
response	Accepted. Please refer to the EASA response to comment #68.

comment *409* comment by: *European Transport Workers Federation - ETF*

Page 118 Describe the circumstances under which a reduction in separation minima may be allowed.	Corresponding knowledge level should be '2'.	This should be considered with a practical application
Page 119 Describe the general tasks of the aerodrome control tower (TWR) when issuing information and clearances to aircraft under its control.	Corresponding knowledge level should be '2'.	The consequences of this are in the practical.
Page 119 Name the operational failure or irregularity of AD equipment which shall be reported to the TWR immediately.	The corresponding knowledge level should be '2'.	The consequences of this have the potential to have a significant impact on ATS.
Page 120 Define the term 'PSR'.	This should be amended to include 'and understand the consequences of ATC operating PSR-only' with a corresponding knowledge level change to '2'.	The consequences of this have the potential to have a significant impact on ATC.
Define the term 'radar vectoring'. State the aims of radar vectoring as shown in ICAO Doc 4444. State how radar vectoring shall be achieved.	These should be amended to include 'and understand the practical application of vectoring'. This should include a corresponding knowledge level change to at least '2'.	Vectoring is one of the key tenets of access to IFR inside CAS.
Page 126 Name the colours used for mandatory instruction signs.	The corresponding knowledge level should be at least '2'.	These are imperative to the safe operation of an aerodrome.

Page 128 Interpret all data and information represented on SID and STAR charts, particularly: — routings, — distances, — courses, — radials, — altitudes/levels, — frequencies, — restrictions.	This should be '3'.	This should be kept in line with the interpretation of all data and information represented on Approach Charts on page 129 with corresponding knowledge level of '3'
Page 129 State the reasons for being familiar with instrument approach procedures and appropriate data for departure, destination and alternate airfields. Select instrument approach procedures appropriate for departure, destination and alternate airfields.	The corresponding knowledge level for these two items should be '3'.	The expectation from ATS will always be that the level knowledge will be '3' in these circumstances.
Page 151 Explain that primary ground radar is used to detect aircraft that are not equipped with a secondary radar transponder.	Should be as a minimum '2'.	Understanding of this concept is more critical than the knowledge level of '1' allows for.
Page 151 Explain that the radar display enables the ATS controller to provide information, surveillance or guidance services.	Should be as a minimum '2'.	Understanding of this concept is more critical than the knowledge level of '1' allows for.
Page 154 Explain that the ground ATC secondary radar uses techniques which provide the ATC with information that cannot be acquired by the primary radar.	Should be as a minimum '2'	Understanding of this concept is more critical than the knowledge level of '1' allows for.
Page 179 State the modes and codes that the pilot shall operate in the absence of any ATC directions or regional air navigation agreements.	Knowledge level should be '2'.	Understanding of this concept is on a practical level.
Page 180 Name the purpose of clearances issued by an ATC unit.	Knowledge level assigned should be '2'.	Knowledge of this is on a practical level.
Page 185 Describe the circumstances under which a reduction in separation minima may be allowed.	Knowledge level assigned should be '2'.	This will require a practical application
Page 186	Repetition of some points on page 120, see	

	previous draft comments and notes to those references.	
Page 188 State what is meant by the expression 'strayed aircraft' and 'unidentified aircraft'.	Knowledge level should be assigned on a practical basis of '2'.	The potential impact on ATS for strayed and unidentified aircraft is significant.
Page 223 Describe the type of flights to which PAN MEDICAL applies. List the content of a PAN MEDICAL message in correct sequence. State the DISTRESS procedures. Define 'DISTRESS'. Describe the action to be taken by the station which receives a DISTRESS message. Describe the action to be taken by all other stations when a DISTRESS procedure is in progress. List the content of a DISTRESS message. State the URGENCY procedures. Define 'URGENCY'. Describe the action to be taken by the station which receives an URGENCY message. List the content of an URGENCY signal/message in the correct sequence.	Knowledge level should be '3'.	Consequences of this on ATS are potentially significant.

response

Partially accepted (with the exceptions describe below).

The definition of PSR is a level 1 item.
The syllabus item 'Signs' will be removed from the BIR syllabus as it is not an IFR topic.
For the items on p. 223, these are equally relevant for IFR and VFR operations.

3. Proposed amendments — 3.2. Draft AMC & GM (draft EASA decision) — GM4 FCL.835 Module 3: En-route IFR procedures p. 175-229

comment

76 comment by: *KSAK - Swedish Royal Aero Club*

Operation of ACAS equipment

Very few aircrafts has these systems and it should be up to the pilot to aquire this knowledge before operations.

response

Not accepted.

The very simple LO ('Describe the main reason for using ACAS') is relevant for pilots that operate in the same environment as ACAS-equipped aircraft.

comment	*77* comment by: *KSAK - Swedish Royal Aero Club* **Describe and asses the 'St. Elmo's fire' weather phenomenon** Few pilots will ever experience this. The knowledge covered by PPL is definitely enough.
response	Accepted. The table for this LO in 050 09 04 03 will be amended accordingly.

comment	*78* comment by: *KSAK - Swedish Royal Aero Club* **- pushback?** We find it extremely rare that someone with a BIR should use pushback at an airport. This can be removed completely.
response	Not accepted. This is a label in a list of (otherwise) relevant flight phases and includes, for example, starting engines.

comment	*79* comment by: *KSAK - Swedish Royal Aero Club* **MORSE CODE** It needs to be absolutely clear that the BIR holder shall never be required to learn morse code fluently. That has very little relevance to practical IFR flying. **SELCAL, TCAS, ACARS phraseology and procedures.** Not relevant for the light GA fleet. Please remove it.
response	Accepted. Please refer to the EASA response to comment #386.

comment	*136* comment by: *René Meier, Europe Air Sports* GM4 FCL.835 Module 3: En-route IFR procedures p 175-229/230 We think the "Levels 1...3" are correctly attrributed to the individual LO's. Rationale We did not find contradicting items.
response	Noted. Thank you for providing this positive comment.

comment	*205* comment by: *Federal Office of Civil Aviation (FOCA), Switzerland* see comment under GM2 FCL.835 (page 70) and GM3 FCL.835 (page 175)

response	Noted. Please refer to the EASA responses to the comments on GM2 FCL.835 and GM3 FCL.835.

comment	*251* comment by: *ECQB Team* Please see the comments made to GM2 FCL.835 by the ECQB Team and apply the same principles.
response	Noted. Thank you for your comment which will be taken into consideration for the further process of RMT.0677.

3. Appendix A — Attachments

NPA_2016-14_issues (1).pdf

Attachment #1 to comment #285

NPA 2016 14 NATS letter.pdf
Attachment #2 to comment #383

Level 6 Validity Limitation.pdf
Attachment #3 to comment #241