

Organised by FS.3 Aircrew and Medical Department

AGENDA



Agenda & Schedule
Meeting Aircrew TeB
Date 28.01.2021
Location WebEx

Organised by FS.3- Aircrew and Medical Department

Starting Time	09.30h
Ending Time	16.00h
List of expected participants	Aircrew TeB members, alternates and observers EASA staff

Time	Topics for Discussion	Presenter(s)
	Opening	B. Bourdon
09:30	Adoption of the agenda	
09:35	Review of open action items	D. Doust
09:40	Feedback on post-Brexit experience <ol style="list-style-type: none"> UK TF 50 - SOLI Applications received post Brexit UK TF 50 - SOLI applications received prior Brexit ORA.ATO.150 - IR Skill test in a MS AESA Spain- Pilots with TKA issued by UK CAA who would like to rely on EU127 after 31 December 2020 	EASA/CION/NCAS
10:10	Feedback on Covid-19 & status of exemptions	S. Chollet D. Doust
10:40	EASA update <ul style="list-style-type: none"> Digitalisation of processes (electronic signatures) Standardisation Survey outcome ECOB (AltMoC development/KSA100 WS) Appendix 9 Helicopters 	B. Bourdon/ H. Rodenburg, L. Cardoso Ribeiro F. Condron/ D. Doust C. Kuchek
	Topics for discussion: <ol style="list-style-type: none"> AESA Spain- IRB privileges when an RNP APCH is not practicable CA Belgium/LBA Germany – training on third country aircraft CA Norway- Provisions for validation for ferry flights Traficom Finland- F(A) or SEP/IR to MPL licence holder CA Poland- privileges holder PPL(A/H) to exercise LAPL(A/H)/instructor certificate privileges extension endorsements. CA Poland- instructor certificate privileges extension endorsements 	EASA/ NCAS
12:00	Lunch break	
13:30	Topics for discussion: <ol style="list-style-type: none"> FOCA Switzerland- Revalidation / Renewal of an IR combined with an initial class or type rating/VOR and NDBs are availability, change from conventional exceptions to DRN 	EASA/NCAS



	<ol style="list-style-type: none"> AESA Spain - Use of aircraft points (a), (b), (c) or (d) of Annex I to Regulation (EU) 2018/1139 by ATO or DTO EASA - the CPL skill test in section 5, point "c" there is an item "Forced landing (simulated)" LBA Germany - Possibility of ATO transfer for courses LBA Germany - FCL.905.TR1 TR1 – Privileges and conditions DGAC France – Mountain rating (FCL.815) skill test and glacier DGAC France – Additional training for a TRE seeking the privilege to conduct assessment of competence for the issue, validation or renewal of a TR or SF Traficom Finland –FI refresher seminars - general or category specific? Traficom Finland- MP ops endorsement mandatory for SP class ratings, or only for SP type ratings? 	
15:50	AOB: <ul style="list-style-type: none"> EASA – Easy access rules agreed positions proposal FOCA Switzerland- Crediting of KSA 100 in case of ATR(L)A towards ATR(L)H LBA Germany- Interpretation of AMC1 ORA.ATO.230 (b) (d) (5) "Proficiency checks" LBA Germany – Under certain conditions, Part FCL, Appendix 9 General offers the possibility of carrying out training for SP aircraft on the aircraft. LBA Germany -EASA type rating and licence endorsement list – flight crew Poland CAA - English language proficiency for IR 	EASA/ NCAS
16:00	End of meeting	

Related Links/ Documents:

Stored in DMS, meeting 2021-01:

<https://docs.easa.europa.eu/case/eab/mabtebs/AirCrewTeB/Forms/AllItems.aspx>



MoM Distribution:

Aircrew TeB members, alternates, and observers
 European Commission (COMMISSION)
 EASA participants

MoM prepared by	Olga RANDO	Date 01.02.2021	Signature
MoM reviewed by	Daan DOUSI	Date 02.02.2021	Signature
MoM reviewed by	Bernard BOURDON	Date 02.02.2021	Signature

1. Opening and adoption of the agenda

Presented by: *Bernard BOURDON*

B. Bourdon welcomes the participants and gives an overview of the agenda.
 Collection of AOB items: No new additional items.

2. Review Action items

Presented by: *Daan DOUSI*

- | | | | |
|--------------------------|--|------------|---|
| <input type="checkbox"/> | Aircrew TeB to provide their current practices in regard of use of electronic signatures by next Aircrew TeB meeting | ... 26 May | <input type="checkbox"/> EASA Advisory Bodies Members |
| <input type="checkbox"/> | FI refresher course | ... 26 May | <input checked="" type="checkbox"/> DOUSI Daan |
| <input type="checkbox"/> | PPL issue during MPL/ATP integrated | ... 26 May | <input checked="" type="checkbox"/> DOUSI Daan |

- Sharing practices for electronic signatures: deadline delayed to next meeting in May.
- FI refresher course: Position paper will be shared with MoMs. To be closed during next meeting in May.
- PPL issue during MPL/ATPL integrated framework: Position paper will be shared with MoMs. To be closed during next meeting in May.

3. Feedback on post-Brexit experience

Presented by: *EASA staff/ COMMISSION/ NCAs*

1. FOCA pending transfer applications
2. Commission/UKTF - SOLI Applications received post Brexit
3. Commission/UKTF - SOLI applications received prior Brexit
4. ORA.ATO.150 - IR Skill test in a MS
5. AESA Spain- Pilots with TKA issued by UK CAA who would like to rely on EU27 after 31 December 2020.

IAA Ireland comments that they have 360 transfers in progress, 40 sent after the 1 January 2021. Some of the issues are:

- The UK CAA are refusing the payments as being too late, possibly related to a 15 January 2021 deadline.
- There is some confusion over IR skill test conducted outside of the UK.
- IAA has received questions from EU citizens whether there is a mechanism to resurrect previous Irish licence.
- IAA questions about a possible credit of the theoretical examination passed in the UK.



FOCA Switzerland explains that the transfers after 1st of January 2021 are pending. There is a case of a pilot who asked for transfer still in 2020 but had to stop it due to employment with an UK operator. FOCA is searching for the possibility to credit his ATPL TK.

CAA Denmark explains that they received a large amount of applications before the deadline and most of the transfers are completed. However, there are some transfer issues: involvement of UK AMEs, signature.

Traficom Finland points out that:

- Due to national laws the completion of transfer processes is possible to achieve in early 2021.
- UK is still included on the list where there is an automatic validation from ICAO. EASA confirms that the UK needs to be removed from the list for ICAO automatic licence validation regime.
- UK does not require pilots to return their old UK licences.

LBA Germany mentions some issues related to the transfer after January 2021. LBA comments that the UK set a deadline for ongoing transfers, so it will stop the procedures after 15 January 2021.

DGAC France comments on the following issues:

- There are 20 transfers still pending, they will issue licences in early 2021 to complete the transfer initiated before 1 January.
- They have received several questions of UK LAPL licence holders residing in France with no possibilities for conversion. DGAC FR considers the solution to get a PPL through crediting on the basis of a recommendation of an DTO/ATO
- DTOs with FIs holding an UK licence are losing many valuable instructors.
- ORA.ATO.150 – an UK ATO is asking for an exemption to perform IR in the UK.
- Holders of UK CC certificates working in French company – no transfer provisions or delegated acts to facilitate acceptance. This implies CC holders require to complete again full initial training.
- French licence holders passed the revalidation with UK AME.

AESA Spain comments on the transfer issues for applications in 2021:

- Awaiting 25 transfers' process.
- Post Brexit, pilots want to convert based on credit TK exams.

The COMMISSION explained its positions, which have also been coordinated internally with UKTF (Commission Brexit Task Force), The transition period of Brexit has ended on 31 December 2020 and the new relationship is governed by the Trade and Cooperation agreement between the UK and EU, which was agreed in late December:

1. SOLI received after end of Brexit transition period: from 01.01.2021, UK is fully treated as a third country. NAAs should no longer accept new applications from holders of UK issued licenses for the change of competent authority. As regards those licenses, the Commission Delegated Regulation (EU) 2020/723 laying down detailed rules with regard to the acceptance of third-country certification of pilots applies: EU framework under the said delegated regulation does not allow crediting of third-country theoretical exams. The use of Article 71 of the Basic Regulation by NAAs would be also difficult to justify here, since the precondition for the application of Art. 71 is for the issues to be of an urgent unforeseen nature whilst Brexit has been known for 4 years. There might be some rare cases of urgent operational needs, like the risk of grounding of aircraft due to lack of properly licensed pilots, but such situations could also be adequately addressed through a temporary validation (under delegated Regulation (EU) 2020/723), where possible. The Commission also confirmed that it does not have any plans to extend the Trade and Cooperation agreement to areas such as FCL, nor will there be any extension of transitional provisions. EASA (B. Bourdon) also highlights the issue with the UK LAPL holders which are not ICAO complaint and thus do not qualify for acceptance under Delegated Regulation (EU) 2020/723. EASA (D.Dousi) clarified that the UK LAPL issued could be solved by advising the holders to first obtain the UK PPL and class 2 medical certificate followed by applying for the



acceptance of third country licences under Delegated Regulation (EU) 2020/723. DGAC France reiterates that there is no possibility to transfer CC attestations.

2. SOLI received prior to end of transition period (but still ongoing): Since the aviation safety rules are silent on this matter, Article 28 of withdrawal agreement could be used as the legal basis by analogy for allowing ongoing transfer procedures (started in 2020) to be completed in 2021, unless specific issues apply (e.g. UK not cooperating).

Discussion on ORA.ATO.150 IR skill test in an EASA member state

EASA (F. De Nardis) describes the contents of the ORA.ATO.150 explaining that the need for acclimatisation flights is stemming from the differences in the IR practices linked to airspace structures or different navigation standards present in third countries. The flights are aimed at gaining sufficient understanding and confidence in the use of EU IFR procedures. Therefore, after the existing differences are assessed, the ATO should define the training (including acclimatisation flights) to acquire the necessary competence to fly under IFR in EU. Even in the cases where these differences are minimal, some flights should be performed to address these requirements. This training should also be part of the syllabus. Acclimatisation flights should include exposure to all the elements of IR navigation (departure, en-route, approach, G/A and AFTM management) up to proficiency. It has also been pointed out that the regulatory item is composed by two points: - a) That affects training and - b) That points at the conduct of the skill test. After internal review EASA recognizes that the elements of training (point a) are under the ATO responsibilities. With regards to the skill test (point b), although the provision is contained in Part-ORA, this is out of the scope of the ATO oversight as the skill test is an element related to licensing (under the NCA responsibility).

DGAC raises the question on ATO L3Harris that is asking for a flexibility provision to perform the ST in UK due to CoViD-19 quarantine limitations. EASA acknowledges the issue and replies that DGAC is in the position to process a flexibility provision request. DGAC highlights some doubts regarding the involvement of the NCA, furthermore proposes a “blanket exemption” for all MS on this matter. In the interest of time the discussion with DGAC has been postponed to a dedicated meeting with EASA.

Discussion on possible BASA

The Commission highlighted that the Trade and Cooperation agreement is a comprehensive agreement that also includes aviation safety. Therefore, there will not be any stand-alone BASA. The Trade and Cooperation agreement covers only aircraft design and manufacturing certification and thus does not include any provisions related to air crew licensing. There is also currently no interest on either side to enlarge the agreement to licensing. UK has repeatedly announced that it wants to diverge from EU rules and any extension of recognition of licences or training would also have to take account of the interests of the EU industry and ensure a level playing field between EU and UK.

Discussion on acceptance of completed TK exams

AESA Spain raises the questions related to theoretical examinations:

1. UK CPL licence with ATPL TK done in UK, is there a credit for ATPL TK?
2. In the case of a UK licence holder but completed the ATPL TK in an EU27 Member State?

DGAC France stated that it should be possible to credit EU 27 TK exams. Also, IAA Ireland questions if the EU27 TK exam is still valid (FCL.025), whether it can be accepted.

COMMISSION states that if an existing EU law provides flexibility, then we can use it (like the FCL.025 solution), otherwise there are no possibilities. This might lead to individual hard cases; however the transition period was there exactly in order to avoid such situations.

EASA highlights that this needs to be further reviewed especially as regards a TK exam completion certificate which was issued by an EU27 NAA and still being within its validity period.

#AI: EASA to provide a reply. *Post meeting note; The matter was considered by EASA in consultation with the COMMISSION and it was concluded that exams done under UK CAA cannot be credited neither for the purpose*



of the purpose of an initial Part FCL license, nor for the purpose of converting a UK CAA license under Delegated Regulation (EU) 2020/723. However, a theoretical knowledge examination certificate issued by an EU27 MS which is still within its validity period can be accepted both for the purpose of an initial license issuance or for the purpose of a conversion of a third country license. . Also, validations could be issued by NAAs to allow pilots to collect more flying hours on types to enable third country TR rating acceptance under Delegated Regulation (EU) 2020/723.

Discussion on reactivating a transferred EU27 licence

Belgium CAA: If EASA licences are transferred to the UK and now becomes a third-country licence, does the initial EASA licence still have a value? Can the transfer be disregarded? IAA poses similar question on the possibility to resurrect the initial licence kept in the CA archives after the transfer to the UK and reissue of the licence under the UK CAA. EASA highlights that it will review the possibility to resurrect former EU27 licence that were transfer to the UK CAA.

AI: EASA to provide a reply. *Post meeting note: The matter was considered by EASA in consultation with the COMMISSION and it was concluded that it is not legally possible for the NAAs to re-activate a license which was initially issued by an EU27 CA but subsequently transferred to UK. In particular there is no legal basis on doing so on the basis of historical archives concerning that license that may be still available at the NAA. In these cases, the applicant should follow the process for the acceptance of third country licences in accordance with Delegated Regulation (EU) 2020/723.*

Concerning the relationship between the EU and the UK

Commission states that the EU and the UK are now going their own separate ways, with the UK now a full third country. UK has also clearly indicated it intends to diverge from EU regulations. In this context the Commission states that it is important to emphasise that the Commission expects all EASA member states to respect the scope of the withdrawal agreement and not to continue to rely on the UK authorities in such a way that it undermines the EU system. In particular, in the absence of a EU-UK BASA agreement in the area of Aircrew, the use of UK CAA inspectors for performing oversight on behalf of an EU MS CA, directly, or indirectly through the UK CAA International, is not supported and undermines the agreements reached.

4. Feedback on Covid-19 & status of exemptions

Presented by: EASA staff

Please refer to presentation.

EASA clarifies that the discussions with ICAO are ongoing regarding a potential extension of the ICAO sunset date.

Post meeting note: ICAO provided the following update in regard of use of exemptions; State Letter 20/50 (3 April 2020) established the COVID-19 Contingency Related Differences database (CCRD) as a subset of EFOD to help States manage operational COVID circumstances. The CCRD allows States to record their COVID related temporary 'alleviations' to ICAO SARPs to fulfil Article 38 obligations to notify ICAO, increase visibility of alleviations and permit other States to indicate acceptance of such alleviations in an Article 39 context. SARPs alleviations deal with things such as the extension of validities of flight crew medical certificates, time between proficiency checks and recency requirements. It was intended that the CCRD be maintained for about 12 months until 31 March 2021.

The November 2020 review by the CART resulted in a high-level cover document over the original CART report with additional recommendations and updated guidance consequent to operational experience gained in the COVID environment. Additional CART Recommendation 12 (Rec 12 - shown below) indicates that COVID alleviations should either not be extended by States beyond 31 March 2021, or mitigated and managed by way of 'normal' Article 38 Differences processes via EFOD after end of March. State Letter 20/136 (23 December



2020) advises States of Council endorsement of CART Rec 12 and that after 31 March 2021 the CCRD system will no longer be available.

Cart Rec 12

States should put in place the necessary measures to mitigate risks associated with prolonged regulatory alleviations and should not extend alleviations (both core and extended COVID-19 Contingency Related Differences (CCRDs)) beyond 31 March 2021, unless circumstances dictate otherwise. In addition, States are encouraged to facilitate access to medical and training facilities, including flight simulation training devices used for flight crew (national and foreign) to maintain their certifications, recency of experience and proficiency.

Since the November CART review the pandemic has continued with second waves in many countries and emergence of additional aggressive virus mutations, including those known colloquially as the UK, Brazil and South Africa strains. These new circumstances led to a few States contacting ICAO to find out what the expression "...unless circumstances dictate otherwise..." in CART Rec 12 could mean. The Secretariat quickly established a small ad-hoc brainstorming/discussion group (AHDG) with some regulators and industry to try and understand the circumstances – the ANC was invited to provide an observer.

Thus far, the AHDG group has discussed around the following:

- the continued importance to move away from alleviations as quickly as possible to return to the safety protections inherent in the SARPs*
- the significance of the developing COVID circumstances and the additional pressure this exerts – as an extension of nearly a year of COVID already*
- how to gain a clear picture (firm data?) from States and industry to accurately establish the situation for States in terms of ability to withdraw alleviations by end of March*
- rather than blanket alleviations, consideration of alleviations "only when strictly necessary" and focused on a particular operator or crew member to give some flexibility on the basis of specific risk analysis, supported by a common (ICAO) template*
- desirability to get a few facts and ideas together quickly in order for ICAO to engage in wider consultations - including with FLTOPS/P and Medical Provisions Study Group (MPSG).*

The AHDG will meet approximately weekly to continue discussions. ICAO will provide periodic general updates to EASA.

5. EASA update

Presented by: EASA staff

- Digitalisation of processes (electronic signatures) . Please refer to presentation. AESA highlights their process.
- Standardisation Survey outcome
Survey will run until 31 January 2021. After the Aircrew TeB meeting the NCAs which did not replied yet, will receive a kind reminder.
Standardisation in general: Actual procedure is that we send out Notice of Inspection as SIAP 2021 conveyed to the NCAs. In case of change of the mission from onsite to remote, a NCA will be contacted 3 weeks in advance. But, no further formal "new" NoI. BCAA highlights EASA remote inspection went well.
- ECQB (AltMoC development/KSA100 WS). Please refer to presentation.
Thanks to input from DGAC France and CAA Romania who provided support for drafting the exemption template. There is no common approach and thus flexibility is needed, especially since Covid has changed the situation. An exemption is needed if a NCA wishes to continue with the 'old' ECQB until June 2022.



It is not anticipated to have a single AltMoc, however there could be a high-level template to be finalised by the MS with their needs.

#AI: EASA to provide AltMoC elements.

A Workshop of 2 hours on KSA100 will be organised, date TBC. Traficom willing to share their best practices.

#AI: Aircrew TeB members to suggest additional items for workshop KSA100 and provide support to the topics proposed in slide by mid-February.

Later in 2021, subject to enough interest a workshop for industry could be held. In any case, it will be web-based and with the support of the NCAs.

- Appendix 9 Helicopters 19 NCAs have replied so far to the ECQB Survey. Please refer to presentation. EASA questions whether the NCAs believe the change in the Regulation is an editorial or whether it should be kept as two different exercises. Several NCAs confirm more editorial error, thus it should be changed, as many Helicopters do not have FD, many existing SOPs do not require/recommend the use of FD. It is agreed to amend this with the next available RMT.



6. Topics for discussion

Please refer to Annex for the NCAs topics.

1. AESA Spain- PBN privileges when an RNP APCH is not practicable
2. CA Belgium/LBA Germany – training on third country aircraft
3. CA Norway- Provisions for validation for ferry flights
4. Traficom Finland- FI(A) or SEP/IR to MPL licence holder
5. CA Poland- privileges holder PPL(A/H) to exercise LAPL(A/H)/Instructor certificate privileges extension endorsements.
6. CA Poland- Instructor certificate privileges extension endorsements
7. FOCA Switzerland- Revalidation / Renewal of an IR combined with an initial class or type rating/VOR and NDBs are availability, change from conventional navigation to PBN
8. AESA Spain - Use of aircraft points (a), (b), (c) or (d) of Annex I to Regulation (EU) 2018/1139 by ATO or DTO
9. EASA - the CPL skill test In section 5, point "c" there is an item "Forced landing (simulated)"
Forced landing exercise: For PPL, it is needed only for SE aeroplane. For CPL, forced landing (simulated) does not contain a limitation to SE only. EASA interpretation is that for CPL forced landing exercise is mandatory irrespective of the type of aeroplane used. To be clarified in the FE manual.
10. LBA Germany- Possibility of ATO transfer for courses
11. LBA Germany - FCL.905.TRI TRI – Privileges and conditions
12. DGAC France – Mountain rating (FCL.815) skill test and glacier
13. DGAC France - Additional training for a TRE seeking the privilege to conduct assessment of competence for the issue, revalidation or renewal of a TRI or SFI
14. Traficom Finland -FI refresher seminars - general or category specific?
15. Traficom Finland- MP ops endorsement mandatory for SP class ratings, or only for SP type ratings?

7. AOB

- EASA – Easy access rules agreed positions proposal.
Please consult the documents in DMS (work in progress):
<https://docs.easa.europa.eu/case/eab/mabtebs/ layouts/15/DocIdRedir.aspx?ID=EASAEAB-2063309588-109> – Part-FCL
<https://docs.easa.europa.eu/case/eab/mabtebs/ layouts/15/DocIdRedir.aspx?ID=EASAEAB-2063309588-125> – Part-ARA
<https://docs.easa.europa.eu/case/eab/mabtebs/ layouts/15/DocIdRedir.aspx?ID=EASAEAB-2063309588-126> – Part-ORA
 - FOCA Switzerland- Crediting of KSA 100 in case of ATPL(A) towards ATPL(H)
 - LBA Germany- Interpretation of AMC1 ORA.ATO.230 (b) (d) (5) "Proficiency checks"
 - LBA Germany - Under certain conditions, Part-FCL, Appendix 9 General offers the possibility of carrying out training for SP aircraft on the aircraft.
 - LBA Germany -EASA type rating and licence endorsement list – flight crew
 - Poland CAA - English language proficiency for BIR
- Please refer to Annex

Next meeting

2021-2: Aircrew TeB on 26.05.2021
2021-3: Aircrew TeB on 01.12.2021

