



European Aviation Safety Agency
Comment-Response Document 2014-29(A)

Appendix
to Opinion No 05/2017

RELATED NPA 2014-29(A) — RMT.0188 (FCL.002) — 29.6.2017

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1. Summary of the outcome of the consultation

With this document, detailed answers to the comments received on NPA 2014-29(A) are provided. For the summary, please refer to the Section 2.4 of Opinion No 05/2017.



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: <i>Thomson Airways Ltd</i>
	I am in favour of the proposed changes, and appreciate the GMs. Any further simplification would be welcome.	
response	Noted EASA acknowledges your comment and thanks you for your feedback.	
comment	32	comment by: <i>trevor sexton</i>
	EASA seems to have missed adding to this NPA a number of changes that were agreed at the EASA committee meeting of 8/9 oct 14, WHY ???	
	One change was in respect of allowing hours flown in Microlight aircraft to count towards SEP class rating revalidation as long as there was at least 1 hour PIC time on a SEP class aeroplanes.	
	Seems a very sensible solution considering:- a/ A number of microlight class aircraft out perform many older SEP aircraft. b/ Some aircraft types could be in either class, just by a small weight change. c/ Some aircraft types that are classified as Microlight in one country but in another its classified as Annex 2. So hours flown would count in one country but not in another, seems rather stupid..	
response	Not accepted EASA acknowledges your comment and thanks you for your feedback. We have verified the minutes of the meeting in question and there is no mention of a discussion on the issue.	
comment	61	comment by: <i>EUROCONTROL</i>



response	<p>The EUROCONTROL Agency does not have any comment on NPA 2014-29 (A).</p> <p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>62 comment by: <i>FlightSafety International - Deputy Head of Training</i></p> <p>FlightSafety International (EASA.ATO.0012) has contributed to and broadly supports the change proposals affecting Part FCL SubParts J and K submitted by FCL IF WSG001. Separate and or amplifying comments on behalf of FlightSafety International have been added in some of the SubParts listed in this CRT document.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback. EASA has started a separate rulemaking task (RMT.0596) to amend Subparts J and K of Part-FCL. During the work on this task, all transmitted comments that are not taken for this task will be considered separately.</p>
comment	<p>88 comment by: <i>Estonian CAA</i></p> <p>Selectively different time-related deadlines etc have been determined either in months or years (e.g. FCL.140.S LAPL(S) — Recency requirements, in para (a), 24 months has been amended as 2 years but in para (b) still 24 months is used). For harmonisation purposes, all time determination should be either in months or years. This comment is valid through all text.</p>
response	<p>Accepted</p> <p>The text has been amended accordingly.</p>
comment	<p>95 comment by: <i>René Meier, Europe Air Sports</i></p> <p>Europe Air Sports, particularly supported by its member organisations European Gliding Union, European Powered Flying Union, PPL/IR, held a workshop on the entire set of NPA-2014-29. Our comments also reflect positions of several national organisations as the Aero-Club of Switzerland, CNFAS France, the German Aero Club, the Norwegian Air Sports Federation (NLF), the Finnish Aeronautical Association. Several times in the past we raised our voice to be heard when disproportionate rules were proposed, on the other hand we sent positive comments to the Agency when proposals made were acceptable to our member organisations. It will not be different now as we think that several issues of particular importance to recreational and sports communities are not adequately dealt with. Important to remember is the fact that Rulemaking Task FCL.002 was started several years before the creation of the "General Aviation Roadmap". Parts of the proposed text do not reflect this situation. We, however, insist on the fulfilling of all aspects proposed by this roadmap: This is vital to the development of General Aviation in Europe, it creates jobs and contributes to mobility. We expect the Agency to integrate all statements on amending Regulation (EU) No 1178/2011 prepared by the EASA Committee as written in Document D035899/03, Annexes 1 to 5 included. We see a valuable step forward by granting the privileges of the LAPL(A) privileges to PPL(A) holders who do not longer fulfil the conditions</p>

of a class-2 medical certificate but those of a LAPL medical certificate, as well as by the option offered to pilots to get a differences training for SEP and MEP class ratings outside an ATO. We fully support the introduction of provisions allowing crediting of hours flown on some aircraft listed in "Annex II" of the Basic Regulation (EC) No 216/2008.

Similarly, we fully support the introduction of provisions allowing crediting hours flown on some of the aircraft listed in Annex II to the Basic Regulation.

Crediting flight hours on certain microlight aircraft as quickly as possible, the inclusion of a LAPL(A) seaplane rating would greatly help to develop European sports and recreational aviation. We ask you to include relevant positions in the CRD.

A "fast track" treatment of all requests for alleviation also would be helpful. Among other elements FCL.810 Night rating and FCL.815 Mountain rating are on the wishlist of our members, the concept of "training outside an ATO" being widely known already, expected to be put in place in the near future.

We thank the Agency for the preparation of this NPA and for considering our comments. Europe Air Sports and its member organisations offer their assistance to the Agency in order to obtain a proportionate set of rules based on the "General Aviation Roadmap" and on the presentations held at Rome in October 2014 during the EASA General Aviation Safety Conference.

response

Noted

EASA acknowledges your comment and thanks you for your feedback. EASA intends to fulfil its promises made through the GA Road Map; if not through this amendment, at the earliest convenience through other rulemaking tasks.

comment

149

comment by: *The Norwegian Air Sports Federation*

The Norwegian Air Sports Federation (NLF / Norges Luftsportforbund) would like to thank the Agency for this rulemaking initiative, including a number of changes, which will contribute to simpler, lighter and better rules for General Aviation.

That being said, NPA 2014-29(A) can be improved by applying the principles laid down in the EASA Roadmap for Regulation of General Aviation more consistently. For instance, the proposal has a major shortcoming in our view when it comes to the suggested change to FCL.035 (2), since credit for flight hours on relevant types of microlight aircraft is not included.

In our response, we cover this and other topics, where further improvements should be considered.

Finally, we would hope that the rest of the rulemaking process could be given a "fast track" treatment, as these changes are vital to the future of General Aviation in Europe. NLF would like to highlight that other rulemaking changes, such as the Part-M Phase 1 alleviations as put forward in Opinion 10/2013 (finalised in October 2013), still have not entered into force. We would encourage the Agency to propose a faster track to the Commission, whenever critical alleviations are concerned.



response	<p>Not accepted</p> <p>After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.</p>
comment	<p>244 comment by: <i>European Gliding Union</i></p> <p>TOWING RATINGS</p> <p><u>EGU Comment</u></p> <p>This NPA does not address the damage inflicted on European gliding because three different sailplane towing ratings have been specified.</p> <p>Each extra, unnecessary, rating involves a substantial fee to the NAA, an important consideration for volunteer tow pilots.</p> <p>There is substantial evidence that sailplane towing can be conducted safely without no requirement for any towing rating at all.</p> <p>FCL.805, Sailplane and banner towing ratings, focuses on the aircraft doing the towing, even though, in the case of sailplane towing, the sailplane considerations are more numerous and more important.</p> <p>This results in the existence of three different, distinct ratings – Towing(A) or Towing(TMG), each on a LAPL(A) or higher, plus Towing(TMG) on an SPL/LAPL(S) – even though the task is identical in each case.</p> <p>Such small differences as do exist between different sorts of tow aircraft are already catered for by existing provisions for different types or variants. For many decades they have been easily and safely be addressed by the pilot concerned without any need for further syllabii of towing training - easy and safe because the towing task is the same.</p> <p>Complexity, and thus costs for volunteer tow pilots, must be reduced by enabling a single towing rating to be valid for all tow planes.</p> <p><u>Recommendation</u> (the EGU has no comment on the requirements for banner towing, although would be content to see the two ratings split into different regulations)</p> <p>FCL.805 Sailplane towing and banner towing ratings (d) should be change to: (d) The privileges of the sailplane towing rating shall be valid for towing in whichever aircraft the holder is qualified to fly.</p>
response	<p>Not accepted – thank you for your comment, which we have discussed with several experts. We came to the conclusion that due to the performance and handling differences between a TMG and an SEP aeroplane some differences training has to be performed. We consider 3</p>

dual training flights with an instructor as appropriate.

comment

345

comment by: BGA

The British Gliding Association supports the comments made by the European Gliding Union.

It is vitally important that the highly prescriptive requirements contained within the regulation and subsequent amendments fully take into account the expert opinion of the gliding community. The BGA can provide the support of a subject matter expert with previous experience of an EASA FCL working group.

response

Noted

Please refer to the response provided to comment no 244 above.

comment

351

comment by: *Fédération Française d'Aérostation, ATO task force*

These amendments (under ID FFAe ATO Workgroup) have been discussed within the ATO Workgroup of the Fédération Française d'Aérostation, the French ballooning federaton. This ad-hoc workgroup consists of a number of ballooning instructors and was called into being in december 2014 in Paris during a session of instructors with the DGAC, to consider EASA regulations concerning licensing, training and the possible consequences for training organisations and individual instructors. The group is mandated by the Commission de Formation (training committee) of the FFAe. My personal role is to assemble comments and suggestions and to edit them into English-language suggestions for amendments through the Comment Response Tool. I may also leave comments under my own comment ID on a personal title as a simple ballooning instructor.

General explanation:

At present (March 2015), intense discussions are ongoing between the European Balloon Federation (EBF) and EASA management (mr. Patrick KY) to adapt regulations to the unusual characteristics of ballooning. The EBF represents, as of March 2015, the following countries: France, the United Kingdom, the Netherlands, Belgium, Austria, Germany and Czechia. At the time of writing, France holds the presidency of the EBF.

Most of the comments and suggested amendments made under this ID are in line with the discussions of EBF with EASA, in order to simplify the regulations and to cater for the specifics of ballooning: little or no operations from aerodromes, mostly small operators and private owner/pilots that are geographically very dispersed (and thus very difficult to audit if all of them would be integrated in the rules for commercial air transport), aircraft with low speeds (zero airspeed, very low ground speed), geographically dispersed take-off locations that vary with the wind, unknown landing sites as these depend entirely on the vagaries of the winds - hence no 'A to B' flights, not even 'A to A'. Balloon flights are also complex to organize and, due to their extreme weather dependency, far less frequent than any other type of aviation. Most balloons do not make more than a few dozen flights per year, especially the smaller sports balloons in the volume category of up to 3400 cubic metres (known in the rules as Group A for hot-air balloons). Thus any unnecessary administrative overhead becomes extremely expensive and time consuming relative to the small number of flights.

For the same reasons, it is unrealistic to demand of balloon pilots similar recency requirements and revalidation requirements as for fixed wing. Instructors are few and very



far apart, again not found on aerodromes. Examiners are extremely rare and may be 500 or more kilometers distant from a pilot looking for revalidation or from a candidate looking to do his or her test flight. Large ballooning countries (like France, UK, Germany) may have one or two designated 'senior examiners', other countries don't even have any examiners, and certainly no senior ones. Thus testing examiners by senior examiners is practically impossible (certainly if the uncertainties of weather for flight planning are also considered). These are just examples of unworkable regulations for ballooning.

Ballooning has a good safety record and there is no obvious safety advantage to be had by weighing down this activity with more paperwork. Paperwork does not enhance safety; good training and frequent flying makes safe pilots and thus enhances safety for all stakeholders.

response

Not accepted

EASA acknowledges your comment and thanks you for your feedback. RMT.0654 will take over all Balloon related comments.

comment

497

comment by: *Austro Control*

A. Comments to NPA 2014-29 (A) – Regulation (EU) 1178/2011

1. FCL.010 – New definition of the term “available” in the context of FSTD

Comment:

The said new definition in context with the rules established in Part-FCL prevents training organisations and applicants for checks to make use of equivalent FSTD certified by third countries which in certain circumstances is not in line with the idea of maintaining a high level of safety in training and checking.

Justification:

In cases where only such equivalent third country FSTD exist, these FSTDs would not be allowed to be deemed as “available” as they are not formally certified in accordance with EU rules. Consequently, although FSTD exist, pilots holding Part-FCL licences who need to comply with Part-FCL would be forced to do training and checking on an aircraft.

The fact that FSTDs are not certified in accordance with EU rules might have an impact on the extent to which a Part-FCL training or syllabus or checking programme could be carried out, but to completely deny training and checking on such devices with regard to crucial flight training exercises (e.g. engine failure after V1) is not in line with the idea of making training and checking as safe as possible.

Proposal:

The definition should be replaced by a rule that leaves it to the competent authorities to decide (e.g. during ATO certificate issue) whether or not a third country FSTD could be used in cases where no EU-certified FSTD exist or cannot be reached without excessive burden. While it may be accepted for revalidation checks to let them to be performed on an aircraft instead of an existing (third country) FSTD, at least for initial training FSTD should be used as far as possible and available by any means. When doing so, an additional idea would be to require pilots holding more complex type ratings (SPHPCA, MPA) to perform at least every third revalidation check not on an aircraft but on an FSTD where all the exercises which cannot be done on the aircraft for safety reasons must be part of the check.

2. FCL.030 Validity periods of practical skill test & time period between training and skill test

Comment:

While in FCL.025 it is set out for what period of time a completed theoretical knowledge examination can be credited for the issue of a licence or instrument rating, such rules are still missing for practical skill tests.



Justification:

Unless FCL.725 (c) can be applied also to cases where e.g. a class rating is issued together with the initial issue of a PPL, the rules as they are written now would allow a PPL student to pass the theoretical knowledge examination, then to pass the skill test and then to wait for two years for applying for the licence issue (two years = validity period of the PPL theoretical knowledge examination).

It is not in the interest of aviation safety to issue a licence to somebody who has done the respective skill test two years before.

Proposal:

The rule should in particular clarify whether or not FCL.725 (c) can be applied also to cases where a class rating is issued together with a licence (e.g. PPL with SEP). In general, FCL.030 should be amended in such way that defined time periods are set out after which a practical skill test can no longer be accepted for the issue of a licence or an instrument rating. Finally, a rule similar to FCL.025 (a) (3) should be added to FCL.030 for defining a time period after which the recommendation from an ATO to take the practical skill test will no longer be acceptable for a licence issue.

3. FCL.035 (a) (2) – Crediting of flight time on Annex II aircraft**Comment:**

Subject to different ways to interpret Art 4 of the Basic Regulation, the new crediting provision might be not fully in line with the Basic Regulation and does not address additional crediting possibilities for General Aviation issues in the field of aerodynamically-controlled ultralight aeroplanes.

Justification:

1. When Part-FCL entered into force, Austria had come up with a proposal to endorse Annex II aircraft ratings on Part-FCL licences also in case on non-commercial operation. Endorsements for such “national” ratings had been proposed to be entered on Page 3 of the licence under “remarks” (XIII). We had deemed that possible as Appendix 1 to Part-ARA also allows another privilege ruled under national law (radio telephony privileges) to be endorsed on the Part-FCL licence. Putting all ratings of a pilot on one single document would have been a major administrative relief for both authorities and pilots.

2. Unfortunately, the Agency did not follow our proposal, stating that due to Art 4 of the Basic Regulation the EU rules cannot be applied to Annex II aircraft and – because of this – the Agency has no legal basis for taking into account non-commercial Annex II aircraft operation during the standardisation process (Note: Why then is it possible to endorse national radio telephony privileges on Part-FCL licences? The Agency neither has a legal basis to cover this field.)

3. However, we believe that this is not the only way that Art 4 of the Basic Regulation can be understood. This provision from our point of view does not provide a compulsory ban for Annex II aircraft pilots from all EU rules, it is rather a relief. Based on Art 4 of the Basic Regulation, Pilots are not obliged to hold Part-FCL licences when flying on Annex II aircraft. In fact, they are, if a Member State on a national level chooses not to continue with national licensing regulations but to make Part-FCL applicable also for Annex II aircraft. Austria, at least for motor-powered aircraft, did it this way. Finally, the definition of “aeroplanes” in FCL.010 does not refer to EASA aircraft, it just provides the ICAO definition of an “aeroplane”, and also an aerodynamically-controlled ultralight aircraft is, technically speaking, an “engine-driven fixed-wing aircraft heavier than air which is supported in flight by the dynamic reaction of the air against the wings.”

4. Anyway: Following the argumentation and the understanding of Art 4 of the Basic Regulation as provided by the Agency and described above, it is now inconsistent to give



credit for Annex II aircraft flight time on certain Annex II aircraft with no reference to commercial operation. Indeed, the said new credit is not subject to commercial operation. So according to this new rule, credits can be given for non-commercial operation on Annex II aircraft, the rulemakers did not see any conflict to Art 4 of the Basic Regulation. Following this (good!) idea, it would be appropriate to extend the crediting provisions to further types of Annex II aircraft, in particular to replicas (Annex II (h)) and aerodynamically-controlled ultralight aeroplanes (Annex II (e)) subject to the discretion of the competent authority, as many of such ultralight aeroplanes in its characteristics and performance do not significantly differ from comparable EASA aircraft.

Proposal:

FCL.035 (a) (2) should be amended to offer credits also for aircraft referred to in Annex II of the Basic Regulation, (e) and (h).

4. FCL.110.A (b) & FCL.210.A (c) – Credits for holders of LAPL(A) / SPL with TMG extension

Comment:

The said paragraphs provide credits only for the holder of a LAPL(A) with TMG extension when applying for the issue of an LAPL(A) or PPL(A). Holders of an SPL with TMG extension (FCL.205.S (a)) are not addressed.

Justification:

If crediting in this regard is possible for the LAPL(A) with TMG extension, the higher SPL should also benefit from this option. There is no technical reason for unequal treatment. It is to be believed that this is an omission in the rule.

Proposal:

Add a respective wording to extend the crediting provisions to holders of SPL with TMG extension.

5. FCL.605 (b) – Privileges for lower decision heights & missing link to AOC holders

Comment:

The said rule requires specific training for lower decision heights (CAT II / CAT III privileges) to be undertaken at an ATO. A further option to undertake the training at an AOC holder certified in accordance with regulation (EU) 965/2012 is missing.

Justification

For granting privileges for decision heights lower than 200 ft, JAR-FCL 1.180 required training in accordance with the rules of JAR-OPS to be undertaken. The reason for this is obvious: CAT II / CAT III training was not part of JAR-FCL but of OPS rules. Also now the rules for CAT II / CAT III privileges are set out not in regulation 1178/2011 but in regulation 965/2012. These privileges only apply during operation referred to in the latter regulation. Therefore, it does not make sense to require CAT II / CAT III training to be performed at an ATO. It should be the operator certified in accordance with regulation 965/2012 in the same way that JAR-FCL referred to JAR-OPS.

Additionally it must be noted that the NPA created by the rulemaking group FCL.013 will propose not to endorse CAT II / CAT III privileges on the licence, as such privileges are specific with a particular operator and do not refer to the rules established in Part-FCL.

This omission in FCL.605 (b) does not create problems only when an organisation is holding both ATO and OPS certificates.

Proposal:

Amend FCL.605 (b) in such way that CAT II / CAT III training is to be done solely or at least additionally at an organisation certified in accordance with regulation 965/2012.

6. FCL.620 (b) – Obtaining SE IR privileges when passing an ME IR skill test

Comment:

FCL.620 (b) does not clarify whether or not SE IR privileges shall be endorsed when the pilot has passed the skill test for the issue of a ME IR.

Justification:

JAR-FCL 1.180 (a) contained a clear rule saying that holders of a ME IR are entitled to act as pilot on ME and SE aeroplanes operated under IFR. This was the basis to endorse SE IR privileges e.g. to a pilot holding SEP and MEP class ratings who had passed a ME IR skill test. A general sentence similar to JAR-FCL 1.180 is missing in Part-FCL. FCL.620 (b) on the contrary and by its explicit wording requires an SE aircraft to be used for obtaining SE IR privileges, and a ME aircraft to be used for obtaining a ME IR.

During the 9th Aircrew Standardisation Meeting held in Cologne in December 2013 Austria had raised a respective question on whether or not FCL.620 (b) is to be understood in such way that it would be possible to continue as it was the case under JAR-FCL 1.180. The answer by the Agency given in the Meeting Minutes (refer to page 11, question #9-83) was YES.

Proposal:

The content of JAR-FCL 1.180 should be taken over to Part-FCL by making a respective amendment to Subpart G Section 2.

7. FCL.740.A (b) (2) – Combined revalidation of SEP and TMG class rating

Issue closed with amending regulation (EU) 445/2015.

8. FCL.800 – Aerobatic rating on TMG

Comment:

According to FCL.800 (a) an aerobatic rating is available for pilots of aeroplanes, TMGs and sailplanes. However, according to FCL.800 (c) an aerobatic rating is obtained in one aircraft category and can be extended to other categories by completing additional flight training in that other category.

A TMG is not an own category of aircraft. A TMG per definition as given in FCL.001 falls under the category “sailplane”, and TMG privileges can be associated with both aeroplane and sailplane licences, as it can be used for motor-powered flying as well as for gliding. However, FCL.800 does not take into account the fact that motor-powered aerobatic flight is something different than gliding aerobatic flight.

Most TMGs cannot be used for glider aerobatic flight, they are only allowed to be used for aerobatic flight when the engine is running. So the question arises what kind of aerobatic rating (for which category of aircraft) is obtained when doing aerobatic training on a TMG; furthermore it is not clear if there shall be any credits for obtaining other aerobatic privileges.

Justification

1)

With regard to what has been outlined above, particular scenarios creating problems are the following:

a. LAPL(S)/SPL + TMG + Aerobatic Training in a TMG

A LAPL(S) or SPL holder with TMG privileges is undergoing aerobic training in a TMG, the training flights are usually carried out with the engine switched on. In this case, glider aerobatic flight without engine power is not carried out. As TMG is nevertheless defined as sailplane, this pilot according to FCL.800 (c) gets the aerobatic rating endorsed for the sailplane category, although he had never taken aerobatic training in gliding flight. A restriction to motor-powered gliding aerobatic flight with TMG is not foreseen in FCL.800. So it seems that such a pilot, after having received pure motor-powered aerobatic flight training, would get a rating which would entitle him or her to carry out aerobatic flight in a

pure sailplane.

b. LAPL(S)/SPL + TMG + Aerobatic Training in a sailplane

A LAPL(S) or SPL holder with TMG privileges is undergoing aerobic training in a sailplane. As this pilot is also holding TMG privileges in his licence and the aerobatic rating will be issued for the sailplane category, this would automatically allow the pilot to undertake aerobatic flights both with sailplanes including TMG (as TMG belongs to the sailplane category). In other words: This pilot, without any training in motor-powered aerobatic flight, would get privileges to undertake aerobatic flights in an aircraft which is usually operated as motor-powered aerobatic aircraft only. A respective limitation is not foreseen in the regulation. If this pilot additionally holds a PPL(A) with TMG class rating, after aerobatic training in the sailplane category the regulation would allow to endorse the aerobatic rating on the PPL limited to TMG.

c. Holders of both sailplane and aeroplane licences + TMG + Aerobatic Rating

Picture a pilot holding an SPL + TMG rating as well as a PPL + TMG rating, and this pilot now undergoes motor-powered aerobatic training in a TMG. As the TMG can be associated with both licences, the pilot is obviously able to “choose” whether to do the aerobatic training “under the umbrella” of the aeroplane licence or the sailplane licence and to go for a respective instructor (FI(S) or FI(A)). However, the training will independently be the same in any case, so the question arises whether the aerobatic rating in such cases could be endorsed in the sailplane licence as well as in the aeroplane licence (restricted to TMG). It seems that the answer to this questions only depends on whether the instructor is an FI(A) or FI(S) – see FCL.915 (b) (1) and (2) (ii): If the training is done e.g. by an FI(S), this training could not lead to an endorsement in an aeroplane licence. It seems to be strange that there is one particular training on one particular aircraft (TMG) which could lead to endorsements on two different licences, one for sailplanes, one for aeroplanes, and the decision in what licence the rating will be endorsed is solely made by the qualification of the instructor. Finally, also FCL.915 cannot solve that problem if the instructor involved holds both FI(A) and FI(S) certificates with TMG and aerobatic privileges.

d. FI(S) with aerobatic instructional privileges and holding PPL(A) with an aerobatic rating

FCL.905.FI (f) gives an FI privileges to instruct for an aerobatic rating. A further differentiation or limitation regarding the category of aircraft (as it is the case in other provisions, e.g. FCL.905.FI (g)) cannot be found. Therefore, a pilot / instructor as indicated in the headline of this point would obviously be privileged to instruct on an aeroplane aerobatic course conducted on a TMG as the requirement in FCL.915 (b) (1) is actually fulfilled by additionally holding a PPL(A) beside the FI(S).

2)

Questions arising from these situations are the following:

a. Referring to the scenario given in 1.a. and 1.b. above

When writing FCL.800, was aerobatic flight training in a TMG intended to lead to a sailplane aerobatic rating or to an aeroplane aerobatic rating (restricted to TMG)?

Is FCL.800 (c) in combination with FCL.800 (a) (“...aeroplanes, TMGs or sailplanes...”) to be understood in such way that respective restrictions shall be endorsed not only referring to the category of aircraft but also to TMG, depending on the content of the training?

b. Referring to the scenario given in 1.c. above

Can a pilot holding e.g. an SPL + TMG privileges as well as an PPL(A) + TMG class rating



undergo aerobatic training in a TMG and get the aerobatic rating endorsed in both licences, given that the instructor involved holds both FI(A) and FI(S) certificates, or is additional training according to FCL.800 (c) required to extend the aerobatic privileges to the other category of aircraft also in these cases?

c. Referring to the scenario given in 1.d. above

May this instructor provide training in a TMG for the issue of an aeroplane aerobatic rating on TMG to be endorsed on a PPL(A)?

May this instructor provide training in an aeroplane for the issue of an aeroplane aerobatic rating on aeroplanes to be endorsed on a PPL(A), provided that FCL.915 (b) (2) (ii) is fulfilled?

Proposal:

Review FCL.800, taking into account the comments given above.

9. FCL.940.FI, FCL.940.TRI & AMC1 FCL.940.TRI; FCL.940.SFI – Revalidation of TRI and SFI certificates

Comment:

The proposed new AMC requires the TRI and SFI refresher training to be held as a seminar that could also include e-learning and online learning elements. In the new rule FCL.740.FI (a) (2) the word “seminar” is replaced the word “training”, while the new AMC to this rule again requires this training to be held as a seminar.

The use of the word “seminar” in the respective AMCs is both misleading and (together with the possibility to use e-learning tools) not in line with the related requirements in the rule, taking into account other requirements where the term “refresher training” is used instead of the term “refresher seminar”. Generally, the meaning of the term “refresher training” is not clear.

Justification:

1. According to Part-FCL instructors have to refresh their skills when revalidating their certificates. Part-FCL as it is in force now uses two different terms to set out respective requirements: FIs and IRIs have to attend a refresher seminar (FCL.940.FI (a) (2); FCL.940.IRI) while TRIs, CRIs, SFIs and FTIs have to undergo refresher training (FCL.940.TRI (a) (1) (ii); FCL.940.CRI (a) (2); FCL.940.SFI (a) (2) and FCL.940.FTI (a) (2)). For FI and IRI, the term “seminar” is now proposed to be replaced by the word “training” in order to harmonise the rules for revalidation of instructor certificates. The respective AMC still used the word “seminar”.

2. The term “refresher seminar” already existed under JAR-FCL and related AMC and was obviously just transferred into Part-FCL. A “seminar” was commonly understood to be a classroom event where a group of instructors was being taught by speakers and according to the contents as set out in the respective AMCs. Indeed, this is the way that FI and IRI refresher seminars are organized today, as it was the case already under JAR-FCL.

3. For TRIs, CRIs, SFIs and FTIs (and after enter into force of NPA 2014-29, also for FI and IRI) no refresher seminar but refresher training is required. It is to assume that the use of a different term (training instead of seminar) indicates that the way of refreshing skill and knowledge for these types of instructors shall take place in some other way. After NPA 2014-29 will have entered into force, there will be no further need to wonder about this question as all instructors need to undertake refresher “training”. However, having a look at both rules and respective AMC, the question arises what is to be done when the term “refresher training” is used.

4. Although the term “refresher training” is not explicitly defined, some parts of the regulation and AMC reveal the meaning of this expression in terms of Part-FCL. When looking into AMC1 FCL.940.CRI, we learn that the contents of the CRI refresher training should be determined on a case-by-case basis by an ATO and consist of elements from the CRI training course subject to the individual needs of the applicant (By the way, the new AMC1 FCL.940.FI



(a) (2) (b) is worded in the same way.). FCL.940.FTI (a) (2) and (3) state that FTI refresher training for revalidation and renewal also shall include elements of the FTI training course and also flight instruction.

5. On the other hand, according to new AMC proposed by NPA 2014-29, for FI, TRI and SFI the “refresher training” should be held as “seminar”.

Having regard to what has been outlined above under 4), it can be said that, when Part-FCL as it is in force now refers to “refresher training”, obviously individual practical training needs to be done. Attending a refresher seminar (which is to be understood as a pure classroom event with many other applicants) would not be sufficient here. In fact, this is the reason why, for the time being, in Austria we do not allow to combine FI/IRI refresher seminars with TRI/CRI refresher training.

6. For FTIs, FCL.940.FTI requires the refresher training for revalidation and renewal to consist of elements from the FTI training course. The new proposed rule FCL.940.TRI requires the refresher training to consist of elements from the TRI training course only in case of renewals (new FCL.940 (b) (1) (ii)), but not for revalidations (FCL.940.TRI (a) (1)).

7. When following the logic explained above in 3), it turns out to be a contradiction when the rules in FCL.940.FI, FCL.940.TRI and FCL.940.SFI now speak of refresher training while the proposed new AMC associated with these rules now allow this refresher training to be conducted as a seminar and, in the case of FI, again requires individual training. The use of the terms “refresher training” and “refresher seminar” is obviously not consistent within the regulation and the AMC. The central question is: Does “refresher training” necessarily comprises practical training based on individual needs, or is it a classroom event? For the time being, it is not clear. If NPA 2014-29 enters into force the way it is proposed, we do have contradictions in the rule as regards the meaning of the term “refresher training”.

8. From a rather technical point of view, there is no reason to be found why at least the theoretical part of “refresher training” could be combined with “refresher seminars” as the contents are more or less the same.

Proposal:

The regulation should clearly define the terms “refresher seminar” and “refresher training” and use these terms consistently. In addition, rules or AMCs should contain information on the possibilities to combine refresher events for different types of instructor certificates.

10. FCL.910.TRI (a) – Reference to AMC in a rule text

Comment:

The said new rule comprises a reference to AMC1 FCL.930.TRI (a). It is not possible for a rule text to refer to AMC, as this is not in line with the concept of AMC as established in ARA.GEN.120.

Justification:

ARA.GEN.120 defines AMC as documents containing information on how to comply with the rules. They are not mandatory as alternative means of compliance can be established by competent authorities and organisations.

If specific contents are intended to be mandatory (still being able to be subject to measures in accordance with Art 14 of the Basic Regulation), they need to be explicitly in the rule. Giving reference to AMC in a rule prevents competent authorities and Member States to act according to ARA.GEN.120, as establishing alternative means of compliance would be a violation of the rule in this case.

Proposal:

Amend FCL.910.TRI (a) to refer to “the respective parts of the training programme as required by FCL.930.TRI (a)”.

11. FCL.915.SFI (b) – Prerequisites for the issue of an SFI certificate

Comment:

In the said new provision the applicant is required to complete either a skill test for the issue

or a proficiency check for the revalidation of the specific aircraft type rating, not taking into account proficiency checks for renewal.

Justification:

Applicants could wish to become SFIs for ratings that have already expired. They should be able to undergo renewal training and/or pass the proficiency check in order to comply with the prerequisites. The rule in its explicit wording does not cover these situations.

Proposal:

Amend the rule accordingly.

12. FCL.1035 – Senior Examiners

Comment & Justification:

The said new rule takes major parts of the existing AMC1 FCL.1020; FCL.1025 to the rule, not amending the existing AMC accordingly.

Proposal:

The title of AMC1 FCL.1020; FCL.1025 should be changed into “AMC1 FCL.1035”, and its content should be cleaned up in order not to have the same provisions in both rule and AMC.

13. Appendix 9 to Part-FCL Section A § 17 – Landing training within organisations only

Comment:

The new text requires the landing training to be performed at an ATO or an AOC holder. There is no possibility to undertake these landings outside of organisations, which can be a problem in General Aviation Business.

Justification:

The new text tries to clarify a situation which has been discussed for a long time during several meetings and forums in the FCL domain. Before Part-FCL, Member States obviously had different opinions on how the landing training has to be conducted. Some Member States required the applicants to undertake the training within an organisation (training organisation or AOC holder), others did not, until EASA during the 9th Aircrew Standardisation Meeting in 09/2013 clarified the situation by saying that the landing training is part of the flight training course and – according to Part-FCL as it is in force now – has to be done at an ATO anyway.

This amendment now is intended to bring a relief in such way that it does not necessarily have to be an ATO, it can also be an AOC holder in accordance with regulation 965/2012.

The intended amendment will still not cover (rare) cases where pilots are undergoing training for aeroplane types that are being operated privately. In such cases, it might be a disproportionate burden to require the aeroplane to be taken into an AOC organisation just for the purpose of performing those few landings. Art 14 of the Basic Regulation might cover some of these cases, but of course it would be better to provide a solution in the rule itself.

Proposal:

Re-evaluate the possibilities to amend the rule in such way that the cases described above are covered.

14. Appendix 9 to Part-FCL Section B § 6 Exercise 2.5.2 – Engine failure between V1 and V2

Comment:

Exercise 2.5.2 is marked as mandatory with the restriction “FFS only”. This creates confusion as described below, the rule should be amended as proposed below.

Justification:

It remains unclear how the marking “M” in combination with the restriction “FFS only” is to be understood. Is this exercise mandatory only in cases where the check takes place in an FSTD? Or is it to be understood that, even if the check takes place on an aeroplane, this exercise would need to be done separately in an FSTD? The latter would make checks impossible for aeroplanes where no FSTD exists.

During the FCL Implementation Forum held in Paris in 09/2014 this issue was briefly

discussed. The Forum agreed as follows:

The letter "M" should be referring to exercise 2.5, not 2.5.2. Engine failure between V1 and V2 shall only be done in FFS, so the sole endorsement "FFS only" against exercise 2.5.2 would make sense. In general, simulated engine failure should never be done below V2 / a safe altitude in an aircraft, as this would be too dangerous.

Proposal:

Transfer the letter "M" from exercise 2.5.2 to exercise 2.5

1. (15.) FCL.720.H – Crediting for helicopter MCC/IR and MCC/VFR

Comment:

FCL.720.H (a) (2) requires applicants for the issue of a multi-pilot helicopter type rating to hold a MCC course completion certificate or to have at least 500 hours of flight experience on multi-pilot aeroplanes or on multi-engine helicopters in multi-pilot operation. The differentiation in MCC/IR and MCC/VFR privileges which is set out further down in FCL.735 is not reflected here and leaves some questions open.

Justification:

Examples of cases where the rule as it is now does not provide sufficient answers:

a)

An applicant for a multi-pilot helicopter type rating chooses to obtain the TR with VFR privileges only and is therefore undergoing the MCC/VFR training course as established in FCL.735. If this pilot later on wishes to obtain IR privileges associated with this TR, or if he obtains another multi-pilot helicopter TR including IR privileges, FCL.720.H is not applicable as the pilot is already holding a multi-pilot helicopter TR. The question arises whether or not the pilot has to undergo additional MCC/IR training in these cases.

b)

FCL.720.H (a) (2) (ii) and (iii) refer to experience which can be used for granting credits towards the MCC training course, not taking into account the differentiation in MCC/IR and MCC/VFR as set out in FCL.735. Therefore, the question arises under which flight rules these 500 hours mentioned in FCL.720.H shall be acquired to get either MCC/IR or MCC/VFR privileges. It seems to be logical that at least a part of those 500 hours should be acquired in IR conditions in order to get credits towards an MCC/IR course. However, the regulation does not further specify such minimum amount of hours. The rule therefore could be interpreted in such way that for receiving credits towards the MCC/IR course 500 hours in VFR would be sufficient. The rule by its explicit wording does not provide a legal basis for requiring any of these hours to be flown under IFR.

Proposal:

Amend FCL.720.H and FCL.735.H to establish the conditions under which the 500 hours of flight experience can be the basis for granting credits either towards an MCC/IR or an MCC/VFR course. Furthermore, it should be made clear in the rule that for obtaining the first multi-pilot helicopter TR including IR privileges, an MCC/IR course or additional training after having completed the MCC/VFR course only is mandatory.

2. (16.) FCL.805 – Pick-up manoeuvres for the banner towing rating

Comment:

FCL.805 does not reflect different modes of banner towing operation. The related AMC under (f) (1) for the banner towing rating syllabus comprises the exercise "pickup maneuvers". However, not all ATOs and not all airports do have facilities for the conduct of this exercise. The use of "rolling-banners" is a common practice at many airports and it

would be both clarification and relief for general aviation to let the rules reflect between these different kinds of banner towing operation.

Justification:

In cases where banner towing operations only take place with “rolling-banners”, the training item “(1) pickup maneuvers” is not needed in order to complete flight training. However, the wording of the AMC1 FCL.805(f) determines that “at least” these training items need to be taught in order to receive a banner towing rating.

Leaving out the training item “(1) pickup maneuvers” by substituting it with using a “rolling banner” does not qualify a pilot to safely operate an aircraft for banner towing operation including “pick-up manoeuvres”. For this reasons, it is not deemed to be suitable to issue unrestricted towing ratings to pilots who were not trained for banner towing operations involving no “pick-up manoeuvres” but the use of a “rolling banner”.

However, these two kinds of banner towing operation are neither adequately reflected in the rule text nor in the training syllabus included in AMC1 FCL.805.

Proposal:

FCL.805 should be amended to take into account the different kinds of banner operation as described above by providing a legal basis to restrict the banner towing rating to “rolling banners only”, if applicable. The text of AMC1 FCL.805 (f) should be reworded accordingly.

3. (17.) Part-FCL Appendix 1 § 1 and AMC1 FCL.115; FCL.120 and AMC1 FCL.210; FCL.215

Comment:

Part-FCL Appendix 1 § 1 comprises the possibility to grant credits to holders of a LAPL(S) or an SPL license towards the theoretical knowledge requirements in the common subjects for the LAPL(A) or the PPL(A) licence. The theoretical training learning objectives are defined in the AMC1 FCL.115; FCL.120 (for LAPL(S) and SPL) and in AMC1 FCL.210 (for LAPL(A) and PPL(A)).

However, a comparison of the learning objectives in both AMCs as stated above shows clearly that the AMC1 FCL.210 (PPL(A) and LAPL(A)) goes into much more detail than the respective AMC for the LAPL(S) and SPL theoretical knowledge requirements. A credit as stated in Part-FCL Appendix 1 § 1 for holders of an LAPL(S) or SPL towards the theoretical knowledge requirements for the PPL(A) or LAPL(A) therefore seems questionable as based on the present AMC text in cannot be assured that LAPL(S) and SPL students will receive theoretical knowledge instruction which contains all learning objectives out of AMC1 FCL.210.

Justification:

a) The learning objectives in AMC1 FCL.210 for the PPL(A) and the LAPL(A) are given in very much detail. In contrast to this, the learning objectives for the SPL and the LAPL(S) in AMC1 FCL.115 are not given in so much detail. AMC1 FCL.115 contains only the headings out of AMC1 FCL.210. Therefore, AMC1 FCL.115 leaves the development of the learning objectives for the LAPL(S) and SPL licenses completely up to the ATO when developing the training programme. Due to this fact, the training programme developed by the ATO which is providing the LAPL(S) or SPL training does not necessarily need to cover all learning objectives out of AMC1 FCL.210. Nevertheless, Part-FCL Appendix 1 § 1 clearly states that holder of an LAPL(S) or SPL will receive credits toward the PPL(A) theoretical knowledge in the common subjects, although their training might not have covered all elements as required per AMC1 FCL.210.

b) The ATO providing LAPL(S) or SPL training might also choose to establish an AltMoC with different learning objectives for the LAPL(S) and SPL. Whereas this AltMoC might be approved because it equally fulfills the provisions of AMC1 FCL.115; FCL.120, it can still be so much tailored to the sailplane category that a credit for PPL(A) or LAPL(A) licenses from this point seems unreasonable.

The credits in Part-FCL Appendix 1 § 1 do not address this issue.

Proposal:

a) If credits for the LAPL(S) and SPL theoretical knowledge requirements are to be given, the learning objectives in the common subjects of AMC1 FCL.115; FCL.120 should be the same. Credits can only be granted between equal trainings. We therefore recommend to include AMC1 FCL.210 learning objectives for the common subjects for the PPL(A) and LAPL(A) training in the learning objectives of the common subjects for all other categories of aircraft.

b) Given the possibilities of establishing AltMoCs in the area of learning objectives for the categories sailplane or even balloon, we suggest an amendment of Part-FCL Appendix 1 in respect of granting the competent authority the right to assess the underlying training program (if not in accordance with the EASA AMC) in respect of whether the learning objectives as covered in a possible AltMoC used for training also cover the learning objectives of e.g. AMC1 FCL.210, before a credit will be granted.

response

1. FCL.010 – New definition of the term ‘available’ in the context of FSTD

Not accepted

EASA has verified the situation with FSTD experts and has concluded that the number of types where there is no simulator available is very low. The organisations having simulators that are not yet certified in accordance with the Basic Regulation were contacted for a simplified catch-up process which many have ended with an EU certification. For those who did not comply with this catch-up process, the differences in the EU requirements are too significant to consider them adequate for training and testing.

2. FCL.030

Not accepted

Thank you for your comment but we cannot see a difference between a licence that is issued and not used until the very last day of validity or a licence issued after 1 year and 364 days.

3. Appendix 9 to Part-FCL Section B § 6 Exercise 2.5.2 – Engine failure between V1 and V2

Not accepted

Thank you for your comment. For the time being, we are not in the position to accept your request to include micro-light aircraft due to strong safety concerns and different national requirements within the Member States. The issue will be further considered when dealing with all General Aviation issues in the context of the activities of future rulemaking tasks.

4. FCL.110.A

Not accepted

Please note that the SPL holder gets credit in accordance with FCL.110 for an LAPL(S), and then credit in accordance with FCL.110.A (b).

5. FCL.605(b)

Not accepted

Thank you for this input, we have categorised this comment as not accepted but only because we will consider it together with other rulemaking tasks.

6. FCL.620 (b)

Not accepted



The wording will not be changed but the crediting will be possible due to the amended Appendix 8.

7. FCL.740.A –

Noted

EASA acknowledges your comment and thanks you for your feedback.

8. FCL.800 Aerobatic rating on a TMG

Noted

The issue will be solved at the earliest convenience through other rulemaking tasks.

9. FCL.940.FI

Not accepted

The change of wording was done on purpose to relate to the essential requirements of the Basic Regulation where it is defined that training has to be performed in a course and have to be conducted by qualified instructors. The only place where the word 'seminar' was left is at the revalidation of examiner ratings where we speak of an examiner refresher seminar.

10. FCL.910.TRI(a)

Accepted

Text has been changed accordingly.

11. FCL.915.SFI

Partially accepted

Both the revalidation and the renewal require a proficiency check and the SFI training course for the SFI covers the renewal training for the rating anyway. Therefore the text will contain the renewal proficiency check but not the training requirements. The text changed accordingly.

12. FCL.1035 Senior Examiners

Accepted

The AMC has been changed accordingly.

13. Appendix 9 Landing training

Not accepted

Already before Part-FCL the landing training was part of the flying training for a type rating. As any type rating training has to be performed in an ATO, it is already a huge step to allow an AOC holder to provide this training. The evaluation by EASA experts resulted in the non-acceptance of the comment due to strong safety concerns because of a lack of systematic training oversight for private individuals.

14. Appendix 9 – FFS only

Not accepted

The meaning is exactly as indicated in your comment. For aeroplanes where no FSTD exists, the exercise cannot be done, but any skill test or proficiency check shall be done in an FSTD.

15. FCL.720.H



16. Not accepted

After consultation with the EASA and RMG experts, EASA considers the existing text to be clear enough.

17. FCL.805 Pick-up manoeuvres for the banner towing rating

Accepted

The text has been changed accordingly.

comment

554

comment by: *trevor sexton*

There are a number of changes in this NPA that goes against what Patrick Ky has been trying to change with the GA roadmap to make rules less restrictive and only make changes where changes have been justified..

EASA have previous form for adding operational complexity in order to make consistent, elegant regulations.

where is the evidence for this proposal?

EASA should make changes that are not justified,
EASA should not make changes just to make rules consistent.
EASA should not make changes that make things more complex.
EASA should not make changes unless a cost assessment has been done.

response

Noted

EASA acknowledges your comment and thanks you for your feedback. EASA intends to fulfil its promises made through the GA Road Map; if not through this amendment, at the earliest convenience through other rulemaking tasks.

comment

639

comment by: *AECA helicopters.*

We propose the following comment to NPA 2014-29(A)

FCL.010 Definitions

Remain in its original version and distinguishing between airplanes and helicopters, following definitions

"Multi-pilot operation":

for aeroplanes, it means an operation requiring at least 2 pilots using multi-crew cooperation in either multi-pilot or single-pilot aeroplanes;

for helicopters, it means an operation requiring at least 2 pilots using multi-crew cooperation on multi-pilot helicopters.

"Multi-pilot aircraft":

for aeroplanes, it means aeroplanes certificated for operation with a minimum crew of at least two pilots;

for helicopters, airships and powered-lift aircraft, it means the type of aircraft which is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate or equivalent document.



EHA during TAG-SSCC 1 and Spain in TAG-SSCC 12-1/06/2015 and TAG-SSCC 10-11/12/2014 and France during TAG-SSCC 10-11/12/2014 have considered that they should modify and unify given that the application of different criteria in the case of helicopters has no technical support and also generates serious problems when composing the helicopter crews

The stated position is:

1. There is an important difference in definition of multi-pilot operation included in Regulation 1178/2011:

"Multi-pilot operation":

for airplanes, it means an operation Requiring at Least 2 pilots using multi-crew cooperation in Either multi-pilot or single-pilot airplanes;

for helicopters, it means an operation Requiring at Least 2 pilots using multi-crew cooperation on multi-pilot helicopters.

In the case of helicopters multi pilot operation is permitted only in case of certified multi-pilot helicopters, while in the case of airplane is recognized the possibility of performing this operation in a single pilot airplane.

2. Another concept related to the previous one that in our opinion should be revised is the following:

"Multi-pilot aircraft":

for aeroplanes, it means aeroplanes certificated for operation with a minimum crew of at least two pilots;

for helicopters, airships and powered-lift aircraft, it means the type of aircraft which is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate or equivalent document.

This definition causes that some national authorities interpret the phrase 'or equivalent document' as, for example, the Operations Manual.

This interpretation entails that when an operator intended to include in its operations manual that particular operation should be done with two pilots in an helicopter for a single pilot helicopter will always be considered 'multi-pilot aircraft'.

In that case it have to apply the criteria of the 'multi pilot operation' that requires ATPL theoretical knowledge and MCC. We suggest that helicopter multi-pilot be defined in the same way as for airplanes.

3. This two definitions, in the case of helicopters, prevents multi-pilot operation in single-pilot helicopters, thereby impairs the acquisition of experience in order to certain operations or obtaining other type ratings, etc. etc

Is proposed that two definitions shall be modified as follows:

"Multi-pilot operation":

~~for aeroplanes,~~ it means an operation requiring at least 2 pilots using multi-crew cooperation in either multi-pilot or single-pilot aircrafts ~~aeroplanes;~~

~~for helicopters, it means an operation requiring at least 2 pilots using multi-crew cooperation on multi-pilot helicopters.~~

"Multi-pilot aircraft":



	<p>for aeroplanes and helicopters, it means aeroplanes aircrafts certificated for operation with a minimum crew of at least two pilots; for helicopters, airships and powered-lift aircraft, it means the type of aircraft which is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate or equivalent document.</p>
response	<p>Not accepted – The Agency is aware of the different interpretations within Member States but changing the definitions now might have unforeseen consequences on other implementing rules that would require further changes. Therefore we will take your proposal into consideration for future rulemaking tasks.</p>
comment	<p>707 comment by: <i>Carl Norgren, Swiss Int Air Lines</i></p> <p>Swiss International Air Lines takes notice of this NPA without further comment.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>721 comment by: <i>Rogério Pinheiro</i></p> <p>APTTA considers the clarification of some rules, in accordance with the requirements of the basic regulation.</p> <p>Reading this NPA, we can conclude that it has measures not only of clarificatory or interpretative genesis, but also strategically appropriate rules that promote aviation and also ensure the safety requirements for flight crew.</p> <p>Note that in this consultation period NPA, was published the Commission Regulation (EU) 2015/445 OF THE COMMISSION of 17 March 2015 amending Regulation (EU) No 1178/2011, regarding the technical requirements and administrative procedures for crews, a situation that can cause some discrepancies, ambiguities or even contradictions between legal instrument in force and the changes being proposed.</p> <p>If the proposals put into discussion, aims to abolish inconsistencies and simultaneously reflecting the best practices, the fact is that maintaining security levels and regulatory harmonization are perfectly safeguarded.</p> <p>Note the concern expressed to safeguard, promote and relieve the burden on general aviation, wich we understand benefited this proposal.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback. Whenever amendments to the Aircrew Regulation proposed through the NPA to this CRD differ from the text published with Regulations (EU) 2015/445 and 2016/539, priority is given to the published rule text. Furthermore, EASA intends to fulfil its promises made through the GA Road Map; if not through this amendment, at the earliest convenience through other rulemaking tasks.</p>



comment	<p data-bbox="359 235 406 280">729</p> <p data-bbox="1005 235 1476 280">comment by: <i>Light Aircraft Association</i></p> <p data-bbox="359 291 1484 436">The Light Aircraft Association are 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.</p> <p data-bbox="359 470 1484 649">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 8,000 pilot, amateur builder, vintage aircraft owner and enthusiast members, with over 2,500 operational aircraft, including 500 microlights and 100 autogyros, and another 1,700 aircraft under construction.</p> <p data-bbox="359 683 1484 828">The LAA welcomes this consultation which addresses a number of issues associated with the increased administrative burden which General Aviation has experienced in recent years. However the following areas are not supported since there is no evidence to support the additional burden which is being placed on General Aviation:</p> <ol data-bbox="359 862 1348 940" style="list-style-type: none"> 1. Content of the training flight for Class Rating Revalidation included in NPA 29(b) 2. Additional Class Rating Instructor revalidation requirements included in NPA 29 <p data-bbox="359 974 1141 1008">Further comments have been submitted at the relevant sections.</p>
response	<p data-bbox="359 1019 438 1064">Noted</p> <p data-bbox="359 1075 1484 1220">EASA acknowledges your comment and thanks you for your feedback. EASA intends to fulfil its promises made through the GA Road Map; if not through this amendment, at the earliest convenience through other rulemaking tasks. Your specific concerns will be answered in the relevant sections.</p>
comment	<p data-bbox="359 1254 406 1299">783</p> <p data-bbox="973 1254 1476 1299">comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p data-bbox="359 1310 1484 1467">The German Aero Club (DAeC) represents 100.000 members in Germany who perform seven air sport disciplines. More than 50.000 of them are regulated by EU Part FCL and the burden upon them is heavy.</p> <p data-bbox="359 1500 1484 1680">Again we need to make the point that the NPA is only published in the English language which was, is and will be an unacceptable situation. 80% of the European Citizens are forced to read and comment in a language which is not their mother tongue to comment to the EASA proposals. It keeps them from participation which in our opinion neglects their rights as European citizens.</p> <p data-bbox="359 1713 1484 1825">We assume that the Agency has integrated all amendments to Regulation (EU) No 1178/2011 prepared by the EASA Committee as written in Document D035899/03, Annexes 1 to 5 included.</p> <p data-bbox="359 1859 1484 2038">We consider it a step forward by allowing a PPL(A) holder to continue as LAPL(A) Pilot if (s)he does no longer fulfil the conditions of a class-2 medical certificate but those of a LAPL medical certificate. Of course we assume that the other licences concerning sailplanes and balloons are treated in the same way i.e. a SPL automatically converts to a LAPL(S) if only a LAPL Medical is held..</p>

	<p>We also welcome the option offered to the pilots to get a differences training for SEP and MEP class ratings outside an ATO.</p> <p>We fully support the introduction of provisions allowing crediting of hours flown on some aircraft listed in "Annex II" of the Basic Regulation (EC) No 216/2008 and await the crediting of flight hours on three-axis controlled microlight aircraft as quickly as possible.</p> <p>The German Aero Club has worked with Europe Air Sports and the EGU to answer this NPA. The following comments consider the very different aeronautical regulatory system in Germany, which usually multifolds the European process by 22 competent authorities dealing with GA only.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback. Whenever amendments to the Aircrew Regulation proposed through the NPA to this CRD differ from the text published with Regulations (EU) 2015/445 and 2016/539, priority is given to the published rule text. Furthermore, EASA intends to fulfil its promises made through the GA Road Map; if not through this amendment, at the earliest convenience through other rulemaking tasks.</p>
comment	<p>802 comment by: <i>The Finnish Aeronautical Association</i></p> <p>The Finnish Aeronautical Association thanks EASA for the opportunity to place comments on this NPA.</p> <p>Below are our specific comments to the NPA. We also support the comments placed by Europe Air Sports (EAS), European Gliding Union (EGU) and the European Powered Flying Union (EPFU) to this NPA.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>807 comment by: <i>The Finnish Aeronautical Association</i></p> <p>In addition to the specific comments detailed below, The Finnish Aeronautical Association also wants to confirm its support of the comments made by the European Gliding Union regarding the following items. For details please see the EGU response.</p> <p>(General) Towing ratings</p> <p>FCL.205.S SPL Step Down to LAPL(S)</p> <p>FCL.740 Validity and renewal of class and type ratings, para (2)</p> <p>FCL.915 General prerequisites and requirements for instructors, Paras. (B) (1) and (2); (F)</p> <p>FCL.905.CRI - paras. (a), (b)</p>

	FCL.930.CRI – para (a)
response	Noted EASA acknowledges your comment and thanks you for your feedback.

EXECUTIVE SUMMARY

p. 1

comment	7 comment by: <i>Irish Aviation Authority</i> Attachments #1 #2 #3 #4 The Irish Aviation Authority acknowledges the need to amend Regulation (EU) 1178/2011. The comments which follow hereafter are partly based on the work output of the Flight Crew Licensing-Implementation Forum Working Subgroup No. WSG-001, which was established by the FCL-IF to undertake the revision of Part-FCL, Subparts J & K. This material is used with the permission of the FCL-IF. The proposed amendments to Subparts J & K should be read in their entirety within each Subpart as these may only be fully and properly comprehended when they are read in this way as opposed to being considered in isolation at each comment. To support this this position the finished output documents (4) are attached to this comment.
response	Noted EASA acknowledges your comment and thanks you for your feedback. EASA has started a separate rulemaking task (RMT.0596) to amend Subparts J and K of Part-FCL. During the work on this task, all transmitted comments that are not taken for this task will be considered separately.

2. Explanatory Note — 2.2. Objectives

p. 10

comment	164 comment by: <i>The Norwegian Air Sports Federation</i> With regard to objectives: NLF would encourage the Agency to include the "seaplane version" of the LAPL (A) certificate, already at this junction. We are aware of the planned "seaplane extension" covered by RMT.0565 and RMT.0566 in the Four Year Rulemaking Programme 2014–2017, but this project has already been delayed. In the meantime, seaplane activity is dwindling in Europe by the day and urgently requires regulatory support in the form of making the certificate/rating easier to acquire and maintain. Furthermore, a "seaplane version" of LAPL (A) can be regarded as "low hanging fruit" in terms of achieving the goals in the EASA Roadmap for Regulation of General Aviation. We would like to propose the following: LONGER TERM OBJECTIVE: Consider removing the requirement for a single-engine seaplane rating (as well as a dedicated seaplane version or extension to LAPL(A)). Instead, allow single-
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engine seaplanes to be operated with a logbook endorsement through differences training performed by an instructor according to an authority-approved training programme, signed-off in the pilot's log book. (This would resemble the current approach applied to e.g. tailwheel endorsements for a SEP (land) class rating, though with the addition of a requirement for authority approval of the training programme.)

IMMEDIATE GOAL: Include a seaplane version of LAPL(A), transposing the principles and limitations of LAPL(A) for single-engine piston (land) to the seaplane category.

If this would not be appropriate as a consequence of the current progress with regard to RMT.0565/0566, we would like to suggest the following alleviation already now:

Allow PPL(A) holders with a SEP (sea) class rating to use their privileges for seaplanes limited to LAPL(A) weight and passenger limitations, in cases where the pilot only has an LAPL medical certificate (i.e., not class 1 or class 2). This would also fit in with the approach suggested in FCL.205.A for land aeroplanes.

response

Accepted

EASA acknowledges your comment and thanks you for your feedback. There is a separate RMT for this amendment and we will at this stage only refer to the SEP(sea) class rating for the training, but the training syllabus for this rating has been amended.

2. Explanatory Note — 2.4. Overview of the proposed amendments

p. 11-24

comment

28

comment by: BGA

The NPA identifies issues that represent disproportionate burdens on gliding, but then fails to resolve the issues through proposed revised text.

We do not know whether this is caused by lack of expertise, poor drafting or lack of attention to detail. It is unacceptable to present draft regulations without applying adequate controls. The result in this case is that the needs of a major GA stakeholder have been excluded from the NPA.

We understand that this NPA was not reviewed by the associated FCL working group.

response

Noted

EASA acknowledges your comment and thanks you for your feedback. EASA intends to fulfil its promises made through the GA Road Map; if not through this amendment, at the earliest convenience through other rulemaking tasks. A separate implementing rule for the requirements for sailplanes — similar to that for the balloon requirements — is planned to be created.

comment

29

comment by: BGA

P13 Para 2.4.5 correctly identifies the problem faced by the holder of a PPL(A) or SPL who chooses to change to a LAPL medical, but proposes a solution only for PPL(A) holders. Sailplane pilots have been excluded.



	<p><u>Recommendation</u> FCL.205.S should add (d): (d) The holder of an SPL may exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S.</p>
response	Accepted
	<p>The text has been amended accordingly.</p>
	<p>30 comment by: BGA</p> <p>P16 Para 2.4.12 correctly identifies that PPL holders must be allowed to train holders of a CPL or ATPL for class or type ratings they are qualified for. The proposed change to FCL.915 is supportive for aeroplane class or type ratings, but omits training for the towing rating. Holders of a PPL must be permitted to train holders of a CPL or ATPL for the towing rating, where they hold that rating. Similarly, holders of a LAPL(S) must be allowed to train holders of an SPL for aerobatic or (TMG) towing rating, where they hold that rating.</p> <p>Important notes: Unlike the FI(A), for which at least a PPL(A) is a prerequisite, the FI(S) certificate can be held by either SPL or LAPL(S). The SPL & LAPL(S) are very close, with only two differences:</p> <ul style="list-style-type: none"> • SPL demands a Class 2 medical. • An SPL holder may receive remuneration if further requirements are met. <p>Apart from these two points, the training requirements, experience and test standards for the SPL and LAPL(S) are identical.</p> <p>Even more important, holders of LAPL(S) with FI(S) certificate must be able to conduct the recency flying required by FCL.140.S for both SPL and LAPL(S) holders.</p> <p>Sailplane pilots been omitted from the proposed solution.</p> <p><u>Recommendation</u></p> <p>FCL.915(b) should read: (1) hold an equivalent licence, rating or certificate to the one for which flight training is to be given; [(2) is not needed]</p>
response	Accepted
	The text has been changed to reflect the proposed change in FCL.915 (b)(2).
	<p>31 comment by: BGA</p> <p>P20 2014 29A proposed AMC regarding recognition of Annex II flight time addresses a need across all aircraft. Unfortunately the heading refers only to aeroplanes. Sailplanes must be included.</p>

	<p><u>Recommendation</u> The title of this AMC should reflect applicability to sailplanes.</p>
response	<p>Accepted</p> <p>Thank you for the comment, the text has been changed accordingly. The word ‘aeroplanes’ in the title relates to the header of the relevant point in the implementing rule.</p>
comment	<p>104 comment by: <i>René Meier, Europe Air Sports</i></p> <p>2.4. Overview of the proposed amendments page 20/253 2.4.19 AMC & GM to Subpart B-Light aircraft pilot licence-LAPL New AMC1 FCL.140.A Recency requirements; FCL.740.A (b)(1)(ii) Revalidation of class and type ratings aeroplanes</p> <p>The wording of the proposed text is not clear: On the one hand you propose "...Revalidation of class and type ratings aeroplanes", but then we find the statement "In some aeroclubs the only "aircraft" available is a historic one and, therefore, is listed in Annex II..." This must be clarified.</p> <p>This first line text in bold characters must be changed to read "AMC1 FCL.140.A; FCL140.S Receny requirements".</p> <p>Rationale: The first line of the text block states "aeroplanes", later in the text we find "aircraft". All hours flown on any aircraft registered in an ICAO member state count in full towards fulfilling receny requirements as long as the "aircraft" matches definition and criteria of the relevant Part-FCL aircraft category.</p> <p>By definition, sailplanes are included.</p>
response	<p>Accepted</p> <p>Thank you for the comment, the text has been changed accordingly. The word ‘aeroplanes’ in the title relates to the header of the relevant point in the implementing rule.</p>
comment	<p>109 comment by: <i>René Meier, Europe Air Sports</i></p> <p>2.4. Overview of the proposed amendments page 20/253 2.4.18 GM1 FCL.005 Scope</p> <p>We thank the Agency for clarifing statements which could lead to misunderstandings.</p> <p>Rationale: Care must be paid to fact that many non-native speakers tend to translate quite differently from language to language provisions like "and/or".</p>

response	Noted Thank you for your comment. The wording ‘and/or’ does not promote legal clarity and should be avoided as much as possible and should have been replaced with ‘and’ or ‘or’ as required.
comment	173 comment by: DGAC France <u>Subject:</u> Rationale for FCL.935 amendment <u>Content of comment:</u> “FCL.935.TRI Assessment of competence is amended to solve an implementation problem. The text is changed to clarify that the assessment of competence should preferably be performed in an FFS, and only for TRIs for single-pilot aeroplanes it shall be performed on the aircraft. ” France is questioning the explanation provided for amending FCL.935.TRI. If it means that the proposed amendment makes the assessment of competence (FCL.935) on the aeroplane mandatory for TRI(SPA) (single pilot aeroplane) it is clearly not consistent with the amendment itself that does not mention such obligation. As a matter of fact when reading the FCL.935.TRI new wording nothing prevents a TRI(SPA) (single pilot aeroplane) assessment of competence to be performed in an FFS. Or in other words the requirement in FCL 935 TRI does not prescribe the assessment of competence to be performed on an aeroplane for TRI(SPA). France considers that if a FSTD exists for a single pilot aeroplane it should be possible to conduct in it the assessment of competence for a TRI(SPA).
response	Accepted The wording of the introductory text is misleading; the wording in the proposed text reflects already the intent of the comment.
comment	242 comment by: European Gliding Union
response	Noted
comment	494 comment by: CAA of Poland representative 1. Referring to point 2.4.3. concerning FCL.035(a)(2) – CAA Poland is interested in a more detail explanation from EASA on reasons why crediting of flight hours on aircraft listed in letters a-d of Annex II to the Basic Regulation has been taken into consideration excluding letter e – i.e. ultra-light aircraft (below 495 kg). The question is justified due to lots of queries from the aircrew environment concerning crediting of flight hours obtained on ultra-light Annex II aircraft.
response	Not accepted After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this

should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment	495	comment by: <i>CAA of Poland representative</i>
	1. Referring to point 2.4.11. concerning FCL.810(b)(2)(i) – CAA Poland would like to clarify that the change concerning deletion of the time 5 hrs of theoretical knowledge instruction is to be understood that if for e.g. ATO will regard that 1 hr of theoretical instruction is enough, such program could be prepared?	
response	Noted The text change that you are referring to was made to align the helicopter requirements with the aeroplane ones. Practice from the aeroplane category has shown that when approving a training programme for a theoretical knowledge training, it is important to check that all relevant items are taught; should this happen, the number of hours will then automatically show a reasonable amount.	
comment	709	comment by: <i>ENAC Personnel Licensing Regulation Division</i>
response	Noted	
comment	784	comment by: <i>Deutscher Aero Club (DAeC)</i>
	2.4. Overview of the proposed amendments page 20/253 2.4.18 GM1 FCL.005 Scope	
	The given text is as unclear as it can be. Which non-native speaker is able to understand a discussion about an “inclusive and exclusive or”. It should be possible to write rules and regulations without the use of “inclusive and exclusive or”. A clarification is strictly indicated to ensure understanding by the end user.	
	Rationale: Care must be paid to the fact that many non-native speakers tend to translate quite differently from language to language provisions like "and/or".	
response	Noted Thank you for your comment. The definition has been amended to obtain legal clarity.	
comment	816	comment by: <i>AOPA Sweden</i>
	FCL.740. It is very good that there will be given a possibility to revalidate a rating also before the normal 3 month period.	
response	Noted Thank you very much for your positive feedback. Nevertheless, the text will have to be	

amended further to ensure that also holders of an instrument rating can take advantage of this provision.

comment

821

comment by: AOPA Sweden

FCL.625.A.IR(A) - Revalidation

We suggest that the proposed changes are withdrawn due to excessive costs.

For many new CPL(A) holders the suggested changes to FCL.625(A) would cause additional costs.

To start the first type rating course there is a requirement to have a current IR multi engine. In order to lower the cost sometimes the pilots revalidate / renew only their IR in order to be able to start a type rating course and to get a job.

With the suggested writing, these young pilots will need to stay current on another class/type or to renew the type/class. This will cause extra costs and it is questionable if its really the meaning that a new pilot renews a piston engine land rating, just before the start of a type rating on an Airbus or boeing. The applicable IR (ME) should be enough. We are not aware of flight safety implications with the use of "empty" IR in licences.

As far as we understand the problem, it is only an administrative problem with the "empty" IR.

A renewal of a Multi engine piston is usually 3 flights resulting in costs in the area of EUR 1500 to 2000. No flight safety issues have been presented so we suggest that the proposed changes are withdrawn.

If introduced, additional burden will be added to the GA community and especially to young people who are in the beginning of their career.

response

Not accepted

During the drafting phase of NPA 2014-29, the Rulemaking group specifically discussed this issue and agreed with strong support from Member States that a void IR cannot exist. It would allow a pilot to fly an aircraft in IFR and not in VFR and this should be avoided for safety reasons.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART A: GENERAL REQUIREMENTS

p. 27-36

comment

11

comment by: c

Suggest:

"Assessment of Competence" means the demonstration of skill, knowledge and attitude for the initial issue, revalidation or renewal of an instructor or examiner certificate.

response

Accepted



The text has been amended accordingly.

comment

14

comment by: *Malcolm BIRD*

Can you please include full 3-axis microlights as a class or type of aircraft that will be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.

Perhaps the wording could read as follows:

"(2) When flight time is completed during flights operated in the same class or type of aircraft falling under points (a), (b), (c), (d) or (e - if a full 3-axis fixed wing aircraft) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate."

Justification: These days the modern 3-axis fixed wing aircraft offer a platform for honing and maintaining piloting skills to a high and representative level.

response

Not accepted

After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment

15

comment by: *Keith Dennison*

Can consideration be given to including 3-axis microlights as a class of aircraft on which flying would be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.

I feel that this request is entirely justified as many 3-axis microlight types now offer flight experience entirely comparable with types for which full credit is afforded. The generally lower cost of operation of these types will encourage more flying and hence support the maintenance of higher levels of currency and safety.

response

Not accepted

Please refer to the answer provided to comment No 14 above.

comment

19

comment by: *Adrian Hillcoat*

It would be very helpful if you could include 3-axis microlights as a type of aircraft valid for the purpose of revalidation or renewal of a licence or rating. Modern 3-axis microlights are very representative of conventional Class A aircraft, and arguably require at least as much, if not more, piloting skill to operate due to their weight.

response

Not accepted



Please refer to the answer provided to comment No 14 above.

comment

34

comment by: IAOPA (EUROPE)

Observation	Proposed new text
The definition of 'Proficiency check' should be extended to include use for LAPL privilege revalidation.	"Proficiency check" means the demonstration of skill required to revalidate or renew ratings or privileges, and including such oral examination as may be required.

response

Accepted

Thank you for your comment. The text has been changed accordingly.

comment

35

comment by: IAOPA (EUROPE)

Observation	Proposed new text
IAOPA (Europe) proposes that flight time in certain three-axis 'microlight' or 'ultralight' aircraft should be credited for specific purposes. This requires a definition of a 'three axis control system'.	"Three-axis control system" - means a flight control system in which aerodynamic control surface movement is used to control the aircraft directly in pitch, roll and yaw.

response

Not accepted

Please refer to the answer provided to comment No 14 above.

comment

36

comment by: IAOPA (EUROPE)

Observation	Proposed new text
IOPA (Europe) considers that the concept of theoretical examination 'sittings' is unreasonably disproportionate for private pilot licences and therefore proposes the amendments to FCL.025 (b) as indicated.	(3) If an applicant for the issue of a commercial pilot licence, instrument rating (IR) or en route instrument rating (EIR) has failed to pass one of the theoretical knowledge examination papers within 4 attempts, or has failed to pass all papers within either 6 sittings or the period mentioned in paragraph (2), he/she shall re-take the complete set of theoretical knowledge examination papers. Before re-taking the theoretical knowledge examinations, the applicant shall undertake further training at an ATO. The extent and scope of the training needed shall be determined by the ATO,

	<p>based on the needs of the applicant.</p> <p>(4) If an applicant for the issue of a light aircraft pilot licence, a private pilot licence, a sailplane pilot licence or a balloon pilot licence has failed to pass one of the theoretical knowledge examination papers within 4 attempts, or has failed to pass all papers within the period mentioned in paragraph (2), he/she shall re-take the complete set of theoretical knowledge examination papers.</p> <p>(5) Before re-taking the theoretical knowledge examinations, the applicant shall undertake further training at an ATO. The extent and scope of the training needed shall be determined by the ATO, based on the needs of the applicant.</p>
<p>response</p>	<p>Accepted</p> <p>The text has been amended accordingly. (GA Road Map)</p>

<p>comment</p>	<p>37 comment by: IAOPA (EUROPE)</p>				
<table border="1"> <thead> <tr> <th data-bbox="359 1176 825 1220">Observation</th> </tr> </thead> <tbody> <tr> <td data-bbox="359 1220 825 1444"> <p>The proposed amendment refers to flight time completed 'during flights operated in the same class or type of aircraft falling under points (a), (b), (c) or (d) of Annex II to Regulation (EC) No 216/2008'.</p> <p>However, point (h) of Annex II to Regulation (EC) No 216/2008 further refers to 'replicas of aircraft meeting the criteria of (a) or (d) above, for which the structural design is similar to the original aircraft'</p> <p>IAOPA (Europe) proposes that, in accordance with this definition, flight time in such replicas should also be included and therefore proposes the amendment as indicated.</p> </td> </tr> </tbody> </table>	Observation	<p>The proposed amendment refers to flight time completed 'during flights operated in the same class or type of aircraft falling under points (a), (b), (c) or (d) of Annex II to Regulation (EC) No 216/2008'.</p> <p>However, point (h) of Annex II to Regulation (EC) No 216/2008 further refers to 'replicas of aircraft meeting the criteria of (a) or (d) above, for which the structural design is similar to the original aircraft'</p> <p>IAOPA (Europe) proposes that, in accordance with this definition, flight time in such replicas should also be included and therefore proposes the amendment as indicated.</p>	<table border="1"> <thead> <tr> <th data-bbox="837 1176 1482 1220">Proposed new text</th> </tr> </thead> <tbody> <tr> <td data-bbox="837 1220 1482 1444"> <p>(2) When flight time is completed during flights operated in the same class or type of aircraft falling under points (a), (b), (c), or (d) or (h) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.</p> </td> </tr> </tbody> </table>	Proposed new text	<p>(2) When flight time is completed during flights operated in the same class or type of aircraft falling under points (a), (b), (c), or (d) or (h) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.</p>
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Proposed new text					
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response Not accepted

As you correctly pointed out, point (h) refers to replicas of aircraft meeting the criteria of (a) or (d) above, for which the structural design is **similar** to that of the original aircraft. The aircraft you mention cannot directly be considered as a SEP aeroplane as they may only be similar not identical to the original.

comment 38

comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>Following discussions at the EASA FCL Implementation Forum, delegates agreed that flight time in certain 'microlight' or 'ultralight' aircraft should be credited for SEP or TMG class rating revalidation purposes. IAOPA (Europe) considers that flight time in certain three-axis aircraft falling under point (e) of Annex II to Regulation (EC) No 216/2008 should be acceptable for this purpose, as the generally lower operating costs of such aircraft will meet the EASA Chairman's objective of encouraging pilots to increase their annual flying experience. However, flight time exclusively achieved in such aircraft should not be completely sufficient and a minimum level of flight time should also be achieved in other aircraft.</p> <p>It should be noted that a similar regulation has successfully been in place in the UK Air Navigation Order for many years, concerning the consolidated revalidation requirements for UK NPPL class ratings.</p> <p>IAOPA (Europe) therefore proposes a new FCL.035 (4) as indicated.</p>	<p>(4) Notwithstanding paragraph (2), when flight time is completed during flights operated in the same class of aircraft falling under point (e) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of FCL.740.A (b) (1) (ii) and FCL.140.A(1), provided that:</p> <ul style="list-style-type: none"> - the aircraft is fitted with a three-axis control system, a non-flexible wing and is not foot-launched; and - at least 1 hour of PIC time and 6 take-offs and landings are completed in aircraft in the same class which do not fall under this point.

response Not accepted

Please refer to the answer provided to comment No 14 above.

comment 105

comment by: René Meier, Europe Air Sports

FCL.015 Application for the issue, revalidation and renewal of licences, ratings and certificates

response	<p>page 30/253 (a) Please change your text "...in a form and manner established by this authority..." to "in a form and manner established by the Agency..."</p> <p>Rationale: If our proposal is not accepted we shall have sooner or later many different forms of documents. This is contrary to what Regulation (EC) No 216/2008 and amendments thereto ask for. We propose documents established as uniformly as possible with at least one national language and English to be displayed.</p> <p>Not accepted</p> <p>Thank you for your comment. For the time being, we do not consider it necessary to further standardise the application forms. The safety-relevant contents are defined in the associated AMC and GM. A further standardisation of administrative procedures may be a subject to a future rulemaking task.</p>
comment	<p>106 comment by: <i>René Meier, Europe Air Sports</i></p> <p>FCL.035 Crediting of flight time and theoretical knowledge page 32/253</p> <p>Please integrate hours flown on Annex II three-axis aircraft belonging to category (e) and (h) as stated on the said Annex II. Furthermore we consider that the recognition should be extended to allow the conduct of skill tests (for the purpose of issuance/renewal of a Part-FCL licence, rating or certificate), proficiency checks (for the purpose of revalidation of a Part-FCL licence, rating or certificate), assessments of competence (for the purpose of issuance, renewal, revalidation of Part-FCL instructor certificates) on aircraft belonging to categories (a) to (d) and three-axis aircraft belonging to category (e) as well as (h) as long as they are fitted for safely conducting all the items of the practical examination as required by Part-FCL. Furthermore, hours flown on replicas of aircraft meeting the criteria of (a) to (d) and (h) according to "Annex II" should also be credited in full.</p> <p>Rationale: For the sake of consistency aircraft used for training to obtain a licence, a rating, a certificate should also be recognised for the conduct of the related practical examination.</p>
response	<p>Not accepted</p> <p>After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.</p>
comment	<p>107 comment by: <i>René Meier, Europe Air Sports</i></p> <p>FCL.035 Crediting flight time and theoretical knowledge page 33/253</p>



	<p>(b)(4)</p> <p>The proposal states "...for a licence in the same or another category of aircraft...". We propose this to read "...for a licence in any category of aircraft...".</p> <p>Rationale: There is no ambiguity in our proposal.</p>
response	<p>Not accepted</p> <p>While a text change as proposed with your comment seems totally appropriate in FCL.035, it becomes evident when looking at Appendix 1 to Part-FCL that the wording as proposed with the NPA should be kept for a better understanding.</p>
comment	<p>108 comment by: <i>René Meier, Europe Air Sports</i></p> <p>FCL.055 Language proficiency page 35/253</p> <p>General remark: We are of the opinion that aeronautical communications got worse in recent times as more and more non-standard phrases are used in place of the formerly precisely trained standard phraseology because of intensified language training which misleads crews. We think that the new last sentence in the first part of (a) will not lead to harmonisation. Harmonisation, however, would be very positive for the smaller member states or for the countries with more than one national language.</p> <p>Please add: (f) Holders of a PPL licence may be granted an exemption to FCL.055 (d) by a Member State provided the privileges of their instrument rating (IR) or en-route rating are restricted to the airspace over the territory of the Member State.</p> <p>Rationale: There is no necessity to ask for English as language to be used within national airspace when national languages are allowed to be used by holders of licences other than EIR or IR.</p>
response	<p>Not accepted</p> <p>When operating under IFR, a pilot restricted to use the IR privileges within the boundaries of one State will meet pilots who are communicating in English. Allowing the use of the national language would mean that foreign pilots — not understanding the language — would not only be unable to see what is happening outside the aircraft but they would also be unable to communicate. This is considered a considerable safety issue.</p>
comment	<p>110 comment by: <i>René Meier, Europe Air Sports</i></p> <p>FCL.025 Theoretical knowledge examinations for the issue of licences and ratings p 31/253</p> <p>This system is appropriate to the situation in many member states. Where there are several competent authorities in one member state distortions are a fact. We think more guidance should be offered to minimise this.</p>

response	<p>Rationale: From North to South as well as from East to West the rules of the air are identical, there should be no differences in any examination or evaluation of a test.</p> <p>Accepted</p> <p>The text has been changed by replacing 'Member State' with 'same Member State's competent authority'.</p>
comment	<p>165 comment by: <i>The Norwegian Air Sports Federation</i></p> <p>FCL.055 Language proficiency</p> <p>When commenting the requirements in this paragraph, one has to keep the requirements proposed in SERA.14015 in mind (please refer to Agency Opinion 04/2014):</p> <p><i>SERA.14015 Language to be used in air-ground communication</i></p> <p><i>(a) The air-ground radiotelephony communications shall be conducted in the English language or in the language normally used by the station on the ground.</i></p> <p><i>(b) The English language shall be available, at the request of any aircraft, at all stations on the ground serving designated aerodromes and routes used by international air services. Unless otherwise prescribed by the competent authority for specific cases, the English language shall be used at aerodromes with more than 50 000 international IFR movements per year.»</i></p> <p>A large number of general aviation airports in Europe currently offers services in the national language only (i.e., no English service is officially being offered). According to the proposed SERA.14015, most of these airports will be able to continue this practice, since they are unlikely to be "used by international air services" or to have "more than 50.000 international IFR movements per year".</p> <p>Whether the proposed wording of SERA.14015 is appropriate, is obviously a matter for the SERA C legislative process to conclude about, but assuming that the proposal from the Agency in Opinion 04/2014 is carried forward and enters into force, it re-inforces the need to change the wording of FCL.055. Without a change to FCL.055, foreign visitors to the said general aviation airports are in practice barred from access to them, thereby reducing rather than ensuring freedom of movement. This is contrary to the objectives of the basic regulation.</p> <p>To resolve the problem, the following paragraph must be taken into account and amended:</p> <p><i>FCL.055 Language proficiency</i></p> <p><i>(a) General. Aeroplane, helicopter, powered-lift and airship pilots required to use the radio telephone shall not exercise the privileges of their licences and ratings unless they have a language proficiency endorsement on their licence in either English or the language used for radio communications involved in the flight. The endorsement shall indicate the language, the proficiency level and the validity date.</i></p> <p>The current wording means that a visiting pilot would need a language proficiency endorsement for every single national language used at small general aviation airports that he or she intends to visit, for instance during holidays, if no English language service is</p>

offered. The requirement is clearly disproportionate.
To resolve the problem, we would like to suggest the following additional sub-paragraph to FCL.055:

(f) By way of derogation from paragraph (a), pilots performing non-commercial operations with other-than-complex aircraft may use the radio telephone for radio communications involved in the flight without a language proficiency endorsement matching the language used by the ground station, provided that:

i) the pilot has an English language proficiency endorsement; and

ii) the pilot conducts no more than 25 flights per year, during which this derogation is applied

response

Not accepted

The language proficiency requirements are dependent on the corresponding requirements of Annex 1 to the Chicago Convention. The text you proposed is not in compliance with the Chicago Convention and therefore cannot be taken into consideration.

comment

174

comment by: DGAC France

Subject:**LIFUS definition within Part FCL****Content of comment:**

1) One of the objectives of the NPA is to clarify the notion of LIFUS for TRI in Part FCL. In order to fully meet this objective France considers it is important to introduce a LIFUS definition in Annex I Part FCL to regulation (EU) n°1178/2011 as the meaning is not always the same, depending of the regulation involved (Air Crew regulation (EU) n°1178/2011 or Air Operations regulation (EU) n°965/2012). This comment has to be read in the light of the other comment on FCL.910.TRI (a).

France proposes a definition to be included in FCL.010.

2) The proposed definition addresses only multi-pilot aeroplanes.

As a matter of fact this clarification (excluding single pilot aeroplanes) is needed for coherence with the prerequisites of FCL.730.A that is referring exclusively to multi pilot aeroplanes (CS 25 aeroplane or equivalent airworthiness code).

Moreover despite the fact TRI(SPA) is introduced by the regulation France considers that only TRI(MPA) should provide ZFTT training

Proposed amendment:

“Line Flying Under Supervision” (LIFUS): means, within the scope of Part-FCL, the required line-flying necessary to complete zero flight time type rating training on multi pilot aeroplanes.

response

Not accepted

The issue will be solved at the earliest convenience through other rulemaking tasks.

comment

175

comment by: DGAC France

Subject:**Credit for Annex II aircraft and conduct of practical examinations**

Content of comment:

France supports the proposed draft for crediting hours performed on Annex II aircraft.

Nevertheless in the same time France considers that the recognition shall be extended to allow the conduct of all skill tests (for the purpose of issuance/renewal of a Part FCL licence, rating, certificate), proficiency checks (for the purpose of revalidation of a Part FCL licence, rating, certificate) and assessment of competences (for the purpose of issuance/renewal/revalidation of Part FCL instructor/examiner certificates) on Annex II aircraft ((a), (b), (c) and (d)) as long as the aircraft used is correctly fitted for performing all relevant exercises during the practical examination as required by Part FCL.

It is not logical to credit Annex II hours in full for the purpose of the issuance of Part FCL licence, rating, and certificate and in the same time not authorizing the conduct of the practical exam on such Annex II aircraft.

To support this comment it should be noted for example that Appendix 4 B) (1) states that for a CPL(A) skill test : *“The aeroplane used for the skill test shall meet the requirements for training aeroplanes, [...]”*.

Therefore as long as the Annex II aircraft is meeting the requirements for training it is possible to use it for the skill test.

response Not accepted

When the content of Annex II to the Basic Regulation was developed, Member States specifically wanted to exclude the aircraft referred to therein from the scope of the Regulation and its implementing rules. When proposing to accept hours flown on some Annex II aircraft, EASA considered that also hours flown on third-country registered aircraft would be credited for revalidation. Accepting the use of Annex II aircraft to obtain qualifications with skill tests or assessments of competence and perform proficiency checks on Annex II aircraft would render the whole Annex II feckless. The intention was never to undermine Annex II but to provide General Aviation with the possibility to continue to use aircraft they were using for years already with the clear aim that at a certain moment only equipment that was certified in accordance with the Basic Regulation would be used for training, testing and checking.

comment 176

comment by: DGAC France

Subject:
Recognition of FCL.055

Content of comment:

France takes note of the amendment that aims at ensuring FCL.055 recognition through out Europe.

response Noted

EASA acknowledges your comment and thanks you for your feedback.

comment 177

comment by: DGAC France

Subject:
Demonstration of the use of English for IR or EIR holders (FCL.055 (d))

Content of comment:

France considers that the access to IR and EIR ratings should be facilitated as much as possible for general aviation pilots; on that basis, France considers that requiring the FCL.055 (d) (use of English language) to get the IR or EIR rating is affecting the above objective. France proposes that FCL.055 (d) is amended in order to exempt from FCL.055 (d) candidates to IR or EIR ratings aiming at performing IFR flights exercising PPL privileges of their licence above French national territory. Those pilots should be allowed to have a IR or EIR rating issued without the FCL055 (d) but with a limitation to the national territory where use of English language is not mandatory for IFR flights. Therefore France proposes an additional amendment to FCL.055 (d).

Proposed amendment:

FCL.055 Language proficiency

(d) Specific requirements for holders of an instrument rating (IR) or en-route instrument rating (EIR). Without prejudice to the paragraphs above, holders of an IR or an EIR shall have demonstrated the ability to use the English language at a level which allows them to:

- (1) understand all the information relevant to the accomplishment of all phases of a flight, including flight preparation;*
- (2) use radio telephony in all phases of flight, including emergency situations;*
- (3) communicate with other crew members during all phases of flight, including flight preparation.*

In the case of a IR or EIR holders exercising PPL privileges of their licence that have not demonstrated the ability to use the English language as stated above, the privileges of their IR or EIR rating shall be limited to the airspace of the Member State's national territory.

response Not accepted

When operating under IFR, a pilot restricted to use the IR privileges within the boundaries of one State will meet pilots who are communicating in English. Allowing the use of the national language would mean that foreign pilots — not understanding the language — would not only be unable to see what is happening outside the aircraft but they would also be unable to communicate. This is considered a considerable safety issue.

comment 223

comment by: *The Norwegian Air Sports Federation*

FCL.035: NLF strongly supports the provisions in the new sub-paragraph (2) of FCL.035, which – for instance – allows training towards the LAPL(A) or PPL(A) licenses with historic, experimental, amateur built and military aircraft. Not only could this reduce the cost of gaining and maintaining such licenses: It can also boost innovation, as novel designs can play a more central role in the education of pilots. As an example, the change may make electric aircraft more viable in flight training, since certification standards across the board for such aircraft are still not fully in place. Also, proven and inexpensive training aircraft, such as the Piper Cub, can be used for what they have been designed and used for since decades.

NLF regrets, however, that microlight aircraft has not been taken into account at all with this proposal. While microlight aircraft in some member states are further de-regulated than historic, experimental, amateur built and military aircraft, we can see no reason why a ***certain level of credit*** should not also be given to these types of aircraft. Two scenarios are particularly important to take into account:



1) Hours flown on comparable microlight aircraft should count towards revalidation of the SEP(land) /SEP(sea) class ratings – or in order to fulfill the recency requirements for LAPL(A) / LAPL(S) / SPL.

2) The provisions in FCL.110.A (c) / FCL.110.S (c) allowing credit of up to 50 % of flight time as pilot in command (PIC) towards the 30 hours minimum requirement for the issue of an LAPL(A) / LAPL(S) license, should also include PIC time on microlight three-axis aeroplanes / microlight touring motor gliders and self launch gliders.

With regard to the first example, we can see absolutely no safety case for denying credit for what is in practical terms are identical aircraft. In fact, in many instances flight time on a microlight aircraft is more relevant to the average PPL/SPL or LAPL holder than flight time on some of the more unconventional historic aircraft. To provide a concrete example:

An LAPL(A) licensed pilot owning and operating an EASA aircraft of the type Flight Design CTLS (CS-LSA 600 kg), may occasionally fly the Flight Design CTLS (microlight 472,5 kg) belonging to a flying club. The two aircraft are in practical terms identical, but with the proposed wording of FCL.035 (2), flight time on the CTLS microlight won't count. If the pilot instead chooses to fly a Blériot IX – with warping wings instead of ailerons – the hours are good for credit, even though they are much less relevant for the pilot's everyday flying!

When proposing changes to the rules, we believe one should strive for logical and understandable solutions with a clear safety benefit. The above mentioned effect is contrary to the goals of the EASA Roadmap for Regulation of General Aviation, and it could potentially lower the pilots' respect for the rules as such.

To conclude, we would like to propose **two new paragraphs to FCL.035 (a)**:

(3) When flight time is completed during flights operated in aircraft with three-axis flight control falling under point (e) (ii), (iv) and (v) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of revalidation of the SEP (land) class rating and for the recency requirements for the relevant license in FCL.140.A, FCL.140.S and FCL.230.S according to the type of aircraft flown.

(4) When flight time is completed during flights operated in aircraft with three-axis flight control falling under point (e) (iv) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of revalidation of the SEP (sea) class rating and for the recency requirements for LAPL(A) with seaplane extension in FCL.140.A.

(The wording of sub-paragraph 4 is based on the assumption that the seaplane extension of LAPL(A) will be in place.)

Additionally, we would like to suggest **Guidance Material to FCL.110.A (c) / FCL.110.S (c)**, which explicitly states that credit up to 50 % of flight time as pilot in command (PIC) towards the 30 hours minimum requirement for the issuance of an LAPL(A) / LAPL(S) license, should also include PIC time on microlight three-axis aeroplanes / microlight touring motor gliders and self launch gliders.

response

Not accepted



After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment	240	comment by: <i>The Norwegian Air Sports Federation</i>
	FCL.040: The change is strongly supported, as it paves the way for a seamless transition between PPL(A) with SEP(land) and LAPL(A) / SPL and LAPL(S).	
response	Noted EASA acknowledges your comment and thanks you for your feedback.	

comment	249	comment by: <i>ETPS CI</i>
	<p>The Empire Test Pilot School (ETPS) in the UK is applying to become an ATO in order to provide flight test instruction for the issue of the EASA Flight Test Rating. Under NPA 2014-29 FCL.035 (a) (2) on page 33, reference is made to Annex II aircraft under Regulation (EC) No 216/2008, stating that (for the crediting of flight time) '<i>When flight time is completed during flights operated in the same class or type of aircraft falling under points (a), (b), (c) or (d) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.</i>'</p> <p><i>Annex II states that:</i></p> <p>Aircraft referred to in Article 4(4) Article 4(1), (2) and (3) do not apply to aircraft falling in one or more of the categories set out below:</p> <p>(a) historic aircraft meeting the criteria below:</p> <p>(i) non-complex aircraft whose:</p> <ul style="list-style-type: none"> — initial design was established before 1 January 1955, and — production has been stopped before 1 January 1975; <p>or</p> <p>(ii) aircraft having a clear historical relevance, related to:</p> <ul style="list-style-type: none"> — a participation in a noteworthy historical event, or — a major step in the development of aviation, or — a major role played into the armed forces of a Member State; <p>(b) aircraft specifically designed or modified for research, experimental or scientific purposes, and likely to be produced in very limited numbers;</p> <p>(c) aircraft of which at least 51 % is built by an amateur, or a non-profit making association of amateurs, for their own purposes and without any commercial objective;</p> <p>(d) aircraft that have been in the service of military forces, unless the aircraft is of a type for which a design standard has been adopted by the Agency</p> <p>ETPS operates <u>current</u> in-Service UK military aircraft operated under military flying regulations overseen by the UK Military Aviation Authority rather than aircraft which '<i>...have been....</i>' in the service of military forces.</p>	

It is not clear within this NPA whether or not (UK) military in-Service aircraft can be used by an EASA ATO to deliver flying instruction towards an EASA licence or rating. Therefore, could the regulation be drafted in sufficient detail to highlight whether or not current in-Service military aircraft can be utilised by an EASA ATO to deliver training towards an EASA licence or rating (in this case, specifically for the Flight Test Rating)?

It is clearly ETPS's hope that military in-Service aircraft can be used by an EASA ATO to deliver flying instruction towards an EASA licence or rating because ETPS is the only UK-based flight test training (Test Pilot) School and, if this is not the case, UK industry will have no facility for the training of flight test professionals within the UK.

response

Not accepted

After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment

275

comment by: CAA Norway

The definition of 'Proficiency check' should be extended to include use for LAPL privilege revalidation.

"Proficiency check" means the demonstration of skill required to revalidate or renew ratings **or privileges**, and including such oral examination as may be required.

response

Accepted

The text has been amended accordingly.

comment

277

comment by: CAA Norway

Point (h) of Annex II to Regulation (EC) No 216/2008 refers to 'replicas of aircraft meeting the criteria of (a) or (d) above, for which the structural design is similar to the original aircraft'

CAA Norway proposes that, in accordance with this definition, flight time in such replicas should also be included and therefore proposes the amendment as indicated.

(2) When flight time is completed during flights operated in the same class or type of aircraft falling under points (a), (b), (c), ~~or~~ (d) **or (h)** of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.



response	<p>Not accepted</p> <p>As you correctly pointed out, point (h) refers to replicas of aircraft meeting the criteria of (a) or (d) above, for which the structural design is similar to that of the original aircraft. The aircraft you mention cannot directly be considered as a SEP aeroplane as they may only be similar not identical to the original.</p>
comment	<p>337 comment by: <i>Irish Aviation Authority</i></p> <p>Ireland supports the proposed draft for crediting hours performed on Annex II aircraft.</p> <p>Ireland also considers that the recognition should be extended to allow the conduct of all skill tests (for the purpose of issuance/renewal of a Part FCL licence, rating, certificate), proficiency checks (for the purpose of revalidation of a Part FCL licence, rating, certificate) and assessment of competences (for the purpose of issuance/renewal/revalidation of Part FCL instructor/examiner certificates) on Annex II aircraft ((a), (b), (c) and (d)) as long as the aircraft used is correctly fitted for performing all relevant exercises during the practical examination as required by Part FCL.</p> <p>It is not logical to credit Annex II hours in full for the purpose of the issuance of Part FCL licence, rating, and certificate and in the same time not authorizing the conduct of the practical exam on such Annex II aircraft.</p> <p>To support this comment it should be noted for example that Appendix 4 B) (1) states that for a CPL(A) skill test : <i>“The aeroplane used for the skill test shall meet the requirements for training aeroplanes, [...]”</i>.</p> <p>Therefore as long as the Annex II aircraft is meeting the requirements for training it is possible to use it for the skill test.</p> <p>Certain airplanes categorised in point (e) of Annex II should also be considered for inclusion in this point when they are considered by a Member State to hold a similar class rating.</p>
response	<p>Not accepted</p> <p>When the content of Annex II to the Basic Regulation was developed, Member States specifically wanted to exclude the aircraft referred to therein from the scope of the Regulation and its implementing rules. When proposing to accept hours flown on some Annex II aircraft, EASA considered that also hours flown on third-country registered aircraft would be credited for revalidation. Accepting the use of Annex II aircraft to obtain qualifications with skill tests or assessments of competence and perform proficiency checks on Annex II aircraft would render the whole Annex II feckless. The intention was never to undermine Annex II but to provide General Aviation with the possibility to continue to use aircraft they were using for years already with the clear aim that at a certain moment only equipment that was certified in accordance with the Basic Regulation would be used for training, testing and checking.</p>
comment	<p>353 comment by: <i>Fédération Française d'Aérostation, ATO task force</i></p> <p>Suggested amendment to FCL.010 Definitions:</p>

'Commercial air transport' means the transport of passengers, cargo or mail for remuneration or hire.

Text to be added:

Non-motorized aircraft (balloons and sailplanes) certified to carry a maximum of 4 passengers (such that there will never be more than 5 persons on board the aircraft) are not considered to be engaged in commercial air transport.

Explanation:

Excluding non-motorized aircraft (balloons and sailplanes) certified for up to 5 persons on board (pilot + 4) from CAT will considerably reduce the workload for controlling authorities. Operators engaged in CAT need Air Operator Certificates, must have Operations Manuals audited and approved, and must be audited /visited by a competent authority from time to time. Most balloon operators are pilot-owner businesses, clubs and associations that are not based on aerodromes but usually at the balloon owner's home address. Adding thousands of 'very small commercial operators' (or many hundreds per country) to the existing base of commercial air operators that need to be audited will result in an almost impossible task for the controlling authorities. (This has been shown to be the case in the Netherlands for instance, and that is a small and densely populated country.) Just to give an example: at present the syndicate of professional balloon companies in France has some 20 members. These companies all have an AOC. There are some 800 balloon pilots in the country, most of them pilots/owners of small balloons in Group A. These would ALL suddenly become 'commercial operators' and would thus need to be approved and audited. This is clearly an impossible task, especially given their geographical dispersion.

Excluding small balloons from CAT will allow senior pilots to keep flying small balloons that they can finance by carrying a small number of passengers per season. Many balloon instructors and examiners (FI/FE/FIE) are in the 'senior' category, from 55 years of age up to and beyond 70, and they will be desperately needed to comply with the new validation/revalidation regime. To keep up their own skills they must be able to continue flying at least in smaller balloons (group A) as long as they are willing and medically capable.

Note that the more extended definition of commercial air transport (Warsaw Convention) is to transport passengers and/or freight from a designated take-off location 'A' to a predesignated destination 'B'. For balloons, the landing location is always unknown. So even if we CARRY passengers, we do not TRANSPORT them from A to B. B is not even equal to A, as in local flights with motorized aircraft. B is simply unknown in advance.

On another note, existing rules (limits set by manufacturers and some local authorities) already specify that the maximum number of persons allowed per basket compartment for a balloon is 5. Thus, any balloon (usually balloons in group A, < 3400 cubic metres) equipped with a non-partitioned basket is automatically certified to carry at most 5 persons on board. This is the reason we suggest the limit of 4 passengers/5 persons on board - otherwise many owners of 3000 and 3400 m³ balloons would need to have their balloons downrated in their airworthiness documents. It is also easy to check during events, for instance: any balloon with a partitioned basket is equipped to carry more than 4 passengers and should thus have an AOC, being engaged in CAT.

Finally, true commercial operators with fleets of large balloons do have offices or 'operation centers' that are staffed at least most workdays during the season, so the competent authorities can actually visit and audit them. (They also need an operations manual as they



	<p><i>employ seasonal workers and freelance pilots). By contrast, small pilot/owner operators flying just as a secondary activity or within a club usually keep their documents at home and have normal day jobs elsewhere, so organizing audits is very difficult.</i></p>
response	<p>Not accepted</p> <p>EASA acknowledges your comment and thanks you for your feedback. Balloon- and sailplane-related comments will be taken over by other RMTs.</p>
comment	<p>354 comment by: <i>Fédération Française d'Aérostation, ATO task force</i></p> <p>FCL.060 Recent experience <i>Suggested amended text</i> (a) Balloons. A pilot shall not operate a balloon in commercial air transport or carrying passengers unless he/she has completed in the preceding 180 days: (1) at least 3 flights as a pilot flying in a balloon, of which at least 1 shall be in a balloon of the relevant class and group; or (2) 1 flight in the relevant class and group of balloon under the supervision of an instructor qualified in accordance with Subpart J.</p> <p><i>Explanation:</i> There is no need to separately mention carrying passengers in this paragraph if most passenger flying already falls under the definition of CAT (except for balloons < 3400 cubic metres). What the rules must seek to prevent is operators hoisting large numbers of passengers into large CAT balloons in the first days of April, with seasonal pilots and crew who have not flown during the winter.</p>
response	<p>Not accepted</p> <p>EASA acknowledges your comment and thanks you for your feedback. RMT.0654 'Revision of the balloon licensing requirements' will take over all balloon-related comments.</p>
comment	<p>355 comment by: <i>Fédération Française d'Aérostation, ATO task force</i></p> <p><i>Suggested amended text in bold italic:</i></p> <p>FCL.065 Curtailment of privileges of licence holders aged 60 years or more in commercial air transport (a) Age 60-64. Aeroplanes and helicopters. The holder of a pilot licence who has attained the age of 60 years shall not act as a pilot of an aircraft engaged in commercial air transport except: (1) as a member of a multi-pilot crew; and (2) provided that such a holder is the only pilot in the flight crew who has attained the age of 60 years. (b) Age 65. <i>Aeroplanes and helicopters.</i> The holder of a pilot licence who has attained the age of 65 years shall not act as a pilot of an aeroplane or helicopter engaged in commercial air transport. <i>(c) Balloons. The holder of a balloon pilot licence who has attained the age of 70 years shall not act as a pilot of a balloon engaged in commercial air transport.</i></p>

	<p><i>Explanation:</i> FC L.065 - age limit in commercial transport EASA has already made it known (in November 2014) that the age limit for balloon pilots will be shifted to 70 years in commercial transport. This needs to be officially amended in this NPA . For this same reason the distinction needs to be made concerning aeroplanes and helicopters in paragraph (b).</p>
response	<p>Noted</p> <p>The text was amended with Regulation (EU) 2015/445 and reflects your comment. It will not undergo further changes.</p>
comment	<p>437 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <div style="border: 1px solid black; padding: 5px;"> <p>Relevant Text: FCL.035 (2)</p> <p>Comment: It should be specified if proficiency checks performed in an annex II aircraft can be used to revalidate/renew a rating or certificate.</p> <p>Proposal: When flight time, or tests/checks, are completed....</p> </div>
response	<p>Not accepted</p> <p>After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.</p>
comment	<p>467 comment by: <i>Irish Aviation Authority</i></p> <p>Aerobatic Rating Placemaker</p>
response	<p>Noted</p>
comment	<p>473 comment by: <i>Nick Carr</i></p> <p>FCL.040 Exercise of the privileges of licences</p> <p>Is it the Agency's intention that the holder of an ATPL who is unable to maintain a class 1 medical certificate may continue to exercise the embedded PPL/LAPL privileges without having to apply for those licences?</p>
response	<p>Noted</p>

Yes, this is the intention.

comment

474

comment by: FAA

Reference text: "Assessment of competence" means the demonstration of competence for an instructor or examiner certificate.

Comment: For sake of clarity, it might be worthwhile to add additional text that makes clear the difference between this exercise and a proficiency check or revalidation.

response

Accepted

The text has been amended accordingly.

comment

475

comment by: FAA

Reference text: (2) When flight time is completed during flights operated in the same class or type of aircraft falling under points (a), (b), (c) or (d) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.

Comment: Given the relatively small size of the referenced text, it would enhance readability to include the full text of points (a), (b), (c) or (d) of Annex II to Regulation (EC) No 216/2008 in this rulemaking language.

response

Not accepted

The Agency acknowledges your comment. Regulation (EU) No 1178/2011 is an implementing rule of Regulation (EC) No 216/2008. We cannot repeat the text from the Regulation in its implementing rule.

comment

476

comment by: FAA

Reference text: Paragraph (a) Language Proficiency- The last sentence states "The endorsement shall indicate the language, the proficiency level and the validity date, and it shall be done in accordance with a procedure established by the competent authority."

Comment: It would be helpful to readers to reference the documents (perhaps in an appendix) in which the established procedure for determining language proficiency is codified by each authority.

response

Not accepted

The management system requirements for competent authorities are defined in Annex VI to Regulation (EU) 1178/2011.

comment

489

comment by: Uppvinden AB

FCL.010

Class of sailplanes:

Today, in the definition of TMG and in subpart B, C, J and K "class" is used for sailplanes but no definition is found under class of sailplanes. Aeroplanes are defined in classes, but TMG's, which can be operated on both "A" and "S" licences, can sometimes need a class rating,

sometimes not. This inconsistency can maybe be solved by:

- a definition where TMG is added to the definition for class of aeroplanes for "A" licences only (with note that TMG is a powered sailplane) and
- no classes are used for "S" licences.

FCL.010

Powered sailplane and TMG

Can it be a better solution to define powered sailplanes as a *category*? If so, this category can be flown on "A" licences only if the pilot has "class TMG" rating, but always on a "S" licence with competent training. According to ICAO Annex 1 this should be possible due to the fact that "glider" in the Annex is defined as a category and that the category "glider" means an aircraft without engine. As TMG is not defined in the type certificate for sailplanes it can be discussed if the FCL division for sailplanes is the best for flight safety. A sailplane pilot needs, today, an extension to his/her licence to fly a Stemme S6 with fixed propeller (non-complex), but no extension in the licence to fly the Stemme S10 with retractable propeller (more complex).

Proposal:

1) *Powered sailplane* is a category of aircraft with capability to takeoff on own power. (Self-sustaining sailplanes therefore are not considered as "powered", and, as today, needs no instructor training.)

2) A *TMG* is a powered sailplane having a propeller which cannot be folded or retracted (together or not with the engine). This means that AMS Carat, LAK-17A FES and Caproni A-21J are not TMG's. With today's text in FCL they should be TMG's but logically they are not.

A sailplane pilot needs two separate launch method trainings for the operation of a powered sailplane, one for TMG and one for self-launch. If both can be used for the licence training and skill test can be discussed. Alternatively, the launch methods can be called an extension of the licence for powered sailplanes, including TMG and self-launch but with different privileges. The privileges to convert to another launch method is the same as in today's FCL so it should not be more complicated than today.

An "A" licence needs a class rating for operation of a TMG.

If any changes are made, this will induce changes for the subparts mentioned above.

FCL.025 b 3

I have mailed EASA with a question if the text "either 6 sittings or" is necessary at all. No answer so far so the proposal is to eliminate these words. Sittings are not clearly defined in FCL or GM and can be understood in different ways. The question with the text today is also can you freely choose between sittings and 18 months and that gives also different interpretations.

FCL.030

Addition: It is not necessary with a skill test/examination if the pilot already has the competence or earlier has had it according to the syllabus for the rating or the licence.

Examples: A pilot with an SPL applying for LAPL(S) do not need a skill test - or vice versa.

A pilot with an LAPL(A) that earlier had a PPL(A) but "down-graded" do not need a skill test if he/she wants to apply for a PPL(A) again (with a valid class rating).

A pilot who holds a LAPL(S) and PPL(A) and makes the extension to TMG on his/her LAPL(S) does not need an extra skill test for getting a class rating for TMG on his/her PPL(A). It should in such cases be included in both licences.

FCL.035 a 2

Flight safety rules must be logical to be accepted by the persons involved. Otherwise people

will consider the rules to be not realistic and then just follows the rules they want to follow.
Proposal: Also flight time completed with Annex II e) aircraft shall be included. This is also how AMC1 FCL.140.A can be interpreted.

Reason:

- Persons with experience of flight time in aircraft of the same category have per definition more experience than persons without any experience.
- If you build a homebuild that follows all criteria in e) except for the stall speed, you can have credit for that flight time. If you put flaps on it and decreases the stall speed to follow the criteria you cannot have credit. Unlogical.
- See example in comment number 485.
- Flight time in such aircraft has been credited in many other countries - without any safety hazards.

Alternatively:

- a maximum percentage of flight time from e) aircraft can be decided or
- flight time completed on licences issued by a national authority for e) aircraft can be credited.

In the last case it seems logical that flight time approved by an authority regulation can be credited - if flown in the same class, e.g. SEP land.

response

Accepted

The text for the 6 sittings has been amended accordingly. (GA Road Map)

Not accepted

EASA thanks you for your comment. It will be handed over to the RMT that will deal with a sailplane specific set of regulations. For the TMG class rating that may be obtained with a PPL(A), EASA does not consider any amendment necessary.

Not accepted

After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment

498

comment by: FOCA Switzerland

FCL.035 (a)(2)

FOCA supports the proposed draft for crediting hours performed on Annex II aircraft.

Nevertheless at the same time FOCA considers that the recognition shall be extended to allow the conduct of all skill tests (for the purpose of issuance/renewal of a Part FCL licence, rating, certificate), proficiency checks (for the purpose of revalidation of a Part FCL licence, rating, certificate) and assessment of competences (for the purpose of issuance/renewal/revalidation of Part FCL instructor/examiner certificates) on Annex II aircraft ((a), (b), (c) and (d)) as long as the aircraft used is correctly fitted for performing all relevant exercises during the practical examination as required by Part FCL.

It is not logical to credit Annex II hours in full for the purpose of the issuance of Part FCL



licence, rating, and certificate and in the same time not authorizing the conduct of the practical exam on such Annex II aircraft.

To support this comment it should be noted for example that Appendix 4 B) (1) states that for a CPL(A) skill test : *“The aeroplane used for the skill test shall meet the requirements for training aeroplanes, [...]”*.

Therefore as long as the Annex II aircraft is meeting the requirements for training, it is possible to use it for the skill test.

response Not accepted

After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment

499

comment by: FOCA Switzerland

Subject: Language Proficiency
FCL.055

Explanation on FCL.055 in the Explanatory Note Items (a) and (c)

There is still no harmonisation in the domain of Language proficiency testing. Most MS are aware of the fact that there is a wide variety of tests, some of which – although approved by an Authority – are invalid, for instance because they do not test what they should and/or because the results are not reliable. Furthermore, clear guidelines for assessor training are missing, and there is no inter-reliability of Language assessors within Europe. Some assessors did not receive any training, just a copy of the rating scale, while others had to undergo an intensive one-week training course. And eventually, there is no regulation regarding the legislative/administrative actions to take in the case of a failed Language proficiency exam. In some MS, pilots who failed the test can continue to fly as long as the current licence endorsement hasn't expired, while in other MS they are immediately subject to restrictions. This lack of standardisation and harmonisation is already leading to “Language proficiency tourism” (especially in view of getting a Level 6). If FCL.055 is amended in a way that MS are obliged to accept Language proficiency certificates issued by **any** test provider/Language assessment body authorised by **any** MS, we will even more throw the doors wide open to abuse, i.e. to pilots who try to find the easiest way to get a Language proficiency endorsement and/or to untrustworthy test providers/assessors. Therefore, at this stage it would be unwise to make an amendment which would result in an obligation to recognise any Language proficiency assessment performed in accordance with the assessment method established by **any** MS. Before doing so, the main problem areas mentioned above should be regulated, standardised and harmonised.

Item (b)

Furthermore, FOCA is questioning the explanation provided for FCL.055 (b) regarding the credit towards air traffic controllers for their pilot licences. We can't make a link between "to an assessor or an approved language-testing body as applicable" and the explanation "will



enable competent authorities to credit language-proficiency endorsements from air traffic controllers for their pilot licences". In our opinion, a general credit would be contrary to the guidelines in ICAO 9835. If a Language proficiency test is designed for a specific group of stakeholders only, for instance for ATC personnel, it can't be accepted. The test should be related to the test taker's working environment.

Proposal:

Enter a new para (c) Crediting:

"competent authorities **may** credit language-proficiency endorsements from air traffic controllers for their pilot licences if the test has been designed for both categories of licence holders.

existing paras must be renumbered:

· c) in d)

· d) in e)

e) in f)

In addition to the problems mentioned above, we noticed that there is no clear regulation regarding communication skills of sailplane and balloon pilots. A recent survey showed that in some MS there is currently no requirement regarding training and testing of standard phraseology as long as the licence holders fly in uncontrolled airspace only, while in other MS this is an integral part of any flying training and pilot licence, regardless of the airspace used. In order to pass the theory subject "Communications" in accordance with EASA, the testtaker will certainly need some knowledge of standard phraseology - but this may not be sufficient for safe and unambiguous communications. EASA should specify precisely:

- if sailplanes and ballon pilots are required to obtain R/T privileges (item XII in the EASA licence)

- what training and testing must be done in order to obtain R/T privileges (if required) in a sailplane or balloon pilot licence.

response Not accepted

EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far, the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

EASA considers that air traffic controllers and pilots when it comes to radio telephony to the same language environment and therefore cannot imagine how language proficiency tests may differ.

The requirement on when pilots have to use the radio on board of an aircraft depends on the airspace regulations which still fall under the national legislation within the Member States. Therefore it is not possible to clearly define that on EU level.

comment 551

comment by: John Brownlow

I would like to put forward the following comments on NPA 2014 - (A) 3.1. Draft Regulation (Draft EASA Opinion) ANNEX 1 (Part - FCL) SUBPART A: GENERAL REQUIREMENTS. FCL..035.

Numerous full 3-axis microlight aircraft have recently been developed, and are now widely available and in service. These aircraft possess handling and performance qualities that match or exceed the requirements of machines approved under CS VLA. Therefore, the flight



training required to safely pilot these two classes of machine is virtually identical. It follows that flight time under instruction and as pilot in command of full 3-axis microlights should be credited for pilot licence issue, renewal, revalidation, or for the issue or validation of a certificate.

I therefore recommend that NPA 2014 - (A) be amended accordingly.

My aviation background is as follows: Former military pilot and qualified fixed wing test pilot. Former PPL flight instructor and examiner (SEP, TMG, Microlight)

John Brownlow

response Not accepted

Regulation (EC) No 216/2008 explicitly excludes microlight aircraft from its scope. Only those aeroplanes contained in Annex II to the above Regulation that can be considered as SEP aeroplanes were taken into consideration to allow small aero clubs to continue their services.

comment 564 comment by: *Mayflower College*

Page 35:
 (e) The demonstration of language proficiency and of the use of English for IR or EIR holders shall be done through a method of assessment established by any competent authority.

=====

With multiple tests, in multiple countries, candidates will gravitate to what are perceived to be the '**easiest**' tests. Those candidates who are so inclined will also gravitate to what they perceive to be the '**least secure**' tests.

response Not accepted

EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

comment 583 comment by: *AESA*

There is an important difference in definition of multi-pilot operation included in Regulation 1178/2011 for aeroplanes and helicopters:
 "Multi-pilot operation":
 for aeroplanes, it means an operation Requiring at Least 2 pilots using multi-crew cooperation in Either multi-pilot or single-pilot airplanes;
 for helicopters, it means an operation Requiring at Least 2 pilots using multi-crew cooperation on multi-pilot helicopters.
 In the case of helicopters multi pilot operation is permitted only in case of certified multi-pilot



helicopters, while in the case of airplane is recognized the possibility of performing this operation in a single pilot aircraft.
Is there any reason for this?. If not, should be established the same for both types of aircraft. Having 2 different definitions, in the case of helicopters, prevents multipilot operation in single-pilot helicopters, thereby impairs the acquisition of experience for certain operations or for obtaining other type ratings, etc.

The following alternative text is proposed:

"Multi-pilot operation":

~~for aeroplanes, it means an operation requiring at least 2 pilots using multi-crew cooperation in either multipilot or single-pilot aircraft aeroplanes;~~

~~for helicopters, it means an operation requiring at least 2 pilots using multi-crew cooperation on multi-pilot helicopters.~~

response Not accepted

Thank you for your comment. For aeroplanes, two different certification categories exist: the category of single-pilot aeroplanes and the category of multi-pilot aeroplanes. For helicopters, no such differentiation is made in certification. For helicopters, there are only types that become single-pilot or multi-pilot helicopters depending on the operation they are used for. Therefore, the two different definitions were considered necessary.

comment 584

comment by: AESA

Another concept related to the previous one that in our opinion should be revised is the following:

"Multi-pilot aircraft":

for aeroplanes, it means aeroplanes certificated for operation with a minimum crew of at least two pilots;

for helicopters, airships and powered-lift aircraft, it means the type of aircraft which is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate or equivalent document.

This definition causes that some national authorities interpret the phrase 'or equivalent document' as, for example, the Operations Manual.

This interpretation entails that when an operator intended to include in its operations manual that a particular operation should be done with two pilots in an helicopter for a single pilot, the helicopter will always be considered 'multi-pilot aircraft'.

In that case it have to apply the criteria of the 'multi pilot operation' that requires MCC. We suggest that helicopter multipilot be defined in the same way as for aeroplanes.

response Not accepted

Similarly to the answer to your comment No 583, the differences in the certification of aeroplanes and helicopters render the differences in the definition necessary.

comment 585

comment by: AESA

Annex 1. Part FCL, FCL 055 (b)

Proposal includes two possible ways to demonstrate language proficiency incorporating, now, the figure of the assessor. Spain is not against, but we believe it should be ensured that



designated assessors satisfy minimum requirements in order to guarantee quality of action and for harmonization. Alternative wording is proposed and EASA should incorporate a specific AMC for this harmonization.

(b) The applicant for a language proficiency endorsement shall demonstrate, in accordance with Appendix 2 to this Part, at least an operational level of language proficiency both in the use of phraseologies and plain language to a **certified** assessor or an approved language-testing body as applicable. To do so, the applicant shall demonstrate the ability to:

response

Accepted

Thank you very much for your comment. The text has been amended accordingly.

comment

589

comment by: *European Cockpit Association***Commented text:****FCL.055 Language proficiency**

(a) General. Aeroplane, helicopter, powered-lift and airship pilots required to use the radio telephone shall not exercise the privileges of their licences and ratings unless they have a language proficiency endorsement on their licence in either English or the language used for radio communications involved in the flight. The endorsement shall indicate the language, the proficiency level and the validity date, and it shall be done in accordance with a procedure established by the competent authority.

(b) The applicant for a language proficiency endorsement shall demonstrate, in accordance with Appendix 2 to this Part, at least an operational level of language proficiency both in the use of phraseologies and plain language to an assessor or an approved language-testing body as applicable. To do so, the applicant shall demonstrate the ability to:

- (1) communicate effectively in voice-only and in face-to-face situations;*
- (2) communicate on common and work-related topics with accuracy and clarity;*
- (3) use appropriate communicative strategies to exchange messages and to recognise and resolve misunderstandings in a general or work-related context;*
- (4) handle successfully the linguistic challenges presented by a complication or unexpected turn of events which occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and*
- (5) use a dialect or accent which is intelligible to the aeronautical community.*

(c) Except for pilots who have demonstrated language proficiency at an expert level, in accordance with Appendix 2 to this Part, the language proficiency endorsement shall be re-evaluated every:

- (1) 4 years, if the level demonstrated is operational level; or*
- (2) 6 years, if the level demonstrated is extended level.*

(d) Specific requirements for holders of an instrument rating (IR) or en-route instrument rating (EIR).

Without prejudice to the paragraphs above, holders of an IR or an EIR shall have demonstrated the ability to use the English language at a level which allows them to:

- (1) understand all the information relevant to the accomplishment of all phases of a flight, including flight preparation;*
- (2) use radio telephony in all phases of flight, including emergency situations;*
- (3) communicate with other crew members during all phases of flight, including flight preparation.*

▼ M3

(e) The demonstration of language proficiency and of the use of English for IR or EIR holders



shall be done through a method of assessment established by ~~the~~ any competent authority.

ECA's Comments:

The comment refers to point (e):

(e) The demonstration of language proficiency and of the use of English for IR or EIR holders shall be done through a method of assessment established by ~~the~~ any competent authority.

This change does not support any improvements in Language Proficiency requirements and standardization in EASA Member States. ECA's concern is that the reasoning behind this change aims solely at tackling the administrative burdens on the side of the national authorities.

The acceptance of different test systems and standards may support the current national differences. Additional effort should be made for further harmonization by EASA.

The so far existing text should remain unchanged.

response

Not accepted

EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

comment

590

comment by: *European Cockpit Association*

FCL.040 Medical

Exercise of the privileges of licences

Commented text:

The exercise of the privileges granted by a licence shall be dependent upon the validity of the ratings contained therein, if applicable, and of the medical certificate appropriate to the privileges exercised.

ECA's Comments:

This change does not make clear that a medical certificate is *only* required to fly an airplane. Clarification is required since for a use of a simulator - no medical certificate is required.

It is possible to perform training for an initial type rating, renewal or revalidation, and no medical is required. An SFI, TRI may perform his duties on the simulator without valid medical. And also an examiner SFE, TRE may perform his duties without valid medical.

Also clarification is required, that in case of loss of class 1 medical, the holder of an ATPL may perform his PPL or LAPL privileges on an Airplane with medical class 2.

During Training, skilltest or proofcheck the FI or FE is PIC. Therefore, a clarification is needed if the applicant does need to hold a valid medical certificate for Dual Flight training on



airplane, during skilltest or proofcheck.

Eg: for PPL dual training no medical is needed, but before the first solo flight - yes.

In our view – the rule is not clear, and there is too much room for interpretation.

ECA suggests the following wording:

*The exercise of the privileges granted by a licence shall be dependent upon the validity of the ratings contained therein, if applicable, and of the medical certificate **appropriate to the privileges exercised**. When exercising his privileges in an FSTD a valid medical certificate is not required.*

response

Not accepted

Thank you for your comment. The assumptions on which you based your comment are not entirely correct. A TRI has to hold a class 1 medical certificate whenever she exercises her privileges. (FCL.915 (b) ... 'An applicant for or the holder of an instructor certificate with privileges to conduct flight instruction in an aircraft ... shall hold at least the licence...'). The reason behind the proposed amendment in the NPA was to avoid any administrative step to allow the pilot to exercise the privileges of an LAPL or a PPL, if, for example, a holder of an ATPL only holds a valid class 2 medical certificate and wants to fly privately on the SEP rating contained in the licence.

MED.A.030 states that applicants for and holders of a licence shall hold a certain type of medical certificate. When taking a skill test with an FE for the initial issue of a licence, the pilot has to apply to the competent authority to have an examiner designated and thus is an applicant who has to hold the relevant medical certificate.

For dual flight training, no medical certificate is required as also defined in MED.A.030 (a).

AMC1 FCL.215: FCL.235 defines in (c)(3) that an applicant should be required to fly the aircraft from a position where the PIC functions can be performed and to carry out the test as if there is no other crew member. The responsibility for the flight should be allocated in accordance with national regulations.

FCL.1030 requires in (a)(2) that when conducting skill tests, proficiency checks and assessments of competence, examiners shall verify that the applicant complies with all the qualification, training and experience requirements in this Part for the issue, revalidation or renewal of the licence, rating or certificate for which the skill test, proficiency check or assessment of competence is taken.

comment

593

comment by: *European Cockpit Association*

Commented text:

FCL.010 Definitions

"Assessment of competence" means the demonstration of competence for an instructor or examiner certificate.

"Available" means, in the context of using FSTDs, any FSTD that is certified in accordance with Regulation (EC) No 216/2008 by the competent authority of a Member State or the Agency, and is obtainable for lease or hire.



Flown by sole reference to instruments” means that the applicant shall demonstrate the ability to fly the aircraft without any external visual references, in simulated or actual IMC.

ECA's Comments:

We agree with the introduction of these 3 new definitions.

However, for clarification, a definition of what a “training session” means, important for AMC’s of Subpart H (Class and Type ratings), is missing.

response Noted

Thank you very much for your comment. We have reacted to this comment already with our text proposals through RMT.0657 by proposing an amended AMC to FCL.740 (b)(1).

comment 594

comment by: *European Cockpit Association*

Commented text:

FCL.035

(2) When flight time is completed during flights operated in the same class or type of aircraft falling

under points (a), (b), (c) or (d) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.

B(4) The holder of a pilot licence shall be credited towards the requirements for theoretical knowledge instruction and examination for a licence in the same or another category of aircraft in

accordance with Appendix 1 to this Part.

Theis credits also ~~applies~~ apply to applicants for a pilot licence who have already successfully completed the theoretical knowledge examinations for the issue of ~~that~~ a licence (LAPL, PPL, CPL or ATPL) in another category of aircraft, as long as it is within the validity period specified in FCL.025(c).

ECA's Comments:

We agree with the introduction of this new paragraph.

In paragraph B(4) we recommend the highlighted text (*LAPL, PPL, CPL or ATPL*) due to a possible misinterpretation otherwise.

response Not accepted

After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment 595

comment by: *Anglo-Continental*

With regards to NPA 2014-29 (A) FCL.055.



We would like to voice our serious concerns over the proposed amendment. The change of wording from 'the competent authority' to '**any** competent authority' is a major threat to the quality of aviation English language testing and would seriously undermine all the hard work the UK CAA and their approved Language Assessment Bodies have been doing to improve standardisation and harmonisation within the aviation English language assessment industry. This will lead to the possibility of EASA pilots 'test shopping' in order to find the easiest path to attaining an operational status, regardless of where they are licensed. We strongly recommend this proposed change to be reconsidered.

response Not accepted

EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

comment 596

comment by: *Danish Transport Authority*

It should be specified if proficiency checks performed in Annex II aircraft can be used to revalidate/renew a rating or certificate.

Proposal: When flight time, or tests/checks, are completed...

Also: Annex II aircraft shall only be used for training programs for license issue when approved by the competent authority.

response Not accepted

When the content of Annex II to the Basic Regulation was developed, Member States specifically wanted to exclude the aircraft referred to therein from the scope of the Regulation and its implementing rules. When proposing to accept hours flown on some Annex II aircraft, EASA considered that also hours flown on third-country registered aircraft would be credited for revalidation. Accepting the use of Annex II aircraft to obtain qualifications with skill tests or assessments of competence and perform proficiency checks on Annex II aircraft would render the whole Annex II feckless. The intention was never to undermine Annex II but to provide General Aviation with the possibility to continue to use aircraft they were using for years already with the clear aim that at a certain moment only equipment that was certified in accordance with the Basic Regulation would be used for training, testing and checking.

ATOs must have their training manuals approved. The training programmes have to contain a list of aircraft used for training. This covers your concern of approval by the competent authority.

comment 612

comment by: *Danish Transport Authority*

Relevant Text: (a) (2) Applicants shall only take the examination when recommended...

Comment: It should be the responsibility of the ATO to recommend the applicant for the theoretical examination



	<div style="border: 1px solid black; padding: 5px;"> <p>Proposal: Put paragraph FCL.025 (a)(2) under the responsibility of the ATO</p> </div>
response	<p>Noted</p> <p>Thank you for your comment. It has already been considered with Regulation (EU) No 245/2014.</p>

comment	<p>613 comment by: <i>Danish Transport Authority</i></p> <div style="border: 1px solid black; padding: 5px;"> <p>Relevant Text: (a) Aeroplane, helicopter, powered-lift and airship pilots...</p> <p>Comment: Why not Gliders?</p> <p>Proposal: Add Gliders to requirement</p> </div>
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response	<p>Not accepted</p> <p>Thank you for your comment, which we allocated to FCL.055 (a). So far ICAO Annex 1 does not include sailplane pilots and for the sake of General Aviation we do not consider it necessary to include sailplane pilots in the language proficiency requirements.</p>
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comment	<p>614 comment by: <i>Danish Transport Authority</i></p> <div style="border: 1px solid black; padding: 5px;"> <p>Relevant Text: (c)(1-2) 4 years, if the level...</p> <p>Comment:</p> <p>Proposal: Suggest to harmonize validity intervals with other areas e.g. ATCO and apron management</p> </div>
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response	<p>Not accepted</p> <p>Thank you for your comment, which we allocated to FCL.055 'Language Proficiency'. The intervals were aligned with ICAO Annex 1 for level 5. For level 4, ICAO Annex 1 has no requirement but only a recommendation. To arrange it with the 2 years validity of class ratings, we have chosen the 4 years for level 4 with a revalidation together with every second revalidation of the class rating. Changing this interval now would represent a huge administrative burden for the competent authorities and higher costs for General Aviation without necessarily enhancing safety.</p>
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comment	<p>640 comment by: <i>Irish Aviation Authority</i></p>
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	<p>Reference - "The demonstration of language proficiency and of the use of English for IR or EIR holders shall be done through a method of assessment established by the any competent authority."</p> <p>The IAA believes that Language assessment (not just English) requires control at a State level and a member State should not be obliged to accept assessments approved by another CA that approves language assessment which is not in their native tongue.</p> <p>The standard of approved assessment methods varies widely within Europe and while some enjoy recognition by a number of Competent Authorities, many don't. In some cases "online solutions" are accepted where the level of personal interaction with the test subject is minimised. The adoption of the rule as proposed is likely to lead to a migration to "cheap and accessible" solutions which may not always be the best.</p> <p>The IAA believes that acceptance of language assessment methods should remain the remit of each individual State and that the existing text should not be changed.</p>
response	<p>Not accepted</p> <p>EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.</p>
comment	<p>641 comment by: UK CAA</p> <p>Page No: 29</p> <p>Paragraph No: FCL.010</p> <p>Comment: The definition of "Flown by Sole reference to instruments" is written in a way that could refer only to skill tests/proficiency checks. "Sole reference to instruments" is also used in various experience requirements in Part-FCL and it is recommended that the definition is amended to cover all flying of this kind.</p> <p>Justification: Consistency and clarity.</p> <p>Proposed Text: Amend to read:</p> <p>"Flown by sole reference to instruments means that the pilot flies the aircraft without any external visual references, in simulated or actual IMC."</p>
response	<p>Accepted</p> <p>The text has been amended accordingly.</p>
comment	<p>642 comment by: UK CAA</p> <p>Page No: 30</p>

Paragraph No: FCL.015, (a)

Comment: This says that application for revalidation or renewal must be made to the Authority, but Part-ARA allows authorities to have procedures for examiners to do this.

Justification: Consistency with Part-ARA.

Proposed Text: Amend to read:

“... manner established by this authority. **In the case of revalidation or renewal of ratings and certificates, application may be made to the holder of an examiner certificate who is authorised by the authority to endorse the licence or certificate in accordance with Part-ARA, ARA.FCL.200(c).** The application...”

response

Not accepted

Thank you for your comment. The text you propose goes beyond what is allowed by Part-ARA. A specifically authorised examiner or instructor is allowed to endorse the licence with the new validity date after completion of the proficiency check or training flight in the case of an instructor endorsing the licence. You are proposing that any specifically authorised instructor or examiner can endorse any licence without being involved in training or testing for the revalidation or renewal. This was not the intention of the underlying requirement and therefore your comment is not accepted.

comment

643

comment by: UK CAA

Page No: 31

Paragraph No: FCL.015, (b)

Comment: It is recommended that the text be amended to exclude the case of adding extra launch methods for sailplanes.

Justification: Consistency with FCL.130.S, which implies that additional launch methods may be added by instructor sign off in the pilot’s logbook. Having to submit the licence to the Competent Authority to add up to 5 separate launch methods is unnecessary administration and cost.

Proposed Text: Amend to read:

“... .. by the competent authority. **This need not apply to the addition of the privileges to use alternative methods for the launching of sailplanes to a LAPL(S) or SPL for which the signature of the instructor in the pilot’s logbook is sufficient**”.

response

Not accepted

Thank you for your comment. It is not necessary to change the rule text as the requirements in FCL.130.S are already clarifying this for the LAPL. For the SPL, there is a reference in FCL.220.S to the same point, so for both licences the additional launch methods are signed off in the pilot’s log book.



comment	<p data-bbox="360 277 411 304">644</p> <p data-bbox="1219 277 1474 304">comment by: UK CAA</p> <p data-bbox="360 333 517 360">Page No: 32</p> <p data-bbox="360 405 719 432">Paragraph No: FCL.025 (b)(3)</p> <p data-bbox="360 477 1484 611">Comment: Part-FCL has imposed a maximum of 6 sittings for PPL/LAPL/SPL/BPL exams that did not previously exist. This is considered unnecessary and difficult to manage for this level of licence, because there are fewer subject papers. It is suggested that the limit on sittings should not apply to PPL/LAPL/SPL/BPL.</p> <p data-bbox="360 656 887 683">Justification: Unduly onerous requirement.</p> <p data-bbox="360 728 748 754">Proposed Text: Amend to read:</p> <p data-bbox="360 799 1484 898">“...complete set of theoretical knowledge examination papers. The maximum of 6 sittings shall not apply to the theoretical knowledge examinations for the issue of any LAPL, PPL, SPL or BPL.”</p>
response	<p data-bbox="360 931 475 958">Accepted</p> <p data-bbox="360 981 847 1008">The text has been amended accordingly.</p>

comment	<p data-bbox="360 1095 411 1122">645</p> <p data-bbox="1219 1095 1474 1122">comment by: UK CAA</p> <p data-bbox="360 1151 517 1178">Page No: 33</p> <p data-bbox="360 1223 719 1249">Paragraph No: FCL.035 (a)(2)</p> <p data-bbox="360 1294 1484 1393">Comment: The paragraph could be interpreted as only allowing credit for experience, and not for training and tests. Also, the paragraph does not address the use of military aircraft by approved test pilot schools.</p> <p data-bbox="360 1438 1484 1536">Justification: Clarification and extension of the text is needed to cover training for the FTR and FTI to make it clear that training and testing can be completed in Annex II and military aircraft in the case of test pilots.</p> <p data-bbox="360 1581 549 1608">Proposed Text:</p> <p data-bbox="360 1619 858 1646">Replace paragraph (2) with the following:</p> <p data-bbox="360 1655 1484 1789">“(2) When flight time, including experience, training, skill tests and proficiency checks, is completed during flights in the same class of aircraft falling under points (a), (b), (c) or (d) of Annex II to Regulation (EC) No. 216/2008, it shall be given full credit for the purpose of the issue, revalidation or renewal of a licence, rating or certificate.”</p> <p data-bbox="360 1834 871 1861">Add new paragraph (3) with the following:</p> <p data-bbox="360 1870 1484 2004">“(3) When flight time, including training, testing and assessment, is completed as part of an approved course for the purpose of obtaining a flight test rating or a flight test instructor certificate in any aircraft used for the approved course by the ATO, full credit shall be given for the purpose of the issue of the flight test rating or flight test instructor certificate.”</p>
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response	<p>Renumber the existing paragraph (3) as paragraph (4).</p> <p>Not accepted</p> <p>After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.</p>
comment	<p>646 comment by: UK CAA</p> <p>Page No: 34</p> <p>Paragraph No: FCL.040</p> <p>Comment: The proposed wording is intended to permit the holders of PPL, CPL and ATPL to use LAPL privileges when they cannot hold the required Medical Certificate for their licence. This would remove the need to surrender the PPL, CPL or ATPL and obtain a replacement LAPL.</p> <p>It is suggested that there needs to be GM for this to advise Competent Authorities to include the LAPL in the higher licences when they are printed, i.e.:</p> <p>Section II Titles of licences, date of initial issue and country code ATPL(A) CPL(A) PPL(A) LAPL(A)</p> <p>Justification: The success of the proposed change is dependent upon the administration of the licence. If the LAPL(A) is not included in the licence the licence will not be valid. This is because Part-MED specifies that the holder of the ATPL/CPL must hold a Class 1 medical and the holder of a PPL must hold a Class 2 medical.</p> <p>Proposed Text: Issue GM to FCL.040 and ARA.FCL.200.</p>
response	<p>Not accepted</p> <p>Thank you very much for your comment. Even if it is not accepted as a comment on this NPA, EASA has already tackled the issue through a different RMT. Part-MED is changed accordingly. For the licence format, it is so far not planned to make any changes because the relevant parts of the rule define the privileges linked to the different licences and this should be sufficient.</p>
comment	<p>647 comment by: UK CAA</p> <p>Page No: 35</p>

Paragraph No: FCL.055(e)

Comment: The proposed change of wording to “any” competent authority will mean that each authority must accept the method of testing used by every other authority. In the case of skill tests and proficiency checks, the regulation and the associated AMC define in detail what the test must contain and also assures the qualification and competence of the examiner. This is not the case with language proficiency - the content of the test and the qualifications of the assessors are not established.

The UK CAA became aware a few years ago that there was at least one ‘approved method’ of assessment using an online IT system. This did not provide any guarantee that the person taking the test was in fact the applicant, or that they were not being assisted by someone else nearby. The TAG-SSCC FCL Group has discussed holding a workshop of the Member States to explore the possibility of establishing common methods for language assessment. It is recommended that unless/until such common methods are established the wording of the rule should remain “the competent authority”.

Justification: There is no agreed common standard for examiners/assessors and no common method of testing.

Proposed Text: Restore the original text: “.....by **the** competent authority”.

response

Not accepted

EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

comment

692

comment by: CAA Norway

FCL.035 Crediting of flight time and theoretical knowledge

(a) Crediting of flight time

(2) When flight time.... it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.

This new rulechange should be clarified.

Does it also mean that it is possible to revalidate an EASA type rating according to FCL.740.H (3), based on a proficiency check conducted on an annex II aircraft?

FCL.740.H(3) When applicants hold more than 1 type rating for single-engine piston helicopters, they may achieve revalidation of all the relevant type ratings by completing the proficiency check in only 1 of the relevant types held, provided that they have completed at least 2 hours of flight time as PIC on the other types during the validity period.

The proficiency check shall be performed each time on a different type.

response

Not accepted

After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the



requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment 704 comment by: *Rogério Pinheiro*
 APTTA agrees with the propose amendment, as it aims to harmonize.

response Noted
 EASA thanks you for your positive feedback and support.

comment 705 comment by: *Rogério Pinheiro*
 FCL.035 (b) (4) - Added ability to obtain credit for the formation of theoretical knowledge and examination of licenses not only in another category of aircraft, but also in the same category of aircraft - APTTA agrees.

FCL.055 Language Proficiency - We understand that as extremely positive in the scope of free movement of goods, services, capital and people within the EU.

response Noted
 EASA thanks you for your positive feedback and support.

comment 706 comment by: *Rogério Pinheiro*
 FCL.060 - Recent experience - flight training contents done with a qualified instructor - reference to the essential requirements set out in Annex III of Regulation (EC) No 216/2008.

This requirement was necessary and mandatory by the Regulation based content.

response Noted
 EASA thanks you for your positive feedback and support.

comment 708 comment by: *Ants Aaver*
 The Notice of Proposed Amendment on FCL - NPA 2014-29 (A) - contains a proposed change to the wording from 'the competent authority' to '*any* competent authority' (p 35 – FCL.055 Language proficiency).

Estonian Aviation Academy, as a Language Proficiency Testing Organisation certified by Estonian CAA, is deeply concerned about this seemingly minor change as it might lead to considerable widening of the concept of “competent authority” and, thus, bring about decline in language assessment quality, affecting all EASA member states and causing serious threat to flight safety.

The issue has been discussed with the Academy administration and representatives of the



	<p>ECAA.</p> <p>Ants Aaver Vice Rector for Studies Estonian Aviation Academy</p>
response	<p>Not accepted</p> <p>EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.</p>
comment	<p>724 comment by: <i>Cristian DURANTE</i></p> <p>"Multi-pilot operations"</p> <p>I would like to discuss about operational concept considerations on Multi Pilot crew system on single pilot certified aircraft, applicable to aeroplanes or helicopters. I am confident that you agree that the cornerstone of our approach to the operational concept of Multi Pilot crew system is philosophy. The philosophy of operation in a complex human-machine system, it should not be different between aircraft categories. More harmonization between aeroplanes (CS 23 Single-Pilot High Performance Complex Aeroplanes) and helicopters (CS 29 Single-Pilot Complex Helicopters) in multi pilot operations on Single pilot certified aircraft is essential. The coherence, in terms of definition, consistency and logic, of such operating concepts is vital for the efficiency and safety aspect of this system, independently of hardware category.</p> <p>Moreover, in this matter, there is need for necessary provisions in field of licence endorsement, that clearly showing the pilot ratings privileges, due to a lack of standardization among the EU NAAs, that could lead to confusion in the operating concept between MPO and SPO.</p>
response	<p>Noted</p> <p>Thank you for your comment and feedback. In the aeroplane category, certification categories for multi- and single-pilot aeroplanes exist. Within the single-pilot aeroplane category, operational requirements may require a multi-pilot operation. A similar situation exists for the helicopter category where only type ratings exist and the type of operation is governed for most helicopters by the operational requirements. Part-FCL so far only acknowledges restrictions to multi-crew operations and there is no intention to change that. Any multi-pilot operation is submitted to the operator and it is their responsibility to supervise that.</p>
comment	<p>730 comment by: <i>Light Aircraft Association</i></p> <p>FCL.025</p> <p>Whilst the proposed FCL.025 amendment is a minor editorial change, the LAA considers it inappropriate to mandate "sittings" for theoretical knowledge examination at the LAPL and</p>

PPL level. The LAA recommend that EASA re-visit this requirement with a view to removal of the "sittings" requirement for LAPL and PPL applicants.

FCL.035(a)(2)

The LAA fully support the proposal to include flight time in Annex II (a,b,c, and d) aircraft towards issue, renewal, and revalidation of a licence, rating, or certificate.

However, the crediting of flight time towards renewal and revalidation of a licence, rating, or certificate should also be extended to include microlight aircraft which fall within Annex II (e).

FCL.055

It is noted that the requirement to demonstrate proficiency requires an assessor or approved language testing body. To ease the burden on General Aviation, through Standards Document 51 the UK CAA currently authorise Part-FCL Examiners who hold Level 6 LPE to conduct Level 6 assessments. The LAA welcomes this amendment which supports the continued use of Part-FCL Examiners to conduct these assessments.

response

Accepted

FCL.025: The text has been amended accordingly.

Not accepted

FCL.035: After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

Noted

FCL.055: EASA acknowledges your comment and thanks you for your feedback.

comment

752

comment by: *Finnish Transport Safety Agency*

FCL.035 (a)(2) and
AMC1 FCL.140.A; FCL.740.A(b)(1)(ii)

The intention of FCL.035 (a)(2) compared to AMC1 FCL.140.A; FCL.740.A (b)(1)(ii) is unclear. According to FCL.035 the micro light aircrafts are excluded from the crediting. However, the wording of AMC text could be understood to include also micro lights. Finland suggests EASA to clarify the text to make it clear whether the flight time flown with micro lights may be credited or not.

response

Not accepted

After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the

requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment	753	comment by: <i>Finnish Transport Safety Agency</i>
	<p>FCL.040</p> <p>Finland supports the proposed change. The added text combines the medical certificate class directly to the rights which licence holder may exercise.</p> <p>In Finland's opinion this would mean that for example a holder of an ATPL(H) who only has class 2 medical certificate would be able to exercise PPL(H) privileges without a separate PPL(H) endorsement in his/her licence.</p>	
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback. The EASA intention was to cover the example you mentioned without any administrative burden for the NAAs and to avoid financial burden for the pilots concerned. General Aviation.</p>	
comment	785	comment by: <i>Deutscher Aero Club (DAeC)</i>
	<p>FCL.015 Application for the issue, revalidation and renewal of licences, ratings and certificates page 30/253 (a) Please change your text "...in a form and manner established by this authority..." to "in a form and manner established by the Agency..."</p> <p>Rationale: In a state with 22 competent authorities it is almost impossible to have a standardized approach if you leave the decision to the individual competent authorities, The German Aero Club is confronted with the disadvantages of the application of regulation by the different authorities. If standardization is a major issue of the Agency, an approach more guided by the Agency in such tasks has to be followed.</p> <p>Competent authorities try to follow all applicable rules or rules that they think which shall apply and the problem that these only exist in english language make such guidance by the Agency highly necessary.</p>	
response	<p>Not accepted</p> <p>Thank you for your comment. For the time being, we do not consider it necessary to further standardise the application forms. The safety-relevant contents are defined in the relevant AMC and GM. A further standardisation of administrative procedures may be a subject to a future rulemaking task.</p>	
comment	786	comment by: <i>Deutscher Aero Club (DAeC)</i>

	<p>FCL.035 Crediting flight time and theoretical knowledge page 33/253 (b)(4)</p> <p>The proposal states "...for a licence in the same or another category of aircraft...".</p> <p>Same or another = any, therefore we recommend to simplify the text.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Even if we agree that any amendment should also aim to simplify the rule text, we insist in this case on the proposed wording, as implementation practice in some Member State has shown that the clarification as proposed was necessary to avoid any ambiguity.</p>
comment	<p>788 comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p>FCL.025 Theoretical knowledge examinations for the issue of licences and ratings p 31/253</p> <p>This system is appropriate to the situation in many member states. In a state with 22 competent authorities as in Germany it is almost impossible to have a standardized approach if you leave the decision to the 22 competent authorities. It is important to have a standardized approach to testing.</p>
response	<p>Accepted</p> <p>The text has been changed in FCL.025 (a)(1) by replacing 'Member State' with 'the same Member State's competent authority'.</p>
comment	<p>792 comment by: <i>Eleonora ITALIA</i></p> <p>FCL.055 LANGUAGE PROFICIENCY</p> <p>Having regard to the ToR: <i>"The specific objective of this NPA is to maintain a high level of safety for flight crews, to ensure harmonised implementation of the Aircrew Regulation, and to consider at all levels the importance of General Aviation issues."</i></p> <p><i>"The proposed changes are expected to increase safety, reduce regulatory burden on Member States, improve harmonisation, ensure compliance with ICAO, a....."</i></p> <p><i>Aeroplane, helicopter, powered-lift and airship pilots required to use the radio telephone shall not exercise the privileges of their licences and ratings unless they have a language proficiency endorsement on their licence in either English or the language used for radio communications involved in the flight. The endorsement shall indicate the language, the proficiency level and the validity date, and it shall be done in accordance with a procedure established by the competent authority.</i></p> <p>I think that the scope of this change, to allow those specifically authorised examiners, who are also language-proficiency assessors, to endorse the licence of a pilot with a language-</p>

proficiency endorsement, needs - in advance or at least contextually - to define and establish some standardized implementation rules concerning:

- - Test administration (*whereas ICAO Doc 9835 defines “ **Administration**. The actions involved in the delivery of a test to a group of candidates under specified conditions. Specifications might include registration procedures, instructions for candidate seating arrangements, equipment needed, time parameters for each test task, etc.)*)
- - Test delivery (ICAO Doc 9835 Glossary: **Test delivery**. The physical means by which test input is made available to the test-taker during test administration (e.g. paper documents, computer screen, audio sound-source, face-to-face encounter, etc.).
- - Score reporting procedures (who receives the results of test?)
- - Record keeping in particular concerning the score-reporting process
- - Standardization of the LP examiners in rating the language proficiency of the test-takers
- - Standard documentation to submit to the authority to endorse the level of proficiency
- - policies and procedures for retaking the test;
- - Standard certificates for those examiners who are also language assessors (some of them have this qualification entered on their flight licences, some have a separate sheet, some have nothing)
- - Validity period of the qualification as language proficiency assessor (is this lifelong? If not, which are the requirements for the maintenance of such qualification?)
- - Procedures for the exchange of the relevant information concerning the test taker (i.e. in order to avoid candidate assessed at level 3 by one examiner to be soon after assessed at level 4 or even more by another)
- - Procedure for monitoring the activity of the language assessor

The applicant for a language proficiency endorsement shall demonstrate, in accordance with Appendix 2 to this Part, at least an operational level of language proficiency both in the use of phraseologies and plain language to an assessor or an approved language-testing body as applicable.

According to the terms of reference given for the revision, the NPA should ensure harmonization and compliance with ICAO, intending not only ICAO standards, but also ICAO recommended practices.

ICAO Doc. 9835 states:

6.3.4.2 To fulfil licensing requirements, rating should be carried out by a minimum of two raters. A third expert rater should be consulted in the case of divergent scores.

— **What it means.** Best practice in language proficiency assessment calls for at least two trained and calibrated raters, at least one of whom is a language expert.

— **Why it is important.** Using at least two raters reduces the possibility of rater error and helps to ensure a comprehensive evaluation of each test-taker.



For this reason in order to ensure a real and substantial harmonization in assessing the language proficiency, in my opinion it should be at least well defined in which scenario the assessor is allowed to operate and in which one a language testing body is required (for example: assessor is allowed to conduct only revalidation of language proficiency and/or to rate up to level 4, and/or confirming the level already given to candidate by an assessment body...)

The demonstration of language proficiency and of the use of English for IR or EIR holders shall be done through a method of assessment established by ~~the~~ any competent authority.

Even appreciating this modification in favor of an highest level of harmonization and of mutual recognition, i think that in order to be effective without affecting the reliability of the whole system, it should be completed with a further set of requirements. By this new provision every MS shall accept the level of LP as assessed through any methods established by any MS.

I think that the main focus should be to ensure harmonization among the language proficiency (with particular reference to english proficiency) of air crew. To do this, in my opinion EASA should put in place some initiatives and guide lines to ensure inter reliability among tests. In other words, to facilitate the mutual recognition of LP assessment, prior to establish the mutual recognition of the results of the tests.

For what above, MS should be asked to implement standard procedures for:

Testing system (*ICAO Doc 9835 glossary: Testing system. A combination of all provisions for administrating a given test, including the test materials, but also the organization of test maintenance, test delivery, rating and marking*) in order to ensure inter reliability and avoid test-shopping (candidates with a low language proficiency looking for the easiest test)

Test maintenance: The activities of a testing organization intended to preserve the reliability, validity and security of the test over time. These activities include monitoring test results and rater reliability, designing and trialling new test items, issuing new versions of the test, reviewing instructions for test administrators, etc.

The certification of the language assessment bodies (format, validity period, relevant information .. as for the ATO's)

The certification of raters (format, validity period, relevant information ... as for flight examiners)

The certificate issued to candidates ((format and relevant information)

The overall oversight of testing system, test delivery, test security, record keeping by the authority

Once these procedure in force, the demonstration of LP in one MS can be considered harmonized within MSs and reliable by any other MS.

In the current situation, there is no standardization among testing system, testing delivering methods, record keeping, certificates, validity period and currency of assessment bodies certificates and raters certificates. In such a variegate scenario, we run the risk to lose the aims of the test and the benefits for the target population in terms of safety.

My proposal is :

to add a paragraph in which the authority is asked to put in place the above listed procedures and formats

to develop in a due time relevant AMC providing sample of format and guide lines for these procedures

response

Not accepted

EASA thanks you for your comment. The text change you propose cannot be made in Part-FCL but would have to be done in Part-ARA. Furthermore, it will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

comment

803

comment by: *The Finnish Aeronautical Association*

FCL.035 Crediting of flight time and theoretical knowledge.

(2) When flight time is completed during flights operated in the same class or type of aircraft falling under points (a), (b), (c) or (d) of Annex II to Regulation (EC) No 216/2008, it shall be given full credit for the purpose of issue, revalidation or renewal of a licence, rating or certificate.

Recommendation:

Please include also point (h) of Annex II. These aircraft are replicas of aircraft in point (a) –(d). Forcing a pilot to maintain currency in a real, perhaps antique and unique aircraft is unreasonable if a replica is available.

response

Not accepted

After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.

comment

804

comment by: *The Finnish Aeronautical Association*

FCL.105.A LAPL(A) — Privileges and conditions

(a) The privileges of the holder of an LAPL for aeroplanes are to act as PIC on single-engine piston aeroplanes-land or TMG...

Recommendation:

We were informed that a **seaplane rating** for the LAPL(A) is in progress, and we expected it to be included in this revision of the FCL. Please include it, if practicable. It is of great importance for our community.

(Note: Also included in the EAS response)

response

Not accepted

The seaplane privilege for the LAPL(A) will be dealt with through a separate RMT.

comment

805

comment by: *The Finnish Aeronautical Association*

FCL.105.a LAPL(A)

(b)

This states that a holder of LAPL(A) must fly at least 10 hours of solo after issuing of license before carrying any passengers. This makes a problem: If you have had an PPL and you convert into LAPL, you should, as stated, fly 10 hours before carrying passengers.

Recommendation:

A sentence should be added covering this matter. Something like: If the holder of LAPL has had the right to carry passengers this right is forwarded into LAPL... or similar.

response Accepted – the text has been amended accordingly.

comment 808

comment by: *Latitude Aviation English Services*

Today, language proficiency tests for flight crew licensing must be approved by 'the competent authority' which is issuing the licence. The EASA NPA on FCL contains a proposed change to the rules from 'the competent authority' to 'any competent authority'. This single word change will enable any pilot holding an EASA licence to choose any test approved in any European member state. This is ostensibly a good thing - all things being equal, the change promotes a fundamental freedom of choice for those who are required to take high stakes language tests.

However, all things are not equal. Today, the regulation of aviation language testing in Europe is extremely weak and there are precious few quality aviation language tests that adhere to ICAO guidance as embodied in ICAO doc 9835 (<https://www4.icao.int/aelts/Home/RecognizedTests>). Due to a widespread and pitiful lack of assessment literacy at the regulatory level, a plethora of poor tests¹ continues to operate across the continent free of regulatory and ethical responsibility to provide legitimate evidence of validity and reliability, either to the approving authorities or to the pilots that take tests. The proposed change to the rules will only make a bad situation worse: It will open national borders which will lead to further contamination of flight crew licensing standards by poor quality language testing. Flight crews with anxieties about language proficiency are likely to migrate to states where tests are perceived as 'easy'. We already have examples of candidates seeking level 6 sign off to remove them from testing by travelling from Europe to Canada or to Germany based on perceptions of test difficulty. In 2010 concerns were raised re a large number of pilots seeking an "easier test in Germany" <http://www.telegraph.co.uk/news/worldnews/europe/poland/8172134/Polish-pilots-investigated-for-cheating-English-exams.html>.

On behalf of Latitude Aviation English Services, I urge EASA to reconsider this proposed change as it will further erode an already poorly implemented language proficiency safety standard.

¹Alderson, J. C. (2010). A survey of aviation English tests. *Language Testing*, 27, 51–72.

response Not accepted

EASA Agency thanks you for your comment. It will be the role of the EASA standardisation



division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

comment	815	comment by: <i>AOPA Sweden</i>
	FCL.035 (a) (2) is very good and a needed clarification. This will reduce administrative burden and lower the costs for the GA community.	
response	Not accepted	
	After consultation with the EASA experts, the decision taken was to remove the text amendment in FCL.035(a)(2) proposed with NPA 2014-29 because with this amendment the requirements of the Basic Regulation would have been altered. If deemed necessary this should be done in the Basic Regulation itself rather than in its implementing rules. EASA has prepared an AMC and proposed it with NPA 2014-29(B) and this AMC will be published after the adoption of the amendments to the Aircrew Regulation as GM.	

comment	825	comment by: <i>G AIR Training Centre Madrid Spain</i>
	Dear Colleagues,	
	Please find attached our comments on the proposed amendment to FCL/55.	
	I would very much like to see this possible amendment rejected as I personally think it would endanger many lives. Then again I am only speaking of my experience with the languages I deal with, they being: Spanish, Belgian, Dutch and Asian.	
	Having received an e-mail regarding the language issue this is my comment:	
	G AIR Training Centre Madrid:	
	After having undergone scrutiny in order to maintain our position as a recognised ICAO examining centre I find it hard to believe that EASA is planning on changing the rules of acceptance. Therefore	
	I am pleased to add my input for the NPA 2014/29A in this regards (please refer to doc added)	
	FCL.055	
	There is still no harmonisation in the domain of Language proficiency testing. Most MS are aware of the fact that there is a wide variety of tests, some of which – although approved by an Authority – are invalid, for instance because they do not test what they should and/or because the results are not reliable. Furthermore, clear guidelines for assessor training are missing, and there is no inter-reliability of Language assessors within Europe. Some assessors did not receive any training, just a copy of the rating scale, while others had to undergo an intensive one-week training course. And eventually, there is no regulation regarding the legislative/administrative actions to take in the case of a failed Language proficiency exam. In some MS, pilots who failed the test can continue to fly as long as the current licence	



endorsement hasn't expired, while in other MS they are immediately subject to restrictions.

This lack of standardisation and harmonisation is already leading to "Language proficiency tourism" (especially in view of getting a Level 6). If FCL.055 is amended in a way that MS are obliged to accept Language proficiency certificates issued by any test provider/Language assessment body authorised by any MS, we will even more throw the doors wide open to abuse, i.e. to pilots who try to find the easiest way to get a Language proficiency endorsement and/or to untrustworthy test providers/assessors. Therefore, at this stage it would be unwise to make an amendment which would result in an obligation to recognise any Language proficiency assessment performed in accordance with the assessment method established by any MS. Before doing so, the main problem areas mentioned above should be regulated, standardised and harmonised.

Proposal: Maintain the rules as they are to guarantee the linguistic level of the candidate therefore maintaining security in aviation at its highest. Were the new proposal to come into force we are guaranteed a lower level of understanding and a higher level of possible incidents/accidents caused by this.

response Not accepted

EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

comment

826

comment by: *Flygteoriskolan Barkarby AB*

Dear Sir/Madam,

My comment only relates to the examination procedure where, in my book, there are some strange rules..

As follows (an excerpt):

1178/2011:

"FCL.025 Theoretical knowledge examinations for the issue of licences...

...(3) If an applicant has failed to pass one of the examination papers within 4 attempts, or has failed to pass all papers within either 6 sittings or the period mentioned in paragraph (2), he/she shall re-take the complete set of examination papers. Before re-taking the examinations, the applicant shall undertake further training at an ATO. The extent and scope of the training needed shall be determined by the training organisation, based on the needs of the applicant."

My comments:

1. The consequences for being weak in one subject is very harsh to say the least... For instance, if you pass 8 exams for PPL with a grade of 100%, but fail in one subject four times, each time with a grade of 70%, you need to retake all subjects? Makes no sense... I understand that something is needed, but is it possible to at least have one more attempt



after refresher training at an ATO based on the competent Authority's approval? I do not know what it is like in other countries but in Sweden the PPL exams are not in mint condition and there are still incorrect questions and questions with multiple correct answers. The questions were written 7 years ago but as recently as a couple of weeks ago I discovered that there were incorrect questions and answers. A lot of digging through hearsay since the questions are classified... The same goes for the ECQB, there are incorrect questions. Today a student of mine received a higher result based on an incorrect coordinate in the question...

2. What is the purpose of the limitations of sittings? Does not make sense either. Is there a pedagogical gain by this limitation? My suggestion: delete the limitation and as long as all the exams are passed within 18 months that should be enough.

My suggestion:

1. If an applicant has failed to pass one of the examination papers within 4 attempts, he/she shall have refresher training in that particular subject by an ATO, approved by the appropriate Authority before taking the examination a fifth time. If he/she still fails, a complete set of examination papers shall be re-taken.
2. Again, delete this limitation, of no academic/didactic essence.

response

Accepted

The text has been amended accordingly. (GA Road Map)

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART B: LIGHT AIRCRAFT PILOT LICENCE — LAPL, SECTION 1: COMMON REQUIREMENTS

p. 37-38

comment

376

comment by: *Uppvinden AB*

FCL.10X

Consider the possibility to just have ONE LAPL licence and ratings for the different categories. Today it can be necessary to have LAPL(A), LAPL(H) and LAPL(S) to keep on flying. Without any safety change, this should minimize GA burden, administration and costs.

FCL.105

Can a LAPL holder (eg. LAPL(S)) be an instructor or examiner? In such case can he/she take remuneration? At least for the instructor course? According to FCL.910.FI c) (3) can such an instructor never be removed from the restrictions since LAPL is not mentioned. According to AMC2 FCL.930.FI: "The aim of the FI(S) and FI(B) training course is to train SPL and BPL holders" can a LAPL(S) holder not be an instructor. What is correct?

FCL.110 a

Not only "applicants", it should include "already holder of". Example: A holder of LAPL(S) and PPL(A) makes a class type rating for TMG on his/her PPL(A). Then he/she can obtain the previlige on the LAPL(S) without being an applicant. Also vice versa.

response

Not accepted

FCL.10X: Thank you for your comment. This is not in accordance with an overall principle that for one category of aircraft there should be only one licence issued. With all the different helicopter types, there would be very quickly not enough space on such a licence. But we will take this comment up for further discussions when working on the licence format through a



different RMT.

Accepted

FCL.910.FI: You are right, the LAPL(S) and LAPL(B) should be mentioned in FCL.910.FI (c) (3); the text has been amended accordingly.

Not accepted

FCL.110: Thank you for your comment. EASA would like to highlight that whenever a pilot applies to a competent authority for the issue of a licence or associated rating or privilege he or she is an applicant by default. Therefore, the basis for the application is irrelevant.

comment

420

comment by: CAA Norway

FCL.120(a).

The theoretical knowledge examination for PPL also counts towards the LAPL. The common subject number 1, Air law, should be named according to the PPL theoretical knowledge syllabus.

Proposed new text:

(1) Air law and ATC procedures

response

Accepted

The text has been amended accordingly.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART B: LIGHT AIRCRAFT PILOT LICENCE — LAPL, SECTION 2: SPECIFIC REQUIREMENTS FOR THE LAPL FOR AEROPLANES — LAPL(A) p. 38-39

comment

8

comment by: David Chambers

FCL.135.A Clause (a): The phrase “and variant” should be removed from clause (a) because this clause relates primarily to qualifying in a new/different class (currently either TMG or SEP). Differences training for other variants within the same class is covered entirely by clause (b) instead. I do not believe it is intended that a skill test with an examiner is required to fly a variant within the same class.

response

Accepted

Thank you very much for this comment. The text has been amended to reflect your concerns.

comment

9

comment by: David Chambers

FCL.135.A clause (b) as written in the proposal permits a LAPL to fly a variant within the same class provided that either:

a) differences training has been undertaken and signed off in the pilot's logbook by a qualified instructor **OR**

b) familiarisation by the pilot him/herself, in which case no logbook entry is required by



either an instructor or the pilot.

What this means (as written in the currently proposed regulation) is that a pilot can simply declare himself “familiarised” (without any written record) and fly any aircraft within the same class. This makes any mandated instructor training or sign-off irrelevant.

I suspect this is simply a case of poorly worded English and the intent is that an instructor sign-off is required before flying any variant, regardless of whether differences training (on the ground or in the air) needs to be performed.

In the real world, a LAPL is likely to gain access to a new variant of aircraft through one of the following routes:

- a) As a member of a flying club, where club rules and the oversight of a CFI would mandate appropriate differences training where required
- b) Aircraft rental, where the rental agency would require details of the pilots experience and a checkout
- c) Buying into an aircraft share or outright, where the insurance company (and other shareholders) would require appropriate differences training/familiarisation

It is therefore unlikely that LAPL pilots following the rules would be able to gain access to aircraft they are not trained or experienced enough to fly. In view of EASA’s approach to proportionate regulation, I do not see evidence of accidents caused where pilots have not received suitable differences training except perhaps by those who completely ignore the regulations anyway.

Furthermore, the term variant is not defined anywhere - it could be the difference between a PA28-141 and PA28-161 or intended to address only those aspects which mandate differences training for PPL such as variable prop, retractable gear etc.

I propose that differences training should only be required for LAPL pilots by regulation for

- a) A different type of landing gear (fixed tricycle, tailwheel, retractable, ski, floats)
- b) Variable pitch propeller
- c) EFIS vs six-pack gauges

If it is the intention of EASA to mandate an instructor sign-off for other aspects (e.g. low wing vs high wing), then these should be specifically called out and named in the regulations.

response

Noted

This comment complements your comment No 8 which lead to a text change already. For the specification, when a differences training or a familiarisation is required, please refer to the licence endorsement list published on the EASA website.

comment

39

comment by: IAOPA (EUROPE)

Observation	Proposed new text
In FCL.135.A paragraph (b), the words 'do a' are superfluous. IAOPA (Europe) proposes the amendment as	(b) Before the holder of an LAPL can exercise the privileges of the licence on another variant of aeroplane than the one used for the skill test, the pilot shall undertake differences training or do a familiarisation. The

	indicated.	differences training shall be entered in the pilot's logbook or equivalent document and signed by the instructor.
response	Accepted	The text has been amended accordingly.
comment	97	comment by: <i>René Meier, Europe Air Sports</i> FCL.105.A LAPL(A) Privileges and conditions page 38/253 The privileges of the holder of an LAPL for aeroplanes are to act as PIC on single-engine piston aeroplanes-land or TMG... Please include now already the LAPL(A) Seaplane rating. This rating is of great importance to the flying communities of the Nordic countries particularly. Rationale: We are informed that the LAPL (A) Seaplane Rating is in progress and expected to be included in this revision of Part-FCL. Any delay is detrimental to the community.
response	Not accepted	The seaplane privilege for the LAPL(A) will be dealt with through a separate RMT.
comment	241	comment by: <i>The Norwegian Air Sports Federation</i> FCL.105.A (a): The privileges should be extended to single-engine piston aeroplanes-sea, please refer to the above.
response	Accepted	EASA acknowledges your comment and thanks you for your feedback. There is a separate RMT for this amendment and we will at this stage only refer to the SEP(sea) class rating for the training, but the training syllabus for this rating has been amended.
comment	389	comment by: <i>Uppvinden AB</i> FCL.105.A a Why only "piston"? Many electric aeroplanes are arriving and it should be illegal to fly them on a LAPL(A) with today's text. FCL.105.A b Complement: If the person has had another licence (eg. PPL(A) or CPL) with rating to carry passengers this text should not be valid.



	<p>FCL.110.A b Why only LAPL(S)? Why not SPL too? Are SPL holders worse educated than LAPL(S)? Crediting for LAPL(S) or SPL holders, both with TMG extension, making the training and the skill test for LAPL(A) on TMG? The last word is "aeroplanes" but TMG have to be used for skill tests on TMG. Crediting for LAPL(S) or SPL holders, both with TMG extension, who wants class rating for TMG after skill test on aeroplane?</p> <p>FCL.135.A a This limitation is not valid if the skill test is done on aeroplane and the applicant already holds a valid TMG rating from LAPL(S), SPL or another aeroplane category.</p> <p>FCL.140.A TMG holders find here "2 years" and in FCL.140.S b 1 "24 months" for the same flight. Better corresponding between different parts of FCL.</p>
response	<p>Not accepted</p> <p>FCL.105.A (a): Thank you for this comment. This will have to be dealt with through a separate RMT.</p> <p>Accepted</p> <p>FCL.105.A (b): Thank you for this comment. The text is amended to accommodate your concerns.</p> <p>Not accepted</p> <p>FCL.110.A (b): Thank you for your comment. There is no need to amend the regulation as your concern is covered with FCL.210.S SPL 'Experience requirements and crediting'.</p> <p>Not accepted</p> <p>FCL.135.A (a): Thank you for your comment. An amendment of the rule text for the example you give is not necessary as for such a privilege or rating the pilot would be credited anyway.</p> <p>Accepted</p> <p>FCL.140.A: Thank you for this comment. The text has been amended accordingly.</p>
comment	<p>421 comment by: CAA Norway</p> <p>CAA Norway believes a holder of a LAPL(A) should be allowed to carry passengers with less than 10 hours as PIC on aeroplanes or TMG after issuance of a LAPL(A), <u>if</u> the issue of the licence is based on a "conversion" from a PPL(A), CPL(A) or ATPL(A). We propose the following change to FCL.105.A (b) as follows:</p> <p>FCL.105.A LAPL(A) — Privileges and conditions (b) Holders of a LAPL(A) shall only carry passengers once they have completed 10 hours of flight time as PIC on aeroplanes or TMG after the issuance of the licence, <u>unless they previously have completed 10 hours of flight time as PIC on aeroplanes or TMG as holder of another licence in the same category.</u></p>
response	Partially accepted

Thank you for your comment. EASA has received other comments on this issue and has decided to change the text; not exactly as you proposed but still covering your concern.

comment 477

comment by: FAA

Reference text: (b)- Before the holder of an LAPL can exercise the privileges of the licence on another variant of aeroplane than the one used for the skill test, the pilot shall undertake differences training or do a familiarization.

Comment: The rule text should make clear what is required in differences training. For example, is a flight required or may this training be accomplished via a ground school course? Also, the sentence ends with "...or do a familiarization" but does not make clear if this means a familiarization course or simply training. It appears text may be missing.

response Not accepted

Thank you for your comment. Please be advised that for differences training, there is no content described, it is at the discretion of the instructor. The familiarisation does not necessarily have to be performed by an instructor, only should the OSD for the aircraft require it. Otherwise, it maybe self-study or given by a knowledgeable other pilot. The essential requirements defined in Annex III to the Basic Regulation require that all training has to be performed by a suitably qualified instructor. To avoid that also for familiarisation a qualified instructor is required, the wording has been changed from 'familiarisation training' to 'familiarisation'.

comment 560

comment by: Nick Carr

FCL.140.A LAPL Recency

445/2015 provides for a CRI to instruct an LAPL holder for the extension of privileges to the SEP Land class rating. This section also refers to an instructor conducting refresher training for recency. Does the Agency intend to permit CRIs to conduct this training so long as the CRI is qualified on the class of aircraft, or is this specifically limited to an FI?

response Noted

Thank you for your comment. The text was already amended accordingly with Regulation (EU) 2015/445.

comment 581

comment by: Peter Tawse

Ref: FCL.135 LAPL(A) - Extension of privileges to another class or variant of aeroplane

It would make sense to recognise Touring motorgliders as falling within the SEP land Class rating. TMG simply requiring difference training as required for Tailwheel etc. This would make TMG more accessible to sport pilots and encourage more training organisations to use them. (see my comments re FCL 210 (A)).

The requirements for the extension of privileges to another variant makes very little sense in that familiarisation does not have to be conducted by an instructor or recorded in the pilots log book. There is no point in having difference training conducted by an instructor along



side this option as it will never be used. The LAPL(A) should have privileges to fly all manufacturers SEP land just as the PPL(A) does with difference training specified for the groups given in FCL 710. There is no reason to think that a LAPL(A) holder is any less competent to fly SEP land than a PPL(A) holder as the difference between the syllabi is mainly radio nav and instrument appreciation.

response

Not accepted

Thank you for your comment. Even if it would seem to make the life of PPL holders with SEP and TMG extension easier, it would not be as simple as that applicable for LAPL(S) or SPL holders who also might have the rating or privilege attached to their licence. Therefore, for the time being, we are not able to follow your proposal.

comment

648

comment by: UK CAA

Page No: 39 and other pages

Paragraph No: FCL.135.A(b) and other entries

Comment It is appreciated that the Agency has tried to distinguish between differences training and refresher training. It is suggested that Refresher Training, Differences Training and Familiarisation should be defined in FCL.010 Definitions.

Justification Clarity.

Proposed text: Add to FCL.010:

“Differences Training - The training that must be completed by a pilot who has the LAPL privileges or type rating privileges to fly one variant of an aircraft before acting as pilot of another variant of the same aircraft type; and in the case of aeroplane class rating privileges, the completion of training to cover specific features as specified in Part-FCL, including, but not limited to tailwheel undercarriage, retractable undercarriage and variable pitch propeller systems.”

“Familiarisation Training - The training that must be completed by a pilot who has the LAPL privileges or type rating privileges to fly one variant of an aircraft, before acting as pilot of another example of the same aircraft that has different features that are not sufficient to require it to be designated as another variant.”

“Refresher Training - The training that is undertaken to ensure the licence holder has the competence to qualify for revalidation or renewal of privileges currently or previously held.”

response

Not accepted

EASA thanks you for your comment. The three definitions you provided cannot be used to define the terms ‘differences training’, ‘familiarisation’ and ‘refresher training’. EASA considers the terms already clear enough with the explanation provided in the rule text.

comment

702

comment by: CAA Norway

FCL.105.A(b)



Holders of LAPL(A) needs to complete 10 hrs flight time as PIC after issuance of the licence prior to carry pax. Does this mean that a PPL holder who changes his licence to a LAPL need to fly the mentioned 10 hrs to carry pax, even though he has more than those hours as a PPL holder?

Proposed new text:

Holders of a LAPL(A) shall only carry passengers once they have completed 10 hours of flight time as PIC on aeroplanes or TMG after the issuance of the licence. This is not applicable if the holder has previously held another license (PPL, CPL, ATPL) in the same category.

response

Accepted

Thank you for this comment. The text has been amended to reflect your concerns.

comment

723

comment by: *René Meier, Europe Air Sports*

FCL.105.A LAPL (A)-Privileges and conditions

(b)

page 38/253

We propose to adjust this sentence by a provision considering the fact that possibly for medical reasons a PPL holder coverts his/her licence to a LAPL, the 10 hours solo experience surely is to be applied with flexibility.

Rationale:

The privilege held to carry passengers has to do with the pilot, not with the type of his/her licence when all relevant conditions were fulfilled.

response

Accepted

Thank you for this comment. The text has been amended to reflect your concerns.

comment

727

comment by: *CAA Norway*

FCL.105.A(b)

Holders of LAPL(A) needs to complete 10 hrs flight time as PIC after issuance of the licence prior to carry pax. Does this mean that a PPL holder who changes his licence to a LAPL need to fly the mentioned 10 hrs to carry pax, even though he has more than those hours as a PPL holder?

Proposed new text:

Holders of a LAPL(A) shall only carry passengers once they have completed 10 hours of flight time as PIC on aeroplanes or TMG after the issuance of the licence. This is not applicable if the holder has previously held another license (PPL, CPL, ATPL) in the same category.

response

Accepted

Thank you for this comment. The text has been amended to reflect your concerns.



comment	731	comment by: <i>Light Aircraft Association</i>
	The LAA fully support this amendment of FCL.140.A which will permit hours flown as dual training and solo training to be included within the recency experience requirement.	
response	Noted EASA thanks you for this comment and for the support.	
comment	814	comment by: <i>AOPA Sweden</i>
	FCL.105.A The privileges of the LAPL should also include aeroplanes-sea. In addition, a pilot holding only LAPL medical should be able to FLY SEP (sea) also if he/she not fully qualifies for a Class 2 medical. The rationale is that our suggestion is in line with the GA Roadmap.	
response	Accepted EASA acknowledges your comment and thanks you for your feedback. There is a separate RMT for this amendment and we will at this stage only refer to the SEP(sea) class rating for the training, but the training syllabus for this rating has been amended.	

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART B: LIGHT AIRCRAFT PILOT LICENCE — LAPL, SECTION 3: SPECIFIC REQUIREMENTS FOR THE LAPL FOR HELICOPTERS — LAPL(H)	p. 40-41
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comment	649	comment by: <i>UK CAA</i>
	<p>Page No: 40</p> <p>Paragraph No: FCL.135.H (a)(1)</p> <p>Comment: The current rule specifies the content of the training as:</p> <p><i>'5 hours of flight instruction, including:</i> <i>(i) 15 dual take-offs, approaches and landings;</i> <i>(ii) 15 supervised solo take-offs, approaches and landings'</i></p> <p>The requirement to complete 15 solo circuits within the 5 hours may mean that the LAPL holder will receive fewer dual instruction hours training than those required by a PPL/CPL/ATPL (5 hours) - who has to comply with AMC2 FCL 725(a) in order to extend their</p>	

privileges to another type.

This is considered to be dangerous, particularly if the conversion is to the R22/R44 helicopters or to extend the privileges to the first SET type.

It is strongly recommended that the same training criteria that apply to PPL, CPL and ATPLs should apply to LAPL holders when adding an additional helicopter type. This would not add to the cost of training as the total flying would still be a minimum of 5 hours.

Justification: Safety and standardisation.

Proposed Text: Amend paragraph (a)(1) to read:

“(a) The privileges of an LAPL(H) shall be limited to the specific type and variant of helicopter in which the skill test was taken. This limitation may be removed when the pilot has completed:(1) a training course at an ATO. The type rating training course shall include the mandatory training elements for the relevant type as defined in the operational suitability data established in accordance with Part-21.”

In addition, a table similar to AMC 2 FCL.725 (a) should be introduced as AMC FCL 135(a) to replicate the hours and associated FSTD credits, as follows:

“(i) Para (c) Initial Issue
row SEP (H) -5hrs
row SET (H) -5hrs
(ii) Para (d) Additional Types
row SEP(H) –SEP(H) within AMC1 FCL.740 (a)(3) - 5 hours
row SEP(H) –SEP(H) not included within AMC1 FCL.740 (a)(3) - 5 hours
row SET(H) –SET(H) – 5 hours”

response

Not accepted

EASA thanks you for your comment. We have verified AMC2 FCL.725 and also in this AMC there is no distinction made between dual instruction time and supervised solo time. Consequently, what is proposed for the LAPL(H) privilege is also valid for the helicopter rating to be obtained with a PPL or a CPL. Furthermore, the specific items for the R22 helicopters are covered with the OSD.

comment

650

comment by: UK CAA

Page No: 41

Paragraph No: FCL.140.H (b)

Comment: The text should be the same as for the LAPL(A).

Justification: Consistency.

Proposed Text: Amend to read:

“(b) have passed a proficiency check with an examiner on the specific type. The proficiency

	check shall be based on the skill test for the LAPL(H).“
response	Accepted The text has been changed accordingly; also for FCL.140.A.
comment	732 comment by: <i>Light Aircraft Association</i> The LAA fully support this amendment of FCL.140.H which will permit hours flown as dual training and solo training to be included within the recency experience requirement.
response	Noted EASA acknowledges your comment and thanks you for your feedback.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART B: LIGHT AIRCRAFT PILOT LICENCE — LAPL, SECTION 4: SPECIFIC REQUIREMENTS FOR THE LAPL FOR SAILPLANES — LAPL(S) p. 41-43

comment	6 comment by: <i>Jochen Schwab</i> FCL.140.S (a): For the 5 hours flight time a credit for pilots of TMG or SEP should be considered. It makes definitely a difference whether someone is flying another type of aircraft or nothing at all. Therefore, 4 of the 5 hours PIC time could also be performed on SEP or TMG. This gives sailplane pilots (who also fly SEP or TMG) the chance to keep their sailplane license easier current in adverse thermal conditions. Therefore, the following change for FCL.140.S (a) (1) is recommended: “(1) 5 hours of flight time as PIC, including 15 launches; up to 4 hours as PIC may be replaced by PIC time on TMG or SEP”
response	Not accepted Thank you for your comment. After careful considerations and discussions with sailplane and TMG/SEP experts, EASA has decided that due to safety concerns your comment will not be accepted.
comment	87 comment by: <i>Estonian CAA</i> FCL.140.S LAPL(S) — Recency requirements In para (a), 24 months has been amended as 2 years but in para (b) still 24 months is used. For harmonisation purposes, all time determination should be either in months or years. This comment is valid through all text.
response	Accepted



The text has been changed accordingly.

comment

396

comment by: *Uppvinden AB*

FCL.105.S

Complement: If the person have had another licence (eg. SPL or ATPL) with rating to carry passengers this should not be valid.

FCL.110.S

Can an applicant that meets both 15 hours here and adding 6 hours according to FCL.135.S make the skill test in a TMG?

FCL.130.S d

This regulation is a real complication without any large safety issues. A self-launcher pilot that fails in starting the engine needs an airtow launch and has hundreds or thousands of them, but not in the prescribed period. Without an instructor available the flying is cancelled. Proposal: The 2 training flights mentioned in FCL.140.S a 2 meets the requirement provided that the pilot has 100 launches with the used method.

FCL.135.S

Crediting for holders or ex-holders of licence for aeroplanes?

Crediting för holders or ex-holders of licence for aeroplanes including a class rating for TMG?

Crediting for holders or ex-holders of SPL with TMG extension?

FCL.140.S a 2

Addition: This is not necessary for instructors and examiners (as they have other recency requirements).

FCL.140.S b 2

Complement: Or a combination of TMG and aeroplane.

FCL.140.S c 1

Why not powered sailplanes too?

It is not mentioned any validy period for the PC. It can be read as:

I passed a PC yesterday but I do not comply with the requirementes in a or b today so I must do a new PC today (and tomorrow the same again).

response

Partially accepted

The text has been aligned. The issue will be solved at the earliest convenience through other rulemaking tasks.

comment

496

comment by: *CAA of Poland representative*

1. Referring to page 41 concerning FCL.110.S(a)(4) – CAA Poland believes that it is necessary to clarify on what aircraft the cross-country flight should be performed. TMG in Polish CAA should be excluded. The same issue was raised by Polish delegate on TAG-FCL meeting which took place in Cologne on 10-11 Dec. 2014.



response Not accepted

EASA has consulted General Aviation experts on this and cannot see why the cross-country flight should not be performed with a TMG.

comment 578 comment by: DGAC France

Subject:
Use of TMG for solo cross-country flight required for LAPL(S)/SPL applicants

Content of comment:
 France considers that the cross-country flight required by FCL.110.S (a) (4) could be performed on sailplanes, powered sailplanes or TMG.
 The use of TMG should not be completely excluded in order to avoid any unnecessary constraint on small sailplane training organisations.

response Noted

Thank you for your comment. The actual wording does not specify on which sailplane the cross-country flight should be made and thus it is also possible to make it on a TMG.

comment 651 comment by: UK CAA

Page No: 42

Paragraph No: FCL.130.S (c)

Comment: This says "... during the last **24 months..**" In other rules the period has been changed to "2 years".

Justification: Consistency.

Proposed Text: "... during the last **2 years ...**"

response Accepted

The text has been changed accordingly.

comment 652 comment by: UK CAA

Page No: 43

Paragraph No: FCL.140.S (b)(1)

Comment: This says "... the last **24 months**". In other rules the period has been changed to "2 years".

Justification: Consistency.

Proposed Text: "... in the last 2 years"



response Accepted
The text has been changed accordingly.

comment 653 comment by: UK CAA
Page No: 43
Paragraph No: FCL.140.S
Comment: This paragraph does not make clear that a proficiency check with an examiner is valid for 2 years. It is recommended that it is changed to be similar to FCL.140.A and 140.H.
Justification: The rule needs to make clear that the proficiency check is valid for 2 years.
Proposed Text:
Under (a) add new sub-paragraph (3) “or pass a proficiency check with an examiner in a sailplane”.
Under (b) add new sub-paragraph (3) “or pass a proficiency check with an examiner in a TMG”.
Delete (c)(1) and make (c)(2) a continuation of the sentence of (c).

response Accepted
The text has been changed accordingly.

comment 733 comment by: Light Aircraft Association
The LAA fully support this amendment of FCL.140.A which will permit hours flown as dual training and solo training to be included within the recency experience requirement.

response Noted
EASA acknowledges your comment and thanks you for your feedback.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART B: LIGHT AIRCRAFT PILOT LICENCE — LAPL, SECTION 5: SPECIFIC REQUIREMENTS FOR THE LAPL FOR BALLOONS — LAPL(B) p. 43-44

comment 368 comment by: Fédération Française d'Aérostation, ATO task force
Suggestion for amended text:
FCL.105.B LAPL(B) — Privileges
The privileges of the holder of an LAPL for balloons are to act as PIC on hot-air balloons or hot-air airships with a maximum of 3400 m3 envelope capacity or gas balloons with a



maximum of 1 260 m³ envelope capacity, carrying a maximum of ~~3~~ **4** passengers, such that there are never more than ~~4~~ **5** persons on board the aircraft.

Explanation: if in FCL.010, balloons in Group A (hot air) up to 3400 m³ with a maximum of 4 passengers are to be excluded from the definition of commercial air transport, the most logical is to use the same numbers for the LAPL(B). If in FCL.010 the numbers remain at 3 passengers, logic dictates that this should also be the case here. Note that balloons of 3000 and 3400 m³ are usually certified to carry more than 3 passengers (4 pax/5 pob in a non-partitioned basket).

FCL.110.B LAPL(B) — Experience requirements

(a) Applicants for an LAPL(B) shall have completed on balloons of the same class at least 16 hours of flight instruction including at least:

- (1) **12 hours** of dual flight instruction with an instructor qualified in accordance with Subpart J;
- (2) **10 inflations and 12 take-offs and landings** with an instructor qualified in accordance with Subpart J; and
- (3) 1 supervised solo flight with a minimum flight time of at least 30 minutes under the supervision of an instructor qualified in accordance with Subpart J.
- (4) **4 hours of training with a pilot designated by an instructor qualified in accordance with Subpart J.**

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

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

- (1) not exceed the total flight time as PIC on balloons;
- (2) not exceed 50 % of the hours required in (a);
- (3) not include the requirements of (a)(2) and (a)(3).

Explanation: Paragraph (4) added. Numbers changed in (a) (1)(2)(3).

There is some consensus within the FFAe instructor's workgroup that part of the instruction could be given by a pilot who is not a qualified FI but who has been designated by the FI responsible for the student. This would allow the student to gain some needed routine and augment his/her number of hours flown before taking the flight test, without needing to pay an instructor (and FIs may be busy enough as it is with all the revalidation work they will need to do). Ballooning is already a very expensive sport.

However, many French instructors do feel that the basis of a student's training should remain formal instruction with an FI. Suggested numbers do differ, but tend towards 10 to 12 hours of formal instruction with an FI (to include any solo flights under FI supervision), plus an X number of 'experience flights' with another pilot.

Note that the point of view of the BBAC (United Kingdom) is towards even less formal instruction to lower the entry requirements into the ballooning world for aspiring young pilots. There is a real and growing problem with attracting young people into this sport. This is presently one of the subjects under discussion between EASA management and the European Balloon Federation.

response

Not accepted

EASA acknowledges your comment and thanks you for your feedback. RMT.0654 'Revision of the balloon licensing requirements' will take over all balloon-related comments.



comment	<p data-bbox="363 271 1498 309">369 comment by: <i>Fédération Française d'Aérostation, ATO task force</i></p> <p data-bbox="363 331 670 369">Suggested amended text:</p> <p data-bbox="363 405 890 443">FCL.140.B LAPL(B) — Recency requirements</p> <p data-bbox="363 443 1498 510">(a) Holders of an LAPL(B) shall only exercise the privileges of their licence when they have completed, in one class of balloons in the last 24 months 2 years, at least:</p> <p data-bbox="363 510 1268 548">(1) 6 8 hours of flight time as PIC, including 10 8 take-offs and landings; and</p> <p data-bbox="363 548 821 586">(2) 1 training flight with an instructor;</p> <p data-bbox="363 586 1412 624">(2) a theoretical refresher seminar of 1 full day approved by the competent authority;</p> <p data-bbox="363 624 1498 725">(3) in addition, if the pilot is qualified to fly more than one class of balloons, in order to exercise their privileges in the other class, they shall have completed at least 3 hours of flight time in that class within the last 24 months, including 3 take-offs and landings.</p> <p data-bbox="363 725 1498 792">(b) Holders of an LAPL(B) who do not comply with the requirements in (a) shall, before they resume the exercise of their privileges:</p> <p data-bbox="363 792 1236 831">(1) pass a proficiency check with an examiner in the appropriate class; or</p> <p data-bbox="363 831 1498 898">(2) perform the additional flight time or take-offs and landings, flying dual or solo under the supervision of an instructor, in order to fulfil the requirements in (a).</p> <p data-bbox="363 898 1498 965">(c) For each third revalidation, the holder shall complete 1 training flight with an instructor in a balloon within the appropriate class they have privileges for.</p> <p data-bbox="363 1010 518 1048"><i>Explanation:</i></p> <p data-bbox="363 1048 1364 1086"><i>Some editing as EASA seems to move to mentioning whole years instead of months.</i></p> <p data-bbox="363 1086 1498 1332"><i>Under (a)(1): Most balloon flights, certainly outside a formal training regime, have an average duration of one hour. Intermediate landings (touch-and-go) are difficult as we do not land on airstrips but in rural meadows, crop fields etc. Thus, requiring an X number of take-offs and land ings in practice equals x number of flights. It would be wise to stick with a number of flights defined by the number of take-offs, in addition to the requirement in flight hours. Most balloon flights last about one hour, so synchronizing the number of required flight hours with the number of flights seems reasonable.</i></p> <p data-bbox="363 1366 1498 1545"><i>Under (a)(2): given the limited number of FIs in any country, the geographical dispersion of pilots and FIs - again, not based at aerodromes - and the weather limitations for balloon flights, a bi-annual training regime is impossible to keep up except at excessively high financial and human cost. Hence the transfer to a new paragraph</i></p> <p data-bbox="363 1545 1236 1583"><i>(c) with a reduced frequency of once every third revalidation - or 6 years.</i></p> <p data-bbox="363 1583 1498 1762"><i>By contrast, organizing theoretical refresher seminars for groups or pilots per region is less difficult. Experience has shown that theoretical knowledge tends to lapse sooner among pilots than their skill in handling the aircraft, so their is a true flight safety advantage to be gained from including theoretical refreshers into the recency requirements - but this can only be humanly and financially possible if the frequency of training flights is reduced.</i></p> <p data-bbox="212 1785 347 1823">response</p> <p data-bbox="363 1785 526 1823">Not accepted</p> <p data-bbox="363 1836 1498 1904">EASA acknowledges your comment and thanks you for your feedback. RMT.0654 'Revision of the balloon licensing requirements' will take over all balloon-related comments.</p>
comment	<p data-bbox="363 1982 414 2020">654</p> <p data-bbox="1212 1982 1498 2020">comment by: <i>UK CAA</i></p>



	<p>Page No: 44</p> <p>Paragraph No: FCL.140.B</p> <p>Comment: This paragraph does not make clear that a proficiency check with an examiner is valid for 2 years. It is recommended that it is changed to be similar to FCL.140.A and 140.H.</p> <p>Justification: The rule needs to make clear that the proficiency check is valid for 2 years.</p> <p>Proposed Text:</p> <p>Under (a) add new sub-paragraph (4) “or pass a proficiency check with an examiner in the appropriate class of balloon”.</p> <p>Delete (b)(1) and make (b)(2) a continuation of the sentence of (b).</p>
response	<p>Not accepted</p> <p>EASA acknowledges your comment and thanks you for your feedback. RMT.0654 ‘Revision of the balloon licensing requirements’ will take over all balloon-related comments.</p>

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART C: PRIVATE PILOT LICENCE (PPL), SAILPLANE PILOT LICENCE (SPL) AND BALLOON PILOT LICENCE (BPL) — SECTION 1: COMMON REQUIREMENTS p. 45-46

comment	<p>99 comment by: <i>René Meier, Europe Air Sports</i></p> <p>FCL.205.S SPL Privileges and conditions page 48/253</p> <p>Please add a clause (d): "The holder of an SPL may exercise all the privileges of a holder of a LAPL(S) provided he/she fulfils the requirements of FCL.140.S."</p> <p>Rationale: We think the sailplane pilots have the same rights as the colleagues of the powered flight faculty.</p>
response	<p>Accepted</p> <p>Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There, the privileges given to the holder of a CPL are not bound to conditions therefore we will not add the condition proposed to comply with FCL.140.S. When using an SPL as an LAPL(S), the pilot has to comply with all requirements concerning the LAPL(S) anyway.</p>
comment	<p>150 comment by: <i>Martin PFEIFENBERGER</i></p> <p>FCL.215 PPL, SPL, BPL – Theoretical knowledge instruction: Concerning PPL(A) and PPL(H), why is “(9) Navigation” seen as “specific subject”. This</p>



response	<p>influences also the cross-crediting in Appendix 1, although the LOs are identical for PPL(A) and PPL(H).</p> <p>Accepted</p> <p>Thank you for this comment. The text has been amended accordingly.</p>
comment	<p>178 comment by: DGAC France</p> <p><u>Subject:</u></p> <p>PPL privileges including LAPL privileges (FCL.205.A/FCL.205.H/FCL.205.S/FCL.205.B)</p> <p><u>Content of comment:</u></p> <p>France fully supports FCL.205.A (a) amendment. PPL(A) obviously includes LAPL(A) privileges. For coherence the same clarification should be introduced for others PPL licences (PPL(H), SPL and BPL).</p> <p>France proposes a wording for inclusion in FCL.205.H, FCL.205.S and FCL.205.B.</p> <p><u>Proposed amendment:</u></p> <p><i>FCL.205.H PPL(H) — Privileges</i> <i>(a) The privileges of the holder of a PPL(H) are to act without remuneration as PIC or co-pilot of helicopters engaged in non-commercial operations and exercise all the privileges of a holder of an LAPL(H) provided they fulfil the requirements of FCL.140.H.</i></p> <p><i>FCL.205.S SPL — Privileges and conditions</i> <i>(a) The privileges of the holder of an SPL are to act as PIC on sailplanes and powered sailplanes and exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S. In order to exercise the privileges on a TMG, the holder shall have to comply with the requirements in FCL.135.S.</i></p> <p><i>FCL.205.B BPL — Privileges and conditions</i> <i>(a) The privileges of the holder of a BPL are to act as PIC on balloons and exercise all the privileges of a holder of an LAPL(B) provided they fulfil the requirements of FCL.140.B.</i></p>
response	<p>Accepted</p> <p>Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.</p>
comment	<p>243 comment by: European Gliding Union</p> <p><u>EGU Comment</u></p>

SPL Step Down to LAPL(S)

Para 2.4.5 on p13 correctly identifies the problem faced by the holder of a PPL(A) or SPL who must downgrade to a LAPL medical, but proposes a solution only for PPL(A) holders. The EGU understands that problems have previously been identified for the step from PPL(H) to LAPL(H), but can see no reason for these to influence sailplane licences.

Why have sailplane pilots been omitted from the proposed solution?

Recommendations

FCL.205.S SPL – Privileges and conditions should add a further clause (d):

(d) The holder of an SPL may exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S.

The Agency should re-examine its own processes to ensure that sailplane pilots are not excluded from solutions.

response

Accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.

comment

384

comment by: *Fédération Française d'Aérostation, ATO task force*

FCL.210 - training course

Suggested amendment:

Applicants for a BPL, SPL or PPL shall complete a training course at an ATO **or with an individual instructor using an approved training program**. The course shall include theoretical knowledge and flight instruction appropriate to the privileges given.

Explanation: presently, discussions are ongoing with EASA to enable a 'second' way to obtain instruction for balloon pilots (and other air sports are likely discussing the same), outside an ATO (or flight school). The idea is to use a training program identical to that used by ATOs, as well as approved piloting manuals, but without the need for individual FIs who dispense one-on-one instruction to single students to become registered ATOs with all the associated paperwork (i.e. quality management systems, emergency response manuals and procedures etc.), and the unavoidable costs that this involves.

As an example, the French ballooning federation has a federal balloon school (and dozens of individual instructors all over the country) for which the training commission has written a complete training manual along the lines of an ATO, and individual federal instructors have already been asked to use the same training manual in order to standardize training methods.



Again, the geographical dispersion and small scale of an activity like ballooning is a handicap to the introduction of paper-heavy procedures.

response

Not accepted

Thank you very much for your comment. EASA published Opinion No 11/2016 in September 2016 as a result of RMT.0657. With this Opinion, a new 'lighter' training organisation, the declared training organisation, was created. When adopted, this amendment will satisfy the concerns you raised with your finding.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART C: PRIVATE PILOT LICENCE (PPL), SAILPLANE PILOT LICENCE (SPL) AND BALLOON PILOT LICENCE (BPL) — SECTION 2: SPECIFIC REQUIREMENTS FOR THE PPL FOR AEROPLANES — PPL(A) p. 46-47

comment

33

comment by: *Peter Tawse*

RE FCL.210.A PPL(A) Experience requirements and crediting.
I fully support the confirmation that a TMG can be used for abinitio training. However I wonder if there is any need for a TMG Class rating in the first place. TMGs meet the definition of an Aeroplane and the TMG tag is mainly relevant for the certification specification. As a flying instructor with 7,000 hrs experience on a variety of SPA/SEP aeroplanes including TMG, I feel that touring motorgliders are excellent training aircraft. Their use has the potential to improve basic handling skills and therefore play a role in the reduction of fatal accidents resulting from loss of control in vmc. The glide performance also allows deadstick landing practice which can only help the judgement required for forced landing emergencies. TMGs also have lower operating costs than conventional light aircraft and this encourages more flying and better currency which is an important factor in handling skill. They also burn less fuel and make less noise than more traditional training aircraft. In my experience, difference training would be perfectly adequate for conversion between conventional SEP and TMG much as it is for Tailwheel training.

response

Not accepted

Thank you for your comment. We have duly considered your proposal with EASA and RMG experts but we have come to the conclusion that although the basic handling skills of TMGs when used as motor-powered aircraft are very similar to some SEP aeroplanes, there is a significant difference. It is the fact that in a TMG you can switch off the engine when airborne and use it as a sailplane. We therefore decided to retain the existing class rating of TMGs.

comment

40

comment by: *IAOPA (EUROPE)*

Observation	Proposed new text
Paragraph 2.4.5 of the Explanatory note states that the intention of the proposed amendment to paragraph (a) of FCL.205.A is to 'avoid unnecessary administrative burden on General Aviation pilots when they do no longer fulfil the requirements of a Class 2 medical certificate, but	(a) The privileges of the holder of a PPL(A) are to act without remuneration as PIC or co-pilot on aeroplanes or TMGs engaged in non-commercial operations and exercise all the privileges of a holder of an LAPL(A) provided they fulfil the



<p>those of an LAPL medical certificate.'</p> <p>However, as written, the proposed amendment goes further, implying that PPL(A) holders may exercise LAPL(A) privileges provided that they fulfil the requirements of FCL.140.A. Hence, for example, a PPL(A) holder with a Class 2 medical certificate would be legally entitled to fly as PIC on certain SEP aeroplanes with an expired SEP Class Rating, using LAPL(A) privileges.</p> <p>Due to the difference in both validity requirements and validity periods for the SEP/TMG Class Rating and LAPL(A) privileges, IAOPA (Europe) considers that, notwithstanding the spirit of the intended amendment, it would cause considerable confusion if introduced as proposed.</p> <p>Following UK experience of similar easement for SEP Class Rating holders who were no longer able to meet Class 2 medical requirements, IAOPA (Europe) propose that PPL(A) holders in the circumstances of paragraph 2.4.5 of the explanatory note should simply have their SEP/TMG Class Rating privileges restricted to those of FCL.105.A paragraph (a).</p> <p>Therefore IAOPA (Europe) does not support the proposed amendment to paragraph (a), but instead proposes a new paragraph (c) to FCL.205.A as indicated.</p>	<p>requirements of FCL.140.A.</p> <p>(c) The holder of a PPL(A,) who is unable to meet the requirements of MED.A.030 (c), may exercise privileges restricted to those of FCL.105.A only, provided that the pilot is able to meet the requirements of MED.A.030 (b) and holds a valid Class Rating for the class of aircraft in which the privileges are to be exercised.</p>
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response

Accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.

comment

41 comment by: IAOPA (EUROPE)

<p>In paragraph (a), the words 'or a TMG' imply that the training is restricted to a single aircraft. IAOPA (Europe) proposes the minor</p>	<p>Applicants for a PPL(A) shall have completed at least 45 hours of flight instruction in aeroplanes or a TMGs, 5 of which may have</p>
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amendment as indicated.	been completed in an FSTD, including at least:
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response

Not accepted

Thank you for your comment. The change you propose is not in accordance with FCL.235 'Skill test' where it reads in (b) that an applicant for the skill test shall have received flight instruction on the same class or type of aircraft, or a group of balloons to be used for the skill test.

comment

42

comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>As raised at the December 2014 EASA TAG/SSCC/FCL meeting, IAOPA (Europe) considers that paragraph (b) should be more clearly defined, to include any items not previously covered during LAPL(A) training. In addition, it is possible that an applicant might already have flown the supervised solo 270 km (150 NM) cross-country flight during previous flight training, hence it would be unreasonable to require the applicant to repeat the exercise as currently required.</p> <p>Therefore IAOPA (Europe) proposes the amendment as indicated.</p>	<p>(b) Specific requirements for applicants holding an LAPL(A). Applicants for a PPL(A) holding an LAPL(A) shall have completed at least 15 hours of flight time on aeroplanes after the issue of the LAPL(A), of which at least 10 shall be flight instruction completed in a training course at an ATO. This training course shall include dual flight instruction in any PPL(A) syllabus requirements not previously completed during LAPL(A) training and at least 4 hours of supervised solo flight time, including at least 2 hours of solo cross-country flight time with, unless previously completed during LAPL(A) training, at least 1 cross-country flight of at least 270 km (150 NM), during which full stop landings at 2 aerodromes different from the aerodrome of departure shall be made.</p>

response

Partially accepted

EASA thanks you for your comment. Whilst we consider the line you added on the content of the training course as appropriate, we do not consider the second amendment you propose. The cross-country flight of at least 270 km is an ICAO requirement for the PPL. The credit for a LAPL holder includes training for and experience gained after licence issue. A crediting of parts of the training, as you propose, therefore cannot be considered.

comment

43

comment by: IAOPA (EUROPE)



Observation	Proposed new text
<p>IAOPA (Europe) considers that the flexibility of the proposed amendment to paragraph (a) requires further explanation, to emphasise that the licence will be issued with privileges for the class of aeroplane in which the skill test was flown only. A new paragraph (e) is therefore proposed as indicated.</p>	<p>(e) Restrictions. Applicants who have completed training on both aeroplanes and TMG shall be restricted to privileges for the class of aircraft in which the skill test was flown. Extension of licence privileges to another class shall be in accordance with FCL.725.</p>
<p>response</p> <p>Not accepted</p> <p>Thank you for your comment. It was not taken into consideration because FCL.235 'Skill test' already provides the necessary requirements for this. There it reads in (b) that an applicant for the skill test shall have received flight instruction on the same class or type of aircraft, or a group of balloons to be used for the skill test.</p>	
<p>comment</p> <p>89</p> <p>FCL.205.A PPL(A) — Privileges</p> <p>Why in the text the privileges related to LAPL(A) are regulated in detail but e.g. in FCL.205.H not? It would simplify understanding the text and requirements if such privileges are harmonised.</p>	<p>comment by: <i>Estonian CAA</i></p>
<p>response</p> <p>Accepted</p> <p>Thank you for your comment. We have received several comments on this and have changed the requirements accordingly.</p>	
<p>comment</p> <p>111</p> <p>FCL.210.A PPL(A)-Experience requirements and crediting p 46/253 (a)</p> <p>Many thanks for integrating TMG.</p> <p>Rationale: This is very helpful as it keeps training costs down, an important factor to the sports and recreational community.</p>	<p>comment by: <i>René Meier, Europe Air Sports</i></p>
<p>response</p> <p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>	
<p>comment</p> <p>166</p>	<p>comment by: <i>The Norwegian Air Sports Federation</i></p>

NLF strongly supports the suggested addition to FCL.205.A, as it removes an unnecessary burden on the pilots, without compromising the safety.

One issue potentially needs clarification: A PPL(A) certificate holder with a SEP (land) class rating may temporarily exercise privileges limited to LAPL(A), while he/she only fulfills LAPL medical standards. If the certificate holder is again capable of fulfilling class II (or I) medical standards in the future and wishes to revert to full PPL(A)+SEP (land) privileges, how will this be ensured without administrative burden? We assume that flights performed under the LAPL(A) privileges would count towards the recency requirement of SEP (land), so that transitions between LAPL(A) and PPL(A)+SEP(land) – and vice versa – are seamless. Can this be confirmed?

NLF would also like to suggest an addition to FCL.205.A (a), to include seaplane operations with LAPL(A)-like limitations* for pilots with a PPL(A) (or higher) certificate and a SEP (sea) class rating, whenever the pilot only fulfills LAPL Medical standards.

*) MTOW of no more than 2.000kg, maximum four persons onboard, no exercise of EIR/IR privileges.

response

Not accepted

Thank you for your comment. For the first part of your comment, we think that there is no further clarification required. When exercising the privileges of any licence (LAPL or PPL), the pilot has to comply with the relevant requirements. We have a similar wording already in FCL.305 CPL.

Accepted

On the second part of your comment concerning the seaplane privilege for the LAPL, there is a separate RMT for this amendment and we will at this stage only refer to the SEP(sea) class rating for the training, but the training syllabus for this rating has been amended.

comment

178 ❖

comment by: DGAC France

Subject:

**PPL privileges including LAPL privileges
(FCL.205.A/FCL.205.H/FCL.205.S/FCL.205.B)**

Content of comment:

France fully supports FCL.205.A (a) amendment. PPL(A) obviously includes LAPL(A) privileges. For coherence the same clarification should be introduced for others PPL licences (PPL(H), SPL and BPL).

France proposes a wording for inclusion in FCL.205.H, FCL.205.S and FCL.205.B.

Proposed amendment:***FCL.205.H PPL(H) — Privileges***

*(a) The privileges of the holder of a PPL(H) are to act without remuneration as PIC or co-pilot of helicopters engaged in non-commercial operations **and exercise all the privileges of a***



holder of an LAPL(H) provided they fulfil the requirements of FCL.140.H.

FCL.205.S SPL — Privileges and conditions

(a) The privileges of the holder of an SPL are to act as PIC on sailplanes and powered sailplanes **and exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S.** In order to exercise the privileges on a TMG, the holder shall have to comply with the requirements in FCL.135.S.

FCL.205.B BPL — Privileges and conditions

(a) The privileges of the holder of a BPL are to act as PIC on balloons **and exercise all the privileges of a holder of an LAPL(B) provided they fulfil the requirements of FCL.140.B.**

response

Accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.

comment

338

comment by: *Irish Aviation Authority*

Ireland supports the FCL.205 amendment. Similar wording should be extended to FCL.205.H, FCL.205.S and FCL.205.B.

response

Accepted

Thank you for your comment. The text has been changed accordingly.

comment

352

comment by: *CAA Norway*

Due to the difference in both validity requirements and validity periods for the SEP/TMG Class Rating and LAPL(A) privileges, CAA Norway considers that, notwithstanding the spirit of the intended amendment, it would cause considerable confusion if introduced as proposed.

CAA Norway propose that PPL(A) holders in the circumstances of paragraph 2.4.5 of the explanatory note should simply have their SEP/TMG Class Rating privileges restricted to those of FCL.105.A paragraph (a).

Therefore CAA Norway does not support the proposed amendment to paragraph (a), but instead proposes a new paragraph (c) to FCL.205.A as indicated.

(a) The privileges of the holder of a PPL(A) are to act without remuneration as PIC or co-pilot on aeroplanes or TMGs engaged in non-commercial operations **and exercise all the privileges of a holder of an LAPL(A) provided they fulfil the requirements of FCL.140.A.**

(c) The holder of a PPL(A,) who is unable to meet the requirements of MED.A.030 (c), may exercise privileges



restricted to those of FCL.105.A only, provided that the pilot is able to meet the requirements of MED.A.030 (b) and holds a valid Class Rating for the class of aircraft in which the privileges are to be exercised.

response

Not accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. But the text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed for the PPL either.

comment

438

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

Section: FCL210.A c)

Relevant Text: Specific requirements for applicants holding an LAPL(S) with a TMG extension.

Comment: This requirements should also include SPL

Proposal: Specific requirements for applicants holding an LAPL(S) or SPL with a TMG extension.

response

Accepted

Thank you for your comment. When discussing the necessary amendments for the different licences on which a TMG rating may be held, the RMG experts considered an amendment as you mention it not necessary. FCL.210.SPL specifies in (b) that applicants for an SPL holding an LAPL(S) shall be fully credited towards the requirements for the issue of an SPL. We admit that, for clarity, it can be helpful to add the SPL as indicated in your comment.

comment

458

comment by: *Uppvinden AB*

FCL.210.A b and c

Why cannot the applicant have flown aeroplanes or TMG where only aeroplane is written in the draft?

FCL.210.A c

Why only LAPL(S)? Why not SPL too? Are SPL holders worse educated than LAPL(S)? Crediting for LAPL(S) or SPL holders, both with TMG extension, making the training and the skill test for PPL(A) on TMG?

FCL.210.A d

What about crediting for persons who earlier have held a pilot licence but it has expired, maybe only 2 months ago with 2000 hours in the logbook? Compare with the text for



response	<p>LAPL(A).</p> <p>Not accepted</p> <p>FCL.210.A b and c: Please note that this was amended with Regulation (EU) 2015/445 already.</p> <p>Accepted</p> <p>FCL.210.A (c): Thank you for your comment. When discussing the necessary amendments for the different licences on which a TMG rating may be held, the RMG experts considered an amendment as you mention it not necessary. FCL.210.SPL specifies in (b) that applicants for an SPL holding an LAPL(S) shall be fully credited towards the requirements for the issue of an SPL. We admit that, for clarity, it can be helpful to add the SPL as indicated in your comment.</p> <p>Not accepted</p> <p>FCL.210.A (d): Thank you for your comment. After consultation with GA experts, the decision taken was to not accept your comment because the LAPL is a licence that is not issued in accordance with ICAO and for such a licence more or less anything was possible, whilst for licences that are issued in accordance with ICAO Annex 1, credits can only be given for experience gained in current flying practice.</p>
comment	<p>500 comment by: <i>Regierung von Oberbayern - Luftamt Südbayern</i></p> <p>FCL.205.A a):</p> <p>Die Begründung stellt auf das Tauglichkeitszeugnis ab. Der dort beschriebene Sachverhalt stellt sicherlich den Hauptanwendungsfall dar.</p> <p>Es stellt sich allerdings die Frage, ob der PPL-Inhaber ganz generell die LAPL-Rechte ausüben dürfen soll, wenn also z.B. sein Tauglichkeitszeugnis Klasse 2 schlicht abgelaufen ist oder die Klassenberechtigung nicht mehr gültig ist.</p> <p>Wenn die Ergänzung lediglich den in der Begründung genannten Sachverhalt regeln soll, müsste das aus hiesiger Sicht im Verordnungstext klargestellt sein, um Missverständnissen vorzubeugen.</p> <p>FCL.210.A a):</p> <p>Die Ergänzung „oder Reisemotorsegler“ ("or a TMG") ist bereits in der VO (EU) 2015/445 enthalten, die am 18.03.2015 im Amtsblatt verkündet wurde und insoweit am 08.04.2015 in Kraft treten wird.</p> <p>Vor diesem Hintergrund ist unverständlich, dass hier dieselbe Änderung nochmals vorgeschlagen wird.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback. Whenever amendments to the Aircrew Regulation proposed through the NPA to this CRD differ from the text published with Regulations (EU) 2015/445 and 2016/539, priority is given to the published rule text.</p>
comment	<p>502 comment by: <i>FOCA Switzerland</i></p>

Subject:**PPL privileges including LAPL privileges**

FOCA fully supports FCL.205.A (a) amendment. PPL(A) obviously includes LAPL(A) privileges.

For coherence the same clarification should be introduced for others PPL licences (PPL(H), SPL and BPL).

FOCA proposes a wording for inclusion in FCL.205.H, FCL.205.S and FCL.205.B.

FCL.205.H PPL(H) — Privileges

(a) The privileges of the holder of a PPL(H) are to act without remuneration as PIC or co-pilot of helicopters engaged in noncommercial operations

and exercise all the privileges of a holder of an LAPL(H) provided they fulfil the requirements of FCL.140.H.

FCL.205.S SPL — Privileges and conditions

(a) The privileges of the holder of an SPL are to act as PIC on sailplanes and powered sailplanes

and exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S.

In order to exercise the privileges on a TMG, the holder shall have to comply with the requirements in FCL.135.S.

FCL.205.B BPL — Privileges and conditions

(a) The privileges of the holder of a BPL are to act as PIC on balloons

and exercise all the privileges of a holder of an LAPL(B) provided they fulfil the requirements of FCL.140.B.

response

Accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.

comment

561

comment by: Schimmel

Regarding FCL.740

It makes no sense to limit the revalidation of a type rating or class rating to within the last 3 month immediately preceding the expiry date.

Furthermore it would even generate a higher level of flight safety if it would be possible to do proficiency checks within the period of validity.



response	<p>It was possible during the last years and had no negative effect. With that possibility rating holder where able to perform Proficiency checks when ever needed. (i.e. longer absence tue to work in foreign countrys or medical treatment in a hospital at the period of expirience u.a).</p> <p>It was also easier for companies to plan check rides. (shifting of checks tue to high season or unavailabiltiy of simulators or Aircrafts)</p> <p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>597 comment by: <i>Danish Transport Authority</i></p> <p>This requirement should also include SPL.</p> <p>Proposal: Specific requirements for applicants holding a LAPL(S) with a TMG extension or SPL.</p>
response	<p>Accepted</p> <p>Thank you for your comment. When discussing the necessary amendments for the different licences on which a TMG rating may be held, the RMG experts considered an amendment as you mention it not necessary. FCL.210.SPL specifies in (b) that applicants for an SPL holding an LAPL(S) shall be fully credited towards the requirements for the issue of an SPL. We admit that, for clarity, it can be helpful to add the SPL as indicated in your comment.</p>
comment	<p>655 comment by: <i>UK CAA</i></p> <p>Page No: 46</p> <p>Paragraph No: FCL.205.A (a) - see also the UK CAA comment on FCL.040, page 34</p> <p>Comment: It is understood that the intent of the change is to allow the PPL(A) to be used as a LAPL(A) if the pilot's medical standard reduces from Class 2 to LAPL. However, there is a problem in that the ratings on a PPL have expiry dates, whereas the privileges of the LAPL do not, they have a rolling validity based upon recency.</p> <p>The UK CAA does not believe that these two systems can or should be mixed. Whilst it is accepted that the holder of a PPL(A) should be able to exercise the privileges of the LAPL with a LAPL medical, it is suggested that the PPL(A) holder must continue to comply with the requirements for the revalidation or renewal of the aircraft ratings in accordance with FCL.740.A(b).</p> <p>The same amendment should be made to the CPL(A) and ATPL(A) (but not the MPL(A)) - and also to the PPL(H), CPL(H) and ATPL(H) as these should also be usable as LAPLs.</p> <p>Justification: To avoid confusion. Type and class ratings must be revalidated and renewed according to the rules that apply to those ratings.</p> <p>Proposed Text: Amend FCL.205.A (a) to read:</p>

‘... and exercise the privileges of the holder of a LAPL(A) provided they **have a valid Class Rating in accordance with FCL.740.A(b).**’

In addition, the equivalent text for the CPL(A), ATPL(A), PPL(H), CPL(H) and ATPL(H) should also be amended.

response

Not accepted

Thank you for your comment. The reason behind this amendment was made is that any additional burden for competent authorities or pilots should be avoided. Furthermore, it was considered that what works for the CPL should also be possible for PPL holders. It is clear that a pilot who holds a PPL and uses it as LAPL has to comply with all requirements for the LAPL as well and there it is not important if the licence was issued physically or not.

comment

734

comment by: *Light Aircraft Association*

The LAA fully support use of the PPL(A) to provide LAPL(A) privileges. A common cause for pilots wishing to exercise LAPL privileges whilst holding a PPL might be a temporary downgrade of their medical certificate from Class 2 medical to LAPL medical. This might be due to a medical condition or through choice by wishing to take advantage of the extended medical validity of a LAPL medical.

This amendment does not address the above issue, where a PPL(A) holder would still have to hold a Class 2 medical in accordance with Part-MED even when exercising LAPL privileges under the proposed amendment to FCL.205.A.

We have successfully used a system in the UK for a number of years through an exemption issued by the UK CAA (ORS4 No.995) where a UK national PPL holder, with valid SEP class rating, may exercise the privileges of a National PPL (NPPL) with a valid NPPL Medical Declaration.

In accordance with the above, where a PPL(A) holds a valid LAPL(A) medical, it is suggested the regulations are amended to reflect licence privileges appropriate to the LAPL medical held (FCL.105.A).

It is felt that the current wording of this FCL.205.A amendment may cause confusion about pilot privileges and recency, leading to pilots operating illegally due to not meet the relevant recency and medical criteria.

response

Not accepted

Thank you for your comment. The reason behind this amendment was made is that any additional burden for competent authorities or pilots should be avoided. Furthermore it was considered that what works for the CPL should also be possible for PPL holders. It is clear that a pilot who holds a PPL and uses it as LAPL has to comply with all requirements for the LAPL as well and there it is not important if the licence was issued physically or not. Concerning the medical please be advised that the Agency has issued its Opinion 9/2016 where the wording of MED.A.030 was adapted to provide for the privileges exercised instead



of the licence held.

comment	<p>735 comment by: <i>Light Aircraft Association</i></p> <p>The LAA support the clarity provided by the addition of TMG in FCL.210.A.</p> <p>In FCL.210.A(b), for applicants wishing to obtain a PPL(A) from a LAPL(A), the course currently includes a solo cross-country of at least 270km. Since many pilots upgrading from LAPL to PPL will have already completed this cross-country as part of an existing licence or flight experience, it is suggested that FCL.210.A(b) be amended to allow use of an existing cross-country flight which meets this requirement.</p>
response	<p>Noted</p> <p>FCL.210.A: EASA acknowledges your comment and thanks you for your feedback.</p> <p>Not accepted</p> <p>FCL.210.A(b): The cross-country flight of at least 270 km is an ICAO requirement for the PPL. The credit for a LAPL holder includes training for and experience gained after licence issue. A crediting of parts of the training, as you propose, therefore cannot be considered. Furthermore, the cross-country flight required for the issue of an LAPL(A) includes only a cross-country flight of 150 km (80 NM).</p>
comment	<p>754 comment by: <i>Finnish Transport Safety Agency</i></p> <p>FCL.205.A, FCL.700 (a)</p> <p>According to FCL.205.A a PPL(A) licence holder can exercise LAPL(A) privileges as long as he/she fulfils the FCL.140.A requirements.</p> <p>Finland is concerned that this could create confusion as the PPL(A) pilot would be able to fly SEP aeroplane also after his/her SEP class rating endorsed in the PPL(A) licence has expired, as long as he/she has the experience stated in the FCL.140.A.</p> <p>This would also be in contradiction with FCL.700(a) which requires the PPL holder to hold a valid class or type rating unless undergoing tests/checks/training.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. The reason behind this amendment was made is that any additional burden for competent authorities or pilots should be avoided. Furthermore it was considered that what works for the CPL should also be possible for PPL holders. It is clear that a pilot who holds a PPL and uses it as LAPL has to comply with all requirements for the LAPL as well and there it is not important if the licence was issued physically or not.</p>

comment	<p>790</p> <p style="text-align: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p>FCL.210.A PPL(A)-Experience requirements and crediting p 46/253 (a) Sensible add on as it clarifies the meaning of the rule. DAeC completely supports the change.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART C: PRIVATE PILOT LICENCE (PPL), SAILPLANE PILOT LICENCE (SPL) AND BALLOON PILOT LICENCE (BPL) — SECTION 3: SPECIFIC REQUIREMENTS FOR THE PPL FOR HELICOPTERS — PPL(H) p. 47-48

comment	<p>44</p> <p style="text-align: right;">comment by: <i>IAOPA (EUROPE)</i></p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Observation</th> <th style="width: 50%;">Proposed new text</th> </tr> </thead> <tbody> <tr> <td> <p>As raised at the December 2014 EASA TAG/SSCC/FCL meeting, IAOPA (Europe) considers that paragraph (b) should be more clearly defined, to include any items not previously covered during LAPL(H) training. In addition, it is possible that an applicant might already have flown the supervised solo 185 km (100 NM) cross-country flight during previous flight training, hence it would be unreasonable to require the applicant to repeat the exercise as currently required.</p> <p>Therefore IAOPA (Europe) proposes the amendment as indicated.</p> </td> <td> <p>(b) Specific requirements for an applicant holding an LAPL(H). Applicants for a PPL(H) holding an LAPL(H) shall complete a training course at an ATO. This training course shall include at least 5 hours of dual flight instruction time in any PPL(H) syllabus requirements not previously completed during LAPL(H) training and unless previously completed during LAPL(H) training, at least 1 supervised solo cross-country flight of at least 185 km (100 NM), with full stop landings at 2 aerodromes different from the aerodrome of departure.</p> </td> </tr> </tbody> </table>	Observation	Proposed new text	<p>As raised at the December 2014 EASA TAG/SSCC/FCL meeting, IAOPA (Europe) considers that paragraph (b) should be more clearly defined, to include any items not previously covered during LAPL(H) training. In addition, it is possible that an applicant might already have flown the supervised solo 185 km (100 NM) cross-country flight during previous flight training, hence it would be unreasonable to require the applicant to repeat the exercise as currently required.</p> <p>Therefore IAOPA (Europe) proposes the amendment as indicated.</p>	<p>(b) Specific requirements for an applicant holding an LAPL(H). Applicants for a PPL(H) holding an LAPL(H) shall complete a training course at an ATO. This training course shall include at least 5 hours of dual flight instruction time in any PPL(H) syllabus requirements not previously completed during LAPL(H) training and unless previously completed during LAPL(H) training, at least 1 supervised solo cross-country flight of at least 185 km (100 NM), with full stop landings at 2 aerodromes different from the aerodrome of departure.</p>
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response	<p>Not accepted</p> <p>The cross-country flight of at least 185 km is an ICAO requirement for the PPL. The credit for a LAPL holder includes training for and experience gained after licence issue. A crediting of parts of the training, as you propose, therefore cannot be considered. Furthermore, the cross-country flight required for the issue of an LAPL(H) includes only a cross-country flight of 150 km (80 NM).</p>				

comment	<p>178 ❖</p> <p style="text-align: right;">comment by: <i>DGAC France</i></p> <p>Subject:</p> <p>PPL privileges including LAPL privileges</p>
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(FCL.205.A/FCL.205.H/FCL.205.S/FCL.205.B)

Content of comment:

France fully supports FCL.205.A (a) amendment. PPL(A) obviously includes LAPL(A) privileges. For coherence the same clarification should be introduced for others PPL licences (PPL(H), SPL and BPL).

France proposes a wording for inclusion in FCL.205.H, FCL.205.S and FCL.205.B.

Proposed amendment:

FCL.205.H PPL(H) — Privileges

(a) The privileges of the holder of a PPL(H) are to act without remuneration as PIC or co-pilot of helicopters engaged in non-commercial operations **and exercise all the privileges of a holder of an LAPL(H) provided they fulfil the requirements of FCL.140.H.**

FCL.205.S SPL — Privileges and conditions

(a) The privileges of the holder of an SPL are to act as PIC on sailplanes and powered sailplanes **and exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S.** In order to exercise the privileges on a TMG, the holder shall have to comply with the requirements in FCL.135.S.

FCL.205.B BPL — Privileges and conditions

(a) The privileges of the holder of a BPL are to act as PIC on balloons **and exercise all the privileges of a holder of an LAPL(B) provided they fulfil the requirements of FCL.140.B.**

response

Accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.

comment

755

comment by: Finnish Transport Safety Agency

FCL.205.H

The LAPL privileges have not been added for PPL(H), SPL or BPL holders in similar way as they have been added for PPL(A) holders.
Is this editorial or intentional?

response

Accepted

This was an editorial and the text has been amended as requested.

LICENCE (BPL) — SECTION 4: SPECIFIC REQUIREMENTS FOR THE PPL FOR AIRSHIPS — PPL(As)

comment 178 ❖

comment by: DGAC France

Subject:

**PPL privileges including LAPL privileges
(FCL.205.A/FCL.205.H/FCL.205.S/FCL.205.B)**

Content of comment:

France fully supports FCL.205.A (a) amendment. PPL(A) obviously includes LAPL(A) privileges. For coherence the same clarification should be introduced for others PPL licences (PPL(H), SPL and BPL).

France proposes a wording for inclusion in FCL.205.H, FCL.205.S and FCL.205.B.

Proposed amendment:***FCL.205.H PPL(H) — Privileges***

*(a) The privileges of the holder of a PPL(H) are to act without remuneration as PIC or co-pilot of helicopters engaged in non-commercial operations **and exercise all the privileges of a holder of an LAPL(H) provided they fulfil the requirements of FCL.140.H.***

FCL.205.S SPL — Privileges and conditions

*(a) The privileges of the holder of an SPL are to act as PIC on sailplanes and powered sailplanes **and exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S.** In order to exercise the privileges on a TMG, the holder shall have to comply with the requirements in FCL.135.S.*

FCL.205.B BPL — Privileges and conditions

*(a) The privileges of the holder of a BPL are to act as PIC on balloons **and exercise all the privileges of a holder of an LAPL(B) provided they fulfil the requirements of FCL.140.B.***

response Accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART C: PRIVATE PILOT LICENCE (PPL), SAILPLANE PILOT LICENCE (SPL) AND BALLOON PILOT LICENCE (BPL) — SECTION 5: SPECIFIC REQUIREMENTS FOR THE SAILPLANE PILOT LICENCE (SPL)

p. 48-49

comment 178 ❖

comment by: DGAC France



Subject:

**PPL privileges including LAPL privileges
(FCL.205.A/FCL.205.H/FCL.205.S/FCL.205.B)**

Content of comment:

France fully supports FCL.205.A (a) amendment. PPL(A) obviously includes LAPL(A) privileges. For coherence the same clarification should be introduced for others PPL licences (PPL(H), SPL and BPL).

France proposes a wording for inclusion in FCL.205.H, FCL.205.S and FCL.205.B.

Proposed amendment:***FCL.205.H PPL(H) — Privileges***

*(a) The privileges of the holder of a PPL(H) are to act without remuneration as PIC or co-pilot of helicopters engaged in non-commercial operations **and exercise all the privileges of a holder of an LAPL(H) provided they fulfil the requirements of FCL.140.H.***

FCL.205.S SPL — Privileges and conditions

*(a) The privileges of the holder of an SPL are to act as PIC on sailplanes and powered sailplanes **and exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S.** In order to exercise the privileges on a TMG, the holder shall have to comply with the requirements in FCL.135.S.*

FCL.205.B BPL — Privileges and conditions

*(a) The privileges of the holder of a BPL are to act as PIC on balloons **and exercise all the privileges of a holder of an LAPL(B) provided they fulfil the requirements of FCL.140.B.***

response

Accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.

comment

251

comment by: René Meier, Europe Air Sports

FCL.205.S SPL-Privileges and conditions
p 49/253

We ask to add a new (d) with the following text: "The holder of an SPL may exercise all the privileges of a holder of a LAPL(S) provided he/she fulfils the requirements of FCL.140.S"

Rationale:

We think the glider/sailplane pilots simply were forgotten.

response

Accepted



This was only an editorial and the text has been amended as requested.

comment

459

comment by: *Uppvinden AB*

FCL.205.S b 1

Complement: If the person have had another licence (eg. LAPL or ATPL) with rating to carry passengers this should not be valid.

FCL.210.S b second paragraph

Can a LAPL(S) licence expire? In such case why only LAPL(S) and not also SPL if they can expire?

FCL.210.S b third paragraph

What about crediting for persons who earlier has held a pilot licence but it has expired, maybe only 2 months ago with 2000 hours in the logbook? Compare with the text for LAPL(S).

A PPL(A) pilot with 50 hours in the logbook can get a credit of 5 hours out of 15 when applying for a SPL. If applying for a LAPL(S) he/she can get credit with 7,5 hours. Shall the credit be the same for SPL?

response

Partially accepted

FCL.205.S (b) (1): The credit can only be counted for LAPL(S) holders because for no other licence, the launch methods are so sailplane-specific.

Noted

FCL.210.S (b): Second point — the privilege to fly the aircraft on an LAPL can expire if the recency requirements and the renewal requirements have not been fulfilled.

Not accepted

FCL.210.S: Please be aware that an LAPL is a licence below ICAO Annex 1. Credit given to obtain an ICAO licence falls under different principles, therefore these two points cannot be compared.

comment

791

comment by: *Deutscher Aero Club (DAeC)*

FCL.205.S SPL-Privileges and conditions
p 49/253

We ask to add a new (d) with the following text: "The holder of an SPL may exercise all the privileges of a holder of a LAPL(S) provided he/she fulfils the requirements of FCL.140.S"

Rationale:

We think the glider/sailplane pilots simply were forgotten. If (s)he does no longer fulfil the conditions of a class-2 medical certificate but those of a LAPL medical certificate or chooses to have a LAPL-Medical only (S)he should be able to continue to exercise the privileges without formal exchange of the license. This will decline administrative burden and costs for the affected pilots.

response

Accepted



Thank you for your comment. We have received many comments on this issue and have solved it in a slightly different way but still keeping your proposed solution. Please refer to the other comments on this issue.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART C: PRIVATE PILOT LICENCE (PPL), SAILPLANE PILOT LICENCE (SPL) AND BALLOON PILOT LICENCE (BPL) — SECTION 6: SPECIFIC REQUIREMENTS FOR THE BALLOON PILOT LICENCE (BPL) p. 50-51

comment

178 ❖

comment by: DGAC France

Subject:

**PPL privileges including LAPL privileges
(FCL.205.A/FCL.205.H/FCL.205.S/FCL.205.B)**

Content of comment:

France fully supports FCL.205.A (a) amendment. PPL(A) obviously includes LAPL(A) privileges. For coherence the same clarification should be introduced for others PPL licences (PPL(H), SPL and BPL).

France proposes a wording for inclusion in FCL.205.H, FCL.205.S and FCL.205.B.

Proposed amendment:***FCL.205.H PPL(H) — Privileges***

*(a) The privileges of the holder of a PPL(H) are to act without remuneration as PIC or co-pilot of helicopters engaged in non-commercial operations **and exercise all the privileges of a holder of an LAPL(H) provided they fulfil the requirements of FCL.140.H.***

FCL.205.S SPL — Privileges and conditions

*(a) The privileges of the holder of an SPL are to act as PIC on sailplanes and powered sailplanes **and exercise all the privileges of a holder of an LAPL(S) provided they fulfil the requirements of FCL.140.S.** In order to exercise the privileges on a TMG, the holder shall have to comply with the requirements in FCL.135.S.*

FCL.205.B BPL — Privileges and conditions

*(a) The privileges of the holder of a BPL are to act as PIC on balloons **and exercise all the privileges of a holder of an LAPL(B) provided they fulfil the requirements of FCL.140.B.***

response

Accepted

Thank you for your comment. We understand that your comment aims to establish a level playing field for all pilots, which we support. The text has been changed in accordance with the existing requirements in FCL.305. There the privileges given to the holder of a CPL are not bound to conditions, therefore we will not add the condition you proposed to comply with FCL.140. When using an SPL, a BPL or a PPL as an LAPL, the pilot has to comply with all requirements concerning the LAPL anyway.



comment	<p>391 comment by: <i>Fédération Française d'Aérostation, ATO task force</i></p> <p><i>Suggested amended text for FCL.205.B BPL - Privileges and conditions</i></p> <p>(a) The privileges of the holder of a BPL are to act as PIC on balloons and hot-air airships. (b) Holders of a BPL shall be restricted to act without remuneration in non-commercial operations until they have:</p> <ol style="list-style-type: none"> (1) attained the age of 18 years; (2) completed 50 hours of flight time and 50 take-offs and landings as PIC on balloons; (3) passed a proficiency check with an examiner on a balloon in the specific class. <p>(c) Notwithstanding paragraph (b) and FCL.065 paragraph (c), the holder of a BPL with instructor or examiner privileges may receive remuneration for:</p> <ol style="list-style-type: none"> (1) the provision of flight instruction for the LAPL(B) or the BPL; (2) the conduct of skill tests and proficiency checks for these licences; (3) the ratings and certificates attached to these licences. <p><i>Explanation:</i></p> <p><i>Under (a): elsewhere in new regulations, hot-air airships are defined as balloons, not as a separate category. It makes sense to have a BPL with an optional added rating for hot-air airships. Note that in the paragraph FCL.105.B LAPL(B), mention is made of hot-air airships. Logically, a BPL licence should include the same.</i></p> <p><i>Under (c), mention of FC L.065 (c) (age limit for CAT flying for balloon pilots, suggested amendment) makes it clear that senior pilots with an FI and/or FE certificate who no longer may fly CAT are allowed to get paid for flight instruction and tests in any class or volume group of balloon. I suppose this was always the purpose of the paragraph to begin with, as I don't really see a junior pilot having flown more than 75 hours and followed an instructor's course before the age of 18 !</i></p>
response	<p>Not accepted</p> <p>EASA acknowledges your comment and thanks you for your feedback. RMT.0654 'Revision of the balloon licensing requirements' will take over all balloon-related comments.</p>
comment	<p>401 comment by: <i>Fédération Française d'Aérostation, ATO task force</i></p> <p><i>FCL.210.B BPL - Experience requirements and crediting</i></p> <p><i>Suggested amended text:</i></p> <p>(a) Applicants for a BPL shall have completed on balloons in the same class and group with an envelope capacity up to and including 3 400 m3 (group A) at least 16 hours of flight instruction, including at least:</p> <ol style="list-style-type: none"> (1) 12 hours of dual flight instruction with an instructor qualified in accordance with Subpart J; (2) 10 inflations and 12 take-offs and landings with an instructor qualified in accordance with Subpart J; and (3) 1 supervised solo flight with a minimum flight time of at least 30 minutes under the

supervision of an instructor qualified in accordance with Subpart J.

(4) 4 hours of training with a pilot designated by an instructor qualified in accordance with Subpart J.

(b) Applicants for a BPL holding an LAPL(B) shall be fully credited towards the requirements for the issue of a BPL.

Applicants for a BPL who held an LAPL(B) within the period of 2 years before the application shall be fully credited towards the requirements of theoretical knowledge and flight instruction.

Explanation:

For (a), maximum volume: In practice, any instruction with student pilots takes place in small balloons (group A) as one is not allowed to carry passengers during instruction flights and larger balloons have a minimum take-off mass defined by their manufacturers, so one can only fly them with either passengers or, in very special cases such as long-distance record flights, with a large additional fuel load or special ballast (bags of sand or water reservoirs). It would also not be correct to allow BPL training in a large balloon, as this would circumvent the usual experience buildup regime of increasing numbers of hours before a pilot is allowed to fly larger volume groups of balloons. A student getting trained in a Group B balloon would subsequently not be allowed to fly that balloon (which would need a commercial qualification and 100 hours PIC) after gaining their licence. Better limit first-time training for a BPL to balloons in volume group A, < 3400 m3.

Again, like with the LAPL(B), formal instruction needs to be given by a qualified FI but the feeling is that some experience flights may be with a non-FI pilot designated by the FI responsible for the student, to limit costs.

response

Not accepted

EASA acknowledges your comment and thanks you for your feedback. RMT.0654 'Revision of the balloon licensing requirements' will take over all balloon-related comments.

comment

423

comment by: *Fédération Française d'Aérostation, ATO task force*

FCL.225.B BPL — Extension of privileges to another balloon class or group

Suggested amendment:

The privileges of the BPL shall be limited to the class and group of balloons in which the skill test was taken. This limitation may be removed when the pilot has:

(a) in the case of an extension to another class ~~within the same group~~, complied with the requirements in

FCL.135.B;

(b) in the case of an extension to another group within the same class of balloons, completed at least:

(1) 2 dual instruction flights on a balloon of the relevant group; and

(2) the following hours of flight time as PIC on balloons:

(i) for **hot-air** balloons with an envelope capacity between 3401 m3 and 6000 m3



(**group B**), at least 100 hours;
 (ii) for **hot-air** balloons with an envelope capacity between 6001 m³ and 10500 m³
 (**group C**), at least 200 hours;
 (iii) for **hot-air** balloons with an envelope capacity of more than 10500 m³ (**group D**),
 at least 300 hours;
 (iv) for gas balloons with an envelope capacity of more than 1260 m³, at least 50 hours.

Explanation:

for (a): it is impossible to make a distinction in groups here. One goes from one class to another (i.e. from hot-air to gas or vice versa), but there is no 'other class in the same group', as 'group' defines a range of volume. Any gas balloon is smaller than even the smallest group of hot-air balloons. So delete these words.

For (b): to be precise one must specify that the various volume groups concern hot-air balloons, and mention the group designation (A,B,C and D). In the future this may also be important when mentioning the category of balloon flown in a log book and/or on a licence document (i.e. hot-air group C, for example).

response Not accepted

EASA acknowledges your comment and thanks you for your feedback. RMT.0654 'Revision of the balloon licensing requirements' will take over all balloon-related comments.

comment

429

comment by: *Fédération Française d'Aérostation, ATO task force*

FCL.230.B BPL — Recency requirements

Suggested amended text:

(a) Holders of a BPL shall only exercise the privileges of their licence when they have completed in one class of balloons in the last ~~24 months~~ 2 years at least:

(1) ~~6~~ 8 hours of flight time as PIC, including ~~10~~ 8 take-offs and landings;

(2) ~~1 training flight with an instructor in a balloon within the appropriate class and with the maximum envelope capacity they have privileges for;~~ **at least 4 hours of flight time and 4 take-offs and landings in a balloon with the maximum envelope capacity (group) they have privileges for;**

(3) a theoretical refresher seminar of one full day and approved by the competent authority;

(4) in addition, in the case of pilots qualified to fly more than one class of balloons, in order to exercise their privileges in the other class, they shall have completed at least 3 hours of flight time on that class within the last 24 months, including 3 take-offs and landings.

(b) Holders of a BPL who do not comply with the requirements in (a) shall, before they resume the exercise of their privileges:

(1) pass a proficiency check with an examiner in a balloon within the appropriate class and with the maximum envelope capacity they have privileges for; or

(2) perform the additional flight time or take-offs and landings, flying dual or solo under the supervision of an instructor, in order to fulfil the requirements in (a).

(c) For each third revalidation, the holder shall complete 1 training flight with an instructor



in a balloon within the appropriate class they have privileges for. The revalidation will be valid only for balloons of envelope capacities up to and including the envelope capacity ('group of balloons') in which the training flight has been completed and for which the holder has demonstrated sufficient recency under paragraph (a)(2).

Explanation:

Under (a)(2): given the limited number of FIs in any country, the geographical dispersion of pilots and FIs - again, not based at aerodromes - and the weather limitations for balloon flights, a bi-annual training regime is impossible to keep up except at excessively high financial and human cost. Hence the transfer to a new paragraph (c) with a reduced frequency of once every third revalidation - or 6 years.

By contrast, organizing theoretical refresher seminars for groups of pilots per region is less difficult.

Furthermore, experience has shown that theoretical knowledge tends to lapse sooner among pilots than their skill in handling the aircraft, so there is a true flight safety advantage to be gained from including theoretical refreshers into the recency requirements - but this can only be humanly and financially possible if the frequency of training flights for revalidation is reduced. Of course the contents of the refresher seminars should correspond to an approved program. Safety updates and discussion of accident reports should always be part of the seminars.

Note that under paragraph (a)(2) the suggested amendment actually increases the number of hours/flights required in the largest volume group the pilot has privileges for. In the original text, a pilot could in theory fly smaller balloons all the time and just complete one training flight every 24 months in a larger volume group to maintain privileges for that group, as in paragraph (a)(1) no requirement of volume groups was mentioned. For flight safety in large balloons the most important factor is actual frequent experience in handling balloons in the particular volume group.

General remark: It must be noted that organizing training and skill test flights in larger volume groups (in particular group C and D) will be exceedingly difficult. Most initial instruction is always given on smaller balloons for reasons given earlier (minimum mass requirements and no passengers). Thus very few FIs and FEs will be available who have sufficient recency on 'very large balloons' in groups C and D. Which is why we have suggested to reduce the frequency of revalidation flights in FCL. Large commercial operators with AOCs are already required to have internal training programs.

Training and revalidation flights in large balloons need to be done with passengers on board, due to the minimum mass requirements of such large balloons. There are no flight simulators for balloons. Thus we are talking about the ballooning equivalent of training in an Airbus with a full load of passengers. This means that for instance no emergency procedures and extreme manoeuvres such as maximum-speed descents can be trained, due to the elevated risk to the passengers. If EASA considers this an unsurmountable safety problem, then the only solution is to allow all training/validation flights to be done in smaller balloons (any volume) while pilots retain their qualifications for large balloons, provided they have recent experience on type as mentioned in the amended paragraph (a)(2). This is a subject worthy of careful thought and discussion.



response Not accepted

EASA acknowledges your comment and thanks you for your feedback. RMT.0654 'Revision of the balloon licensing requirements' will take over all balloon-related comments.

comment 656 comment by: UK CAA

Page No: 51

Paragraph No: FCL.230.B

Comment: This paragraph does not make clear that a proficiency check with an examiner is valid for 2 years. It is recommended that it should just refer to FCL.130.B.

Justification: The rule needs to make clear that the proficiency check is valid for 2 years.

Proposed Text: Replace the whole of FCL.230.B with:

"Holders of a BPL shall only exercise the privileges of their licence when complying with the recency requirements in FCL.130.B."

response Not accepted

EASA acknowledges your comment and thanks you for your feedback. RMT.0654 'Revision of the balloon licensing requirements' will take over all balloon-related comments.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART D: COMMERCIAL PILOT LICENCE — CPL, SECTION 1: COMMON REQUIREMENTS p. 52-53

comment 112 comment by: René Meier, Europe Air Sports

FCL.310 CPL-Theoretical knowledge examinations
p 52/253

This table of contents is appropriate to a future CPL licence holder, but it is not appropriate to what a future FI will give as training to a PPL licence applicant.

If we continue applying this list as a basic requirement to be fulfilled by future FI to become active in sports and recreational activities there simply will be no applicants any more, consequently no sports and recreational aviation activities. This is not in-line with the "General Aviation Roadmap" and not with what we heard during the Agency's "General Aviation Safety Conference" held in Rome in October 2104.

Proposal: Simply delete this requirement for FI intending to train exclusively LAPL and PPL student pilots.



	<p>Rationale: It definitely is too demanding, several topics do not reflect the needs of a future PPL FI, e.g. hydraulic systems, de-ice/anti-ice, jet engines, very extensive meteorology to name just a few.</p>
response	<p>Not accepted</p> <p>Thank you for your comment which we think is more related to FCL.915.FI. The prerequisites described in this point foresees already for the FI providing training for the LAPL(A) that the FI is exempted from the requirement of the CPL licence and theoretical knowledge. The reason for this is that the LAPL is a licence below ICAO Annex 1 standards. This is not the case for the PPL where ICAO requires a the CPL licence for the instructor. When asking for a PPL licence with CPL theoretical knowledge exam, we are already below this standard and so far EASA is not in the position to further soften this requirement for licences issued in accordance with ICAO Annex 1.</p>
comment	<p>793 comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p>FCL.310 CPL-Theoretical knowledge examinations p 52/253</p> <p>This table of contents is appropriate to a future CPL licence holder, but it is not appropriate to what a future FI will give as training to a PPL licence applicant.</p> <p>Th application of this list as a basic requirement to be fulfilled by future FI to become active in sports and recreational activities there simply will be no applicants for FI any more. In consequentce no sports and recreational aviation activities will be maintained over longer period in Europe. This is not in-line with the "General Aviation Roadmap" and not with what we heard during the Agency's "General Aviation Safety Conference" held in Rome in October 2104.</p> <p>Proposal: Simply delete this requirement for FI intending to train exclusively LAPL and PPL student pilots.</p>
response	<p>Not accepted</p> <p>Thank you for your comment which we think is more related to FCL.915.FI. The prerequisites described in this point foresees already for the FI providing training for the LAPL(A) that the FI is exempted from the requirement of the CPL licence and theoretical knowledge. The reason for this is that the LAPL is a licence below ICAO Annex 1 standards. This is not the case for the PPL where ICAO requires a the CPL licence for the instructor. When asking for a PPL licence with CPL theoretical knowledge exam, we are already below this standard and so far EASA is not in the position to further soften this requirement for licences issued in accordance with ICAO Annex 1.</p>
comment	<p>794 comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p>FCL.805 Sailplane towing and banner towing ratings p 72/253</p> <p>FCL.805 focuses on the aircraft doing the towing, even though, in the case of sailplane</p>

towing, the sailplane considerations are more numerous and more important. This results in the existence of three different, distinct ratings, (A) or (TMG) on a LAPL(A) or higher, plus (TMG) on an SPL/LAPL(S), even though the task is identical in each case.

We propose a (d)(1): "The privileges of the sailplane towing rating shall be valid for towing in whichever aircraft the holder is qualified to fly."

A new (d)(2) should cover the privileges of the banner towing rating holder only.

Rationale:

Complexity, and thus costs for volunteer tow pilots, must be reduced by enabling a single towing rating to be valid for all tow planes.

response

Not accepted

Thank you for your comment. EASA considers that the requirement in FCL.805 reflects already your concern. The way point (a) is written includes already the fact that a towing rating is not bound to a category of licence but to the privilege to fly aeroplanes or TMGs.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART F: AIRLINE TRANSPORT PILOT LICENCE — ATPL, SECTION 1: COMMON REQUIREMENTS

p. 55

comment

710

comment by: *ENAC Personnel Licensing Regulation Division*

Attachment [#5](#)

response

Not accepted

EASA thanks you for your comment. It will be the role of the EASA standardisation division to provide for a uniform application of the requirements concerning language proficiency testing. So far the language proficiency endorsement was the only privilege that was not recognisable when provided within a different Member State than the one that issued the pilot licence. This led to problems when pilots wanted to have more languages endorsed than the national language of the NAA and English.

comment

711

comment by: *Rogério Pinheiro*

13. Part-FCL, Subpart F - airline transport pilot license - linguistic amendment - During the revision phase of the draft opinion on the proposal for a regulation to Regulation (EU) No 1178 / 2011 was determined (following the English language) replacing all 'and / or' with 'and' and 'or' as appropriate. It has been found that some of these substitutes are not adequate and had to be corrected now.

Appropriately covered any discrepancies existing and felt before. Notwithstanding, there will always be language problems in translation into the language of each of the EU countries, highlighting a national reality truly felt regarding regulations translated into Portuguese.

response

Noted

EASA acknowledges your comment and thanks you for your feedback.



3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART F: AIRLINE TRANSPORT PILOT LICENCE — ATPL, SECTION 2: SPECIFIC REQUIREMENTS FOR THE AEROPLANE CATEGORY — ATPL(A)	p. 56-57
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comment

239

comment by: DGAC France

Subject:**ATPL prerequisites (AMC1 FCL.510.A (b) (1))****Content of comment:**

France is questioning the rationale behind deleting the AMC1 FCL.510.A (b) (1). We understand that the AMC cannot go beyond the regulation itself and FCL.510.A (b) (1).

FCL.510.A (b) (1) states that:

(b) Experience.

Applicants for an ATPL(A) shall have completed a minimum of 1 500 hours of flight time in aeroplanes, including at least:

*(1) 500 hours **in multi-pilot operations** on aeroplanes;*

The terms “multi-pilot operations” is defined in FCL.010:

‘Multi-pilot operation’:

*for aeroplanes, it means an operation **requiring at least 2 pilots** using multi-crew cooperation in either multi-pilot or single-pilot aeroplanes;*

The main question is which hours could be counted to comply with FCL.510.A (b) (1).

France considers that multi-pilot operations hours can be taken into account provided these hours have been performed in accordance with an approved operation manual or existing document deemed acceptable as equivalent.

France proposes to amend FCL.510.A (b) (1) in order to clarify the issue.

Proposed amendment:**FCL.510.A ATPL(A) — Prerequisites, experience and crediting**

(a) Prerequisites. Applicants for an ATPL(A) shall hold:

(1) an MPL; or

(2) a CPL(A) and a multi-engine IR for aeroplanes. In this case, the applicant shall also have received instruction in MCC.

(b) Experience. Applicants for an ATPL(A) shall have completed a minimum of 1500 hours of flight time in aeroplanes, including at least:

*(1) 500 hours in multi-pilot operations on aeroplanes **performed in accordance with an approved operation manual or existing document deemed acceptable as equivalent;***

response

Not accepted

Thank you for your comment. After due considerations in combination with the requirements of Regulation (EU) 965/2012, EASA has decided not to amend FCL.510.A as proposed. The concern you raised is already covered by the requirements in the air



operations rules.

comment

756

comment by: *Finnish Transport Safety Agency*

FCL.510.A (b)

Finland supports the proposed change but suggests that also FTD flight time would be accepted.

Finland proposes to use similar wording as in FCL.510.H point (b).

Proposed text:

FCL.510.A

(b)

--

Of the 1500 hours of flight time, up to 100 hours of flight time may have been completed in an ~~FSTD FFS or FNPT~~. Of these 100 hours, only a maximum of 25 hours may be completed in an FNPT.

response

Partially accepted

EASA thanks you for your comment. After due consideration and comparison with ICAO Annex I, EASA decided to accept your proposal to align the helicopter and aeroplane requirements. This does not apply though to the aeroplane category. The text for the helicopter category has to be changed and therefore has been amended accordingly.

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] —
SUBPART G: INSTRUMENT RATING — IR, SECTION 1: COMMON REQUIREMENTS**

p. 58-60

comment

1

comment by: *David*

FCL 625.Undergo a ATO training and then pass a profeciency check has no sense, if the training is enough to reach the skill level then the assesment is useless because it is supposed the training has reached the desired level.

Causes burden on pilots (specially the most vulnerable ones, unemployed, young pilots, general aviation pilots).

In my point of view has no sense to keep ratings that you haven't got to use , once the basic training is done keeping it uo to day to avoid losing them and without using it is just a waste of money , time, fuel and unnecessary stress so some moneymakers could get even better profit.

Option : either undergo training or have a profiency check.

Good for : some competence between examinaers and ATOs that could get lower prices

Avoid ATO's take advantage of the most vulnerable (in Spain some ATOs claims the minimum traing for renewal are 5 hours of flight and prices could rise to 2000 €)

Eliminate the 7 years period for the IR, it doesn't make any benefit fot safety but eliminates some unlucky good pilot s forever (remember Pilots Pay for all their training) when something is acheived there's no reasing to lose it (of so doctors and others professionals should lose their jobs when the make other activities).



		Please help vulnerable pilots to keep being pilots.
response		Not accepted Thank you for your comment. The amendments proposed with NPA 2014-29 aim to support pilots who hold an IR irrespective if in a third country or in the EU. With the requirements of the Basic Regulation and ICAO Annex 1, no further changes can be made.
comment	81	comment by: <i>FlightSafety International - Deputy Head of Training</i> FCL625(c) and (d) of Annex I (Part-FCL) of Regulation (EC) No 1178/2011 - an extant EC Derogation allows the holders of licences issued in accordance with Part-FCL to maintain their privileges in relation to an IR held on 3rd country licence without the need of re-taking the theoretical knowledge examinations. This derogation applies to holders of licences issued in accordance with Part-FCL provided that an IR held on 3rd country licence is ICAO compliant. This derogation should be incorporated into Part FCL
response		Accepted Thank you for your comment. Please refer to the proposed change in FCL.625 (d).
comment	113	comment by: <i>René Meier, Europe Air Sports</i> FCL.610 IR-Prerequisites and crediting p 58/253 (a)(1) Question: Is it really important to differentiate between "IFR by day" or "IFR at night"?
response		Noted Thank you for your comment. Yes, this was important as not all PPL holders have a specific night rating.
comment	117	comment by: <i>René Meier, Europe Air Sports</i> FCL.625.A IR(A)-Revalidation p 60/253 (a)(2)(iii) We thank you for clarifying these provisions. Rationale: The conditions are now clear, misinterpretations are no longer possible.
response		Noted Thank you for your comment and the positive feedback.
comment	118	comment by: <i>René Meier, Europe Air Sports</i>

	<p>FCL.625.H IR(H)-Revalidation p 60/253 (a)(2)</p> <p>We fully support the objective of the proposed amendment. Nevertheless, we propose a slightly different wording in order to clarify the fact that the pilot has to hold the type rating for both revalidation on a simulator (FTD 2/3 or FFS) and revalidation on a helicopter:</p> <p>(2) (i) when not combined with the revalidation of a type rating, shall complete only section 5 and the relevant parts of section 1 of the proficiency check established in Appendix 9 to this Part for the relevant type of helicopter; and (ii) hold the relevant valid type rating; (iii) an FTD 2/3 or an FFS representing the relevant type of helicopter may be used, but at least each alternate proficiency check for the revalidation of an IR(H) shall be performed in a helicopter.</p> <p>Rationale:</p> <p>This wording will be more consistent with IR(A) revalidation requirements.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA has addressed your concern already with the amendment provided with the NPA.</p>
comment	<p>151 comment by: <i>Martin PFEIFENBERGER</i></p> <p>FCL.610 IR-Prerequisites and crediting For helicopters, there is a discrepancy with the prerequisites in Appendix 6B, No. 1.</p> <p>Is there a new restriction for IFR for day operation only, since SERA does not make any difference and since there is only a “VFR night rating” (see. FCL.810), no “IFR night” rating?</p>
response	<p>Noted</p> <p>EASA thanks you for your comment. The possibility to obtain an IR for day only for PPL holders without night rating was established already with Regulation (EU) No 245/2014. The amendments proposed with NPA 2014-29 aim to clarify the requirement.</p>
comment	<p>340 comment by: <i>Irish Aviation Authority</i></p> <p>Ireland supports this proposed change</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>439 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p>

Relevant Text: FCL.625 (c)

Comment: The requirement to hold a relevant class or type rating has been added for revalidation of an IR. The same requirement should be added for renewal, otherwise the rule is not consistent. If not, the pilot could simply wait until the day the rating expires to be waived from the requirement of holding a class or type rating.

Proposal: Add: (3) hold the relevant class or type rating, unless otherwise specified in this part

response

Accepted

Thank you for your comment. The text has been amended accordingly.

comment

471

comment by: Nick Carr

FCL.605 IR - Privileges

Is it the Agency's intention that holders of a ME/IR shall be restricted to ME aeroplanes only or can these privileges be exercised on SE aeroplanes? JAR-FCL granted these privileges but there is no such statement here.

I propose a statement be added to permit the holder of an ME/IR (SPA) to also exercise those privileges on SE (SPA) aeroplanes.

response

Noted

Thank you for your comment. Your concern is already covered by Appendix 8 to Part-FCL.

comment

591

comment by: European Cockpit Association

Commented text:

FCL.610 IR

Prerequisites and crediting

Applicants for an IR shall:

(a) hold:

(1) at least a PPL in the appropriate aircraft category, and if the IR privileges will be used at night:

▼ M3

(i) the privileges to fly at night in accordance with FCL.810, if the IR privileges will be used at night; or

▼ B

(ii) an ATPL in another category of aircraft; or

(2) a CPL, in the appropriate aircraft category;

ECA's Comment:



response	<p>There should not be any different IR category for IR night and IR day. Any IR should include a night qualification.</p> <p>Not accepted</p> <p>EASA thanks you for your comment. The possibility to obtain an IR for day only for PPL holders without night rating was established already with Regulation (EU) No 245/2014. The amendments proposed with NPA 2014-29 aim to clarify the requirement.</p>
comment	<p>598 comment by: <i>Danish Transport Authority</i></p> <p>The requirement to hold a relevant class or type rating has been added for revalidation of an IR. The same requirement should be added for renewal, otherwise the rule is not consistent. If not, the pilot could simply wait until the day the rating expires to be waived from the requirement of holding a class or type rating.</p> <p>Proposal: Add (3) hold the relevant class or type rating, unless otherwise specified in this part.</p>
response	<p>Accepted</p> <p>Thank you for your comment. The text has been amended accordingly.</p>
comment	<p>599 comment by: <i>Danish Transport Authority</i></p> <p>As third countries may issue an IR without a validity period it should be clarified that the rating must be current.</p> <p>Proposal: Clarify as follows: ...if the pilot does not hold a valid and current IR on a ...It would be good to include definitions of valid and current in FCL.010 to clarify.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. As only IR issued in accordance with ICAO Annex 1 can be taken into consideration, the amendment you propose is not necessary.</p>
comment	<p>615 comment by: <i>Danish Transport Authority</i></p> <div style="border: 1px solid black; padding: 5px;"> <p>Relevant Text: (c)(2) complete a proficiency check in accordance with App. 9 to this part, in the relevant aircraft category</p> <p>Comment: The text is unclear with concern to using an FNPT II</p> <p>Proposal: Change (a) to: Complete a proficiency check in compliance with FCL.625.A (a)(1) to (3)</p> </div>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA considers this to be sufficiently clarified in FCL.625.A</p>

(a)(3) and therefore does not follow your proposal to amend the text.

comment	712	comment by: <i>Rogério Pinheiro</i>
	Part-FCL Subpart G - Instrument rating FCL.610 IR - Prerequisites and crediting - Given that this amendment aimed the elimination of ambiguities, APTTA agrees with it.	
response	Noted EASA acknowledges your comment and thanks you for your feedback.	
comment	713	comment by: <i>Rogério Pinheiro</i>
	FCL.615.IR – Theoretical knowledge and flight instruction – “Flight performance and monitoring” pass to ‘Flight planning and monitoring’ - Changes aimed clarification and APTTA agrees with it.	
response	Noted EASA acknowledges your comment and thanks you for your feedback.	
comment	736	comment by: <i>Light Aircraft Association</i>
	The LAA support amendment of FCL.625 as shown to allow use of a valid IR on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention to support the continued validity of IR theoretical knowledge and skill test.	
response	Noted EASA acknowledges your comment and thanks you for your feedback.	
comment	757	comment by: <i>Finnish Transport Safety Agency</i>
	FCL.625 (d) Finland supports the proposed amendment.	
response	Noted EASA acknowledges your comment and thanks you for your feedback.	



SUBPART G: INSTRUMENT RATING — IR, SECTION 2: SPECIFIC REQUIREMENTS FOR THE AEROPLANE CATEGORY

comment	179	comment by: <i>DGAC France</i>
	<p>Subject: IR(A) revalidation (FCL.625.A (a) (2) (iii))</p> <p>Content of comment: France fully supports the proposed amendment. It is now clear that when revalidating an IR(A) the candidate has to hold a valid class/type rating corresponding to the aeroplane or the FNPT II/FFS used during the proficiency check.</p>	
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>	
comment	341	comment by: <i>Irish Aviation Authority</i>
	<p>Ireland do not see the need to have the requirement in FCL.625.A as it will not be possible to fly an aeroplane without a valid class or type rating. However pilots may wish to revalidate the IR separately.</p>	
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback. The text has been amended for clarity reasons only.</p>	
comment	457	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	<p>Relevant Text: FCL.625 (d)</p> <p>Comment: As third countries may issue an IR without a validity period it should be clarified that the rating must be current.</p> <p>Proposal: Clarify as follows: ...if the pilot does not hold a valid and current IR on a... It would be good to include definitions of valid and current in FCL.010 to clarify.</p>	
response	<p>Not accepted</p> <p>Thank you for your comment. As only IR issued in accordance with ICAO Annex 1 can be taken into consideration, the amendment you propose is not necessary.</p>	
comment	503	comment by: <i>FOCA Switzerland</i>

Subject: IR(A) revalidation

(a) Revalidation. Applicants for the revalidation of an IR(A):

(1) when combined with the revalidation of a class or type rating, shall pass a proficiency check in

accordance with Appendix 9 to this Part;

(2) when not combined with the revalidation of a class or type rating, shall:

(i) for single-pilot aeroplanes, complete section 3b and those parts of section 1 relevant to the intended flight, of the proficiency check prescribed in Appendix 9 to this Part; ~~and~~ or

(ii) for multi-engine aeroplanes, complete section 6 of the proficiency check for single-pilot aeroplanes in accordance with Appendix 9 to this Part by sole reference to instruments.; and

(iii) hold the relevant valid class or type rating.

FOCA is questioning and has doubts regarding the meaning by changing the word **and** into **or** between lit (i) and (ii).

As the text is written now, (ii) it does not contain the requirements in (i)! Means, to revalidate a ME IR the applicant has only to perform with section 6.

Proposal:

The text between (2)(i) and (ii) should stay as it stands before:

(a) Revalidation. Applicants for the revalidation of an IR(A):

(1) when combined with the revalidation of a class or type rating, shall pass a proficiency check in

accordance with Appendix 9 to this Part;

(2) when not combined with the revalidation of a class or type rating, shall:

*(i) for single-pilot aeroplanes, complete section 3b and those parts of section 1 relevant to the intended flight, of the proficiency check prescribed in Appendix 9 to this Part; **and** ~~or~~*

(ii) for multi-engine aeroplanes, complete section 6 of the proficiency check for single-pilot aeroplanes in accordance with Appendix 9 to this Part by sole reference to instruments.; and

(iii) hold the relevant valid class or type rating.

response

Accepted

Thank you for your comment. The text has been amended accordingly. Please refer also to comment No 657 below.

comment

579

comment by: DGAC France

Subject:**IR ME skill test and privileges to fly IFR on single-engine aeroplanes****Content of the comment:**

In JAR-FCL 1.180 (a) (1) it was stated that the privileges of a holder of a multi-engine IR(A) are to pilot multi-engine and single-engine aeroplanes under IFR. Such provision cannot be found in Part FCL.

However Appendix 8 grants credits for SEP IR when revalidating MEP IR.

France considers that notwithstanding FCL.620.IR (b), a skill test for ME IR performed on a multi-engine aeroplane should also give IR SE privileges.



response	<p>Not accepted</p> <p>Thank you for your comment. FCL.625.A (b) requires that cross-credit shall be given in accordance with Appendix 8 to Part-FCL. EASA considers this to be sufficient to cover the concern you raised.</p>
comment	<p>657 comment by: UK CAA</p> <p>Page No: 60</p> <p>Paragraph No: FCL.625.A (a)(2)(i) and (ii)</p> <p>Comment: The test for the ME IR requires completion of Section 6 ‘in addition’ to Section 3b - not ‘instead of’. The previous word “and” is correct in sub-paragraph (i); it should not be “or”. The words “in addition” should be added to sub-paragraph (ii) for clarity.</p> <p>Justification: The test for the multi engine IR has to include the exercises common to the single pilot single engine IR test.</p> <p>Proposed Text: Amend to read:</p> <p>(i) for single pilot aeroplanes... Appendix 9 to this Part; and (ii) for multi-engine aeroplanes complete, in addition, Section 6 of the... “</p>
response	<p>Accepted</p> <p>Thank you for your comment. The text has been amended accordingly. Please also refer to comment No 503 above.</p>
comment	<p>658 comment by: UK CAA</p> <p>Page No: 60</p> <p>Paragraph No: FCL.625.A (a)(2)(iii)</p> <p>Comment: The addition of sub-paragraph (iii) is not necessary. The standalone IR(A) test is not affected by the type or class rating. There is no need to hold the type or class rating if the IR(A) proficiency check is conducted in an FSTD.</p> <p>Justification: There is no safety implication if a pilot revalidates the IR(A) in an FSTD when the aircraft rating has lapsed. The IR(A) privileges cannot be used until the licence holder has a valid aircraft rating.</p> <p>Proposed Text: Delete sub-paragraph (a)(2)(iii).</p>
response	<p>Not accepted</p> <p>Thank you for your input. The point was added at the specific request of some other NAAs to avoid that pilots hold ‘void’ IR.</p>



comment	758	comment by: <i>Finnish Transport Safety Agency</i>
	FCL.625.A (a)(2)(iii), FCL.625.H (a)(2)	
	Finland supports the proposed amendments as they clarify the intention of the rule.	
response	Noted	
	EASA acknowledges your comment and thanks you for your feedback.	

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART G: INSTRUMENT RATING — IR, SECTION 3: SPECIFIC REQUIREMENTS FOR THE HELICOPTER CATEGORY

p. 60-61

comment	152	comment by: <i>Martin PFEIFENBERGER</i>
	FCL.630.H	
	The text states that a conversion is possible for holders of a valid IR(H) for single-engine helicopters. We had a particular request in our ATO where an holder of an expired IR(H) for SEH wanted to extend the privileges to ME(H). In our opinion, in this case it would be better to perform the renewal training and conversion training both on the relevant ME(H) type instead of renewing the SE(H) IR-rating, since in this particular case the applicant will never fly this SE(H) under IFR again and all the training time on the SE(H) was just for renewing the SE-IR(H) to fulfil FCL.630.H. In this case, it would have been much more effective to do both the renewal training and “extension training” on the ME(H)-type, so that an even higher level of proficiency would have been possible.	
response	Noted	
	Thank you for your comment. It is not possible to provide for all possible student scenarios in the rule text. We therefore did not take your example into consideration. The amount of training required will differ from student to student and we cannot see how the training for ‘revalidation’ SE should be included in ‘initial’ training for an ME IR.	
comment	180	comment by: <i>DGAC France</i>
	<u>Subject:</u> IR(H) revalidation	
	<u>Content of comment:</u> France fully supports the objective of the proposed amendment. Nevertheless France proposes a slightly different wording in order to clarify the fact that the pilot has to hold the type rating for both revalidation on a simulator (FTD 2/3 or FFS) and revalidation on a helicopter. This wording will be more consistent with IR(A) revalidation requirements.	
	<u>Proposed amendment:</u> <i>FCL.625.H IR(H) — Revalidation</i>	



	<p>(a) Applicants for the revalidation of an IR(H):</p> <p>(1) when combined with the revalidation of a type rating, shall complete a proficiency check in accordance with Appendix 9 to this Part, for the relevant type of helicopter;</p> <p>(2) when not combined with the revalidation of a type rating shall:</p> <p>(i) complete only section 5 and the relevant parts of section 1 of the proficiency check established in Appendix 9 to this Part for the relevant type of helicopter;</p> <p>and</p> <p>(ii) hold the relevant valid type rating;</p> <p>An FTD 2/3 or an FFS representing the relevant type of helicopter may be used, but at least each alternate proficiency check for the revalidation of an IR(H) shall be performed in a helicopter.</p>
response	<p>Accepted</p> <p>Thank you for your comment. The text has been amended accordingly to be aligned with FCL.625.A and for clarity reasons.</p>
comment	<p>342 comment by: Irish Aviation Authority</p> <p>Ireland do not see the need to have the requirement in FCL.625.H as it will not be possible to fly Helicopter without a valid type rating. However pilots may wish to revalidate the IR separately.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. With the insertion, EASA wanted to avoid that pilots revalidate IR on aircraft for which they do not hold a valid rating.</p>
comment	<p>504 comment by: FOCA Switzerland</p> <p>Annex I Part.FCL625(H)(a)(2)</p> <p>Subject: IR(H) revalidation</p> <p>FOCA proposes a slightly different wording in order to clarify the fact that the pilot has to hold the type rating for both revalidation on a simulator (FTD 2/3 or FFS) and revalidation on a helicopter.</p> <p>This wording will be more consistent with IR(A) revalidation requirements.</p> <p>Proposal:</p> <p>(a) Applicants for the revalidation of an IR(H):</p> <p>(1) when combined with the revalidation of a type rating, shall complete a proficiency check in accordance with Appendix 9 to this Part, for the relevant type of helicopter;</p> <p>(2)</p> <p>(i) when not combined with the revalidation of a type rating, shall complete only section 5 and the relevant parts of section 1 of the proficiency check established in Appendix 9 to this Part for the relevant type of helicopter; and</p> <p>(ii) hold the relevant valid type rating;</p> <p>(3) an FTD 2/3 or an FFS representing the relevant type of</p>

helicopter may be used, but at least each alternate proficiency check for the revalidation of an IR(H) in these circumstances shall be performed in a helicopter

response

Accepted

Thank you for your comment. The text has been amended accordingly to be aligned with FCL.625.A and for clarity reasons.

comment

622

comment by: *European Cockpit Association*

Commented text:

**FCL.625 IR(H)
(a)(2)**

In this case, an FTD 2/3 or an FFS representing the relevant type of helicopter may be used, but at least each alternate proficiency check for the revalidation of an IR(H) in these circumstances shall be performed in a helicopter. and the applicant shall hold the relevant valid type rating.

ECA's Comments:

There is not a minimum flight time under IR within the validity period of the IR, while for the TR is 2h in the model. Revalidations of the IR in helicopters are becoming very complicated due to the fact that the IR is linked to a TR. If you hold an IR in 2 helicopters, you must be checked twice.

response

Not accepted

Thank you for your comment. FCL.625.H(b) and Appendix 8 to Part-FCL refer to the credits for the IR on helicopters.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART H: CLASS AND TYPE RATINGS, SECTION 1: COMMON REQUIREMENTS

p. 62-64

comment

45

comment by: *IAOPA (EUROPE)*

Observation	Proposed new text
As raised at the December 2014 EASA TAG/SSCC/FCL meeting, IAOPA (Europe) considers that the requirement at point (1) of paragraph (b) for ATO assessment of the need for refresher training is excessive for single-pilot single-engine ratings (excluding those for high performance or complex aircraft) and that assessment of an applicant's proficiency rests entirely with the Examiner, adequate preparation for the proficiency check being solely the applicant's own responsibility.	(1) except for single-pilot single-engine ratings, excluding high performance or complex aircraft, take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft except if unless the pilot does holds a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention; and

Therefore IAOPA (Europe) proposes the amendment as indicated.	
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response Not accepted

Thank you for your comment. EASA has already proposed, as a result of RMT.0657, amendments to this part of the Regulation and to the associated AMC. We therefore do not consider the text change you proposed at this stage.

comment

119

comment by: *René Meier, Europe Air Sports*

FCL.710 Class and type ratings-variants
p 62/253
(b)

We support the proposed draft for allowing the conduct of the differences training outside an ATO for SEP and MEP aeroplanes. We think it should be possible for aircraft others than SEP and MEP (types and others classes) to conduct differences training within an approved organisation holding an AOC issued in accordance with Part-ORO regulation (EU) No 965/2012.

We propose an extended (b): "When the 'List of types of aircraft' published by the Agency requires differences training or when it is mandated by the OSD, this differences training shall be conducted at an ATO or an AOC holder specifically authorized by the competent authority."

Rationale:

AOC holders have implemented a training manual (operation manual Part D) in accordance with regulation (EU) No 965/2012. This manual is approved by the competent Authority. Moreover a SMS system is mandatory in this kind of organization. Therefore the same difference training could be performed internally without affecting the quality of the content.

If AOC holders are not authorized to perform such difference training it will have a critical operational impact on their operations (scheduling disruptions, training programming...).

response

Not accepted

Thank you for your comment. EASA has carefully considered your comment and decided not to accept it because of the following factors:

1. Aircraft certificated as types with an OSD are more complex and, for such aircraft, training shall be performed in ATOs that also have the approval to provide type rating training on that aircraft.
2. Differences training is always initial training for a variant and so far only recurrent training was transferred to the responsibility of an AOC holder.
3. The OSD report provides different levels of differences training and might very well



also refer only to self-studies or training with an instructor only.

comment	<p>120 comment by: René Meier, Europe Air Sports</p> <p>FCL.710(c) and associated GM</p> <p>p 62/253</p> <p>Proposal:</p> <p>In addition to the proposed amendment and the introduction of FCL.710 (c), we recommend the inclusion of a guidance material on differences training for SEP and MEP aeroplanes. Such a GM was existing in the JIPs 'Section Five: Personnel Licensing/Part 3 Temporary Guidance Leaflets/Leaflet n°8: guidance on differences and familiarisation training).</p> <p>This GM should cover all SEP and MEP variants defined in GM1 FCL.700:</p> <ul style="list-style-type: none"> - variable pitch propellers, - retractable undercarriage, - turbo or super charged engines, - cabin pressurisation, - tail wheels, - EFIS, - SLPC. <p>We propose a GM2 to FCL.710 to be included in the NPA.</p> <p>Rationale:</p> <p>This GM is needed in order to clarify the content and training syllabus of differences training that will be conducted by instructors outside the framework of an ATO.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA does not consider such GM necessary as it would bind Flts to teach the pilot on items that might not be necessary. We have left it on purpose to the responsibility of the instructor to deliver a course that suits best the experience and knowledge of the pilot.</p>
comment	<p>121 comment by: René Meier, Europe Air Sports</p> <p>FCL.740 Validity and renewal of class and type ratings</p> <p>p 63/253</p> <p>(a)</p> <p>We support the amendment proposed in FCL.740 (b) in order, in the case of a renewal, to exempt from refresher training pilots who hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention.</p> <p>Unfortunately this amendment does not cover the situation of Part-FCL licence holders currently flying for a Third Country operator with a validation of their Part-FCL licence by the Third Country Authority ensuring oversight of operator. Those pilots have not been issued a Third Country licence, only a validation of their Part-FCL licence.</p>



Such a validation of their Part-FCL licence enables those pilots to continue to fly for those operators as long as their class or type ratings endorsed on their Part-FCL licence are valid. FCL.740 does not allow the Authority to perform a restricted revalidation of a class or type rating on a Part-FCL licence based on the fulfilment of Third Country revalidation requirements. As a consequence, those pilots are no longer allowed to fly with their validation as the Part-FCL licences and ratings on which these are based are no longer valid.

Therefore to deal with this issue we suggest adding an additional provision for those pilots in FCL.740 (a). This additional provision should authorize the Authority to revalidate the class or type rating on a Part FCL licence provided the class or type revalidation requirements of the Third Country are fulfilled. The class or type rating revalidated will be restricted to aircraft registered in and operated by an operator of a Third Country.

We propose as amended (a):

(i) The period of validity of class and type ratings shall be 1 year, except for single-pilot single-engine class ratings, for which the period of validity shall be 2 years, unless otherwise determined by the operational suitability data, established in accordance with Part-21. If a pilot chooses to fulfil the revalidation requirements earlier than prescribed in FCL.740.(A), FCL.740(H), FCL.740(PL) and FCL.740(As), the new validity period shall commence from the date of the proficiency check.

(ii) When the privileges of an aircraft class or type rating are being exercised solely on an aircraft registered and operated by an operator in a Third Country, the rating may be revalidated provided the requirements of that Third Country are fulfilled. The class or type rating revalidated is restricted to aircraft registered in and operated by an operator of a Third Country. Any rating revalidated under this provision shall be revalidated in accordance with FCL.740.A, FCL.740.H or FCL.740.PL as applicable before the privileges are exercised on an aircraft referred to in Article 4(1)(b) and (c) and Article 4(5) of Regulation (EC) No 216/2008.

Rationale:

Without such provisions those pilots would no longer allowed to fly with their validated licences and ratings.

response Not accepted

Thank you for your comment. The example you provide is already covered with Article 8 (5) and Annex III, para. C.1 of Regulation (EU) No 1178/2011.

comment 122

comment by: *René Meier, Europe Air Sports*

FCL.740 Validity and renewal of class and type ratings
p 63 and 64/253
(b)

FCL.740 (b) requires that, if a class or type rating has expired, the applicant shall take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft and to pass a proficiency check.



AMC1 FCL.740.A (b)(1) states that, after successful completion of the training, the ATO should give a certificate, or other documental evidence that the training has been successfully achieved to the applicant, to be submitted to the competent authority when applying for the renewal. The course completion certificate requirement applies even if the ATO has assessed that no refresher training was necessary.

We fully support the amendment to exempt from refresher training pilots who hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention.

We suggest also amending FCL.740 (b) for exempting single-pilot single-engine class ratings holders who want to renew their rating to take refresher training at an ATO. FCL.740 (b) requirements were introduced under Annex I Part-FCL and are disproportionately burdensome for private pilots who only fly on single engine class ratings.

We propose an adapted (b)(1) as follows:

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

(1) take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft except for single-pilot single-engine class ratings and except if the pilot does hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention;

Rationale:

We consider that the requirement for ATO assessment of the need for refresher training is excessive for single-pilot single engine class ratings and that assessment of an applicant's proficiency rests entirely with the examiner, adequate preparation for the proficiency check being solely the applicant's own responsibility. The examiner who conducts the proficiency check in accordance with Appendix 9 will determine after the check if the candidate has to take refresher training at an ATO.

response

Not accepted

Thank you for your comment. EASA has already proposed, as a result of RMT.0657, amendments to this part of the Regulation and to the associated AMC. We therefore do not consider the text change you proposed at this stage.

comment

153

comment by: *Martin PFEIFENBERGER*

FCL.710 Class and type ratings – variants

The OSDs are mentioned. Which character do OEBs have, since some authorities see these procedures as binding, although they have the legal status of recommendation.

response

Noted

Thank you for your comment. OEBs indeed were recommendations whilst the OSDs with the support of the Aircrew Regulation have become mandatory for pilot training.

comment

167

comment by: *The Norwegian Air Sports Federation*



NLF strongly supports this clarification.

We would like to suggest that the expression "List of type of aircraft" in FCL.710 (b) is replaced with "Type Rating & License Endorsement List", as the latter is used by the Agency on the latest version of the relevant document (dated February 5, 2015).

response Accepted

Thank you for your comment. The text has been changed accordingly.

comment 168

comment by: *The Norwegian Air Sports Federation*

NLF welcomes the proposed addition to FCL.740 (a). However, we would like to suggest that the following text is amended:

"..., the new validity period shall commence from the date of the proficiency check."

The term "proficiency check" is not ideal, since the revalidation may be done using the provisions in FCL.740.A (b) (1) (ii), instead of passing a proficiency check.

response Not accepted

Thank you for the comment. Whilst we have some sympathy for the thought behind your concern, we do not accept your proposal for amendment because we think it would be of a disadvantage for the General Aviation pilots for whom with the existing wording no time frame for the training flight exists. A wording that refers to fulfilling the revalidation requirements and omitting the proficiency check would suddenly bind the SEP training flight to the very last days of the validity of the rating which we consider a disadvantage compared to the fact that if such a pilot wants to change the validity of his or her rating, they would have to validate with a proficiency check.

comment 181

comment by: *DGAC France*

Subject:

Differences training within an approved organisation holding a Part ORO AOC (FCL.710)

Content of comment:

France supports the proposed draft for allowing the conduct of the differences training outside an ATO for SEP and MEP aeroplanes.

Nevertheless France also considers that it should be also possible for aircraft others than SEP and MEP (types and others classes) to conduct differences training within an approved organisation holding an AOC issued in accordance with Part ORO regulation (EU) n°965/2012. AOC holders have to provide flight crew members with a differences training in accordance with ORO.FC.125 whenever required by Part FCL. According to ORO.FC.145, such a differences training, including syllabi have to be approved by the competent authority and will be published in the Operation Manual Part D. Therefore the same difference training could be performed internally by the operator without affecting the quality of the content.

If AOC holders are not authorized to perform such difference training it will have a critical operational impact on their operations (scheduling disruptions, training programming...).

Note: ORO.FC.125 in Regulation (EU) n°965/2012 contains a reference to Regulation (EU) n°1178/2011 and also uses the wording "familiarisation training". It should also be amended



for consistency purpose.

Proposed amendment:

FCL.710 Class and type ratings — variants

*(a) In order to extend his/her privileges to another variant of aircraft within one class or type rating, the pilot shall undertake differences training or familiarisation **training**. In the case of variants within a type rating, the differences training or familiarisation **training** shall include the relevant elements defined in the operational suitability data established in accordance with Part-21.*

*(b) When the 'List of type of aircraft' published by the Agency requires differences training or when mandated by the OSD, this differences training shall be conducted at an ATO **or an AOC holder according to regulation (EU) n°965/2012 Part ORO ORO.FC.125.***

(c) Notwithstanding the requirement in (b), differences training for SEP and MEP aeroplanes may be conducted by an appropriately qualified instructor unless mandated otherwise by the OSD.

response

Not accepted

Thank you for your comment. So far an operator (AOC holder) is only responsible for recurrent training of flight crew. A differences training is an initial training linked to type-rating training. Therefore, EASA does not agree to amend the text as you proposed.

comment

182

comment by: DGAC France

Attachment [#6](#)

Subject:

Guidance material on differences and familiarisation training (FCL.710 (c))

Content of comment:

In addition to the proposed amendment and the introduction of FCL.710 (c), France recommends the inclusion of an AMC on differences training for SEP and MEP aeroplanes. Such AMC was existing in the JIPs 'Section Five: Personnel Licensing/Part 3 Temporary Guidance Leaflets/Leaflet n°8: guidance on differences and familiarisation training).

This AMC is needed in order to clarify the content and training syllabus of differences training that will be conducted by instructors outside the framework of an ATO. This AMC should cover all SEP and MEP variants defined in GM1 FCL.700:

- variable pitch propellers,
- retractable undercarriage,
- turbo or super charged engines,
- cabin pressurisation,
- tail wheels,
- EFIS,
- SLPC.

The push-pull should be added as variant of SEP class rating (see other comment).



response

France proposes an AMC1 to FCL.710 (c) to be included in the NPA (see attachment).

Not accepted

Thank you for your comment. EASA does not consider such GM necessary as it would bind Fls to teach the pilot on items that might not be necessary. We have left it on purpose to the responsibility of the instructor to deliver a course that suits best the experience and knowledge of the pilot. So far ME centreline thrust aircraft are not part of the SEP class because they are ME aircraft. EASA will consider this when evaluating such aircraft during a possible OSD evaluation. (GA Road Map)

comment

183

comment by: DGAC France

Subject:

Additional training course when applying for another form of operation on the same class or type of aircraft (FCL.725 (d))

Content of comment:

France considers that some arrangements are missing in the regulation for correctly addressing pilots holding a SP HPA complex/non complex class/type rating in one form of operation (SPO or MPO) and seeking the privilege for the other form of operation.

Consider a pilot already holding a class/type rating HPA Complex or Non Complex with the privileges to operate in SPO (resp. MPO) and seeking the privilege to operate in the other form of operations MPO (resp. SPO).

Before endorsing the other form of operations MPO (resp. SPO) on the licence of the candidate it should be required the following:

1) Training

FCL.725 (d) specifies that only theoretical requirements are credited when applying to add for another form of operation (MPO/SPO) to a previously held type rating.

Nevertheless regulation does not say if the candidate is required to perform additional practical training in the other form of operations for which the new privilege is sought.

France suggests clarifying FCL.725 (d) on this matter by requiring an additional practical training to be conducted in an ATO or within an AOC holder.

2) Skill tests and proficiency checks

The candidate has to pass a new skill test in the other form of operations for which the new privilege is sought.

a) Form of operations during the skill test/proficiency check

Appendix 9 Chapter A §13 to Annex I to regulation (UE) n°1178/2011 specifies that the skill test/proficiency check for a single pilot aeroplane shall be performed in a multicrew environment when multi pilot operations privilege (MPO) is sought.

b) Content of the skill test/proficiency check

Appendix 9 Chapter B to Annex I to regulation (UE) n°1178/2011 defines the content of the skill test/proficiency check (see §6 for HPA Complex single pilot aeroplanes and see §5 for HPA Non Complex single pilot aeroplanes).

Specific requirements are defined when the pilot is seeking both privileges/forms of operations (MPO/SPO)

(i) For HPA Complex single pilot aeroplanes (§6)

Appendix 9 Chapter B §6 (h) defines precisely which sections need to be additionally performed in SPO if such privilege is sought in addition to MPO.

(ii) For HPA Non Complex single pilot aeroplanes (§5)

Appendix 9 Chapter B §5 does not define specific arrangements when the pilot is seeking both SPO and MPO privileges/form of operations.
 The completion of two complete skill tests/proficiency checks (one in SPO and one in MPO) seems to be the only solution as the regulation stands. The regulation does not take into account properly the situation.
 Similar arrangements as the one defined for HPA Complex in appendix 9 Chapter B §6 (h) should be defined. The sections to be done in addition should be listed.

Proposed amendment:

FCL.725

(d) An applicant who already holds a type rating for an aircraft type, with the privilege for either single-pilot or multi-pilot operations, shall be considered to have already fulfilled the theoretical requirements when applying to add the privilege for the other form of operation on the same aircraft type.

The applicant shall complete additional flight training for the other form of operation at an ATO or an AOC holder specifically authorized by the competent authority.

response Not accepted

Thank you for your comment. Agency has decided not to accept it for the following reasons:

1. Any type rating training on a single pilot aircraft is towards single-pilot operations.
2. For a single-pilot aircraft operated in multi-pilot operations, the pilot has to have completed an MCC course.
3. Multi-pilot operations fall under the OPS requirements where the operator has to provide the pilot with an OCC where any additional training will be provided if required. The OCC has to take the experience of the pilot into consideration.

comment 184

comment by: DGAC France

Subject:

Issuance of a type rating for pilots involved in the OSD process holding a FCL.700 (b) special certificate but without holding a flight test rating (FCL.820)

Content of comment:

FCL.725 (e) only addresses pilots holding a flight test rating (FTR) in accordance with FCL.820. France considers that FCL.725 (e) should also address the case of pilots not holding a FTR but having been involved in the OSD process. As a matter of fact in the case of introduction of a new aircraft, the competent Authority, in accordance with FCL.700 (b), may have issued a special certificate to those pilots. Those authorisations have their validity limited to the specific flights performed in the framework of OSD activities. Some of those same pilots may also have been issued, in accordance with FCL.900 (b) (1), a specific TRI certificate giving privileges for flight instruction limited to the instruction flights necessary for the introduction of the new type of aircraft.

Beyond activities for the introduction of a new type of aircraft, regulation (EU) n°1178/2011 does not provide any mechanism to allow those pilots (not holding a FTR) to apply for the issue of the associated type rating (based on their experience gained during the OSD process). As explained above, FCL.725 (e) only covers flight test pilots.

At the same time FCL.900 (b) (2) has established a mechanism for those same pilots holding a



specific TRI certificate issued in accordance to FCL.900 (b) (1) to apply for the issue of a full Part FCL TRI certificate. To do so they have to comply with the prerequisites and revalidation requirements established for that category of instructor.

Therefore France considers that regulation is not correctly addressing the situation of those pilots holding a special certificate FCL.700 (b) and who are involved in the OSD process. A specific provision should also be included in FCL.725 (e) in order to provide them an application process for issuance of a full Part FCL class/type rating.

In order to fix this issue France proposes an amendment of FCL.725 (e).

Proposed amendment:

(e) Notwithstanding the paragraphs above, pilots:

(i) holding a flight test rating issued in accordance with FCL.820 who were involved in development, certification or production flight tests for an aircraft type, and have completed either 50 hours of total flight time or 10 hours of flight time as PIC on test flights in that type, shall be entitled to apply for the issue of the relevant type rating, provided that they comply with the experience requirements and the prerequisites for the issue of that type rating, as established in this Subpart for the relevant aircraft category.

or

(ii) holding a special certificate issued in accordance with FCL.700 (b) for an aircraft class or type and who were involved in the OSD development process of training programs for that class or type, and have completed either 50 hours of total flight time or 10 hours of flight time as PIC in that class or type, shall be entitled to apply for the issue of the relevant class or type rating, provided that they comply with the experience requirements, the revalidation requirements and the prerequisites for the issue of that class or type rating, as established in this Subpart for the relevant aircraft category.

response Not accepted

Thank you for your comment. EASA considers that the number of pilots concerned is so low that their case can at any time be regulated with an exemption in accordance with Article 14(4) of Regulation (EC) No 2016/2008.

comment 186

comment by: DGAC France

Subject:

Revalidation of class/type ratings with restriction to aircraft registered in and operated by an operator of a Third Country (FCL.740 (a))

Content of comment:

France fully supports the amendment proposed in FCL.740 (b) in order, in the case of a renewal, to exempt from refresher training pilots who hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention.

Unfortunately this amendment does not cover the situation of Part FCL licence holders who are currently flying within a Third Country operator with a validation or a full recognition (automatic recognition) of their Part FCL licence by the Third Country Authority ensuring oversight of this Third country operator. In the case discussed here, those pilots have not been issued a Third Country licence but only a validation of their Part FCL licence.

This validation of their Part FCL licence enables those pilots to continue to fly for those Third country operators provided their class or type ratings endorsed on their Part FCL licence are



valid. But FCL.740 does not allow the European Authority to perform a restricted revalidation of a class or type rating on a Part FCL licence that would be based on the fulfilment of Third Country revalidation requirements. As a consequence those pilots are no longer in a position to fly with their validation as the Part FCL licence and rating on which it is based are no longer valid.

Therefore to deal with this issue France suggests an additional provision in FCL.740 (a) for the benefit of those particular pilots. This additional provision should authorize the Authority to revalidate the class or type rating on a Part FCL licence provided the class or type revalidation requirements of the Third Country are fulfilled. The class or type rating revalidated will be restricted to aircraft operated by a Third Country operator.

The restriction will be removed by fully complying with Part FCL revalidation requirements (FCL.740.A for aeroplanes or FCL.740.H for helicopters or FCL.740.PL for powered-lift).

Proposed amendment:

FCL.740 Validity and renewal of class and type ratings

(a)

(i) The period of validity of class and type ratings shall be 1 year, except for single-pilot single-engine class ratings, for which the period of validity shall be 2 years, unless otherwise determined by the operational suitability data, established in accordance with Part-21. If a pilot chooses to fulfil the revalidation requirements earlier than prescribed in FCL.740.(A), FCL.740(H), FCL.740(PL) and FCL.740(As), the new validity period shall commence from the date of the proficiency check.

(ii) When the privileges of an aircraft class or type rating are being exercised solely on aircraft operated by a Third Country operator, the rating may be revalidated provided the requirements of that Third Country are fulfilled. The class or type rating revalidated is restricted to aircraft operated by a Third Country operator. Any rating revalidated under this provision shall be revalidated in accordance with FCL.740.A, FCL.740.H or FCL.740.PL as applicable before the privileges are exercised on an aircraft referred to in Article 4(1)(b) and (c) and Article 4(5) of Regulation (EC) n°216/2008.

[...]

response

Not accepted

Thank you for your comment. The example you provide is already covered with Article 8 (5) and Annex III, para. C.1 of Regulation (EU) No 1178/2011.

comment

188

comment by: DGAC France

Subject:

Renewal of non HPA single engine class ratings (FCL.740 (b))

Content of comment:

FCL.740 (b) requires that, if a class or type rating has expired, the applicant shall take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft and to pass a proficiency check.

AMC1 FCL.740.A (b) (1) states that, after successful completion of the training, the ATO should give a certificate, or other documental evidence that the training has been successfully achieved to the applicant, to be submitted to the competent authority when applying for the renewal. The course completion certificate requirement applies even if the ATO has assessed that no refresher training was necessary.



1) France fully supports the amendment to exempt from refresher training pilots who hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention.

2) France suggests also amending FCL.740 (b) for exempting non HPA single-engine class ratings holders who want to renew their rating to take refresher training at an ATO.

As a matter of fact FCL.740 (b) requirements were introduced under Annex I Part FCL and are disproportionately burdensome for private pilots who only fly on non HPA single engine class ratings.

France considers that the requirement for ATO assessment of the need for refresher training is excessive for single-pilot non HPA single engine class ratings and that assessment of an applicant's proficiency rests entirely with the examiner, adequate preparation for the proficiency check being solely the applicant's own responsibility. The examiner who conducts the proficiency check in accordance with Appendix 9 will determine after the check if the candidate has to take refresher training at ATO.

Proposed amendment:

FCL.740

[...]

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

*(1) take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft **except for non HPA single-engine class ratings or** except if the pilot does hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention;*

and

(2) pass a proficiency check in accordance with Appendix 9 to this Part.

[...]

response

Not accepted

Thank you for your comment. EASA has already proposed, as a result of RMT.0657, amendments to this part of the Regulation and to the associated AMC. We therefore do not consider the text change you proposed at this stage.

comment

245

comment by: *European Gliding Union*

EGU Comment

Class Rating Renewal

FCL.740(b)(1) requires training, when necessary.

The EGU has no difficulty with necessary training, but has seen the right to certify that no training is necessary being given to ATOs.

This causes particular problems to sailplane tow pilots who may be some considerable distance from the nearest ATO – an ATO that does not know them.

In order to prevent this abuse of monopoly, and minimise costs, a proficiency check that has been passed should be adequate evidence that training is not necessary .

Recommendation



	<p>FCL.740 Validity and renewal of class and type ratings paragraph (2) should be read: (2) pass a proficiency check in accordance with Appendix 9 to this Part. Such a pass, by itself, is sufficient evidence that refresher training has not been necessary.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA cannot see how the solution proposed mitigates any safety concerns for the renewal of a rating.</p>
comment	<p>254 comment by: <i>René Meier, Europe Air Sports</i></p> <p>FCL.740 Validity and renewal of class and type ratings p 63 and 64/253 (b)</p> <p>This regulation requires training, when necessary. We have no difficulty with necessary training, but we have seen the right to certify that no training is necessary being given, as a monopoly, to ATOs.</p> <p>This causes particular problems to sailplane tow pilots who may be some considerable distance from the nearest ATO, furthermore, an ATO that does not know them.</p> <p>In order to prevent a possible abuse of monopoly, and minimise costs, a proficiency check that has been passed should be adequate evidence that training is not necessary.</p> <p>Paragraph (2) should be read: (2) "pass a proficiency check in accordance with Appendix 9 to this Part. Such a pass, by itself, is sufficient evidence that refresher training has not been necessary."</p> <p>Rationale: We consider that the requirement for ATO assessment of the need for refresher training is excessive for single-pilot single engine class ratings and that assessment of an applicant's proficiency rests entirely with the examiner, adequate preparation for the proficiency check being solely the applicant's own responsibility. The examiner who conducts the proficiency check in accordance with Appendix 9 will determine after the check if the candidate has to take refresher training at an ATO.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA cannot see how the solution proposed mitigates any safety concerns for the renewal of a rating.</p>
comment	<p>343 comment by: <i>Irish Aviation Authority</i></p> <p>Ireland supports this proposal</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>344 comment by: <i>Irish Aviation Authority</i></p>

response	<p>Ireland supports the FCL.740 (a) change proposal.</p> <p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>456 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>Relevant Text: FCL.740 (1)</p> <p>Comment: As third countries may issue a rating without a validity period it should be clarified that the rating must be current</p> <p>Proposal: Clarify as follows: ...if the pilot does hold a valid and current rating for the...</p>
response	<p>Not accepted</p> <p>Thank you for your comment. As only ratings issued in accordance with ICAO Annex 1 can be taken into consideration, the amendment you propose is not necessary.</p>
comment	<p>460 comment by: <i>Bond Offshore Helicopters</i></p> <p>In FCL.710 (d) could we add the following If the variant has not been flown within a <u>any</u> period of 2 years</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA does not see the benefit of the change you propose and therefore does not agree with the proposed amendment.</p>
comment	<p>505 comment by: <i>FOCA Switzerland</i></p> <p>Annex I Part.FCL710</p> <p>Subject: Class and type ratings – variants</p> <p>FOCA supports the proposed draft for allowing the conduct of the difference training outside an ATO for SEP (as it was already under JAR-FCL) and MEP for aeroplanes.</p> <p>FOCA considers that it should be also possible for aircrafts other than SEP and MEP to conduct also difference training within an approved organization holding an AOC issued in accordance with Part ORO regulation EU Nr 965/2012.</p> <p>AOC holder have implemented a TM (Operation Manual Part D) in accordance with the regulation EU Nr 965/2012. The competent Authority approves this manual. An SMS system is mandatory. Therefore the same difference training could also be performed within such an organization without affecting the quality of the training.</p> <p>Proposal:</p>

FCL.710 Class and type ratings — variants

(a) In order to extend his/her privileges to another variant of aircraft within one class or type rating, the pilot shall undertake differences training or familiarisation. In the case of variants within a type rating, the differences training or familiarisation shall include the relevant elements defined in the operational suitability data established in accordance with Part-21.

(b) When the 'List of type of aircraft' published by the Agency requires differences training or when mandated by the OSD, this differences training shall be conducted at an ATO or an AOC holder according to regulation (EU) Nr 965/2012 Part ORO ORO.FC.125.

(c) Notwithstanding the requirement in (b), differences training for SEP and MEP aeroplanes may be conducted by an appropriately qualified instructor unless mandated otherwise by the OSD.

response

Not accepted

Thank you for your comment. EASA has decided not to accept it for the following reasons:

1. Any type rating training on a single-pilot aircraft is towards single-pilot operations.
2. For a single-pilot aircraft operated in multi-pilot operations, the pilot has to have undertaken an MCC course.
3. Multi-pilot operations fall under the OPS requirements where the operator has to provide the pilot with an OCC where any additional training will be provided if required. The OCC has to take the experience of the pilot into consideration.

comment

506

comment by: FOCA Switzerland

Annex I Part FCL**FCL.710 (c) and associated GM****Subject:****Guidance material on differences and familiarisation training****Content of comment:**

In addition to the proposed amendment and the introduction of FCL.710 (c), FOCA recommends the inclusion of an AMC on differences training for SEP and MEP aeroplanes. Such AMC was existing in the JIPs 'Section Five: Personnel Licensing/Part 3 Temporary Guidance Leaflets/Leaflet n°8: guidance on differences and familiarisation training)

This AMC is needed in order to clarify the content and training syllabus of differences training that will be conducted by instructors outside the framework of an ATO. This AMC should cover all SEP and MEP variants defined in GM1 FCL.700:

- variable pitch propellers,
- retractable undercarriage,
- turbo or super charged engines,
- cabin pressurisation,
- tail wheels,
- EFIS,
- SLPC.

FOCA proposes an AMC1 to FCL.710 (c) to be included in the NPA.

response

Not accepted

Thank you for your comment. EASA does not consider such GM necessary as it would bind Fls



to teach the pilot on items that might not be necessary. We have left it on purpose to the responsibility of the instructor to deliver a course that suits best the experience and knowledge of the pilot.

comment 507 comment by: FOCA Switzerland

Annex I Part.FCL740

Subject: Validity and renewal of class and type ratings

FOCA supports the proposed amendment.

response Noted

EASA acknowledges your comment and thanks you for your feedback.

comment 508 comment by: FOCA Switzerland

**Annex I Part FCL
FCL.740 (a)**

Content of comment:

FOCA fully supports the amendment proposed in FCL.740 (b) in order, in the case of a renewal, to exempt from refresher training pilots who hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention.

Unfortunately this amendment does not cover the situation of Part FCL licence holders who are currently flying within a Third Country operator with a validation or a full recognition (automatic recognition) of their Part FCL licence by the Third Country Authority ensuring oversight of operator operations. Those pilots have not been issued a Third Country licence but only a validation of their Part FCL licence.

This validation of their Part FCL licence enables those pilots to continue to fly for those operators as long as their class or type ratings endorsed on their Part FCL licence are valid. But FCL.740 does not allow the Authority to perform a restricted revalidation of a class or type rating on a Part FCL licence based on the fulfilment of Third Country revalidation requirements. As a consequence those pilots are no longer in a position to fly with their validation as the Part FCL licence and rating on which it is based are no longer valid.

Therefore to deal with this issue FOCA suggests adding an additional provision for those pilots in FCL.740 (a). This additional provision should authorize the Authority to revalidate the class or type rating on a Part FCL licence provided the class or type revalidation requirements of the Third Country are fulfilled. The class or type rating revalidated will be restricted to aircraft registered in and operated by an operator of a Third Country.

The restriction will be removed by complying with Part FCL revalidation requirements (FCL.740.A for aeroplanes or FCL.740.H for helicopters or FCL.740.PL for powered-lift).

FCL.740 Validity and renewal of class and type ratings

(a)

(i) The period of validity of class and type ratings shall be 1 year, except for single-pilot single-engine class ratings, for which the period of validity shall be 2 years, unless otherwise determined by the operational suitability data, established in accordance with Part-21. If a pilot chooses to fulfil the revalidation requirements earlier than prescribed in FCL.740.(A),



FCL.740(H), FCL.740(PL) and FCL.740(As), the new validity period shall commence from the date of the proficiency check.

(ii) When the privileges of an aircraft class or type rating are being exercised solely on an aircraft operated by a Third country operator, the rating may be revalidated provided the requirements of that Third Country are fulfilled. The class or type rating revalidated is restricted to aircraft operated by a Third Country operator. Any rating revalidated under this provision shall be revalidated in accordance with FCL.740.A, FCL.740.H or FCL.740.PL as applicable before the privileges are exercised on an aircraft referred to in Article 4(1)(b) and (c) and Article 4(5) of Regulation (EC) No 216/2008.

[...]

response

Not accepted

Thank you for your comment. The example you provide is already covered with Article 8 (5) and Annex III, para. C.1 of Regulation (EU) No 1178/2011.

comment

509

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.740 (b)**

Subject:

Renewal of non HPA single engine class ratings

Content of comment:

FCL.740 (b) requires that, if a class or type rating has expired, the applicant shall take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft and to pass a proficiency check.

AMC1 FCL.740.A (b) (1) states that, after successful completion of the training, the ATO should give a certificate, or other documental evidence that the training has been successfully achieved to the applicant, to be submitted to the competent authority when applying for the renewal. The course completion certificate requirement applies even if the ATO has assessed that no refresher training was necessary.

1) FOCA fully supports the amendment to exempt from refresher training pilots who hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention.

2) FOCA suggests also amending FCL.740 (b) for exempting non HPA single-engine class ratings holders who want to renew their rating to take refresher training at an ATO.

As a matter of fact FCL.740 (b) requirements were introduced under Annex I Part FCL and are disproportionately burdensome for private pilots who only fly on non HPA single engine class ratings.

FOCA considers that the requirement for ATO assessment of the need for refresher training is excessive for single-pilot non HPA single engine class ratings and that assessment of an applicant's proficiency rests entirely with the examiner, adequate preparation for the proficiency check being solely the applicant's own responsibility. The examiner who conducts the proficiency check in accordance with Appendix 9 will determine after the check if the candidate has to take refresher training at ATO.

Proposal

FCL.740

[...]



(b) *Renewal. If a class or type rating has expired, the applicant shall:*
 (1) *take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft **except for non HPA single-engine class ratings and** except if the pilot does hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention;*
and
 (2) *pass a proficiency check in accordance with Appendix 9 to this Part.*
 [...]

response Not accepted

Thank you for your comment. EASA has already proposed, as a result of RMT.0657, amendments to this part of the Regulation and to the associated AMC. We therefore do not consider the text change you proposed at this stage.

comment

572

comment by: *Nick Carr*

FCL.710 Class and type ratings - variants
 (c)

This is a most welcome change for the general aviation sector allowing more freedom.

response

Noted

EASA acknowledges your comment and thanks you for your feedback.

comment

573

comment by: *Nick Carr*

FCL.740 Validity and renewal of class and type ratings

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

(1) **take refresher training at an ATO,**

Is there any scope to relax this rule so that the applicant for an SEP/TMG rating renewal could receive refresher training outside an ATO from a suitably qualified FI/CRI who will complete a course completion certificate. This allows more freedom for the GA sector without reducing any safety margins. Refresher training requirements can be decided by an instructor and the applicant will have to pass the proficiency check hence maintaining and ensuring standards.

response

Not accepted

Thank you for your comment. EASA has already proposed, as a result of RMT.0657, amendments to this part of the Regulation and to the associated AMC. We therefore do not consider the text change you proposed at this stage.

comment

580

comment by: *DGAC France*

Subject:

Multi-engine centreline thrust aeroplane (push-pull)



	<p><u>Content of the comment:</u></p> <p>FCL.620.IR (b) makes a reference to multi-engine centreline thrust aeroplane (push-pull). In the meantime the regulation does not define the conditions to be met by pilots for flying on such aeroplanes (training, rating to be held...).</p> <p>France considers that there is a gap in the regulation. To fill this gap France suggests that multi-engine centreline thrust aeroplane (push-pull) could be defined as a variant of the single-engine class rating (SEP(t)).</p> <p>Such variant should be added in GM1 FCL.700 (a).</p> <p>The content of the difference training should be defined in an AMC1 to FCL.710 (c) (see other comment).</p>
response	<p>Not accepted</p> <p>Thank you for your comment. The reference you mention in FCL.620. IR is clearly restricted to ‘the purpose of this point’ (FCL.620.IR(b)). EASA cannot see how a multi-engine aeroplane should become a variant to the SEP class.</p>
comment	<p>592 comment by: <i>European Cockpit Association</i></p> <p>Commented text:</p> <p>FCL.740 Validity and renewal of class and type ratings <i>(...) except if the pilot does hold a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention; and</i></p> <p>FCL.625 (d) <i>(...) If the IR has not been revalidated or renewed within the preceding 7 years and if the pilot does not hold a valid IR on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention, the holder will be required to pass again the IR theoretical knowledge examination and skill test.</i></p> <p>ECA's Comments:</p> <p>Further to those proposed changes – a student pilot, going through a CPL/IR training course in Europe and obtaining his CPL/IR license could go to a TC ATO, and convert his FCL license into the local equivalent and finish his training, getting a Type Rating.</p> <p>He/she then could fly for a TCO in order to reach the relevant experience as required in Annex III, C. (500 hrs for an a/c type rating). This could be achievable in less than 1 year, meaning that the FCL CPL/IR is still valid.</p> <p>He/she is thus allowed to have this Third Country Type Rating endorsed on his EASA CPL/IR. Then, he/she goes on flying for the TCO, and after some years, just because of amendments quoted above, having a valid IR and type rating endorsed on his Third Country Licences would allow him to get back into the EASA licensing system, without any checks whatsoever. ECA's concern is that the above described case might be used as a circumvention opportunity for the pilot training, and lead to pilot training without EASA's oversight.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Your assumptions are not correct. The type rating obtained in accordance with the requirements of a third country would be entered in the pilot's licence in accordance with Article 8 of the Aircrew Regulation with a restriction to aircraft registered in the third country. The restriction can be lifted with the proof of 500 flight hours on type AND a skill test and other conditions as specified in Annex III (Subpart C) to the Aircrew Regulation. Also, for the type rating that is not on the pilot's EU licence, the credit is only</p>

granted for the training and not for the proficiency check. For clarity reasons, EASA has decided to redraft also the revalidation requirements for the IR in FCL.625 to make sure that in any case a proficiency check has to be performed.

comment 616 comment by: Danish Transport Authority

Relevant Text: M3 (d) If the variant has not been flown within a period of 2 years following the difference training...

Comment: If you fly once the day after your difference training, you never need to do training again.

Proposal: Delete the words “following the differences training”

response Accepted

Thank you for the comment. The text has been amended accordingly.

comment 659 comment by: UK CAA

Page No: Page 63

Paragraph No: FCL.725 (b)(3) and AMC 1 FCL.725.A(b)

Comment: FCL.725 (b)(3) states: “for single engine aircraft, the theoretical knowledge examination shall be conducted verbally by the examiner during the skill test to determine whether or not a satisfactory level of knowledge has been achieved.”

In the case of single engine seaplanes – FCL.725.A(b) states further requirements for both flight and theoretical knowledge training.

The applicable AMC 1 FCL.725.A(b) states for the initial issue of class rating sea for SP, SE and ME aeroplanes, the number of multi-choice questions in the written or computer-based examination should at least comprise thirty questions, and may be conducted by the training organisation. The pass mark should be 75%.

There is confusion here because the requirements for theoretical knowledge generally assume that there will be written papers and that the pass mark is 75%; and this is specified for the sea rating. But this is not consistent with oral testing.

Justification: The AMC specifies a written exam for seaplanes, but the rule says it shall be an oral exam with the examiner for the skill test.

Proposed Text: Amend FCL,725(b)(3) to read:

“(3) For single-engine aircraft (**excluding seaplanes**) the theoretical knowledge examination



shall be conducted verbally by the examinerhas been achieved. **In the case of the single-engine seaplane rating the applicant shall take a written or computer-based examination comprising at least 30 questions and achieve a mark of at least 75%.”**

response

Partially accepted

Thank you for the comment. We have verified the relevant parts of the rule text and of the AMC and we agree that there is an inconsistency. We will amend the text to cater for your concern but not exactly as you requested it.

comment

660

comment by: UK CAA

Page No: 63

Paragraph No: FCL.725 (e)

Comment: Paragraph FCL.725 (e) gives credit to test pilots for the type rating requirements. It is recommended that a similar paragraph should be included for pilots who were members of the OSD team.

Justification: Members of the OSD team have full knowledge of the Type rating course and will have acted as pilot in the aircraft or FSTD.

Proposed Text: Add new sub-paragraph (f):

“(f) Notwithstanding the paragraphs above, pilots who have acted as pilot of the aircraft type in the aircraft or representative simulator in performing their role as a member of the EASA team establishing the Operational Suitability Data, who have completed at least XXX hours as pilot flying, including a minimum of XXX hours as instructor in the aircraft or simulator shall be entitled to apply for the issue of the relevant type rating, provided that they comply with the experience requirements and the prerequisites for the issue of that type rating, as established in this Subpart for the relevant aircraft category.”

response

Not accepted

Thank you for your comment. EASA considers the number of pilots concerned is so low that their case can at any time be regulated with an exemption in accordance with Article 14(4) of Regulation (EC) No 2016/2008.

comment

694

comment by: CAA Norway

FCL.710 Class and type ratings - variants

The proposed change in point (b) will create a burden on small helicopter operators that do not have an ATO, and operates different variants. Such operators should be allowed to apply for an approval of a difference training course for their own employees.

response

Not accepted

Thank you for your comment. For such operators, an ATO approval might be appropriate.



comment	714 FCL.740 – Validity and renewal of class and type ratings - APTTA agrees - it allows a greater agility planning.	comment by: <i>Rogério Pinheiro</i>
response	Noted EASA acknowledges your comment and thanks you for your feedback.	
comment	715 FCL.720.A – Experience requirements and prerequisites for the issue of class or type ratings - APTTA agrees since this way regulation ensures a consistent interpretation and uniform application.	comment by: <i>Rogério Pinheiro</i>
response	Noted EASA acknowledges your comment and thanks you for your feedback.	
comment	737 Amendment of FLC.710 to provide clarity on the requirement for differences training and familiarisation is fully supported by the LAA.	comment by: <i>Light Aircraft Association</i>
response	Noted EASA acknowledges your comment and thanks you for your feedback.	
comment	738 FCL.710(b) Currently, differences training may be provided by instructors outside of an ATO environment. This proposed amendment of FCL.710(b) would provide an additional burden on General Aviation by requiring all differences training to be conducted within a ATO. This should be amended to clarify that differences training for single-engine class ratings and TMG may be conducted by any suitably qualified instructor outside of an ATO.	comment by: <i>Light Aircraft Association</i>
response	Partially accepted Thank you for your comment. Your concern is already covered with FCL.710 (c), but when checking the text it was noted that the TMG class should be added as well.	

comment	<p>739 comment by: <i>Light Aircraft Association</i></p> <p>FCL.740(a) amendment is supported. However, it should be clarified to state that “if a pilot chooses to fulfil the revalidation by proficiency check earlier than prescribed...” to avoid confusion with revalidation by experience requirements also included in FCL.740.A.</p> <p>☐</p>
response	<p>Not accepted</p> <p>Thank you for your comment. The concern you raised with your comment is not relevant as with the proposed wording only those revalidations that require proficiency checks are affected.</p>
comment	<p>740 comment by: <i>Light Aircraft Association</i></p> <p>FCL.710 (b)</p> <p>The LAA support this amendment which would allow a pilot with current experience on a pilot license issued by a third country in accordance with Annex 1 to the Chicago Convention to take a proficiency check without further training.</p> <p>However, the LAA considers the requirement at FCL.740 (b)(1) for renewal training to be conducted at an ATO as an unnecessary burden on General Aviation, and requests further amendment to this regulation to remove this requirement.</p> <p>☐</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA has already proposed, as a result of RMT.0657, amendments to this part of the Regulation and to the associated AMC. We therefore do not consider the text change you proposed at this stage.</p>
comment	<p>759 comment by: <i>Finnish Transport Safety Agency</i></p> <p>FCL.710 (b) and (c)</p> <p>According to current rule it has been possible to complete differences and familiarization training outside an ATO. With the proposed change the current practice would be dramatically changed.</p> <p>Finland suggests that in order mitigate the burden the AOC holders should also be allowed to provide differences training.</p> <p>In addition the SET aeroplanes should be excluded from this restriction together with the SEP and MEP aeroplanes.</p> <p>Proposed text: FCL.710 --</p>

	<p>(b) When the 'List of type of aircraft' published by the Agency requires differences training or when mandated by the OSD, this differences training shall be conducted at an ATO or within an approved organisation holding an AOC issued in accordance with Part-ORO.</p> <p>(c) Notwithstanding the requirement in (b), differences training for SEP, SET and MEP aeroplanes may be conducted by an appropriately qualified instructor unless mandated otherwise by the OSD.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA has decided not to accept it for the following reasons:</p> <ol style="list-style-type: none"> 1. Any type rating training on a single-pilot aircraft is towards single-pilot operations. 2. For a single-pilot aircraft operated in multi-pilot operations, the pilot has to have completed an MCC course. 3. Multi-pilot operations are submitted to the OPS requirements where the operator has to provide the pilot with an OCC where any additional training will be provided if required. The OCC has to take the experience of the pilot into consideration.
comment	<p>760 comment by: Finnish Transport Safety Agency</p> <p>FCL.725 (d)</p> <p>The Part-FCL does not have clear provisions for the pilot who already holds a single-pilot type rating for single-pilot operations, or for multi-pilot operations, and who wishes to extend his/her privileges to other form of operations.</p> <p>In order to maintain flexibility the training should be determined by the competent authority and be allowed to be completed also within an AOC holder.</p> <p>Proposed text: FCL.725 --</p> <p>(d) An applicant who already holds a type rating for an aircraft type, with the privilege for either single-pilot or multi-pilot operations, shall be considered to have already fulfilled the theoretical requirements when applying to add the privilege for the other form of operation on the same aircraft type. The applicant shall complete additional flight training for the other form of operation if necessary, as determined in the operational suitability data established in accordance with Part-21 or by the competent authority. The training may be performed at an ATO or within an approved organisation holding an AOC issued in accordance with Part-ORO.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Agency has decided not to accept it for the following reasons:</p> <ol style="list-style-type: none"> 4. Any type rating training on a single pilot aircraft is towards single-pilot operations. 5. For a single-pilot aircraft operated in multi-pilot operations, the pilot has to have completed an MCC course. <p>Multi-pilot operations fall under the OPS requirements where the operator has to provide the pilot with an OCC where any additional training will be provided if required. The OCC has to take the experience of the pilot into consideration.</p>

comment	761 FCL.740 (a) Editorials. The references should be without brackets, for example FCL.740.A instead of FCL.740.(A).	comment by: <i>Finnish Transport Safety Agency</i>
response	Accepted Thank you for your comment. The text has been amended accordingly.	
comment	762 FCL.740 (b)(1) It should be clarified in the AMC text what is meant with 'valid' since the word may have different meaning in different ICAO countries.	comment by: <i>Finnish Transport Safety Agency</i>
response	Not accepted Thank you for your comment. Please refer to the definition of revalidation under FCL.010 'Definitions'. 'Revalidation' (of, e.g. a rating or certificate) means the administrative action taken within the period of validity of a rating or certificate which allows the holder to continue to exercise the privileges of a rating or certificate for a further specified period consequent upon the fulfilment of specified requirements.	
comment	789 FCL.740 Validity and renewal of class and type ratings Sensible add on. DAeC completely supports the change.	comment by: <i>Deutscher Aero Club (DAeC)</i>
response	Noted EASA acknowledges your comment and thanks you for your feedback.	
comment	817 AOPA Sweden proposes a change to FCL.740, Validity and renewal of class ratings The problem with additional cost coming up as a rating becomes invalid is not proportional to the limited change in calendar time from one day to the other. From one day to another the cost of renewing instead of revalidating could go up with more than 200% due to the ATO-requirement. During the times of JAR-FCL, many countries applied a 12 month grace period, where it was only necessary to perform a Proficiency Check to renew the rating. This was performed in Sweden for over 10 years with no known safety implications. We are sure this 12 month period was also performed in other parts of Europe without any safety implications. Please check with the Swedish CAA or any other country that has practiced this 12 month grace	comment by: <i>AOPA Sweden</i>

period. This should also be applied to IR.

We suggest that an additional paragraph is added to FCL.720:(b)
 "(NN) within 12 months from the expiry of the rating pass a proficiency check in accordance with Appendix 9 to this Part or..."

(present requirements (NN) take refresher training.... etc.)

This change would be good for the GA community and it would reduce the administrative burden at ATO's for all those applicants whose rating has been invalid for less than 12 months.

Additional information:

Today there is a need for an assessment by ATO as well as possibly training at the ATO. For a not common type of Aircraft this will be very expensive, especially when taking travelling to the ATO in account. A cost of EUR 3-4000 is not uncommon for a renewal of a type rating. Whereas a revalidation could be done for appx EUR 1000. An extra cost of 300%.

response Not accepted

Thank you for your comment. EASA has already proposed, as a result of RMT.0657, amendments to this part of the Regulation and to the associated AMC. We therefore do not consider the text change you proposed at this stage.

comment 818

comment by: AOPA Sweden

FCL.740.(b) renewal and validity of class ratings. + AMC

AOPA Sweden suggest that refresher training can be performed by a Qualified instructor. I.e. not only by an ATO. The type of instructor is dependent on the rating.

Since A large part of the IR and EIR can be performed by a qualified instructor, it would be unproportional not to allow the instructors to make refresher training for people who already have held a rating in the appropriate aircraft.

This means the AMC to FCL.740 should also be amended that so that the assessment of the applicant can be done by the instructor.

This would, especially in sparsely populated areas of the union save much money and travelling time to ATO. Especially when an examiner or instructor is available at the airfield. See also GA roadmap for objectives.

response Not accepted

Thank you for your comment. EASA has already proposed, as a result of RMT.0657, amendments to this part of the Regulation and to the associated AMC. We therefore do not consider the text change you proposed at this stage.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART H: CLASS AND TYPE RATINGS, SECTION 2: SPECIFIC REQUIREMENTS FOR THE AEROPLANE CATEGORY

p. 64-67



comment	<p>20</p> <p style="text-align: right;">comment by: <i>Henk van den Berg</i></p> <p>FCL.735.A MCC - aeroplanes: In practice it happens that the MCC course shows a person does not have the aptitude nor the talents required to become a successful pilot on complex passenger (or cargo) transport aeroplanes. Yet after completion of the training the ATO “shall” issue a certificate of completion. This makes the MCC course almost useless as even the most Unsuccessful Candidate is still given a certificate, which by application of this article is considered to be certificate of satisfactory completion. FSC propose to start a task force to review the purpose and methods of MCC training and include a test. Even if it would be decided a Candidate cannot fail the test, than at least a grading could be indicated on the certificate of completion.</p> <ol style="list-style-type: none"> 1. A more stringent set of MCC theoretical and proactical training requirements; 2. More specific requirements to the MCC training device to be used; 3. A mandatory MCC check on theoretical knowledge and practical (MCC) skills. 4. A revised format for the MCC certificate showing test grades.
response	<p>Not accepted</p> <p>Thank you for your comment. For the time being it will be during selection and TR training that a person without sufficient MCC knowledge will have to be sorted out. Training gaps will have to be compensated during the OCC or line training.</p>
comment	<p>46</p> <p style="text-align: right;">comment by: <i>IAOPA (EUROPE)</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>Although IAOPA (Europe) supports the proposed amendments to FCL.740.A, we consider that FCL.740.A(b)(1)(ii) should be amended further in order for the required flight experience to be gained over the whole of the period of rating validity, rather than within the final 12 months.</p> <p>It will be noted that the LAPL(A) allows the 12 hours of flight time to be gained over a 2 year period and hence there can be no reasonable justification for not adopting the same requirement for single-pilot single-engine piston aeroplane class ratings or TMG class ratings.</p> <p>Additionally, the refresher training exemption is overly prescriptive as amended by Regulation (EU) 2015/445, because strict interpretation would mean, for example, that IR proficiency checks or FI assessments of competence in the <i>same</i> class would not qualify for exemption, whereas an A380 LPC would. This was not the intention when the proposal to include assessments of competence was first proposed</p> </div> <div style="width: 48%;"> <p>(ii) within the 12 months preceding the expiry date of the rating, complete during the period of validity of the rating, 12 hours of flight time in the relevant class, including:</p> <ul style="list-style-type: none"> — 6 hours as PIC, — 12 take-offs and 12 landings, and — refresher training of at least 1 hour of total flight time with a flight instructor (FI) or a class rating instructor (CRI). <p>Applicants shall be exempted from this refresher training if they have passed a class or type rating proficiency check, skill test or assessment of competence in any other class or type of aeroplane for the same category of aircraft.</p> </div> </div>

by IAOPA (Europe) at the FCL Partnership Group and it is unreasonably disproportionate to exclude IR proficiency checks or FI assessments of competence in the same class of aeroplane from this exemption.

Therefore IAOPA (Europe) proposes the amendment as indicated.

response Not accepted

Thank you for your comment. The changes that you propose are not appropriate because:

1. The specification class- or type rating proficiency check is necessary to avoid a confusion with an IR proficiency check.
2. The wording you propose 'for the same category of aircraft' cannot be used as the point deals with aeroplanes and therefore mentioning 'aircraft' should be avoided.

comment 114

comment by: *René Meier, Europe Air Sports*

FCL.740.A Revalidation of class and type ratings-aeroplanes
p 67/253
(b)(1)(ii)

Question 1: Is this one-hour flight a flight with no "go-around", with no "touch and go", no "full stop landing"? We think these elements are much more important than a simple one-hour cross country flight. This should be clarified. What about changing weather conditions?

Question 2: Should this provision not be aligned with FCL.945 "Obligations for instructors" published in Regulation (EU) No. 2015/445?

response Not accepted

Thank you for your comment. As regards the concerns that you raised in question 1 — during the RMT work, the rulemaking group discussed the benefit of specifying the content of the training flight and the decision taken was not to do it. By doing this, the FI can provide the pilot with a tailor-made training hour depending on the experience and specific training needs of the pilot.

Concerning your question 2, please be advised that changes to the points you mention have been already applied with Regulation (EU) 2015/445.

comment 169

comment by: *The Norwegian Air Sports Federation*

NLF welcomes the provisions proposed in FCL.740.A (b) (3), allowing a combination of flight hours and landings for both seaplanes and land aeroplanes. We would like to emphasise that a similar (though not identical) approach is already being applied in Norway under a



response	<p>derogation according to Article 14 (6) of the basic regulation, please refer to EFTA Surveillance Authority Decision 303/14/COL of July 15th 2014 for details.</p> <p>In our view, the proposed change to FCL.740.A (b) is an appropriate solution.</p> <p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>189 comment by: DGAC France</p> <p>Subject: MCC training courses (FCL.735.A (a) (2))</p> <p>Content of comment: France fully supports the proposed amendment.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>347 comment by: Irish Aviation Authority</p> <p>Ireland supports the proposed change to FCL.740.A (a) (3)</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>365 comment by: CAA Norway</p> <p>In the explanatory notes the following is stated: FCL.720.A(d)(2) represents an alleviation of the existing requirement. So far it was required that before starting the training course for the first MPA type rating, a pilot had either to be a student of an MPL course or hold amongst others a multi-engine IR(A). To this text, the wording 'or have held' was added. The considerations behind this addition were that an MPA skill test includes always an ME IR test and thus it is not necessary to actually hold the IR when the course starts.</p> <p>CAA Norway believes there may be cases where the proposed change could lead to unfortunate problems during the type rating course, both for the pilot and the ATO providing the training course. Low experienced pilots who have not flown instrument for years, will most likely need extra training in basic instrument skills. Typically a type rating course for multi-pilot aeroplanes does not include room for such extra training in basic instrument skills.</p> <p>We therefore propose a new text to permit the multi-engine IR(A) to be expired, but not for more than one year.</p> <p>(d) Multi-pilot aeroplanes. An applicant for the first type rating course for a multi-pilot aeroplane shall be a student pilot currently undergoing training on an MPL training course or</p>

comply with the following requirements:
 (1) have at least 70 hours of flight experience as PIC on aeroplanes;
 (2) hold or have held a multi-engine IR(A) with an expiry date less than 12 months from start of the type rating course.

response

Not accepted

Thank you for your comment. Please keep in mind that all training requirements are always minimum requirements. It is the final responsibility of the ATO to make sure that the pilot gets sufficient training to pass the skill test and if they consider that a student will need basic instrument training before starting the TR training, they will have to provide the pilot with this training. It might be very difficult to specify all possible cases in the rule text. EASA considers the 12 months as too general because, for your example, the 12 months could already be too much if the pilot never flew after licence issue.

comment

422 comment by: KLM

KLM fully supports the amendment made to FCL.720.A (d)(2).

response

Noted

EASA acknowledges your comment and thanks you for your feedback.

comment

431 comment by: Demeaux

FCL.735.A (a) (2)
 ATR has proposed an AltMoC in 2013 on this matter and provides MCC training (combined with initial Type Rating) on a FNPT II MCC qualified device which proves to be a positive experience

response

Noted

EASA acknowledges your comment and thanks you for your feedback.

comment

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

Relevant Text: (3) When applicants hold both a single-engine piston aeroplane (land) and a single-engine piston aeroplane (sea) class rating, they may meet the requirements under (1)(ii) in either class, and shall achieve revalidation of both ratings provided that at least 1 hour of the required PIC time and 6 of the required 12 take-offs and landings are completed in each class.

Comment: Clarification of a total of 6hrs PIC time required should be integrated in text

Proposal: When applicants hold both a single-engine piston aeroplane (land) and a single-engine piston aeroplane (sea) class rating, they may meet the requirements under (1)(ii) in either class,

and shall
achieve revalidation of both ratings provided that at least 1 hour of the required 6 hours
as PIC and 6 of
the required 12 take-offs and landings are completed in each class.

response Noted

EASA acknowledges your comment and thanks you for your feedback. Whenever amendments to the Aircrew Regulation proposed through NPA 2014-29 differ from the text published with Regulations (EU) 2015/445 and 2016/539, priority is given to the published rule text.

comment 462

comment by: *Uppvinden AB*

FCL.720.A

Crediting for LAPL(S) or SPL holders, both with TMG extension, who wants class rating for TMG on PPL(A) or other aeroplane licences?

Crediting for LAPL(A) holders with class rating for TMG who pass a skill test with aeroplanes and want a TMG class rating?

Why only "piston"? More electrical-driven aircraft will arrive and without a class rating it will be illegal to fly them.

FCL.740.A b 2

"in either class *or a combination of both* "

Example: 6 hours SEP and 6 hours TMG in combination gives 12 hours.

response Not accepted

We do not really understand your first question; it seems that you are missing those credits. Please be advised that what you miss in Questions 1 and 2 is regulated in Subparts B and C of Part-FCL. Specific requirements for electric aircraft will be included through another RMT.

comment 478

comment by: *FAA*

Reference text: (b) Revalidation of single-pilot single-engine class ratings. Paragraph (ii) states "...within the 12 months preceding the expiry date of the rating, complete 12 hours of flight time in the relevant class, including: refresher training of at least 1 hour with an instructor. Applicants shall be exempted from this flight if they have passed a class or type rating proficiency check, or skill test or assessment of competence in any other class or type of aeroplane.

Comment: Refresher training is not defined under FCL.010 of this document. The reader is left to assume that the one hour of flight training can be spent covering any areas of operation deemed necessary by the applicant or instructor. If this is true, it would be helpful if wording to that effect were included in the rule language.

response Not accepted

Thank you for your comment. The wording is used several times in the regulation and so well



established that EASA does not consider to further define it. It is indeed at the discretion of the instructor to provide the pilot with the training needed. The programme may change from flight to flight by taking into consideration the different experience and training needs of the pilots.

comment

565

comment by: *DGAC France***Subject:**

Privilege to operate in multi-pilot operations (MPO) a non HPA aeroplane (complex or non complex)

Content of comment:

Regulation allows candidates to directly apply for multi-pilot operations (MPO) privilege for an initial issue of a single pilot aeroplane class or type rating. This is true for HPA (complex or non complex) and non HPA (complex or non complex) aeroplanes.

In the case of a HPA complex aeroplane (see FCL.720.A (c)) or a HPA non complex aeroplane (see FCL.720.A (b)) the candidate has to comply with the additional prerequisite FCL.720.A (d) (4) that requires him/her to hold a MCC course certificate or equivalent.

In the same time for non HPA aeroplanes (complex or non complex) there is no such equivalent requirement. FCL.720.A does not require the candidate to comply with FCL.720.A (d) (4). In others words it seems possible for a candidate without any knowledge of multicrew environment to directly apply for multi-pilot operations (MPO) privilege for an initial issue of a single pilot non HPA (complex or non complex) aeroplane class or type rating.

France considers that it is discrepancy and suggests adding the same prerequisites for non HPA aeroplanes. The candidate shall also comply with FCL.720.A (d) (4) when seeking MPO privilege in the case of an initial issue.

Proposed amendment:**FCL.720.A**

[...]

(a) [...]

(b) Single-pilot non high performance aeroplanes (complex or non complex). Applicants seeking the privilege to operate in multi-pilot operations a class or type rating for non high performance aeroplane shall meet the requirements of (d)(4).

~~(b)~~ (c)

[...]

response

Accepted

Thank you for your comment. The text has been amended accordingly.

comment

574

comment by: *Nick Carr*

response	<p>FCL.720.A (d) Multi-pilot aeroplanes.</p> <p>Allowing an applicant with an expired ME IR for the first MPA type rating is a welcome change for many large ATOs and operators.</p> <p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>586 comment by: AESA</p> <p>Annex 1. Part FCL, FCL. 740.A (b)(1)(ii):</p> <p>In relation to the hours of flight with instructor there are very different views between Member States. Criteria should be unified. We understand that since it is an instructional activity, problems would be solved if established that this hour of instruction must be on an ATO.</p> <p>The following text is proposed: FCL. 740.A (b) (1) (ii) within the 12 months preceding the expiry date of the rating, complete 12 hours of flight time in the relevant class, including:</p> <ul style="list-style-type: none"> - 6 hours as PIC, - 12 take-offs and 12 landings, and - a refresher training of at least 1 hour of total flight time with an instructor in an ATO. <p>Applicants shall be exempted from this flight if they have passed a class or type rating proficiency check, skill test or assessment of competence in any other class or type of aeroplane.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. During the RMT work, the rulemaking group discussed the benefit of specifying the content of the training flight and the decision taken was not to do it. By doing this, the FI can provide the pilot with a tailor-made training hour depending on the experience and specific training needs of the pilot. In some Member States, it has been best practice since many years that instructors for such flights operate outside ATO. EASA has made it one of its main goals for the near future to support General Aviation. Accepting your comment and forcing pilots to perform this training flight in an ATO would be a step back in the development of rules providing an easy access to aviation for General Aviation pilots. (GA Roadmap)</p>
comment	<p>600 comment by: Danish Transport Authority</p> <p>In (3) clarification of a total of 6 hrs. PIC time should be integrated in the text.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Proposal: When applicants hold both a single-engine piston aeroplane (land) and a single-engine piston aeroplane (sea) class rating, they may meet the requirements under (1)(ii) in either class, and shall achieve revalidation of both ratings provided that at least 1 hour of the required 6 hours</p> </div>

as PIC and 6 of the required 12 take-offs and landings are completed in each class.

response Not accepted
The term 'PIC time' is defined in AMC1 FCL.050.

comment 661 comment by: UK CAA

Page No: 64

Paragraph No: FCL.720.A(c) and (d)

Comment: The IR requirements are different between the SPHPCA rating and the MPA rating.

Justification: If it is valid for the applicant for the Multi pilot rating to hold or have held an IR, this should also be valid for the SPHPCA applicant.

Proposed Text: Amend sub-paragraph (c) as follows:

“(c) in addition to meeting the requirements of (b), **hold or have held a multi-engine IR(A) or shall** have fulfilled the requirements for the issue of.....”

response Accepted
Thank you for your comment. The text has been amended accordingly.

comment 662 comment by: UK CAA

Page No: 67

Paragraph No: FCL.740.A (b)(1)(ii), 3rd bullet.

Comment: The credit for assessment of competence must only be given for an instructor AoC as this involves demonstration of handling skill. An Examiner AoC will not usually involve any handling of the aircraft and so does not demonstrate flying skill.

Justification: An examiner Assessment of Competence does not give assurance of current competence in aircraft handling.

Proposed Text: Amend 3rd bullet to read:

“....proficiency check, or skill test or **an instructor** assessment of competence in any other class or type of aeroplane.”

response Accepted



Thank you for your comment. The text has been amended as proposed.

comment

663

comment by: UK CAA

Page No: 67**Paragraph No:** FCL.740.A(b)(3)**Comment:** The new paragraph does not address the case of amphibious aeroplanes.**Justification:** Pilots who wish to use an amphibious aeroplane to revalidate both ratings need to be covered.**Proposed Text:** Add an additional sentence at the end of sub-paragraph (3):

“...are completed in each class. **An amphibious aeroplane may be used to comply with the requirements of the land and sea ratings by completing the specified take-offs and landings in the appropriate aeroplane configuration.**”

response

Not accepted

Thank you for your comment. For the time being, amphibious aeroplanes are not part of the class ratings. We do have land and sea ratings but we clearly see that there is a need for amphibious as well. EASA therefore has decided to include it into its work on RMT.0678.

comment

716

comment by: Rogerio Pinheiro

FCL.740.-A – Revalidation of class and type ratings – aeroplanes - This amendment aims to eliminate the unnecessary burden of General Aviation and APTTA agrees with the contents.

response

Noted

EASA acknowledges your comment and thanks you for your feedback.

comment

741

comment by: Light Aircraft Association

The LAA support the proposed amendment at FCL.720.A(d).

□

response

Noted

EASA acknowledges your comment and thanks you for your feedback.

comment

742

comment by: Light Aircraft Association

Whilst the FCL.740.A(b)(3) amendment now sensibly includes Assessments of Competence, the LAA propose this is further amended to include an Instrument Rating proficiency check,



such as that for a IR or IR(Restricted), since embedded within these checks an applicant demonstrates continued proficiency in a large number of class rating items.

□

response Not accepted

Thank you for your comment. An IR proficiency check may also be performed on an FNPT II and includes only a limited amount of the manoeuvres listed in the proficiency check form of Appendix 9. Therefore EASA does not agree with your proposed change.

comment 743 comment by: *Light Aircraft Association*

The LAA fully support amendment of FCL.740.A (b)(3) which will ease the recency requirements for those with single-engine piston land and sea class ratings.

response Noted

EASA acknowledges your comment and thanks you for your feedback.

comment 763 comment by: *Finnish Transport Safety Agency*

FCL.720.A (a)

There should be possibility to extend the type rating for single-pilot multi-engine aeroplanes, which are non-complex non-HPA or non-HPA complex, to multi-pilot operations.

Proposed text:

FCL.720.A

(a) Single-pilot multi-engine aeroplanes. An applicant for a first class or type rating on a single-pilot multi-engine aeroplane shall have completed at least 70 hours as PIC on aeroplanes. In addition, pilots seeking the privilege to operate the aeroplane in multi-pilot operations shall meet the requirements of (d)(4).

response Partially accepted

Thank you for your comment. Please refer to the answer provided to comment No 565 above which is very similar to your request. In the final text, we propose a slightly different solution than the one proposed by you which also covers your concern.

comment 764 comment by: *Finnish Transport Safety Agency*

FCL.720.A (c), (d) and (f)

Finland fully supports the changes proposed in FCL.720.A points (c) and (d).

However, the text in point (c) should be further clarified as there has been several discussions whether the IR is a prerequisite for the type rating course or whether the IR training can be completed parallel to the type rating course. In Finland's opinion the latter is the correct interpretation as long as all the required training hours for the type rating and for



the IR are completed.

In addition Finland proposes to delete point (f). The requirement has become unnecessary after the change in point (d). There is no reasoning why valid IR is required for additional type rating when it is not required for the first type rating.

Proposed text:

FCL.720.A

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(c) Single-pilot high performance complex aeroplanes. Applicants for the issue of a first type rating for a complex single-pilot aeroplane classified as a high performance aeroplane shall, in addition to meeting the requirements of (b), have fulfilled the requirements for the issue of a single or a multi-engine IR(A), as appropriate for the aeroplane type in concern and as established in Subpart G. The IR training may be completed parallel to the type rating training.

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~~(f) Additional multi-pilot and single-pilot high performance complex aeroplane type ratings. An applicant for the issue of additional multi-pilot type ratings and single-pilot high performance complex aeroplanes type ratings shall hold a multi-engine IR(A).~~

response

Not accepted

The category of SPHPC aeroplanes was created to highlight their resemblance in many areas with MPAs. Due to this, the IR requirements will have to remain unchanged.

comment

824

comment by: AOPA Sweden

FCL.740.A

Consider allowing revalidation of MEP(Land) to be performed by means of training flight. Since EIR can be revalidated with training flight, why could not the MEP(Land)-rating itself be?

This should also apply to the IR. Every second year, the instrument rating should be revalidated by means of a training flight with a suitably qualified instructor.

response

Not accepted

Thank you for your comment. EASA has duly considered it with experts and has decided that for safety considerations the amendment will not be made.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART H: CLASS AND TYPE RATINGS, SECTION 5: SPECIFIC REQUIREMENTS FOR THE AIRSHIP CATEGORY

p. 71

comment

563

comment by: Schimmel

Regarding FCL.740

It makes no sense to limit the revalidation of a type rating or class rating to within the last 3 month immediately preceding the expiry date.



Furthermore it would even generate a higher level of flight safety if it would be possible to do proficiency checks within the period of validity.

It was possible during the last years and had no negative effect. With that possibility rating holder where able to perform Proficiency checks when ever needed. (i.e. longer absence tue to work in foreign countrys or medical treatment in a hospital at the period of expirience u.a).

It was also easier for companies to plan check rides. (shifting of checks tue to high season or unavailabiltiy of simulators or Aircrafts.

response

Accepted

Thank you for your comment. The text has been amended to allow a revalidation already before the 3-month period, but with a new validity date.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — p. 72-77
SUBPART I: ADDITIONAL RATINGS

comment

2

comment by: *RWL German Flight Academy*

FCL.810 Night Rating

It is stated, that the entire training has to be conducted in the same aircraft category, not the same class of aeroplane. Is it possible to use a multi engine aeroplane for the dual cross country flight to mitigate risk in case of an engine problem? A supplement in respect of the aeroplane class used for training would be preferable.

response

Noted

Thank you for your comment. Generally, your comment highlights the possibility for PPL holders to also use a ME aeroplane for the training. The specification provided in (a)(3) should be sufficient.

comment

47

comment by: *IAOPA (EUROPE)*

Observation	Proposed new text
<p>IAOPA (Europe) considers that point (1) in paragraph (b) is unreasonably restrictive. Pilots should be encouraged to be properly trained for dynamic flight events earlier in their flying experience than this point currently permits; this view was also generally agreed by delegates to the September 2014 EASA FCL Implementation Forum.</p> <p>Therefore an amendment is proposed as indicated.</p>	<p>(b) Applicants for an aerobatic rating shall have completed a training course at an ATO for the appropriate aircraft category, including:</p> <p>(1) at least 40 hours of flight time or, in the case of sailplanes, 120 launches as PIC in the appropriate aircraft category, completed after the issue of the licence;</p> <p>(2) a training course at an ATO, including:</p> <p>(i) theoretical knowledge</p>

		instruction appropriate for the rating; (ii) at least 5 hours or 20 flights of aerobatic instruction in the appropriate aircraft category.
response	Not accepted	Thank you for your comment. EASA has discussed your proposal with experts and still considers the requirement of (b) (1) defining minimum experience requirements before starting the training absolutely necessary and a real minimum requirement that should remain untouched.
comment	115	comment by: <i>René Meier, Europe Air Sports</i> FCL.830 Sailplane Cloud Flying Rating p 77/253 (d) Please delete "24 months" and write "2 years" Rationale: To obtain consistency with the other changes form "months" to "years."
response	Accepted	Thank you for your comment. The text has been amended accordingly.
comment	154	comment by: <i>Martin PFEIFENBERGER</i> FCL.810 (b) (3) This paragraph states credits for applicants who hold or held an IR in an aeroplane or TMG. If there is the intention for restrictions for IR privileges for night or day operation (see FCL.610), why are there no credits for holder of an IR(H) "day".
response	Not accepted	Thank you for your comment. The rule text only refers to 'an IR' and this includes any IR.
comment	155	comment by: <i>Martin PFEIFENBERGER</i> FCL.815 Why is there no mountain rating for helicopters, probably the most important aircraft category for this additional rating?
response	Not accepted	The mountain rating for helicopters will be dealt with through a separate RMT.

comment	<p>170</p> <p style="text-align: right;">comment by: <i>The Norwegian Air Sports Federation</i></p> <p>FCL.810 Night rating</p> <p>Notwithstanding the requirements in FCL.810 (a) (1), we assume that Registered Facilities (RFs) can still provide training for the night rating until April 8, 2018 (provided that the proposed extension of the opt-out period is finalised and that the competent authority in the relevant nation has agreed to utilise this extension). Otherwise, this should be ensured.</p> <p>In the longer term, NLF would like to suggest that the Agency reviews the approach based on allowing night operations through a rating. While such a proposal is presumably beyond the framework of the current rulemaking effort, NLF would like to suggest that the night rating in the future is changed to a logbook endorsement, and that the training can be carried out by independent instructors, provided that certain requirements with regard to the content of the training are being met.</p> <p>The same approach could replace the current system with the mountain rating (FCL.815).</p>
response	<p>Noted</p> <p>Thank you for your comment. It will be considered through a separate RMT.</p>

comment	<p>190</p> <p style="text-align: right;">comment by: <i>DGAC France</i></p> <p><u>Subject:</u> Prerequisites for aerobatic rating (FCL.800 (b) (1))</p> <p><u>Content of comment:</u> France considers that prerequisite FCL.800 (b) (1) is unreasonably restrictive and will prevent pilots who would like to start aerobatics soon after the issuance of their licence. Regulation should encourage pilots to be properly trained for dynamic flight events earlier in their flying experience.</p> <p>In French regulation it is possible to start an aerobatic training and have such rating issued without such pre requisite in terms of experience. It has never raised any safety concern. Therefore France proposes an amendment to delete this prerequisite.</p> <p><u>Proposed amendment:</u></p> <p>FCL.800 [...] (b) Applicants for an aerobatic rating shall have completed a training course at an ATO for the appropriate aircraft category, including: (1) at least 40 hours of flight time or, in the case of sailplanes, 120 launches as PIC in the appropriate aircraft category, completed after the issue of the licence; (2) a training course at an ATO, including: (1) (i) theoretical knowledge instruction appropriate for the rating; (2) (ii) at least 5 hours or 20 flights of aerobatic instruction in the appropriate aircraft category.</p>
response	<p>Not accepted</p>



Thank you for your comment. EASA has discussed your proposal with experts and still considers the requirement of (b) (1) defining minimum experience requirements before starting the training absolutely necessary and a real minimum requirement that should remain untouched.

comment

191

comment by: *DGAC France***Subject:****Mountain site authorizations for aeroplanes (FCL.815)****Content of comment:**

France takes the opportunity of this NPA to suggest the introduction of a mountain site authorization for designated mountain landing site for aeroplane and TMG. The privileges of a site authorization would be restricted to the conduct of flights to and from the surfaces for which the authorization is valid.

A system of mountain site authorizations has been in force in national French regulation for many years. It has brought safety improvements. Before issuance of such an authorization for a specific mountain site, applicants are required to complete a tailor-made training course with a qualified instructor without being required to complete a full mountain rating training. The full training is considered as disproportionate and difficult to provide, taking into account the competency objectives to be reached when limiting the variety of mountain sites that can be operated with a mountain site authorization.

France requested in June 2014 the extension of the ToRs of RMT.0565 & RMT.0566 (FCL.016) in order to assess the above proposal. Unfortunately this rulemaking task has been put on hold since then.

In current state of the regulation, by the 8th April 2018 (new opt-out for Part FCL mountain rating), it would no longer be possible to issue such site authorizations. The only solution for applicants would be to apply for a full Part FCL mountain rating. Such a situation is considered inappropriate and could be fixed by adopting the proposed system that has proven its efficiency and that is satisfying pilots needs.

response

Not accepted

Thank you for your comment. After due considerations, EASA would like to deal with this as proposed with other rulemaking tasks.

comment

252

comment by: *René Meier, Europe Air Sports*

FCL.805 Sailplane towing and banner towing ratings
p 72/253

FCL.805 focuses on the aircraft doing the towing, even though, in the case of sailplane towing, the sailplane considerations are more numerous and more important. This results in the existence of three different, distinct ratings, (A) or (TMG) on a LAPL(A) or higher, plus (TMG) on an SPL/LAPL(S), even though the task is identical in each case.

Such small differences as do exist between different sorts of tow aircraft (compare a Robin "Remorqueur" with a Piper "Super Cub" or a Piper "Pawnee") can easily and safely be catered for by specifying familiarisation, as wisely proposed by this NPA for FCL.710 (a).



	<p>We propose a (d)(1): "The privileges of the sailplane towing rating shall be valid for towing in whichever aircraft the holder is qualified to fly."</p> <p>A new (d)(2) should cover the privileges of the banner towing rating holder only.</p> <p>Rationale: Complexity, and thus costs for volunteer tow pilots, must be reduced by enabling a single towing rating to be valid for all tow planes.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA has discussed the issue with aeroplane and TMG towing experts and still considers the existing requirements appropriate.</p>
comment	<p>454 comment by: <i>Marlies Campi - President EMP</i></p> <p>The European Mountain Pilots Federation (EMP) and all of its members - France, Switzerland, Italy, Austria, Germany, Spain and Luxembourg - request the Mountain Rating to be amended introducing the "Site Authorization". This request counts with the full support of the French DGAC.</p> <p>The "Site Authorization" (Autorisation de site in French), is part of the mountain flight regulation of France. Holders of the "Autorisation de Site" can conduct flights with aeroplanes or TMG only to and from the mountain landing sites for which the authorization is valid.</p> <p>The "Site Authorization" provides flexibility for the implementation of the FCL 815 Mountain Rating in those member states where no mountain flying regulation existed before the publication of Part-FCL (all except France, Switzerland and Italy) and where mountain landing sites don't exist and have to be created. If a member state has no official mountain landing sites, pilots will have no chance to train in their country for the Mountain Rating. The difficulties of creating and authorising new airfields or landing sites are known. If these member states in the first stage of the Part-FCL implementation succeed in creating and authorising at least one mountain landing site, pilots could start training to get a "Site Authorization". We fear that in most of the member states, that's the farthest a mountain flight training will go.</p> <p>The "Site Authorization" is in some cases the only way pilots have to practice mountain flying:</p> <ul style="list-style-type: none"> - because the airplane they own can only land on a specific mountain site (type of aircraft, runway length and slope) - because they have no time or no money for the full mountain rating - because the area in which they live has only one single mountain strip <p>Finally, in Switzerland at present pilots can only aim at a Mountain Rating on skis because all landing sites with the exception of two are located on glaciers or on snow covered areas. Swiss pilots have no chance to get a rating only on wheels. With the "Site Authorization" they could train on the two sites available for wheels and fly safely without the need for a full mountain rating on skis.</p> <p><u>Amendment to FCL815 Mountain Rating (added text in red)</u></p>

	<p><i>When the mountain flight instructor deems the applicant ready, the site authorization is posted by the instructor in the pilot logbook indicating the name of the mountain site, the date and the name and signature of the instructor.</i></p> <p><i>Revalidation. For revalidation of a site authorization the applicant shall have completed at least 5 landings in the past 12 months on each of the sites for which an authorization has been granted.</i></p>
response	<p>Not accepted</p> <p>Thank you for your comment. After due considerations, EASA would like to deal with this as proposed with other rulemaking tasks.</p>
comment	<p>479 comment by: FAA</p> <p>Reference text: (e) Revalidation. For revalidation of a mountain rating, the applicant shall: (1) have completed at least 6 landings on a surface designated as requiring a mountain rating in the past 24 months</p> <p>Comment: The reader may assume that the word “surface” is used (in lieu of airport) to cover ski plane operations conducted to off-airport sites. In such instances, how may a pilot determine if a location has been designated as requiring a mountain rating?</p>
response	<p>Noted</p> <p>Thank you for your comment. The wording of this point was left open on purpose to allow Member States to designate any mountainous landing site with whatever surface it may have (glacier, snow, grass).</p>
comment	<p>485 comment by: Uppvinden AB</p> <p>FCL.800 a Why not powered sailplanes (if the aircraft are allowed to)?</p> <p>FCL.805 Crediting if the applicant has done 1000 sailplanes tows (and maybe even be an FI for such tows) with aircraft listed in e) in Annex II to the Basic Regulation? Proposal: Credit shall be given to pilots with experience of towing with Annex II e) aeroplanes according to the instructor’s consideration.</p> <p>FCL.805 b 2 ii Dual instruction flights must be optional. Sometimes the tow plane is single-seated. The instructor shall in such case occupy a seat in the sailplane for viewing and instruction.</p> <p>FCL.805 b 2 iii Addition: "for holders or ex-holders of an LAPL(S) or an SPL or any other sailplane license issued by an ICAO state</p> <p>FCL810 a 1 Change 6 months to 8 months. Reason: In the Nordic countries it is impossible to train night flying for 4 months. If an applicant begins in March it is sometimes not enough night and weather possibilities until</p>

response	<p>after September.</p> <p>FCL.800 a</p> <p>Not accepted</p> <p>Thank you for your comment. Powered sailplanes are included in 'a pilot licence for sailplanes' and therefore are included already.</p> <p>FCL.805</p> <p>Not accepted – Thank you for your comment. Aircraft mentioned in Annex II (e) were specifically excluded from the scope of this Regulation and therefore cannot be taken into consideration for this point.</p> <p>FCL.805 b 2 ii</p> <p>Not accepted – Thank you for your comment. After due considerations, EASA has decided that the dual training has to be performed due to safety considerations.</p> <p>FCL.805 b 2 iii</p> <p>Not accepted – Thank you for your comment. Also this comment cannot be accepted due to safety considerations and due to the fact that a comparison with the requirements for the issue of sailplane licences of other ICAO Contracting States is almost impossible.</p> <p>FCL810 a 1</p> <p>Not accepted – Thank you for your comment. EASA has considered the specific day/night ratio in the northern countries but would like to keep the 6-month training period to avoid that only 5 hours of training are conducted with too long training intervals between the different flight exercises.</p>
comment	<p>556 comment by: <i>AeroClub Roger Janin, FR.ATO.0087</i></p> <p>For private pilots in a flying club ATO (non-profit organisation), 6 months to complete the night rating is impracticable:</p> <ol style="list-style-type: none"> 1) People work during the week, and night flying after 10 pm is only possible on Friday and Saturday to be able to get rest the following morning, 2) Many airfield (at least in France) forbid local training flight after 10 or 11pm either by AIP or by NOTAM, 3) Winter time give early nights, but north of 42°N which is the majority of Europe territory and pilots location, VFR at night weather conditions for aeroplane is seldom, 4) Summer time could provide good weather but night starts very late, making inappropriate to plan night flying training unless the whole night is available both for VMC weather and for people, and the whole next day is off. And when this happen, local flight training is likely prohibited (see 2). <p>Combining all the above constraints, this proposed 6 month requirement will push to fly in marginal conditions and limit the training to the required 5 flight hours to try to complete the training in time. This is not going in the direction of safety.</p> <p>For these reasons, it would make much more sense to expend the allowed period at least over 2 years or even not prescribe a time limit, and let ATO's and their FI's be responsible to deliver the training certificate when pilots have reached the needed competencies.</p> <p>Before making the decision please consider this simple question: What will better improve</p>

	<p>overall safety for general aviation/leisure pilots: being able to get a night rating over two years of training or not being given the right to get a night rating? (and later on possibly EIR or IR)</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA has considered the specific day/night ratio in the northern countries but would like to keep the 6-month training period to avoid that only 5 hours of training are conducted with too long training intervals between the different flight exercises.</p>
comment	<p>582 comment by: <i>Transport Canada Civil Aviation Standards Branch</i></p> <p>Regarding Section: Subpart I - Additional Ratings - FCL.800 - Aerobatic rating</p> <p>Transport Canada comments -</p> <p>Except for the granting of specific instructor ratings, Transport Canada (TC) regulations does not provide a specific endorsement for the purpose of aerobatic flying. Rather it provides guidelines for the determination of the minimum level of competence required to engage in aerobatic flying activities and restricts airspace where it cannot be conducted unless specifically authorized. In addition, TC deems existing regulations to be in accordance with ICAO standards in this regard and thus does not see the need to amend them. Further, Canada's current safety record in the field of aerobatic flying activities is deemed acceptable and doesn't point towards the need to modify current regulations. However, as it stands the proposed NPA will introduce enough differences between TC and EASA standards that they will likely lead to restrictions or limitations to the privileges that can be granted to pilots wishing to exercise them in their host environment (CA/EU). In order to facilitate future exchanges between Canada and the EU in this specific field of activities, it is deemed desirable to investigate the possibility to establish equivalencies for the purpose of granting license validations to that effect.</p>
response	<p>Noted</p> <p>Thank you for your comment. EASA welcomes your proposal to establish equivalencies between the EU and CA requirements. Please feel free to contact us for any support.</p>
comment	<p>588 comment by: <i>Irish Aviation Authority</i></p> <p>A problem has been observed with the wording of FCL.800 – “Aerobatic rating”. Subparagraph (a) states-</p> <p><u>“(a) Holders of a pilot licence for aeroplanes, TMG or sailplanes shall only undertake aerobatic flights when they hold the appropriate rating.”</u></p> <p>Subparagraph (b) goes on to describe the experience and training requirements, while Subparagraph (c) describes the restrictions and extension of privileges to other aircraft. The problem with Subparagraph (a) is that it appears to be wrongly drafted in a way which has the effect of making it not mandatory to hold an Aerobatic rating for aerobatic flight. It says that aerobatic flight shall only be undertaken when pilots hold the “appropriate rating” – it does not say that aerobatic flight shall only be undertaken when pilots hold the “Aerobatic</p>

rating”. A search of EU Regulation 1178/2011 reveals no reference to the “Aerobatic rating” being stated to be the “appropriate rating”. There is a definition of “aerobatic flight” in paragraph FCL.010 – “Definitions” - but it only states that such type of flight is not necessary “for normal flight or for instruction for licences or ratings other than the aerobatic rating” – it does not say that the “Aerobatic rating” is a requirement for “aerobatic flight”.

Some readers of the above paragraph may think that it is “splitting hairs” (as the saying goes in English) to say that the law does not state that the “Aerobatic rating” is a requirement for “aerobatic flight”. They might argue that the law **intended** that the “Aerobatic rating” should be a requirement for “aerobatic flight”. This is readily accepted – but the fact remains that if the law did not actually say what it intended, then such law may not be enforceable in a court. In Ireland, EU law is not transposed into Irish law – it is directly applicable in the courts exactly as it is written. If it does not ‘say it in the law, then it does not say it at all. For comparison, refer to FCL.805 – “Sailplane towing and banner towing ratings” -

(a) Holders of a pilot licence with privileges to fly aeroplanes or TMGs shall only tow sailplanes or banners when they hold the appropriate sailplane towing or banner towing rating.

response

Accepted

Thank you for your comment. The text has been amended accordingly.

comment

623

comment by: *European Cockpit Association***Commented text:****FCL.805 FCL.805 Sailplane towing and banner towing ratings****ECA's Comment:**

Why helicopters are not mentioned in this rule? E.g. in Spain some operators are doing helicopter banner towing.

response

Not accepted

Thank you very much for this comment. So far we were not aware of a need for this. But we will take it up through a separate RMT.

comment

624

comment by: *European Cockpit Association***Commented text:****FCL.810****Night rating, helicopters:**

(2) Completed a training course at an ATO. The course shall be completed within a period of 6 month shall comprise:

(i) ~~5 hours of~~ theoretical knowledge instruction;

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

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



	<p>ECA's Comment:</p> <p>(i) We are against taking out the 5 hours requirement.</p> <p>(iii) Although the definition of cross-country “opens the door” - many European countries ban night cross-country flights.</p>
response	<p>FCL.810 (b)(2)(i)</p> <p>Not accepted – Thank you for your comment. The 5-hour requirement was taken out to align the requirement with the aeroplane category where experience shows that the requirements was sufficient.</p> <p>(iii)</p> <p>Not accepted – Thank you for your comment. As the cross-country flight is contained in the dual section of the flight training, EASA considers that a sufficient level of safety is provided.</p>
comment	<p>795 comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p>FCL.805 Sailplane towing and banner towing ratings p 72/253</p> <p>FCL.805 focuses on the aircraft doing the towing, even though, in the case of sailplane towing, the sailplane considerations are more numerous and more important. This results in the existence of three different, distinct ratings, (A) or (TMG) on a LAPL(A) or higher, plus (TMG) on an SPL/LAPL(S), even though the task is identical in each case.</p> <p>We propose a (d):"The privileges will be extended.... and has completed a difference training completing at least 1 dual training flight covering the relevant differences of either aircraft, as relevant."</p> <p>A new (e) should cover the privileges of the banner towing rating holder only.</p> <p>Rationale: The differences between the aircraft used are very small in the performing of sailplane towing. The task needs only some experience concerning specifics of the aircraft used. Due to this a difference training should be enough. Costs and effort for volunteer tow pilots, must be reduced.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. EASA has discussed the issue with aeroplane and TMG towing experts and still considers the existing requirements appropriate.</p>

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] —
SUBPART J: INSTRUCTORS, SECTION 1: COMMON REQUIREMENTS**

p. 78-81

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt



with through Opinion No 05/2017 — stemming from this CRD.

comment

102

comment by: *René Meier, Europe
Air Sports*

FCL.915 General prerequisites and requirements for instructors
page 79/253
(b)(1)

Para 2.4.12 correctly asserts that PPL holders must be allowed to train holders of a CPL or ATPL for class or type ratings they are qualified for.

The NPA's proposed change to FCL.915 is good for aeroplane class or type ratings, but omits training for the towing rating: holders of a PPL must be allowed to train holders of a CPL or ATPL for the towing rating, if they have that qualification.

Similarly, holders of a LAPL(S) must be allowed to train holders of an SPL for aerobatic or towing ratings, if they have the qualification.

Notes:

1. Unlike FI(A), for which at least a PPL(A) is a prerequisite, the FI(S) certificate can be held by either SPL or LAPL(S).
2. SPL & LAPL(S) are very close, with only two differences. Apart from these two, the training requirements, experience and test standards are the identical. (SPL needs a Class 2 Medical and may receive remuneration if further requirements are met.)

Even more important, holders of LAPL(S) with FI(S) certificate, or CRI(S) (see separate comment) must be able to conduct the recency flying required by FCL.140.S for both SPL and LAPL(S) holders.

Our question: Why have glider/sailplane pilots been omitted from the proposed solution?

We propose to change (b) to

(1) hold an equivalent licence, rating or certificate to the one for which flight training is to be given;

(2) The holder of a LAPL(S) with FI(S) Certificate may provide flight instruction required by an SPL holder to comply with FCL.230.S.

Rationale:

Our formula covers more elements. It also makes it possible that an FI being a PPL holder may provide training to a CPL holder or to an ATPL holder for the issue of an additional rating.

response

Not accepted

EASA thanks you for this comment. We have duly considered its content and have finally decided not to accept it because we have launched a separate RMT to develop a separate set of requirements dealing only with sailplanes (similar to the requirements concerning balloons).



comment	156	comment by: <i>Martin PFEIFENBERGER</i>
	<p>FCL.915 (b)(2)</p> <p>According to your explanation, number (2) was added to allow PPL-holders also type rating instruction to CPL or ATPL holder. In this case, FCL.205.A (b) respectively FCL.205.H (b) should be extended aswell, since it could be understood that this training is limited to PPL-licences.</p>	
response	<p>Accepted</p> <p>Thank you for your comment. The text has been amended as requested.</p>	
comment	157	comment by: <i>Martin PFEIFENBERGER</i>
	<p>FCL.935 (a)</p> <p>There should be another regulation or better formulation for helicopters. What does this mean for helicopter instructors who hold a FI certificate with the privileges ME(H) and SE(H)? Does this instructor have to do two assessments of competence, or can this competence be demonstrated in one flight in one helicopter type?</p>	
response	<p>Noted</p>	
comment	185	comment by: <i>The Norwegian Air Sports Federation</i>
	<p>NLF supports the proposed changes to FCL.915.</p>	
response	<p>Noted</p>	
comment	193	comment by: <i>DGAC France</i>
	<p><u>Subject:</u> Training for additional rating to CPL/ATPL holders (FCL.915)</p> <p><u>Content of comment:</u> France fully supports the proposed amendment aiming at allowing also holders of a PPL to train holders of a CPL or ATPL for class or type ratings they are qualified for. Nevertheless France proposes to add a reference to training for additional ratings (night rating, aerobatic rating, mountain rating, towing ratings). As a matter of fact it should be also possible for instance for a PPL holder to instruct a CPL or ATPL holder for issuance of an additional rating. In the same way of thinking it should also be clarified that holders of an flight examiner certificate (FE) holding a PPL are allowed to conduct a skill test or proficiency check for class rating or type rating (e.g. SEP rating) or for mountain rating (only additional rating for which a skill test is required) to the benefit of CPL or ATPL holders.</p> <p><u>Proposed amendment:</u></p> <p><i>FCL.915 General prerequisites and requirements for instructors</i> [...] <i>(b) Additional requirements for instructors providing flight instruction in aircraft. An applicant</i></p>	

for or the holder of an instructor certificate with privileges to conduct flight instruction in an aircraft shall unless otherwise specified:
 (1) for licence training, hold at least the licence and, where relevant, the rating for which flight instruction is to be given;
 (2) for class or type rating **and additional ratings** training, hold the relevant rating for which flight instruction is to be given;
 [...]

response Noted

comment

246

comment by: *European Gliding Union*

EGU Makes Two Comments

1. LAPL(S) To Train SPL For Ratings and Recency

Para 2.4.12 correctly asserts that PPL holders must be allowed to train holders of a CPL or ATPL for class or type ratings they are qualified for.
 The NPA's proposed change to FCL.915 is good for aeroplane class or type ratings, but omits training for the towing rating: holders of a PPL must be allowed to train holders of a CPL or ATPL for the towing rating, if they have that qualification.
 Similarly, holders of a LAPL(S) must be allowed to train holders of an SPL for aerobatic or towing ratings, if they have the qualification.

Notes:

1. *Unlike FI(A), for which at least a PPL(A) is a prerequisite, the FI(S) certificate can be held by either SPL or LAPL(S).*
2. *SPL & LAPL(S) are very close, with only two differences. Apart from these two, the training requirements, experience and test standards are the identical. (SPL needs a Class 2 and may receive receive remuneration if further requirements are met)*

Even more important, holders of LAPL(S) with FI(S) certificate, or CRI(S) (see separate comment) must be able to conduct the recency flying required by FCL.230.S for both SPL holders.

Why have glider pilots been omitted from the proposed solution?

(We would anticipate our power aerobatic colleagues making the same point for holders of PPL training holders of ATPL for the aerobatic rating)

(The wording of FCL.1000 for examiners is helpful)

Recommendations

FCL.915 General prerequisites and requirements for instructors should be amended to read:

(b)

- (1) hold an equivalent licence, rating or certificate to the one for which flight training is to be given;
- (2) The holder of a LAPL(S) with FI(S) Certificate may provide flight instruction required by an



SPL holder to comply with FCL.230.S.

The Agency should re-examine its own processes to ensure that sailplane pilots are not excluded from solutions.

2. Holders of FI(S) with PPL(A) Towing Rating to train holders of PPL(A) for the Rating

Please see the comments above on instruction by LAPL(S) holders of FI(S).

Although glider towing is a cooperative venture by pilots at both ends of the tow rope, there are far more considerations specific to the sailplane than specific to the towing aircraft.

Above all, these considerations faced by the sailplane pilot must be understood by an instructor conducting training for the towing rating. Only a very few pilots can devote the time and money to becoming qualified as both FI(A) and FI(S): by limiting aeroplane towing training to FI(A) holders, the regulation bars FI(S) holders, the very experts best equipped to conduct this training.

Major European gliding Member States have a long and successful history of sailplane instructors instructing aeroplane pilots to tow. Safety will be reduced if regulation makes this impossible.

Recommendation

FCL.905.FI FI – Privileges and conditions should be amended to read:

.....

“(f) a towing or aerobatic rating, provided that such privileges are held and the FI has demonstrated the ability to instruct for that rating to an FI qualified in accordance with (i) below. An FI(S) may conduct flight instruction for the towing rating on aeroplanes and TMG, provided the relevant towing rating is held.”

response Noted

comment 255

comment by: *Irish Aviation Authority*

Common requirements

FCL.900 - For consistency with Subpart K, "conduct" should be used instead of "carry out"

FCL.900 Instructor certificates

(a) General.

A person shall only ~~carry out~~ **conduct**:

(1) flight instruction in **an** aircraft when he/she holds:

(i) a pilot licence issued or accepted in accordance with this Regulation;

(ii) an instructor certificate appropriate to the instruction given, issued in accordance with



	this Subpart;
response	Noted
comment	<p>256 comment by: <i>Irish Aviation Authority</i></p> <p>FCL.900</p> <p>(1) flight instruction in an aircraft when he/she holds:</p> <p>Reason - instruction may only be carried out in one aircraft at a time</p>
response	Noted
comment	<p>257 comment by: <i>Irish Aviation Authority</i></p> <p>FCL.900 (c)</p> <p>Suggest the following wording for clarity:</p> <p>(c) Instruction outside the territory of the Member States:</p> <p>(1) Notwithstanding paragraph (a), in the case of flight instruction provided in an ATO located outside the territories of the Member States and approved by the Agency, or any operating site of an ATO the principal place business of which is located in a Member State, the competent authority may issue an instructor certificate to an applicant holding a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention, provided that the applicant:</p> <p>(i) holds at least an equivalent licence, rating, or certificate to the one for which they are authorised to instruct and in any case at least a CPL;</p> <p>(ii) complies with the requirements established in this Subpart for the issue of the relevant instructor certificate;</p> <p>(iii) demonstrates to the competent authority an adequate level of knowledge of European aviation Regulations to be able to exercise instructional privileges in accordance with this Part.</p> <p>(2) The certificate shall be limited to providing flight instruction:</p> <p>(i) in ATOs or operating sites of ATOs located outside the territory of the Member States;</p> <p>(ii) to student pilots who have sufficient knowledge of the language in which flight instruction is given.</p>
response	Noted
comment	<p>258 comment by: <i>Irish Aviation Authority</i></p>



Comment. Suggest wording as follows:

FCL.915 General prerequisites and requirements for instructors

(a) General. An applicant for an instructor certificate shall be at least 18 years of age.

(b) Additional requirements for instructors providing flight instruction in aircraft. An applicant for or the holder of an instructor certificate with privileges to conduct flight instruction in an aircraft shall:

(1) **for licence training**, hold at least the licence and, where relevant, the rating for which flight instruction is to be given;

(2) for class or type rating and training for additional ratings, hold the relevant rating for which flight instruction is to be given;

(23) except in the case of the flight test instructor, have:

(i) completed at least 15 hours of flight as a pilot on the **category**, class or type of aircraft on which flight instruction is to be given, of which a maximum of 7 hours may be in an FSTD representing the **category**, class or type of aircraft, if applicable; or

(ii) passed an assessment of competence for the relevant category of instructor **certificate** on that **category**, class or type of aircraft;

(34) be entitled to act as PIC on the aircraft during such flight instruction.

(c) Credit towards ~~further ratings~~ **other categories of instructor certificate** and **credit** for the purpose of revalidation **of instructor certificates**:

(1) Applicants for ~~further~~ **an instructor certificate** ~~may~~ **shall** be credited with the teaching and learning skills already demonstrated for the **issue of any other category** of instructor certificate held **under this Part**.

(2) Hours **completed** as an examiner during skill tests or proficiency checks shall, **where required by this Part**, be credited in full towards revalidation requirements for **all** instructor certificates held **in the same aircraft category**.

(d) credits for extension to further types shall take into account the relevant elements as defined in the operational suitability data established in accordance with Regulation (EU) 748/2012.

Justification - B(1) and (2) needs to be further expanded to cover ratings such as mountain ratings etc.

Not all Instructor certificates requires hours flown. section should be category specific.

Use of Categories of Instructors in GM may cause confusion between it and category of aircraft



response Noted

comment 259 comment by: *Irish Aviation Authority*
OSD data established in accordance with Regulation (EU) 748/2012 should be included in this section.

response Noted

comment 260 comment by: *Irish Aviation Authority*
FCL.920
This section has no relevance to assessment (covered in FCL.935)
Suggest title change to
FCL.920 Instructor competencies
Suggest text change to:
All instructors shall be trained to achieve in the following **instructional competencies**:

response Noted

comment 261 comment by: *Irish Aviation Authority*
For clarification, the following wording is suggested:

(b) MPL instructors training course

(1) The MPL instructor training course shall ~~comprise at least 14 hours of training~~ **familiarise the instructor with the competency based approach to training as applied by the relevant ATO.**

(2) Upon completion of the training course, the applicant shall ~~undertake an assessment of instructor competencies and of knowledge of the competency based approach to training~~ **demonstrate their ability to conduct MPL instruction to the satisfaction of an instructor nominated by the ATO.**

(3) Upon successful completion of the MPL training course, the ATO shall issue an MPL instructor ~~qualification~~ **course completion** certificate to the applicant.

Further Note: A qualification should only be issued by competent Authority and not by an ATO.

response Noted



comment	<p>262</p> <p>Suggest the following wording for clarification:</p> <p>(d) If the instructor has not fulfilled the requirements of (c), before exercising the privilege of conducting s to conduct flight instruction for the MPL he/she shall:</p> <p>(1) receive refresher training at an the relevant ATO to reach the level of competence as set out in (b)(1) necessary ; and</p> <p>(2) demonstrate instructor ability as set out in (b) (2).</p>	comment by: <i>Irish Aviation Authority</i>
response	Noted	
comment	<p>263</p> <p>FOr clarification, the following is suggested:</p> <p>Applicants for an instructor certificate shall have completed a course of teaching and learning and instruction of theoretical knowledge and flight instruction at an ATO. In addition to the specific elements prescribed in this Part for each category of instructor, the course shall contain include the instructional competencies y elements required in FCL.920. The teaching and learning part of the course shall be completed first and may be completed separately from the other parts of the course, at a different ATO.</p>	comment by: <i>Irish Aviation Authority</i>
response	Noted	
comment	<p>264</p> <p>The following wording is proposed for clarity:</p> <p>FCL.935 Assessment of competence</p> <p>(a) Except for the multi-crew cooperation instructor (MCCI), the synthetic training instructor (STI), the mountain rating instructor (MI) and the flight test instructor (FTI), an applicant for an instructor certificate shall pass an assessment of competence in the appropriate aircraft category to demonstrate to an examiner qualified in accordance with Subpart K the ability to instruct a student pilot to the level required for the issue of the relevant licence, rating or certificate.</p> <p>(b) This assessment shall include:</p> <p>(1) the demonstration of the instructional competencies described in FCL.920, during pre-flight, post-flight and theoretical knowledge instruction;</p> <p>(2) oral theoretical examinations on the ground, pre-flight and post-flight briefings and in-flight demonstrations in the appropriate aircraft class, type or FSTD;</p> <p>(3) exercises adequate to evaluate the instructor's competence ies—as achieved in accordance with FCL.930.</p>	comment by: <i>Irish Aviation Authority</i>

(c) The assessment shall be performed on the same **category**, class or type of aircraft or FSTD used for the flight instruction.

(d) When an assessment of competence is ~~required~~ **performed** for revalidation of an instructor certificate, an applicant who fails to achieve a pass in the assessment before the expiry date of ~~an~~ **the** instructor certificate, shall not exercise the privileges of the ~~certificate~~ **certificate for the relevant category of aircraft** until the assessment has **been** successfully ~~been~~ completed **for that category**.

(e) For the assessment of competence, an actual or a simulated crew may be used for the instructional session or exercise.

response Noted

comment 371

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.900 Instructor certificates

(a) General.

A person shall only ~~carry out~~ **conduct**:

(1) flight instruction in ~~a~~ **an** aircraft when he/she holds:

(i) a pilot licence issued or accepted in accordance with this Regulation;

(ii) an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart;

(2) synthetic flight instruction or MCC instruction when he/she holds an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart.

(b) Special conditions:

(1) In the case of introduction of new aircraft in the Member States or in an operator's fleet, when compliance with the requirements established in this Subpart is not possible, the competent authority may issue a specific certificate giving privileges for flight instruction. Such a certificate shall be limited to the instruction flights necessary for the introduction of the new type of aircraft and its validity shall not, in any case, exceed 1 year.

(2) Holders of a certificate issued in accordance with (b)(1) who wish to apply for the issue of an instructor certificate shall comply with the prerequisites and revalidation requirements



established for that category of instructor. Notwithstanding FCL.905.TRI(b), a TRI certificate issued in accordance with this (sub)paragraph will include the privilege to instruct for the issue of a TRI or SFI certificate for the relevant type.

(c) Instruction outside the territory of the Member States:

(1) Notwithstanding paragraph (a), in the case of flight instruction provided in an ATO located outside the territories of the Member States and approved by the Agency, or any operating site of an ATO the principal place business of which is located in a Member State, the competent authority may issue an instructor certificate to an applicant holding a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention, provided that the applicant:

(i) holds at least an equivalent licence, rating, or certificate to the one for which they are authorised to instruct and in any case at least a CPL;

(ii) complies with the requirements established in this Subpart for the issue of the relevant instructor certificate;

(iii) demonstrates to the competent authority an adequate level of knowledge of European aviation Regulations to be able to exercise instructional privileges in accordance with this Part.

(2) The certificate shall be limited to providing flight instruction:

(i) in ATOs or operating sites of ATOs located outside the territory of the Member States;

(ii) to student pilots who have sufficient knowledge of the language in which flight instruction is given.

response Noted

comment 372

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.915 General prerequisites and requirements for instructors

(a) General. An applicant for an instructor certificate shall be at least 18 years of age.

(b) Additional requirements for instructors providing flight instruction in aircraft. An applicant for or the holder of an instructor certificate with privileges to conduct flight instruction in an aircraft shall:

(1) for licence training, hold at least the licence and, where relevant, the rating for which flight instruction is to be given;



(2) for class or type rating and training for additional ratings, hold the relevant rating for which flight instruction is to be given;

(23) except in the case of the flight test instructor, have:

(i) completed at least 15 hours of flight as a pilot on the **category**, class or type of aircraft on which flight instruction is to be given, of which a maximum of 7 hours may be in an FSTD representing the **category**, class or type of aircraft, if applicable; or

(ii) passed an assessment of competence for the relevant category of instructor **certificate** on that **category**, class or type of aircraft;

(34) be entitled to act as PIC on the aircraft during such flight instruction.

(c) Credit towards ~~further ratings~~ **other categories of instructor certificate** and **credit** for the purpose of revalidation **of instructor certificates**:

(1) Applicants for ~~further an~~ **instructor certificates** ~~may shall~~ be credited with the teaching and learning skills already demonstrated for the **issue of any other category of** instructor certificate held **under this Part**.

(2) Hours **completed** as an examiner during skill tests or proficiency checks shall, **where required by this Part**, be credited in full towards revalidation requirements for **all** instructor certificates held **in the same aircraft category**.

(d) **credits for extension to further types shall take into account the relevant elements as defined in the operational suitability data established in accordance with Regulation (EU) 748/2012.**

response Noted

comment 373

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.920 Instructor competencies ~~and assessment~~ (assessment is at FCL.935)

All instructors shall be trained ~~to achieve in~~ the following **instructional competencies**:

- Prepare resources,
- Create a climate conducive to learning,
- Present knowledge,
- Integrate Threat and Error Management (TEM) and crew resource management,
- Manage time to achieve training objectives,
- Facilitate learning,
- Assess trainee performance,



	<ul style="list-style-type: none"> — Monitor and review progress, — Evaluate training sessions, — Report outcome.
response	Noted
comment	<p style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p>374</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.925 Additional requirements for instructors for the MPL</p> <p>(b) MPL instructors training course</p> <p>(1) The MPL instructor training course shall comprise at least 14 hours of training fully familiarise the instructor with the competency based approach to training as applied by the relevant ATO.</p> <p>(2) Upon completion of the training course, the applicant shall undertake an assessment of instructor competencies and of knowledge of the competency based approach to training demonstrate their ability to conduct MPL instruction to the satisfaction of an instructor nominated by the ATO.</p> <p>(3) Upon successful completion of the MPL training course, the ATO shall issue an MPL instructor qualification course completion certificate to the applicant.</p> <p>(c) In order to maintain the privileges, the instructor shall have, within the preceding 12 months, conducted within an MPL training course:</p> <p>(1) 1 simulator session of at least 3 hours; or</p> <p>(2) 1 air exercise of at least 1 hour comprising at least 2 take-offs and landings.</p> <p>(d) If the instructor has not fulfilled the requirements of (c), before exercising the privilege of conducting s to conduct flight instruction for the MPL he/she shall:</p> <p>(1) receive refresher training at an the relevant ATO to reach the level of competence as set out in (b)(1) necessary; and</p> <p>(2) demonstrate instructor ability as set out in (b) (2).</p>
response	Noted
comment	<p style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p>375</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum</p>

Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.930 Training course

Applicants for an instructor certificate shall have completed a course of **teaching and learning and instruction of** theoretical knowledge and flight instruction at an ATO. In addition to the specific elements prescribed in this Part for each category of instructor, the course shall ~~contain~~ **include** the **instructional competencies** ~~y elements~~ required in FCL.920. **The teaching and learning part of the course shall be completed first and may be completed separately from the other parts of the course, at a different ATO.**

response Noted

comment 377

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.935 Assessment of competence

(a) Except for the multi-crew cooperation instructor (MCCI), the synthetic training instructor (STI), the mountain rating instructor (MI) and the flight test instructor (FTI), an applicant for an instructor certificate shall pass an assessment of competence in the appropriate aircraft category to demonstrate to an examiner qualified in accordance with Subpart K the ability to instruct a student pilot to the level required for the issue of the relevant licence, rating or certificate.

(b) This assessment shall include:

(1) the demonstration of the **instructional** competencies described in FCL.920, ~~during pre-flight, post flight and theoretical knowledge instruction;~~

~~(2) oral theoretical examinations on the ground, pre-flight and post-flight briefings and in-flight demonstrations in the appropriate aircraft class, type or FSTD;~~

~~(3)~~ **(2)** exercises adequate to evaluate the instructor's **competence** ~~ies—as achieved in accordance with FCL.930.~~

(c) The assessment shall be performed on the same **category**, class or type of aircraft or FSTD used for the flight instruction.

(d) When an assessment of competence is ~~required~~ **performed** for revalidation of an instructor certificate, an applicant who fails to achieve a pass in the assessment before the expiry date of ~~an~~ **the** instructor certificate, shall not exercise the privileges of the certificate **for the relevant category of aircraft** until the assessment has **been** successfully **been** completed **for that category**.



(e) For the assessment of competence, an actual or a simulated crew may be used for the instructional session or exercise.

response Noted

comment 424 comment by: KLM
 FCL.915(b)(2) should not be applicable to SFI's who due to their medical condition, do not hold a valid medical license and are therefore not eligible for a rating. In the current wording FCL.915(b)(2) is contrary to FCL.910.SFI.

response Noted

comment 433 comment by: Supreme Building Authority, Part of the Bavarian State Ministry of the Interior, for Building and Transport

With regard to the current version of FCL.915 (b) there has been a discussion in Germany as to whether FI(A) with TMG would also be allowed to conduct flight training for TMG-extension with SPL-holders. EASA denied that on the basis of the current wording. With regard to the suggested new wording it may be possible in the future giving general aviation more flexibility. That would also set aside the inconsistency of the current wording according to which FI(A) with TMG would only be allowed to train absolute beginners for TMG but not SPL-holders who have some piloting experience at least. However, as the explanatory text on page 16 suggests, the new wording with regard to the separation of licence and class or type rating may have only been selected by EASA in order to exclusively allow "holders of a PPL to train holders of a CPL or ATPL". Therefore, EASA should get more clarity on the issue with regard to training aimed for TMG-extension for SPL.

response Noted

comment 501 comment by: Regierung von Oberbayern - Luftamt Südbayern

FCL.915 (b) (2):

Geht man hier allein vom Verordnungstext aus, scheint nach der neuen Regelung z.B. auch der Inhaber einer SPL mit TMG-Berechtigung einem PPL (A)-Inhaber Flugunterricht zur Erteilung einer TMG-Berechtigung erteilen zu dürfen, was aus fachlicher Sicht ohnehin nicht problematisch erscheint.

Dem lässt sich zwar entgegenhalten, dass es bei der SPL (wie auch bei LAPL und BPL) keine Klassen- oder Musterberechtigungen gibt (siehe FCL. 700 a)), so dass dort FCL.915 (2) keine Anwendung finden würde. Es erscheint aber im Sinne der Begründung („to lift unnecessary burdens from General Aviation“) nicht unzumutbar, derartige Ausbildungen ebenfalls zuzulassen.

Die Begründung sieht demgegenüber einen engeren Anwendungsbereich vor. Dann wäre es aber zumindest sinnvoll, dies im Verordnungstext klarzustellen, damit niemand im Sinne der vorangegangenen Absätze „auf die falsche Fährte“ geführt wird.



response Noted

comment

510

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.915**

Subject:

Training for additional rating to CPL/ATPL holders

Content of comment:

FOCA supports the proposed amendment.

Nevertheless FOCA proposes to add the reference to training to additional ratings (night rating, aerobatic rating, mountain rating, towing ratings).

As a matter of fact it should be also possible for instance for a PPL holder to instruct a CPL or ATPL holder for issuance of an additional rating.

Proposal

FCL.915 General prerequisites and requirements for instructors

[...]

(b) Additional requirements for instructors providing flight instruction in aircraft. An applicant for or the holder of an instructor certificate with privileges to conduct flight instruction in an aircraft shall unless otherwise specified:

(1) for licence training, hold at least the licence and, where relevant, the rating for which flight instruction is to be given;

*(2) for class or type rating **and additional ratings** training, hold the relevant rating for which flight instruction is to be given;*

[...]

response Noted

comment

618

comment by: Danish Transport Authority

Comment: It is not clearly stated that you are restricted to the training device used for the assessment of competence, i.e. if you take the IRI AoC on an FNPT II, you're allowed to conduct training in the aircraft the next day provided you have a valid rating.

Proposal: If the instructor AoC is conducted in an FSTD the instructor certificate shall be restricted to FSTD only. The restriction shall be lifted when the instructor has passed the AoC in an aircraft.

response Noted

comment

625

comment by: European Cockpit Association

Commented text:



	<p>FCL.935 <i>(a) an applicant for an instructor certificate shall pass an assessment of competence in the appropriate aircraft category class, type or FSTD to demonstrate...</i></p> <p>ECA's Comment: We fully support this clarification.</p>
response	Noted
comment	<p>665 comment by: UK CAA</p> <p>Page No: 73</p> <p>Paragraph No: FCL.810(a)(1) and (b)(2)</p> <p>Comment: It is appreciated that the Agency has tried to draft the requirements in a consistent way and proposes to align paragraph (a)(1) with (b)(2). However, it is considered that the requirement to complete the course within 6 months may be unduly onerous for both aeroplanes and helicopters.</p> <p>Most night training is conducted in the evenings of the winter months - when nightfall occurs early in the evening. Unfortunately this is also the season when poor weather is common. It is often the case that a student will begin night training in the winter, but due to poor weather will fail to complete it before Spring/Summer arrives. Schools generally do not offer night training when the days are long, so further training may not be available until more than 6 months have elapsed. It is accepted that a reasonable period must be specified - to prevent the training being spread over several years - because there is no skill test. It is suggested that 12 months could be permitted.</p> <p>Justification: It is most likely that this training will take place in the late Autumn, Winter and early Spring periods. The weather in Europe at this time of year is more changeable and less likely to permit visual flight training.</p> <p>Therefore, if a student commences his night rating during the Winter at the end of the year but does not complete the course, when the next opportunity arises to conduct further training, it could almost be a full year further on. In this event the student will most likely need to go back over those exercises already completed, but they should not have to re-take the complete course.</p> <p>Proposed Text: Amend the duration to 12 months for sub-paragraphs (a)(1) and (b)(2).</p> <p>"... completed a training course at an ATO. The course shall be completed within a period of 12 months and shall comprise:"</p>
response	Noted
comment	<p>667 comment by: UK CAA</p> <p>Page No: 78</p>

	<p>Paragraph No: FCL.900(c)</p> <p>Comment: Some alternative wording is suggested to improve the flow of the sentence.</p> <p>Justification: Clarity – editorial.</p> <p>Proposed Text: Amend to read:</p> <p>“(1) Notwithstanding paragraph (a), in the case of instruction provided outside of the territory of the Member States, the competent authority of the Member State may issue an instructor certificate to an applicant holding a pilot licence, which shall be at least a CPL in the relevant aircraft category, issued by a third country in accordance with ICAO Annex 1 to the Chicago Convention, which includes the privilege to instruct for the equivalent licence, rating or certificate, provided that the applicant:”</p>
response	Noted
comment	<p>668 comment by: UK CAA</p> <p>Page No: 79</p> <p>Paragraph No: FCL 915 (b)(1) and (b)(2)</p> <p>Comment: It is recommended that the requirement to hold a ‘relevant rating’ should not be deleted.</p> <p>Justification: The deletion of relevant rating and addition of (b)(2) that specifies class or type rating would exclude the requirement to hold other ratings that instruction is to be given for - such as the IR, EIR, Mountain Rating, Aerobatic Rating etc.</p> <p>Proposed Text: Amend sub-paragraphs (b)(1) and (b)(2) to read:</p> <p>“(1) for licence training, hold at least the licence for which flight instruction is to be given and the class or type rating for the aircraft in which the instruction is to be given;”</p> <p>“(2) for training for any rating or certificate, hold the rating or certificate for which flight instruction is to be given.”</p>
response	Noted
comment	<p>717 comment by: Rogerio Pinheiro</p> <p>CL.915 – General prerequisites and requirements for instructors - Also here there is a relieve of some unnecessary burden on general aviation pilots and in the same way a harmonized application in all Member States, so APTTA agrees with this amendment.</p>
response	Noted

comment	718	comment by: <i>Rogério Pinheiro</i>
	FCL.915.FI - Prerequisites - APTTA believes that this new wording is appropriate and aimed a harmonized implementation.	
response	Noted	
comment	719	comment by: <i>Rogério Pinheiro</i>
	FCL.935.TRI – Assessment of competence with wich APTTA agrees and considers urgent.	
response	Noted	
comment	744	comment by: <i>Light Aircraft Association</i>
	The LAA fully support amendment of FCL.915(b) which provides improved clarity on instructor privileges. However, FCL.915(b)(2) should also include provision for the training of other additional ratings which may also be included in a Part-FCL licence such as the aerobatic rating.	
response	Noted	
comment	765	comment by: <i>Finnish Transport Safety Agency</i>
	FCL.915 (c)	
	Finland proposes to add general crediting for instructors providing training according to Regulation 965/2012.	
	Regulation 965/2012 requires the instructor to hold a Part-FCL certificate for certain operations, therefore it is reasonable that the experience gained may be used for the purpose of revalidation or renewal of the said certificate.	
	Proposed text: FCL.915 -- (c) Credit towards further ratings and for the purpose of revalidation or renewal --	
	(3) When the instruction is performed within an approved organisation holding an AOC issued in accordance with Part-ORO and the instructor certificate issued according to Part-FCL is required, the instruction provided may be credited towards the revalidation and renewal requirements of instructor certificate in concern.	
response	Noted	
comment	796	comment by: <i>Deutscher Aero Club (DAeC)</i>
	FCL.915 General prerequisites and requirements for instructors page 79/253 (b)(1)	

Para 2.4.12 correctly asserts that PPL holders must be allowed to train holders of a CPL or ATPL for class or type ratings they are qualified for.

The NPA's proposed change to FCL.915 is good for aero plane class or type ratings, but omits training for the towing rating: holders of a PPL must be allowed to train holders of a CPL or ATPL for the towing rating, if they have that qualification.

Similarly, holders of a LAPL(S) must be allowed to train holders of an SPL for aerobatic or towing ratings, if they have the qualification.

Notes:

1. Unlike FI(A), for which at least a PPL(A) is a prerequisite, the FI(S) certificate can be held by either SPL or LAPL(S).
2. SPL & LAPL(S) are identical from the perspective of training requirements, experience and test standards.

Even more important, holders of LAPL(S) with FI(S) certificate, must be able to conduct the recency flying required by FCL.140.S for both SPL and LAPL(S) holders.

Our question: Why have glider/sailplane pilots been omitted from the proposed solution?

We propose to change (b) to

(1) hold an equivalent licence, rating or certificate to the one for which flight training is to be given;

(2) The holder of a LAPL(S) with FI(S) Certificate may provide flight instruction required by an SPL holder to comply with FCL.230.S.

Rationale:

Our formula covers more elements. It also makes it possible that an FI being a PPL holder may provide training to a CPL holder or to an ATPL holder for the issue of an additional rating.

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 2: SPECIFIC REQUIREMENTS FOR THE FLIGHT INSTRUCTOR — FI p. 81-85

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017— stemming from this CRD.

comment 48

comment by: IAOPA (EUROPE)

Observation	Proposed new text
IAOPA (Europe) considers that it will become increasingly difficult for FIs to meet the anticipated industry demand for the	(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



<p>conduct of flight instruction for the EIR or IR unless point (1) of paragraph (g) is amended.</p> <p>The UK has, for this purpose, considerable operational experience of providing greater credit for instrument flight time experience than for flight time under IFR.</p> <p>Therefore an amendment incorporating the UK's previous policy under JAR-FCL is proposed as indicated.</p>	<p>I. For this purpose, 1 hour of instrument flight time may be counted as 4 hours of flight time under IFR;</p>
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response Noted

comment 50 comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>Point (2)(i) to paragraph (b) is ambiguous in that it does not state whether or not the applicant shall be required to pass the CPL theoretical knowledge examinations in order to meet the stated requirement, or whether an alternative demonstration of having achieved such knowledge is permitted.</p> <p>IAOPA (Europe) recommends that this point should be amended to indicate clearly whether a pass in the CPL theoretical knowledge examinations is a mandatory requirement.</p>	<p>n/a</p>

response Noted

comment 52 comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>At the June 2014 EASA TAG/SSCC/FCL meeting, at action item #33 it was agreed that FI refresher seminars outside an ATO should be allowed, provided that organisations providing such training should be approved by the competent authority.</p> <p>IAOPA (Europe) therefore recommends that point (2) to paragraph (a) is amended as indicated.</p>	<p>(2) receive instructor refresher training as an FI at an ATO or an organisation approved by a competent authority, within the validity period of the FI certificate;</p>

response Noted

comment 53

comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>At the June 2014 EASA TAG/SSCC/FCL meeting, at action item #33 it was agreed that FI refresher seminars outside an ATO should be allowed, provided that organisations providing such training should be approved by the competent authority.</p> <p>IAOPA (Europe) therefore recommends that point (1) to paragraph (c) is amended as indicated.</p>	<p>(1) If the FI certificate has lapsed for less than 3 years, the applicant shall, within a period of 12 months before renewal, receive instructor refresher training as an FI at an ATO or an organisation approved by a competent authority as required in (a)(2) above and pass an assessment of competence in accordance with FCL.935.</p>

response Not accepted

The rulemaking group has discussed this insertion and came to the conclusion that a competent authority may at any time contract such an activity to a qualified entity (ARA.GEN.305) and that therefore the proposed change is not necessary.

comment 101

comment by: René Meier, Europe Air Sports

FCL.905.FI FI-Privileges and conditions
page 81/253
(f)

We propose a new wording:

(f) "a towing or aerobatic rating, provided that such privileges are held an the FI has demonstrated the ability to instruct for that rating to an FI qualified in accordance with (i) below. An FI(S) may conduct flight instruction for the towing rating on aeroplanes and TMG, provided the relevant towing rating is held. An FI(S) may also conduct flight instruction for a cloud flying rating, provided the cloud flying rating is held."

Rationale:

We think the aerobatic part and the cloud flying with sailplanes part need no further explanation.

As regards sailplanes towing, a cooperative venture by the pilots at both ends of the tow

rope, there are far more considerations specific to the sailplane than specific to the towing aircraft.

Above all, these considerations faced by the sailplane pilot must be understood by an instructor conducting training for the towing rating.

Only a very few pilots can devote the time and money to becoming qualified as both FI(A) and FI(S) so, in limiting aeroplane towing training FI(A), the regulation bars FI(S), the very experts best trained to conduct this training. Major European gliding Member States have a long and successful history of sailplane instructors instructing aeroplane pilots to tow. Safety will be reduced if regulation makes this impossible.

response Noted

comment 116 comment by: René Meier, Europe Air Sports

FCL.915.FI FI-Prerequisites
p 83/253
(e)

Please replace "...100 hours of flight time and 200 launches as PiC on sailplanes..." by "...100 hours of flight time or 200 launches as PiC on sailplanes..."

Rationale:

Where aircraft towing is the only available launching method the proposed solution is prohibitively expensive for the young pilots we wish to engage in towing operations. Our proposal is adequate, delivers suitable pilots in a shorter while maintaining the high level of safety asked for.

response Noted

This part of the Regulation was amended with Regulation (EU) No 245/2014 and there will be a separate RMT for sailplanes.

comment 123 comment by: René Meier, Europe Air Sports

FCL.905.FI FI -Privileges and conditions
p 81/253
(f)

We consider that FCL.905.FI could add FI privileges to the instruction towards an aerobatic rating.

Therefore EAS proposes to amend FCL.905.FI (f) as follows:

(i) a towing, or in the case of an FI(S), a cloud flying rating, provided that such privileges are held and the FI has demonstrated the ability to instruct for that rating to an FI qualified in accordance with point (i) below;

(ii) an aerobatic rating provided that the FI:

(1) holds an aerobatic rating in accordance with FCL.800,



(2) has completed at least 30 hours of aerobatic flight time in the case of aeroplane or 60 launches for aerobatic purposes in the case of sailplane,
 (3) has passed, within last six months before applying for the aerobatic rating, additional instructor training in accordance with FCL.905.FI (f) (iv), a pre-entry flight test with an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f) to assess their experience and ability to undertake the course.
 Before applying for the pre-entry flight or in the case of failure to of the pre-entry flight, additional training may be required to reach required competencies. This additional training shall be provided by an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with point FCL.905.FI (f),
 (4) has completed as a student pilot an additional instructor training course including one flight of instruction under the supervision of a FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f). This flight instruction under supervision shall include the verification of the applicant’s competencies as described in FCL.920.

Rationale:
 We think that for aerobatics instructors the requirements need to be increased to maintain a high safety level for this kind of activities. This comment is in line with what is proposed for CRI extension to aerobatic rating [see other comment on FCL.905.CRI (a) (2)].

response Noted
 The proposed change was already addressed through Regulation (EU) No 245/2014.

comment 124 comment by: René Meier, Europe Air Sports

FCL.905.FI FI-Privileges and conditions
 p 81/253
 (g)

The wording proposed for FCL.905.FI could be understood as an FI holding an EIR may comply with (g) and then instruct towards the EIR without holding a full IR.

We propose to change the wording in:

(g) an EIR or IR in the appropriate aircraft category, provided that the FI:
 (1) holds an IR;
 (2) has 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;
 (3) has completed as a student pilot the IRI training course and has passed an assessment of competence for the IRI certificate;
 [...]

Rationale:
 We think this is an issue and that the wording should be amended to ensure that an FI who wants to instruct towards En-route instrument ratings (EIR) has to hold a full Instrument rating (IR). (not only an EIR rating).

response NotedNot accepted

EASA considers the text clear.

comment	125	comment by: <i>René Meier, Europe Air Sports</i>
	<p>FI905.FI FI-Privileges and conditions p82/253 (i)(2)</p> <p>We propose to slightly change the end of the last sentence: "...for the FI, IRI, CRI, STI or MI certificate..."</p> <p>Rationale: Our formula is more complete.</p>	
response	Noted	

comment	126	comment by: <i>René Meier, Europe Air Sports</i>
	<p>FCL.940.FI FI-Revalidation and renewal p 85/253 (a)(1)(i)</p> <p>We think the current wording for FCL.940.FI (a) (1) (i) should be reviewed in order to properly take into account the amendment introduced by regulation (EU) No 245/2014 and in particular the introduction of EIR rating. Therefore EAS suggests slightly amending FCL.940.FI to avoid any issue in the near future.</p> <p>Please insert: "If the privileges to instruct for the IR or EIR are to be revalidated, 10 of the 50 hours shall be flight instruction for an IR or EIR as applicable and shall have been completed within the last 12 months preceding the expiry date of the FI certificate."</p> <p>Rationale: As a matter of fact FCL.940.FI (a) (1) (i) does not cover the revalidation of the privileges to instruct for EIR but only the privileges to instruct for IR. The text should be amended in order to define also an experience requirement for FI aiming at revalidating only their privileges to instruct for EIR or both IR and EIR instruction privileges.</p>	
response	Noted	

comment	127	comment by: <i>René Meier, Europe Air Sports</i>
	<p>FCL.905.TRI TRI Privileges and conditions p 86/253 (b)(i) and (ii)</p> <p>We support the amendment proposed that offers a more pragmatic approach for the industry.</p> <p>1) We support the introduction of the 50 hours of instructional experience. In order to deal</p>	



with all the situations we propose to keep the prerequisite to have 3 years of experience as TRI or SFI as an alternative solution to the 50 hour of instructional experience. As a matter of fact for corporate aviation (SP HPA complex) it may be difficult to find TRI for single pilot aeroplanes who will meet the 50 hour condition. Item (b) (i) needs to be slightly amended accordingly.

2) In order to precise that the notion of “instructional experience” could be covered by instruction provided under Part ORO regulation (EU) No 965/2012, we propose to slightly amend (b) (i).

3) In addition, the wording of (b) (ii) could be interpreted as the whole TRI syllabus has to be covered. We propose a slight modification of the wording of (b) (ii) in order to clarify this issue.

These are our modified texts:

(b)

(i) the holder has at least 3 years or 50 hours of instructional experience as a TRI or SFI, instructional experience gained under Regulation (EU) No 965/2012 Part-ORO in the same category of aircraft may be credited;

and

(ii) has conducted the flight instruction syllabus of the relevant part of TRI training course according to FCL.930.TRI (a) (3) under the supervision and to the satisfaction of a qualified TRI nominated for this purpose by the HT of an ATO.

Rationale:

The provisions are more stringently worded to avoid misinterpretations.

response Noted

comment 187 comment by: *The Norwegian Air Sports Federation*
NLF supports the proposed changes to FCL.930.FI (new sub-paragraph c).

response Noted

comment 194 comment by: *DGAC France*

Subject:

Prerequisites for FI extension to flight instruction in MPO (FCL.905.FI (b))

Content of comment:

For coherence with FCL.905.CRI (d) introducing additional requirements before providing instruction in MPO France proposes to also amend FCL.905.FI (b). France considers that something is missing in the current proposal in section 2 addressing the FI.

As a matter of fact FI(A) like CRI may instruct on class and type ratings for single pilot aeroplanes except HPA complex aeroplanes. As a consequence some provisions have also to be defined for FI(A) privileges extension to instruction in MPO on those aeroplanes.

Moreover it should be noted that FI that will instruct in MPO will have candidates that are already holding an MCC certificate. In other words the FI will not instruct for an initial MCC.



The candidates will already have notion of multi crew coordination. This point is justifying the fact that France is proposing more balanced requirements than the one proposed in the NPA for the CRI.

France proposes to amendment FCL.905.FI (b) by requiring the FI(A) to:

- has at least 500 hours as a pilot in multi-pilot operations on aeroplanes, and
- undergo the MCCI(A) training course.

Such proposal will improve FI competencies for instruction in MPO and in the same time define sensible and balanced conditions.

This proposal is in line with France other comment on FCL.905.CRI (d).

Proposed amendment:

FCL.905.FI

[...]

(b)

[...]

The privileges of the FI(A) may be extended to flight instruction for the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes, except for single-pilot high-performance complex aeroplanes in multi-pilot operations, provided that the FI:

(1)

(i) has at least 500 hours as a pilot in multi-pilot operations on aeroplanes, and

(ii) has completed the training course for MCCI in accordance with FCL.930.MCCI.

or

(2) holds or has held a TRI certificate for a multi-pilot aeroplanes

response Noted

comment 195

comment by: DGAC France

Subject:

Prerequisites for FI extension to aerobatic rating instruction (FCL.905.FI (f))

Content of comment:

France considers that FCL.905.FI could be improved for extending FI privileges to the instruction to aerobatic rating.

France considers that for aerobatic instructors the requirements need to be reinforced to ensure a high safety level for this kind of activities.

Therefore France proposes to amend FCL.905.FI (f).

This comment is in line with what is proposed for CRI extension to aerobatic rating (see other comment on FCL.905.CRI (a) (2))

Proposed amendment:

FCL.905.FI

(f)

[...]

(i) a towing, aerobatic or in the case of an FI(S), a cloud flying rating, provided that such privileges are held and the FI has demonstrated the ability to instruct for that rating to an FI qualified in accordance with point (i) below;



(ii) an aerobatic rating provided that the FI:
(1) holds an aerobatic rating in accordance with FCL.800,
(2) has completed at least 30 hours of aerobatic flight time in the case of aeroplane or 60 launches for aerobatic purposes in the case of sailplane,
(3) has passed, within last six months before applying for the aerobatic additional instructor training in accordance with FCL.905.FI (f) (ii) (4), a pre-entry flight test with an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f) (ii) to assess their experience and ability to undertake the course.
Before applying for the pre-entry flight or in the case of failure to of the pre-entry flight, additional training may be required to reach required competencies. This additional training shall be provided by an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with point FCL.905.FI (f) (ii),
(4) has completed as a student pilot an additional instructor training course including one flight of instruction under the supervision of a FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f) (ii). This flight instruction under supervision shall include the verification of the applicant's competencies as described in FCL.920.

response Noted

comment 196

comment by: DGAC France

Subject:

Prerequisites for FI extension to IR and EIR instruction (FCL.905.FI (g))

Content of comment:

France considers that current wording for FCL.905.FI could be understood as a FI holding an EIR may comply with (g) and then instruct to EIR without holding a full IR.

France thinks that this is an issue and that the wording should be amended to ensure that an FI who wants to instruct to EIR has to hold a full IR (and not only an EIR rating).

Therefore France proposes to add a point (g) (1) in FCL.905.FI.

Proposed amendment:

FCL.905.FI

[...]

(g) an EIR or IR in the appropriate aircraft category, provided that the FI ~~has~~:

(1) holds an IR; and

(2) has 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; **and**

(3) has completed as a student pilot the IRI training course and has passed an assessment of competence for the IRI certificate; and

[...]

response Noted

comment 197

comment by: DGAC France

Subject:



Prerequisites for FI extension to instructor certificate instruction (FCL.905.FI (i))**Content of comment:**

France considers that current wording for FCL.940.FI (a) (1) (i) should be reviewed to clearly indicate that an assessment of competence is also needed when the FI want to gain the ability to instruct for IRI, CRI, STI and MI.

Therefore France proposes to slightly amend (i) (2) in FCL.905.FI.

Proposed amendment:***FCL.905.FI***

[...]

(i)

(1) [...]

(2) *passed an assessment of competence in accordance with FCL.935 in the appropriate aircraft category to demonstrate to a Flight Instructor Examiner (FIE) the ability to instruct for the FI, **IRI, CRI, STI or MI** certificate*

response Noted

comment 198

comment by: DGAC France

Subject:

Revalidation for FI and IRI certificates including privileges to instruct to IR and EIR (FCL.940.FI (a) (1) (i))

Content of comment:

France considers that current wording for FCL.940.FI (a) (1) (i) should be reviewed in order to properly take into account amendment introduced by regulation (EU) n°245/2014 and in particular the introduction of EIR rating.

As a matter of fact FCL.940.FI (a) (1) (i) does not cover the revalidation of the privileges to instruct for EIR but only the privileges to instruct for IR.

As a consequence if the text is not amended the FI providing instruction only to EIR will always be required for revalidation to comply with FCL.940.FI (a) (1) (ii) and (iii) (instructor refresher training and assessment of competence). In other words instructors providing instruction only to EIR will not be in a position to revalidate using the experience conditions FCL.940.FI (a) (1) (i).

response Noted

comment 199

comment by: DGAC France

Subject:

Refresher training for FI certificate renewal (FCL.940.FI (c) and AMC1 FCL.940.FI)

Content of comment:

FCL.940.FI (c) distinguishes the case of a FI renewal when the certificate has lapsed for less or more than 3 years.

In the case of a renewal of less than 3 years the proposed amendment consists in requiring the same instructor refresher training than the one for revalidation conducted by an ATO or



a competent Authority (cf. FCL.940.FI (a) (2)) and an assessment of competence (FCL.935). In the case of a renewal of more than 3 years the proposed amendment consists in requiring instructor refresher training at an ATO (providing FI/IRI courses) and to pass an assessment of competence (FCL.935).

France considers that it is not relevant to distinguish a renewal of more or less than 3 years. With the NPA proposal it will be possible to renew a FI certificate after 6 years by having only received a theoretical refresher training (refresher training for revalidation described in AMC1 FCL.940.FI (a)) and having passed an assessment of competence (FCL.935).

France considers that for all renewals (less and more than 3 years) the refresher training program shall be always determined by an ATO (providing FI/IRI courses) on a case by case basis. This program may include some practical training according to the needs of the candidate and should not be automatically limited to pure theoretical training when the certificate has lapsed for less than 3 years.

France suggests keeping current wording of the regulation (FCL.940.FI (c)) and adding the precision that refresher training for renewal has to be conducted at an ATO only.

Accordingly the wording of AMC1 FCL.940.FI §(b) should be slightly amended to delete the reference to the 3 years. Therefore this §(b) will be always applicable for a renewal (for less or more than 3 years).

Proposed amendment:

FCL.940.FI

[...]

(c) Renewal.

If the FI certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

(1) attend an instructor refresher seminar at an ATO;

(2) pass an assessment of competence in accordance with FCL.935.

AMC1 FCL.940.FI - IRI

[...]

(b) If the instructor rating has lapsed ~~for more than 3 years when assessing~~ the refresher training programme, the ATO should consider all the above and the following items:

[...]

response Noted

comment

265

comment by: Irish Aviation Authority

The following wording is proposed:

FCL.905.FI FI — Privileges and conditions

The privileges of an FI are to conduct flight instruction for the issue, revalidation or renewal of:

(a) a PPL, SPL, BPL and LAPL in the appropriate aircraft category;

(b) class and type ratings for single-pilot, single-engine aircraft, except for single-pilot high



performance complex aeroplanes; class and group extensions for balloons and class extensions for sailplanes;

(1) The privileges of the FI(A) may be extended to flight instruction for single-pilot high performance non-complex aeroplane type ratings in multi-pilot operations, provided that the FI(A):

(i) holds an MCCI certificate; or

(ii) holds or has held a TRI or SFI certificate for multi-pilot aeroplanes;

(c) type ratings for single or multi-pilot airship, provided that for multi-pilot airship the FI(As):

(1) holds an MCCI certificate; or

(2) holds or has held a TRI or SFI certificate for multi-pilot aeroplanes;

(d) a CPL in the appropriate aircraft category, provided that the FI has completed at least 500 hours of flight time as a pilot on that aircraft category, including at least 200 hours of flight instruction;

(e) the night rating, provided that the FI:

(1) is qualified to fly at night in the appropriate aircraft category;

(2) has demonstrated the ability to instruct at night to an FI qualified in accordance with point (ij) below; and

(3) complies with the night experience requirement of FCL.060(b)(2);

(f) a towing, aerobatic or, in the case of an FI(S), a cloud flying rating, provided that such privileges are held and the FI has demonstrated the ability to instruct for that rating to an FI qualified in accordance with point (ij) below;

(g) An aerobatic rating provided that the FI:

(1) holds an aerobatic rating in accordance with FCL.800;

(2) has completed at least 30 hours of aerobatic flight time in the case of aeroplane or 60 launches for aerobatic purposes in the case of sailplane;

(3) has passed, within last six months before applying for the additional aerobatic instructor training in accordance with point (4) below, a pre-entry flight evaluation with an FI holding an aerobatic rating in accordance with FCL.800 and qualified in accordance with this paragraph (g), to assess their experience and ability to undertake the course.

(=> Additional AMC 1 to define the content of pre-entry flight evaluation)

(4) has completed as a student pilot an additional instructor training course including one flight of instruction under the supervision of a FI holding an aerobatic rating in accordance

with FCL.800 and qualified in accordance with this paragraph (g). This flight instruction under supervision shall include the verification of the applicant's competencies as described in FCL.920.

(=> Additional AMC 2 to define the content of the instructor training course)

(gh) an EIR or an IR in the appropriate aircraft category, provided that the FI has:

(1) for EIR and for IR, holds an IR in the appropriate aircraft category and has at least 200 hours under IFR, of which up to 50 hours may be instrument ground time in an FFS, an FTD 2/3 or FNPT II;

(2) has completed as a student pilot the IRI training course and has passed an assessment of competence for the IRI certificate in accordance with FCL.935; and

(3) in addition:

(i) for multi-engine aeroplanes, has met the requirements of FCL.905.FI (i) (1) for a CRI for multi-engine aeroplanes;

(ii) for multi-engine helicopters, has met the requirements of FCL.905.FI (i) (2) for the issue of a TRI certificate;

(hi) single-pilot multi-engine class or type ratings, except for single-pilot high performance complex aeroplanes, provided that the FI meets:

(1) ~~in the case of~~ for aeroplanes, the prerequisites for the CRI training course established in FCL.915.CRI(a) and the requirements of FCL.930.CRI and FCL.935;

(2) ~~in the case of~~ for helicopters, the requirements established in FCL.910.TRI(b)(2)(ii) and the prerequisites for the TRI(H) training course established in FCL.915.TRI(d)(2);

(ij) an FI, IRI, CRI, STI or MI certificate provided that the FI has:

(1) completed at least:

(i) ~~in the case of~~ for an FI(S) certificate, at least 50 hours or 150 launches of flight instruction on sailplanes;

(ii) ~~in the case of~~ for an FI(B) certificate, at least 50 hours or 50 take-offs of flight instruction on balloons;

(iii) ~~in~~ for all other cases certificates, 500 hours of flight instruction in the appropriate aircraft category which, in the case of instruction for STI may include up to 100 hours in a representative FSTD;

(2) passed an assessment of competence in accordance with FCL.935 in the appropriate aircraft category to demonstrate to a Flight Instructor Examiner (FIE) qualified in accordance with Subpart K the ability to instruct for the FI, IRI, CRI, STI or MI certificate;



(j) an MPL, provided that the FI:

(1) for the core flying phase of the training, has completed at least 500 hours of flight time as a pilot on aeroplanes, including at least 200 hours of flight instruction;

(2) for the basic phase of the training:

(i) holds a multi-engine aeroplane IR and the privilege to instruct for an IR; and

(ii) has at least 1 500 hours of flight time in multi-crew operations;

(3) ~~in the case of an FI~~ if already qualified to instruct on ATP(L)(A) or CPL(A)/IR integrated courses, **may replace** the requirement of (2)(ii) ~~may be replaced by~~ **with** the completion of a structured course of training consisting of:

(i) MCC qualification;

(ii) observing 5 sessions of flight instruction in Phase 3 of an MPL course;

(iii) observing 5 sessions of flight instruction in Phase 4 of an MPL course;

(iv) observing 5 operator recurrent line oriented flight training sessions;

(v) the content of the MCCI instructor course; **and**

~~In this case, the FI shall conduct its first 5~~ **of these** instructor sessions **shall be conducted** under the supervision of a TRI(A), MCCI(A) or SFI(A) qualified for MPL flight instruction.

response

Noted

comment

266

comment by: *Irish Aviation Authority*

The following wording is proposed to aid clarity:

FCL.910.FI FI — Restricted privileges

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

(1) ~~for~~ the issue of the PPL, SPL, BPL and LAPL;

(2) in all integrated courses at PPL level, ~~in case of~~ aeroplanes and helicopters;

(3) ~~for~~ class and type ratings for single-pilot, single-engine aircraft, except for single-pilot high performance complex aeroplanes, class and group extensions ~~in the case of~~ **for** balloons and class extensions ~~in the case of~~ **for** sailplanes;



(4) ~~for~~ the night, towing, **mountain** or aerobatic ratings.

(b) While conducting training under supervision, in accordance with (a), the FI shall not have the privilege to authorise student pilots to conduct first solo flights and first solo cross-country flights.

(c) The limitations in (a) and (b) shall be removed from the FI certificate when the FI has completed at least:

(1) for the FI(A), 100 hours of flight instruction in aeroplanes or TMGs and, in addition has supervised at least 25 student solo flights;

(2) for the FI(H) 100 hours of flight instruction in helicopters and, in addition has supervised at least 25 student solo flights ~~air exercises~~;

(3) for the FI(As), FI(S) and FI(B), 15 hours or 50 take-offs of flight instruction covering the full training syllabus for the issue of a PPL(As), SPL or BPL in the appropriate aircraft category.

response Noted

comment

267

comment by: *Irish Aviation Authority*

The following wording is proposed for clarity:

FCL.915.FI FI — Prerequisites

An applicant for an FI certificate shall:

(a) **have passed a specific pre-entry flight test with an FI qualified in accordance with FCL.905.FI(j) within the 6 months preceding the start of the course, to assess their ability to undertake the course. This pre-entry flight test shall be based on the proficiency check for class and type ratings as set out in Appendix 9 to this Part;**

~~(a)~~ ~~in the case of~~ **for** the FI(A) and FI(H):

(1) have received at least 10 hours of instrument flight instruction on the appropriate aircraft category, of which not more than 5 hours may be instrument ground time in an FSTD;

(2) have completed 20 hours of VFR cross-country flight on the appropriate aircraft category as PIC; and

~~(b)~~ additionally, for the FI(A):

(1) hold at least a CPL(A); or

(2) hold at least a PPL(A) and have:

(i) ~~met the requirements for~~ **passed the** CPL theoretical knowledge **exam**, except for an FI(A)



providing training for the LAPL(A) only; and

(ii) completed at least 200 hours of flight time on aeroplanes or TMGs, of which **at least 150 hours shall be completed** as PIC;

(3) have completed at least 30 hours on single-engine piston powered aeroplanes of which at least 5 hours shall have been completed during the 6 months preceding the pre-entry flight test set out in ~~FCL.930.FI(a)~~ **above**;

(4) have completed a VFR cross-country flight as PIC, including a flight of at least 540 km (300 NM) in the course of which full stop landings at 2 different aerodromes shall be made;

(ed) additionally, for the FI(H), have completed 250 hours total flight time as pilot on helicopters of which:

(1) at least 100 hours shall be as PIC, if the applicant holds at least a CPL(H); or

(2) at least 200 hours as PIC, if the applicant holds at least a PPL(H) and has met the requirements for CPL theoretical knowledge;

(ee) for an FI(As), have completed 500 hours of flight time on airships as PIC, of which 400 hours shall be as PIC holding a CPL(As);

(ef) for an FI(S), have completed 100 hours of flight time and 200 launches as PIC on sailplanes. Additionally, where the applicant wishes to give flight instruction on TMGs, he/she shall have completed 30 hours of flight time as PIC on TMGs and an additional assessment of competence on a TMG in accordance with FCL.935 with an **FIE** qualified in accordance with **subpart K of this Part** ~~FCL.905.FI(i)~~;

(fg) for an FI(B), have completed 75 hours of balloon flight time as PIC, of which at least 15 hours ~~have to~~ **shall** be in the class for which flight instruction ~~will~~ **is to** be given.

response Noted

comment 268

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.930.FI FI — Training course

~~(a) Applicants for the FI certificate shall have passed a specific pre-entry flight test with an FI qualified in accordance with FCL.905.FI(i) within the 6 months preceding the start of the course, to assess their ability to undertake the course. This pre-entry flight test shall be based on the proficiency check for class and type ratings as set out in Appendix 9 to this Part. (This paragraph should be in pre-requisites. See FCL.915.FI above)~~

(ba) The FI training course shall include:

(1) 25 hours of teaching and learning;



(2) theoretical knowledge instruction:

(i) ~~in the case of an~~ **for** FI(A), (H) and (As), at least 100 hours ~~of theoretical knowledge instruction~~, including progress tests;

(ii) ~~in the case of an~~ **for** FI(B) or FI(S), at least 30 hours ~~of theoretical knowledge instruction~~, including progress tests;

(3) flight instruction:

(i) ~~in the case of an~~ **for** FI(A) and (H), at least 30 hours ~~of flight instruction~~, of which 25 hours shall be dual flight instruction, of which 5 hours may be conducted in an FFS, an FNPT I or II or an FTD 2/3;

(ii) ~~in the case of an~~ **for** FI(As), at least 20 hours ~~of flight instruction~~, of which 15 hours shall be dual flight instruction;

(iii) ~~in the case of an~~ **for** FI(S), at least 6 hours or 20 take-offs ~~of flight instruction~~;

(iv) ~~in the case of an~~ **for** FI(S) providing training on TMGs, at least 6 hours of dual flight instruction on TMGs;

(v) ~~in the case of an~~ **for** FI(B), at least 3 hours ~~of flight instruction~~, including 3 take-offs.

(b) Crediting:

(1) When applying for an FI certificate in another category of aircraft, pilots holding or having held an FI(A), (H) or (As) shall be credited with 55 hours towards the requirement in point ~~(b)~~(2)(i) or with 18 hours towards the requirements in point ~~(b)~~(2)(ii).

response Noted

comment 269

comment by: *Irish Aviation Authority*

FCL.940.FI FI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)

(a) *Revalidation*. For revalidation of an FI certificate, the holder shall fulfil 2 of the following 3 requirements:

(1) complete:

(i) ~~in the case of an~~ **for** FI(A) and (H), at least 50 hours of flight instruction in the appropriate aircraft category during the period of validity of the certificate as ~~FI, TRI, CRI, IRI, MI or examiner~~. If the privileges to instruct for the **EIR or IR** ~~are~~ **is** to be revalidated, 10 of these hours shall be flight instruction for an **EIR or IR as applicable**, and shall have been completed within the last 12 months preceding the expiry date of the FI certificate;

(ii) ~~in the case of an~~ **for** FI(As), at least 20 hours of flight instruction in airships as FI, IRI or as examiner during the period of validity of the certificate. If the privileges to instruct for the IR



are to be revalidated, 10 of these hours shall be flight instruction for an IR and shall have been completed within the last 12 months preceding the expiry date of the FI certificate;

(iii) ~~in the case of an~~ **for** FI(S), at least 30 hours or 60 take-offs of flight instruction in sailplanes, powered sailplanes or TMG as ~~FI~~ **FI** or as examiner during the period of validity of the certificate;

(iv) ~~in the case of an~~ **for** FI(B), at least 6 hours of flight instruction in balloons as ~~FI~~ **FI** or as examiner during the period of validity of the certificate;

(2) attend an instructor refresher seminar **at an ATO, or if not at an ATO as otherwise approved by the Competent Authority**, within the ~~validity period~~ **12 months preceding the expiry date** of the FI certificate;

(3) pass an assessment of competence in accordance with FCL.935, within the 12 months preceding the expiry date of the FI certificate.

(b) ~~For the at least each alternate subsequent revalidation in the case of~~ **for** FI(A) or FI(H), or each third revalidation, ~~in the case of~~ **for** FI(As), (S) and (B), the holder shall, ~~have to~~ **within the 12 months preceding the expiry date of the FI certificate**, pass an assessment of competence in accordance with FCL.935.

(c) ~~Renewal~~ **Renewal**. If the FI certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

(1) attend an instructor refresher **training as FI seminar at an ATO**;

(2) pass an assessment of competence in accordance with FCL.935.

response

Noted

comment

378

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.905.FI FI — Privileges and conditions

The privileges of an FI are to conduct flight instruction for the issue, revalidation or renewal of:

(a) a PPL, SPL, BPL and LAPL in the appropriate aircraft category;

(b) class and type ratings for single-pilot, single-engine aircraft, except for single-pilot high performance complex aeroplanes; class and group extensions for balloons and class extensions for sailplanes;



(1) The privileges of the FI(A) may be extended to flight instruction for single-pilot high performance non-complex aeroplane type ratings in multi-pilot operations, provided that the FI(A):

(i) holds an MCCI certificate; or

(ii) holds or has held a TRI or SFI certificate for multi-pilot aeroplanes;

(c) type ratings for single or multi-pilot airship, provided that for multi-pilot airship the FI(As):

(1) holds an MCCI certificate; or

(2) holds or has held a TRI or SFI certificate for multi-pilot aeroplanes;

(d) a CPL in the appropriate aircraft category, provided that the FI has completed at least 500 hours of flight time as a pilot on that aircraft category, including at least 200 hours of flight instruction;

(e) the night rating, provided that the FI:

(1) is qualified to fly at night in the appropriate aircraft category;

(2) has demonstrated the ability to instruct at night to an FI qualified in accordance with point (i) below; and

(3) complies with the night experience requirement of FCL.060(b)(2);

(f) a towing, ~~aerobatic~~ or, in the case of an FI(S), a cloud flying rating, provided that such privileges are held and the FI has demonstrated the ability to instruct for that rating to an FI qualified in accordance with point (i) below;

(g) An aerobic rating provided that the FI:

(1) holds an aerobic rating in accordance with FCL.800;

(2) has completed at least 30 hours of aerobic flight time in the case of aeroplane or 60 launches for aerobic purposes in the case of sailplane;

(3) has passed, within last six months before applying for the additional aerobic instructor training in accordance with point (4) below, a pre-entry flight evaluation with an FI holding an aerobic rating in accordance with FCL.800 and qualified in accordance with this paragraph (g), to assess their experience and ability to undertake the course.

(=> Additional AMC 1 to define the content of pre-entry flight evaluation)

(4) has completed as a student pilot an additional instructor training course including one flight of instruction under the supervision of a FI holding an aerobic rating in accordance with FCL.800 and qualified in accordance with this paragraph (g). This flight instruction under supervision shall include the verification of the applicant's competencies as described in FCL.920.

(=> Additional AMC 2 to define the content of the instructor training course)

(gh) an EIR or an IR in the appropriate aircraft category, provided that the FI has:

(1) for EIR and for IR, holds an IR in the appropriate aircraft category and has at least 200 hours under IFR, of which up to 50 hours may be instrument ground time in an FFS, an FTD 2/3 or FNPT II;

(2) has completed as a student pilot the IRI training course and has passed an assessment of competence for the IRI certificate in accordance with FCL.935; and

(3) in addition:

(i) for multi-engine aeroplanes, has met the requirements of FCL.905.FI (i) (1) for a CRI for multi-engine aeroplanes;

(ii) for multi-engine helicopters, has met the requirements of FCL.905.FI (i) (2) for the issue of a TRI certificate;

(hi) single-pilot multi-engine class or type ratings, except for single-pilot high performance complex aeroplanes, provided that the FI meets:

(1) in the case of for aeroplanes, the prerequisites for the CRI training course established in FCL.915.CRI(a) and the requirements of FCL.930.CRI and FCL.935;

(2) in the case of for helicopters, the requirements established in FCL.910.TRI (b)(2)(ii) and the prerequisites for the TRI(H) training course established in FCL.915.TRI(d)(2);

(ij) an FI, IRI, CRI, STI or MI certificate provided that the FI has:

(1) completed at least:

(i) in the case of for an FI(S) certificate, at least 50 hours or 150 launches of flight instruction on sailplanes;

(ii) in the case of for an FI(B) certificate, at least 50 hours or 50 take-offs of flight instruction on balloons;

(iii) in for all other cases certificates, 500 hours of flight instruction in the appropriate aircraft category which, in the case of instruction for STI may include up to 100 hours in a representative FSTD;

(2) passed an assessment of competence in accordance with FCL.935 in the appropriate aircraft category to demonstrate to a Flight Instructor Examiner (FIE) qualified in accordance with Subpart K the ability to instruct for the FI, IRI, CRI, STI or MI certificate;

(jk) an MPL, provided that the FI:

(1) for the core flying phase of the training, has completed at least 500 hours of flight time as



a pilot on aeroplanes, including at least 200 hours of flight instruction;

(2) for the basic phase of the training:

(i) holds a multi-engine aeroplane IR and the privilege to instruct for an IR; and

(ii) has at least 1 500 hours of flight time in multi-crew operations;

(3) ~~in the case of an FI if~~ already qualified to instruct on ATP(L)(A) or CPL(A)/IR integrated courses, **may replace** the requirement of (2)(ii) ~~may be replaced by~~ **with** the completion of a structured course of training consisting of:

(i) MCC qualification;

(ii) observing 5 sessions of flight instruction in Phase 3 of an MPL course;

(iii) observing 5 sessions of flight instruction in Phase 4 of an MPL course;

(iv) observing 5 operator recurrent line oriented flight training sessions;

(v) the content of the MCCI instructor course; **and**

~~In this case, the FI shall conduct its first 5~~ **of these** instructor sessions **shall be conducted** under the supervision of a TRI(A), MCCI(A) or SFI(A) qualified for MPL flight instruction.

response Noted

comment

379

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.910.FI FI — Restricted privileges

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

(1) ~~for~~ the issue of the PPL, SPL, BPL and LAPL;

(2) in all integrated courses at PPL level, ~~in case of~~ aeroplanes and helicopters;

(3) ~~for~~ class and type ratings for single-pilot, single-engine aircraft, except for single-pilot high performance complex aeroplanes, class and group extensions ~~in the case of~~ **for** balloons and class extensions ~~in the case of~~ **for** sailplanes;



(4) ~~for~~ the night, towing, **mountain** or aerobatic ratings.

(b) While conducting training under supervision, in accordance with (a), the FI shall not have the privilege to authorise student pilots to conduct first solo flights and first solo cross-country flights.

(c) The limitations in (a) and (b) shall be removed from the FI certificate when the FI has completed at least:

(1) for the FI(A), 100 hours of flight instruction in aeroplanes or TMGs and, in addition has supervised at least 25 student solo flights;

(2) for the FI(H) 100 hours of flight instruction in helicopters and, in addition has supervised at least 25 student solo flights **air exercises**;

(3) for the FI(As), FI(S) and FI(B), 15 hours or 50 take-offs of flight instruction covering the full training syllabus for the issue of a PPL(As), SPL or BPL in the appropriate aircraft category.

response Noted

comment 380

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.915.FI FI — Prerequisites

An applicant for an FI certificate shall:

(a) **have passed a specific pre-entry flight test with an FI qualified in accordance with FCL.905.FI(j) within the 6 months preceding the start of the course, to assess their ability to undertake the course. This pre-entry flight test shall be based on the proficiency check for class and type ratings as set out in Appendix 9 to this Part;**

~~(a)~~ **(b)** in the case of ~~for the~~ FI(A) and FI(H):

(1) have received at least 10 hours of instrument flight instruction on the appropriate aircraft category, of which not more than 5 hours may be instrument ground time in an FSTD;

(2) have completed 20 hours of VFR cross-country flight on the appropriate aircraft category as PIC; and

~~(b)~~ **(c)** additionally, for the FI(A):

(1) hold at least a CPL(A); or

(2) hold at least a PPL(A) and have:



- (i) ~~met the requirements for~~ **passed the** CPL theoretical knowledge **exam**, except for an FI(A) providing training for the LAPL(A) only; and
- (ii) completed at least 200 hours of flight time on aeroplanes or TMGs, of which **at least** 150 hours **shall be completed** as PIC;
- (3) have completed at least 30 hours on single-engine piston powered aeroplanes of which at least 5 hours shall have been completed during the 6 months preceding the pre-entry flight test set out in ~~FCL.930.FI(a)~~ **above**;
- (4) have completed a VFR cross-country flight as PIC, including a flight of at least 540 km (300 NM) in the course of which full stop landings at 2 different aerodromes shall be made;
- (ed)** additionally, for the FI(H), have completed 250 hours total flight time as pilot on helicopters of which:
- (1) at least 100 hours shall be as PIC, if the applicant holds at least a CPL(H); or
- (2) at least 200 hours as PIC, if the applicant holds at least a PPL(H) and has met the requirements for CPL theoretical knowledge;
- (ee)** for an FI(As), have completed 500 hours of flight time on airships as PIC, of which 400 hours shall be as PIC holding a CPL(As);
- (ef)** for an FI(S), have completed 100 hours of flight time and 200 launches as PIC on sailplanes. Additionally, where the applicant wishes to give flight instruction on TMGs, he/she shall have completed 30 hours of flight time as PIC on TMGs and an additional assessment of competence on a TMG in accordance with FCL.935 with an **FIE** qualified in accordance with **subpart K of this Part**~~FCL.905.FI(i)~~;
- (fg)** for an FI(B), have completed 75 hours of balloon flight time as PIC, of which at least 15 hours ~~have to~~ **shall** be in the class for which flight instruction ~~will is to~~ be given.

response Noted

comment 381

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.930.FI FI — Training course

~~(a) Applicants for the FI certificate shall have passed a specific pre-entry flight test with an FI qualified in accordance with FCL.905.FI(i) within the 6 months preceding the start of the course, to assess their ability to undertake the course. This pre-entry flight test shall be based on the proficiency check for class and type ratings as set out in Appendix 9 to this Part.~~
(This paragraph should be in pre-requisites. See FCL.915.FI above)



- (ba) The FI training course shall include:
- (1) 25 hours of teaching and learning;
 - (2) **theoretical knowledge instruction:**
 - (i) ~~in the case of an for~~ FI(A), (H) and (As), at least 100 hours ~~of theoretical knowledge instruction~~, including progress tests;
 - (ii) ~~in the case of an for~~ FI(B) or FI(S), at least 30 hours ~~of theoretical knowledge instruction~~, including progress tests;
 - (3) **flight instruction:**
 - (i) ~~in the case of an for~~ FI(A) and (H), at least 30 hours ~~of flight instruction~~, of which 25 hours shall be dual flight instruction, of which 5 hours may be conducted in an FFS, an FNPT I or II or an FTD 2/3;
 - (ii) ~~in the case of an for~~ FI(As), at least 20 hours ~~of flight instruction~~, of which 15 hours shall be dual flight instruction;
 - (iii) ~~in the case of an for~~ FI(S), at least 6 hours or 20 take-offs ~~of flight instruction~~;
 - (iv) ~~in the case of an for~~ FI(S) providing training on TMGs, at least 6 hours of dual flight instruction on TMGs;
 - (v) ~~in the case of an for~~ FI(B), at least 3 hours ~~of flight instruction~~, including 3 take-offs.
- (b) **Crediting:**
- (1) When applying for an FI certificate in another category of aircraft, pilots holding or having held an FI(A), (H) or (As) shall be credited with 55 hours towards the requirement in point (ba)(2)(i) or with 18 hours towards the requirements in point (ba)(2)(ii).

response Noted

comment 382

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.940.FI FI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)

(a) **Revalidation.** For revalidation of an FI certificate, the holder shall fulfil 2 of the following 3 requirements:

(1) complete:



- (i) ~~in the case of an~~ **for** FI(A) and (H), at least 50 hours of flight instruction in the appropriate aircraft category during the period of validity of the certificate as FI, TRI, CRI, IRI, MI or examiner. If the privileges to instruct for the **EIR or IR** ~~are~~ **is** to be revalidated, 10 of these hours shall be flight instruction for an **EIR or IR** **as applicable**, and shall have been completed within the last 12 months preceding the expiry date of the FI certificate;
- (ii) ~~in the case of an~~ **for** FI(As), at least 20 hours of flight instruction in airships as FI, IRI or as examiner during the period of validity of the certificate. If the privileges to instruct for the IR are to be revalidated, 10 of these hours shall be flight instruction for an IR and shall have been completed within the last 12 months preceding the expiry date of the FI certificate;
- (iii) ~~in the case of an~~ **for** FI(S), at least 30 hours or 60 take-offs of flight instruction in sailplanes, powered sailplanes or TMG as FI or as examiner during the period of validity of the certificate;
- (iv) ~~in the case of an~~ **for** FI(B), at least 6 hours of flight instruction in balloons as FI or as examiner during the period of validity of the certificate;
- (2) attend an instructor refresher seminar **at an ATO, or if not at an ATO as otherwise approved by the Competent Authority**, within the ~~validity period~~ **12 months preceding the expiry date** of the FI certificate;
- (3) pass an assessment of competence in accordance with FCL.935, within the 12 months preceding the expiry date of the FI certificate.
- (b) ~~For the at least each alternate subsequent revalidation in the case of~~ **for** FI(A) or FI(H), or each third revalidation, ~~in the case of~~ **for** FI(As), (S) and (B), the holder shall, ~~have to~~ **within the 12 months preceding the expiry date of the FI certificate**, pass an assessment of competence in accordance with FCL.935.
- (c) ~~Renewal~~ **Renewal**. If the FI certificate has lapsed, the applicant shall, within a period of 12 months before renewal:
- (1) attend an instructor refresher **training as FI seminar at an ATO**;
 - (2) pass an assessment of competence in accordance with FCL.935.

response Noted

comment 432 comment by: *Fédération Française d'Aérostation, ATO task force*

FCL.910.FI FI — Restricted privileges

Suggested amendment:

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

- (1) for the issue of the PPL, SPL, ~~BPL~~ and LAPL (**except the LAPL(B)**);
- (2) in all integrated courses at PPL level, in case of aeroplanes and helicopters;
- (3) for class and type ratings for single-pilot, single-engine aircraft, except for single-pilot high performance complex aeroplanes, ~~class and group extensions in the case of~~

balloons and class extensions in the case of sailplanes;
 (4) for the night, towing or aerobatic ratings.
 (b) While conducting training under supervision, in accordance with (a), the FI shall not have the privilege to authorise student pilots to conduct first solo flights and first solo cross-country flights.
 (c) The limitations in (a) and (b) shall be removed from the FI certificate when the FI has completed at least:
 (1) for the FI(A), 100 hours of flight instruction in aeroplanes or TMGs and, in addition has supervised at least 25 student solo flights;
 (2) for the FI(H) 100 hours of flight instruction in helicopters and, in addition has supervised at least 25 student solo flight air exercises;
 (3) for the FI(As), FI(S) ~~and FI(B)~~, 15 hours or 50 take-offs of flight instruction covering the full training syllabus for the issue of a PPL(As), SPL ~~or BPL~~ in the appropriate aircraft category.

Explanation:

These limitations are impossible for balloon FIs.

Due to the geographical dispersion of FI(B)s (not based on aerodromes or in 'schools' with multiple instructors), executing flight instruction under the supervision of another (more experienced) FI(B) is not actually possible for ballooning. Due to the weather restrictions and the dispersion of FI(B)s, organising a flight with TWO FIs on board would be almost impossible. Effectively, this would stop a newly trained FI(B) entirely from dispersing any training at all. There would be no more new FI(B)s and the sport would simply come to an end as older FIs would stop.

At some point one must have confidence in people who are a) experienced (balloon) pilots, b) have gone to all the trouble to take entry exams, follow an intense training course for FIs a long way from home and take a test flight with a student and an FIE. Once you are an instructor you should be allowed to dispense instruction.

And note that with balloons, the consequences of a faulty or imprecise manoeuvre by a student pilot are far less dramatic than with an airplane. One can not stall a balloon, for instance.

response Noted

comment 434 comment by: *Fédération Française d'Aérostation, ATO task force*

FCL.940.FI FI — Revalidation and renewal

Suggested amendments (text edited for inconsistencies under (c) and separate paragraph for balloons added):

Airplanes, helicopters and sailplanes.

(a) For revalidation of an FI certificate, the holder shall fulfil 2 of the following 3 requirements:

(1) complete:

(i) in the case of an FI(A) and (H), at least 50 hours of flight instruction in the appropriate aircraft category during the period of validity of the certificate as, FI, TRI, CRI, IRI, MI or examiner. If the privileges to instruct for the IR are to be revalidated, 10 of these hours shall be flight instruction for an IR and shall have been completed within the last 12 months preceding the expiry date of the FI certificate;

(ii) in the case of an FI(As), at least 20 hours of flight instruction in airships as FI, IRI



or as examiner during the period of validity of the certificate. If the privileges to instruct for the IR are to be revalidated, 10 of these hours shall be flight instruction for an IR and shall have been completed within the last 12 months preceding the expiry date of the FI certificate;

(iii) in the case of an FI(S), at least 30 hours or 60 take-offs of flight instruction in sailplanes, powered sailplanes or TMG as, FI or as examiner during the period of validity of the certificate;

~~(iv) in the case of an FI(B), at least 6 hours of flight instruction in balloons as, FI or as examiner during the period of validity of the certificate;~~

(2) receive instructor refresher training as an FI at an ATO or a competent authority, within the validity period of the FI certificate.

(3) pass an assessment of competence in accordance with FCL.935, within the 12 months preceding the expiry date of the FI certificate.

(b) For the at least each alternate subsequent revalidation in the case of FI(A) or FI(H), or each third revalidation, in the case of FI(As), (S) ~~and (B)~~, the holder shall have to pass an assessment of competence in accordance with FCL.935.

(c) Renewal.

(1) If the FI certificate has lapsed for less than 3 years, the applicant shall, within a period of 12 months before renewal:

(i) receive instructor refresher training as an FI at an ATO or a competent authority as required in (a)(2) above; **OR**

(ii) pass an assessment of competence in accordance with FCL.935.

(2) If the FI certificate has lapsed for more than 3 years, the applicant shall, within a period of 12 months before renewal, receive instructor refresher training as an FI in an ATO or a competent authority as required in (a)(2) **AND** pass an assessment of competence in accordance with FCL.935.

Balloons

(a) For revalidation of an FI (B) certificate, the holder of an FI(B) shall fulfill 1 of the following 2 requirements:

(i) receive instructor refresher training as an FI at an ATO or a competent authority, within the validity period of the FI certificate. This training may be in the form of a training/information seminar lasting at least one day; OR

(ii) pass an assessment of competence in accordance with FCL.935.

(b) For each third revalidation, the holder of an FI(B) shall have to pass an assessment of competence in accordance with FCL.935.

(c) Renewal.

(1) If the FI(B) certificate has lapsed for less than 3 years, the applicant shall, within a period of 12 months before renewal:

(i) receive instructor refresher training as an FI(B) at an ATO or a competent authority as described under (a); OR

(ii) pass an assessment of competence in accordance with FCL.935.

(2) If the FI(B) certificate has lapsed for more than 3 years, the applicant shall, within a period of 12 months before renewal, receive instructor refresher training as an FI(B) in an ATO or a competent authority as required under (a) AND pass an assessment of competence in accordance with FCL.935.

Explanation:

No minimum number of instruction hours per period to be required for balloon FIs. There are

simply not enough students to make this possible in certain regions/countries. Participation in refresher training should suffice, along with an assessment (flight) each third revalidation. An FI(B) who does not show up for at least one refresher training/seminar during the validity of their certificate must pass a test (flight) with an FIE. This forces FI(B)s to keep their theoretical knowledge up to date.

response Noted

comment 442 comment by: Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)

Relevant Text: FCL.940.FI (a) (2) and (c) (2)

Comment: The text excludes other organizations than ATO:s to conduct refresher seminars. In Sweden we have a history of other organizations, e.g. the national association for flight instructors, holding these seminars, with a good result.

Proposal: Add: “or other organizations, as approved by the competent authority,”

response Noted

comment 480 comment by: FAA

Reference text: (c) Renewal. (2) If the FI certificate has lapsed for more than 3 years, the applicant shall, within a period of 12 months before renewal, receive instructor refresher training as an FI in an ATO following a training syllabus established by the ATO and pass an assessment of competence in accordance with FCL.935.

Comment: The previous paragraph allows for the use of an “ATO or other competent authority” for the renewal of an instructor whose certificate has lapsed for less than three years. If the authority is competent to provide an equal level of instruction for the renewal of a certificate that has been expired for less than three years, why is it not competent to facilitate the renewal of certificates that have been expired for more than three years?

Also, the use of the language “following the training syllabus established by the ATO” appears unnecessary. One is left to question why an ATO would not use a training syllabus it established. Would it not be compelled by the authority to use an approved syllabus?

response Noted

comment 486 comment by: Uppvinden AB

FCL.905.FI f



Proposal: For instruction for a sailplane towing rating:
 "a towing rating, provided that:
 - for the theoretical training, the instructor has a FI(S)
 - for the practical training without towing (procedures, engine setting, low speed handling etc.), the instructor holds the privilege to tow and is current with the actual aircraft
 - for the towing training, the instructor has a FI(S)."

Reason: The test for the applicant can either be to simulate a problem in the towplane (meaning the instructor must be current in the towplane) or simulate a problem with the towed sailplane (meaning it must be an instructor in the sailplane).

Today's text in FCL cannot reach safety standards as it is just a FI in the towplane and no one with sailplane experience is involved in the towed training. The text today also shows a gap of competence since the FI mentioned in point (i) has no described knowledge of towing or the actual aircraft used. Neither the senior instructor nor the instructor is mentioned to be current during the instruction today.

FCL.905.FI i 1 i

Why not powered sailplanes too?

FCL.910.FI c

Crediting if the applicant has FI certificate in another category?

As LAPL is not mentioned it will cause:

- if instructors are allowed with LAPL(S) (not clearly written in the FCL), such an instructor can never have the restrictions removed and never instruct on his/her own.
- an FI(A) can count all ratings with applicants for LAPL(A), but FI(As), FI(S) and FI(B) cannot count anything with applicants for appropriate LAPL.

Quote: "*The aim of the FI(S) and FI(B) training course is to train SPL and BPL holders...*" AMC2 FCL.930.FI. This means that LAPL(S) holders cannot be FI(S): Is this correct?

Proposal: Include LAPL where it is relevant.

FCL.915.FI e

Why not powered sailplanes in first sentence too?

Must it be "additionally" if the instructor only wants to instruct on TMG's?

FCL.930.FI c

Crediting for a person who has instructor certificate on one category and wants it on another category? Example: A person with FI(A) and FI(S) and has class rating in one category and wants it also in the other category.

FCL.940.FI a 1 iii

Editorial: TMG is included in powered sailplanes.

response

Noted

comment

511

comment by: FOCA Switzerland

Annex I Part FCL
FCL.905.FI (b)



Subject:**Prerequisites for FI extension to flight instruction in MPO**

For coherence with FCL.905.CRI (d) introducing additional requirements before providing instruction in MPO FOCA proposes to also amend FCL.905.FI (b). FOCA considers that something is missing in the current proposal in section 2 addressing the FI.

As a matter of fact FI(A) like CRI may instruct on class and type ratings for single pilot aeroplanes except HPA complex aeroplanes. As a consequence some provisions have also to be defined for FI(A) privileges extension to instruction in MPO on those aeroplanes.

Moreover it should be noted that FI that will instruct in MPO will have candidates that are already holding an MCC certificate. In other words the FI will not instruct for an initial MCC. The candidates will already have notion of multi crew coordination. This point is justifying the fact that FOCA is proposing more balanced requirements than the one proposed in the NPA for the CRI.

FOCA proposes to amend FCL.905.FI (b) by requiring the FI(A) to:

- hold an MCC certificate or equivalent (as defined in FCL.720.A (d) (4)),
- and
- undergo the MCCI(A) training course.

Such proposal will improve FI competencies for instruction in MPO and in the same time define sensible and balanced conditions.

This proposal is in line with FOCA other comment on FCL.905.CRI (d).

Proposal**FCL.905.FI**

[...]

(b)

[...]

The privileges of the FI(A) may be extended to flight instruction for the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes, except for single-pilot high-performance complex aeroplanes in multi-pilot operations, provided that the FI:

(1)***(i) has at least 500 hours as pilot in multi-pilot operations on aeroplanes,******and******(ii) has completed the training course for MCCI in accordance with FCL.930.MCCI.******or******(2) holds or has held a TRI certificate for a multi-pilot aeroplanes***

response

Noted

comment

512

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.905.FI (f)****Subject:****Prerequisites for FI extension to aerobatic rating instruction**

FOCA considers that FCL.905.FI could be improved for extending FI privileges to the instruction to aerobatic rating.

FOCA considers that for aerobatic instructors the requirements need to be reinforced to ensure a high safety level for this kind of activities.



Therefore FOCA proposes to amend FCL.905.FI (f).
This comment is in line with what is proposed for CRI extension to aerobatic rating (see other comment on FCL.905.CRI (a) (2)).

Proposal

(f)

[...]

*(i) a towing, **aerobatic** or in the case of an FI(S), a cloud flying rating, provided that such privileges are held and the FI has demonstrated the ability to instruct for that rating to an FI qualified in accordance with point (i) below;*

(ii) an aerobatic rating provided that the FI:

(1) holds an aerobatic rating in accordance with FCL.800,

(2) has completed at least 30 hours of aerobatic flight time in the case of aeroplane or 60 launches for aerobatic purposes in the case of sailplane,

(3) has passed, within the last six months before applying for the aerobatic additional instructor training in accordance with FCL.905.FI (f) (ii) (4), a pre-entry flight test with an FI holding an aerobatic rating in accordance with FCL.800 and qualified in accordance with FCL.905.FI (f) (ii) to assess their experience and ability to undertake the course.

(4) has completed as a student pilot an additional instructor training course including one flight of instruction under the supervision of an FI holding an aerobatic rating in accordance with FCL.800 and qualified in accordance with FCL.905.FI (f) (ii). This flight instruction under supervision shall include the verification of the applicant's competencies as described in FCL.920.

response Noted

comment 513

comment by: FOCA Switzerland

Annex I Part FCL FCL.905.FI (g)

Subject:

Prerequisites for FI extension to IR and EIR instruction

FOCA considers that current wording for FCL.905.FI could be understood as a FI holding an EIR may comply with (g) and then instruct to EIR without holding a full IR.

FOCA thinks that this is an issue and that the wording should be amended to ensure that an FI who wants to instruct to EIR has to hold a full IR (and not only an EIR rating).

Therefore FOCA proposes to add a point (g) (1) in FCL.905.FI.

Proposal

FCL.905.FI

[...]

*(g) an EIR or IR in the appropriate aircraft category, provided that the FI **has**:*

(1) holds an IR; and

(2) has at least 200 hours of flight time under IFR, of which up to 50 hours may be instrument



response	<p>ground time in an FFS, an FTD 2/3 or FNPT II; and (3) has completed as a student pilot the IRI training course and has passed an assessment of competence for the IRI certificate; and [...]</p> <p>Noted</p>
comment	<p>514 comment by: FOCA Switzerland</p> <p>Annex I Part FCL FCL.905.FI (i)</p> <p>Subject: Prerequisites for FI extension to instructor certificate instruction FOCA considers that current wording for FCL.940.FI (a) (1) (i) should be reviewed to clearly indicates that an assessment of competence is also needed when the FI wants to gain the ability to instruct for IRI, CRI, STI and MI. Therefore FOCA proposes to slightly amend (i) (2) in FCL.905.FI.</p> <p>Proposal</p> <p>FCL.905.FI [...] (i) (1) [...] (2) passed an assessment of competence in accordance with FCL.935 in the appropriate aircraft category to demonstrate to a Flight Instructor Examiner (FIE) the ability to instruct for the FI, IRI, CRI, STI or MI certificate</p> <p>Noted</p>
response	<p>Noted</p>
comment	<p>515 comment by: FOCA Switzerland</p> <p>Annex I Part FCL FCL.940.FI (a) (1) (i) AMC1 FCL.940.FI</p> <p>Subject: Revalidation for FI and IRI certificates including privileges to instruct to IR and EIR FOCA considers that current wording for FCL.940.FI (a) (1) (i) should be reviewed in order to properly take into account amendment introduced by regulation (EU) n°245/2014 and in particular the introduction of EIR rating. As a matter of fact FCL.940.FI (a) (1) (i) does not cover the revalidation of the privileges to instruct for EIR but only the privileges to instruct for IR.</p> <p>As a consequence if the text is not amended the FI providing instruction only to EIR will always be required for revalidation to comply with FCL.940.FI (a) (1) (2) and (3) (instructor refresher training and assessment of competence). In other words instructors providing instruction only to EIR will not be in a position to revalidate using the experience conditions FCL.940.FI (a) (1) (i).</p>

response Noted

comment

516

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.940.FI (c)
AMC1 FCL.940.FI**

Subject:

Refresher training for FI certificate renewal

FCL.940.FI (c) (1) covers the case of a FI renewal when the certificate has lapsed for less than 3 years. In this case the proposed amendment makes a reference to the same instructor refresher training than the one for revalidation (cf. FCL.940.FI (a) (2)).

For coherence the wording of AMC1 FCL.940.FI §(a) should be slightly amended to make clear that the §(a) is also addressing both revalidation and renewal when the FI has lapsed for less than 3 years.

Proposal

AMC1 FCL.940.FI - IRI

The refresher training for the revalidation **or if the instructor certificate has lapsed for less than 3 years** should be undertaken as a seminar covering the following items:
[...]

response Noted

comment

601

comment by: Danish Transport Authority

Comment: The text excludes other organizations than ATO:s to conduct refresher seminars.

Proposal: Add: "or other organizations, as approved by the competent authority,"

response

Noted

comment

626

comment by: European Cockpit Association

Commented text:

FCL.905.FI FI - Privileges and conditions

(g)(3)(ii) for multi-engine helicopters, met the requirements established in FCL.910.TRI(c)(1) and the prerequisites for the TRI(H) training course established in FCL.915.TRI(d)(2); ~~for the issue of a TRI certificate;~~

ECA's Comment:

This change clarifies from previous wording, as in (h)(2).



response	<p>Need for explanation if a FI has the privileges for the training of MP.</p> <p>Noted</p>
comment	<p>627 comment by: <i>European Cockpit Association</i></p> <p>Commented text: FCL.940 FI <i>(a)(2) attend receive an instructor refresher seminar training as an FI at an ATO or a competent authority, within the validity period of the FI certificate;</i> <i>(C) Renewal: If the FI certificate has lapsed for less than 3 years, the applicant shall, within a period of 12 months before renewal:</i> <i>(1) attend receive an instructor refresher seminar training as an FI at an ATO or a competent authority as required in (a)(2) above and</i> <i>(2) pass an assessment of competence in accordance with FCL.935.</i> <i>(2) If the FI certificate has lapsed for more than 3 years, the applicant shall, within a period of 12 months before renewal, receive instructor refresher training as an FI in an ATO following a training syllabus established by the ATO and pass an assessment of competence in accordance with FCL.935.</i></p> <p>ECA's Comments: We would like to ask for clarification on whether the authorities will now sell courses? (c)(2) What is the difference between (c)(1) and (c)(2)? How many hours of ground school? Syllabus based also in AMC1 FCL.940 (a)(2)?</p>
response	<p>Noted</p>
comment	<p>669 comment by: <i>UK CAA</i></p> <p>Page No: 85</p> <p>Paragraph No: FCL.940.FI (a)(2), (c)(1) and (c)(2)</p> <p>Comment: At the FCL TAG-SSCC meeting in June 2014 it was agreed that the FI Seminar needed to be approved, but did not have to be given by the authority or an ATO - it could be another approved person.</p> <p>Abolition of the use of the term “instructor seminar” is going to cause some administrative difficulties. Currently the UK have a number of companies, including individuals, who are not ATOs, but are approved just to give instructor seminars. Their approval certificates state that they are approved to run instructor seminars. However, they do not have the capability to give other refresher training for instructors.</p> <p>It is suggested that the current wording that refers to Seminars should be retained. Whether or not the word seminar is used, it is suggested that the text in (c)(2) needs to distinguish between practical training and “seminar” training.</p>

Also, the wording does not cover a certificate lapsed by exactly 3 years - it says “less than” and “more than”.

Justification: Discussion at TAG-SSCC FCL Group.

Proposed Text: Amend the paragraphs using either of the two alternatives provided as follows:

Proposed text using the word “seminar”:

“(a)(2) receive instructor seminar training provided by a competent authority or by an ATO or other holder of an approval to provide such theoretical training issued by a competent authority.”

“(c)(1) if the FI certificate has lapsed by less than 3 years, the applicant shall receive instructor seminar training as required in (a)(2) above within the 12 months prior to renewal and pass an assessment of competence in accordance with FCL.935.”

“(c)(2) If the FI certificate has lapsed by 3 years or more, the applicant shall, within a period of 12 months before renewal, receive instructor refresher training as an FI at an ATO according to a syllabus established by the ATO, receive instructor seminar training as required in (a)(2) above and pass an assessment of competence in accordance with FCL.935.”

Proposed text not using the word “seminar”:

“(a)(2) receive instructor refresher training provided by a competent authority or by an ATO or other holder of an approval to provide such theoretical training issued by a competent authority.”

“(c)(1) if the FI certificate has lapsed by less than 3 years, the applicant shall receive instructor refresher training as required in (a)(2) above within the 12 months prior to renewal and pass an assessment of competence in accordance with FCL.935.”

“(c)(2) If the FI certificate has lapsed by 3 years or more, the applicant shall, within a period of 12 months before renewal, receive instructor refresher training as an FI at an ATO according to a syllabus established by the ATO, receive instructor refresher training as required in (a)(2) above and pass an assessment of competence in accordance with FCL.935.”

response

Noted

comment

670

comment by: UK CAA

Page No: 85

Paragraph No: FCL.940.FI (b)

Comment: The requirement at sub-paragraph (b) appears to be a misrepresentation of the original JAR requirements and is likely to be a typing error as it does not make grammatical sense:



	<p>“(b) For the at least each alternate subsequent revalidation in the case of FI(A) or FI(H),”</p> <p>It is recommended that the text is amended using the original JAR text to ensure the original intent that the newly qualified FI is observed at the first revalidation.</p> <p>Justification: Retention of the original intent.</p> <p>Proposed Text: Amend to read:</p> <p>“(b) For the first and at least each alternate subsequent revalidation”</p>
response	Noted
comment	<p>720 comment by: <i>Rogério Pinheiro</i></p> <p>FCL.915.SFI – Prerequisites - This measure is positive and makes implementation more streamlined.</p>
response	Noted
comment	<p>745 comment by: <i>Light Aircraft Association</i></p> <p>The LAA fully support the proposed amendment of FCL.930.FI.</p>
response	Noted
comment	<p>766 comment by: <i>Finnish Transport Safety Agency</i></p> <p>FCL.905.FI (h)</p> <p>At the moment the FI(A) privileges are not restricted to single-pilot operations as the privileges of the CRI(A) are. This means that an FI(A) may provide training in multi-pilot operations without any additional requirements.</p> <p>In Finland’s opinion both FI(A) and CRI(A) holders should be allowed to instruct for single-pilot class or type ratings, except for high performance complex aeroplanes, in multi-pilot operations with harmonized requirements.</p> <p>Proposed text: FCL.905.FI -- (h) single-pilot multi-engine class or type ratings, except for single-pilot high performance complex aeroplanes, provided that the FI meets: (1) in the case of aeroplanes, the prerequisites for the CRI training course established in FCL.915.CRI(a) and the requirements of FCL.930.CRI and FCL.935; and in the case of multi-pilot operations, the requirements of FCL.905.CRI(d); --</p>
response	Noted

comment	<p data-bbox="363 273 411 309">767</p> <p data-bbox="927 273 1498 309" style="text-align: right;">comment by: <i>Finnish Transport Safety Agency</i></p> <p data-bbox="363 331 587 367">FCL.915.FI (b)(2)(i)</p> <p data-bbox="363 405 1498 510">In Finland's opinion the CPL theoretical knowledge course should not be mandatory prerequisite for the FI certificate. In Finland the rule has been interpreted in that way for years and no safety risks have been noticed.</p> <p data-bbox="363 548 1498 721">By passing the CPL theoretical knowledge examinations the applicant has shown the competency on the knowledge required. She/he may acquire the knowledge the way best suites her/his personal situation – by self-study or via theoretical knowledge course. The method is competency based and helps to lower the burden on general aviation instructors.</p> <p data-bbox="363 763 544 799">Proposed text:</p> <p data-bbox="363 799 491 835">FCL.915.FI</p> <p data-bbox="363 835 384 871">--</p> <p data-bbox="363 871 395 907">(b)</p> <p data-bbox="363 907 384 943">--</p> <p data-bbox="363 943 395 978">(2)</p> <p data-bbox="363 978 1498 1048">(i) met the requirements for CPL theoretical knowledge examinations in accordance with FCL.310 and FCL.315, except for an FI(A) providing training for the LAPL(A) only; and</p> <p data-bbox="363 1048 384 1084">--</p>
response	<p data-bbox="363 1106 443 1142">Noted</p>
comment	<p data-bbox="363 1218 411 1254">797</p> <p data-bbox="975 1218 1498 1254" style="text-align: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></p>

FCL.905.FI FI-Privileges and conditions
page 81/253
(f)

We propose a new wording:

(f) "a towing or aerobatic rating, provided that such privileges are held and the FI has demonstrated the ability to instruct for that rating to an FI qualified in accordance with (i) below. An FI(S) may conduct flight instruction for the towing rating on aeroplanes and TMG, provided the relevant towing rating is held. An FI(S) may also conduct flight instruction for a cloud flying rating, provided the cloud flying rating is held."

Rationale:

We think the aerobatic part and the cloud flying with sailplanes part need no further explanation.

As regards sailplane towing, a cooperative venture by the pilots at both ends of the tow rope, there are far more considerations specific to the sailplane than specific to the towing aircraft.

Above all, these considerations faced by the sailplane pilot must be understood by an instructor conducting training for the towing rating.

Only a very few pilots can devote the time and money to becoming qualified as both FI(A) and FI(S) so, in limiting aeroplane towing training FI(A), the regulation bars FI(S), the very experts best trained to conduct this training. Major European gliding Member States have a long and successful history of sailplane instructors instructing aeroplane pilots to tow. Safety will be compromised if regulation makes this impossible.

response Noted

comment 798

comment by: *Deutscher Aero Club (DAeC)*

FI905.FI FI-Privileges and conditions
p82/253
(i)(2)

We propose to slightly change the end of the last sentence: "...for the FI, IRI, CRI, STI or MI certificate..."

Rationale:

Our formula is more complete.

response Noted

comment 800

comment by: *Deutscher Aero Club (DAeC)*

FCL.940.FI FI-Revalidation and Renewal



(b) ...in the case of FI(A) or EI(H), or each third revalidation, in the case of FI(As), (S) and (B), the holder shall have to pass an assessment of competence in accordance with FCL.935.

Proposal: This requirement has to be deleted.

Rationale: Long lasting experience in airport activities shows that such a requirement is unnecessary and does not generate safer or better training. Senior flight instructors, with many years of experience will refuse to undergo assessments due to the extra cost and additional time spend away from training future pilots and thereby will be lost to the community.

response Noted

comment

813

comment by: AOPA Sweden

There has been some struggle in the Application of FCL.945 and also ARA.FCL.200. In order to reduce the administrative burden on the authorities, AOPA Sweden suggests that it should be a general privilege to enter a revalidated rating in a licence after the revalidation criteria have been met. This should apply both to training flights (SEP aeroplanes) and also Proficiency checks and assessments of competence. The relative simple checking of formal requirements could easily be handled by instructors and Examiners. Of course the authorities/EASA would have to inform accordingly and The wording of the suggestions below will have to be FCL-ified.

The above proposal would eliminate costly approval and authorisations procedures at NAA level. In addition, the syllabus for Flight examiners and instructors might need a revision to give more emphasis on renewal and revalidation criteria as well as entering of ratings in the EASA licence.

We suggest:

As a general privilege for instructors instructing on Single Pilot, or at least single Engine aeroplanes:

As a privilege for all instructors: An instructor is authorised have the privilege to revalidate or renew a rating that is entered in the applicants licence, as long as the instructor is entitled to perform the required training flight (per FCL.xxxx) and as long as all renewal/revalidation criteria are met and the instructor has performed the required training flight.

In connection to this we suggest the following for aeroplanes where a PC is required:

2. As a privilege for all examiners: An examiner is authorised have the privilege to revalidate or renew a rating that is entered in the applicants licence, as long as the examiner is entitled to perform the required checks(Prof check / Skill test) or assessments of competence (per FCL.xxxx) and as long as all renewal/revalidation criteria are met and the applicant has passed the PC/ST or AoC.

response Noted



3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 3: SPECIFIC REQUIREMENTS FOR THE TYPE RATING INSTRUCTOR — TRI

p. 86-90

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment

5

comment by: TRIGUERAS Thierry

Comment on FCL.940.2) TRI Renewal

In the Chapter, “Overview of proposed amendment”, you write in the FCL.940.TRI that all other changes but a)1) are made for text standardization but regarding the helicopters, you change the rules to renew the TRI(H) in b)2) also. These changes are based on the airplane rules when you ask for “route sector” not on helicopters rules.

Comment of FCL.940 TRI TRI Renewal

1 1-Before the Part Part FCL, in the French FCL2 or JAR FCL2 regulation, only 3 Items was necessary to renew a TRI(H):

- · completed within the 12 months preceding the application at least 30 hours flight time, to include take-off and landings as pilot-in-command or co-pilot on the applicable helicopter type, or a similar type as agreed by the Authority, of which not more than 15 hours may be completed in a flight simulator
- · successfully completed the relevant parts as agreed by the Authority of an approved TRI(H) course taking into account the recent experience of the applicant
- · conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of a TRI(H) on the applicable type of helicopter or flight simulator under the supervision of a TRI notified by the Authority for this purpose.

22- In the Part FCL before NPA, only 2 Items has been kept to renew a TRI(H):

- · received instructor refresher training as a TRI at an ATO, which should cover the relevant elements of the TRI training course; and
- · passed the assessment of competence in accordance with FCL.935 in each of the types of aircraft in which renewal of the instructional privileges is sought.

3-3-AND Now with this NPA, you want to add 2 items thus 4 requirements will be necessary to renew and among its requirements there will be 30 “route sectors” instead of 30 flight hours, requirement more specific to the airplane than with the helicopters. An intermediate solution would be to keep only 3 requirements as follow, because the requirement of “30 route sectors or flight hours” is a requirement difficult to achieve if we are precisely in a renewal period

:

(2) (2) Helicopters and powered lift. If the TRI(H) or TRI(PL) certificate has lapsed, the applicant shall have within the last 12 months preceding the application: , ~~within a period of 12 months before renewal:~~

- (i) ~~completed at least 30 hours flight time, to include take-offs and landings on the applicable aircraft type, of which not more than 15 hours may be completed in a flight simulator; and~~
- (ii) received instructor refresher training as a TRI at an ATO, which should cover the relevant elements of the TRI training course; and
- (iii) conducted at least 3 hours of flight instruction on the applicable type of helicopter under the supervision of a TRI(H) during type rating or recurrent training.



response	<ul style="list-style-type: none"> (iv) passed the assessment of competence in accordance with FCL.935 in each of the types of aircraft in which renewal of the instructional privileges is sought. <p>Noted</p>
comment	<p>16 comment by: <i>Roland KUESTNER</i></p> <p>Attachment #7</p> <p>Change of FCL.905.TRI (c)(1): the issue, revalidation and renewal of type ratings for single-pilot complex high performance or single pilot complex non-HPA aeroplanes (if a type rating is necessary) when the applicant seeks privileges to operate in single-pilot operations.</p> <p>The privileges of the TRI(SPA) may be extended to flight instruction for single-pilot complex high performance or single pilot complex non-HPA aeroplanes (if a type rating is necessary) type ratings in multi-pilot operations, provided that the TRI:</p> <p>...</p> <p>Reason: see attached document</p>
response	<p>Noted</p>
comment	<p>21 comment by: <i>Henk van den Berg</i></p> <p><u>FCL.740.TRI – Revalidation and Renewal</u> The requirements for revalidation include an AoC at least every other revalidation, but no experience flying the aeroplane. For renewal an AoC is not required however flying experience has become necessary. This seems inconsistent. <u>FSC proposed solution:</u> <u>Revalidation:</u> (a)(1)(ii) receive Instructor refresher basic instructional skills theory training as a TRI(A) at an ATO NOTE: Practical instructional skills have been practiced as a result of (a)(i). <u>Renewal:</u> (b)(1)(iii) pass the assessment of competence in accordance with FCL.935.</p>
response	<p>Noted</p>
comment	<p>70 comment by: <i>FlightSafety International - Deputy Head of Training</i></p> <p>FCL.910.TRI TRI - Restricted privileges</p> <p>(b) The privileges of a TRI shall be restricted to the type of aircraft in which the training and the assessment of competence was taken. The privileges of the TRI shall be extended to</p>

further types in accordance with the operational suitability data established in Part-21, where applicable, when the TRI has:

(2) for helicopters — TRI(H).

(iii) Before the privileges of a TRI(H) are extended from single-pilot to multi-pilot privileges on the same type of helicopter, the holder shall have at least 100 hours in multi-pilot operations on this type.

Comment: Why is the FCL.910.TRI (b) (2) (iii) requirement of 100hrs MP Ops on type required for a TRI(H) when a TRI(A) can extend privileges to another type with just 15 sectors, 7 of which can be in an FFS? FCL.910.TRI (b) (2) (iii) should be amended to reflect TRI(A) requirements i.e., 15 sectors of which 7 can be in an FFS?

response Noted

comment 90

comment by: *Estonian CAA*

FCL.940.TRI TRI — Revalidation and renewal

For renewal of TRI, the requirements in case of aeroplane and helicopter are harmonised, nevertheless, why renewal of TRI(A) does not include assessment of competence? (See para. IV of helicopters - for renewal in case of helicopter, the requirements are more strict than in case of aeroplanes). Since most of the process have been harmonised, for clarification purposes it should be harmonised.

response Noted

comment 128

comment by: *René Meier, Europe Air Sports*

FCL.905.TRI TRI-Privileges and conditions
p 89/253
(a)(4)

Please delete "and if it is part of a recommendation of the OSD established in accordance with Part-21"

Rationale:

Maintaining this part of the provisions represents a significant burden for the industry.

response Noted

comment 129

comment by: *René Meier, Europe Air Sports*

FCL.940.TRI TRI-Revalidation and renewal
page 90/253
(b)

We propose as amended text:

(b)(1)

[...]



	<p>(iii) passed an assessment of competence in accordance with FCL.935 on one of the types of aeroplane in which renewal of the instructors privileges is sought.</p> <p>Rationale: The supervision required in FCL.940.TRI (b) (1) (iii) should be replaced by an assessment of competence (FCL.935) for coherence with renewal conditions of all other instructor certificates and in particular for coherence with TRI(H) renewal condition [FCL.940.TRI (b) (2) (iv)].</p>
response	Noted

comment	<p>130 comment by: René Meier, Europe Air Sports</p> <p>FCL.940 TRI TRI Revalidation and renewal page 90/253 (b)(2)</p> <p>We support the addition of a new provision about experience on the type in the last 12 months. FCL.940.TRI (b) (2) (i) makes a reference to a number of route sectors which is not relevant for helicopters. Instead of this, a number of hours might be defined. As an equivalent of 30 route sectors we propose an experience of 10 hours. Our new wording would be:</p> <p>FCL.940.TRI (b) [...] (2) Helicopters and powered lift. If the TRI(H) or TRI(PL) certificate has lapsed, the applicant shall have within the last 12 months preceding the application: , within a period of 12 months before renewal: (i) completed at least 10h on the applicable helicopter type of which no more than 5h may be completed in a FFS, and [...]</p> <p>Rationale: Our text is more adapted to the helicopter world.</p>
response	Noted

comment	<p>132 comment by: René Meier, Europe Air Sports</p> <p>FCL.940.TRI TRI-Revalidation and renewal p 90/253 (b)(2)(iii)</p> <p>Please delete this provision.</p> <p>Rationale: This provision is not adequate. These are the important factors to look at: (i) the experience of the applicant;</p>
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	<p>(ii) the amount of time lapsed since the expiry of the TRI or SFI certificate; (iii) the technical elements of the SFI/TRI course as determined by the assessment of the candidate by the ATO.</p>
response	Noted
comment	<p>134 comment by: René Meier, Europe Air Sports</p> <p>FCL.940.TRI TRI Revalidation and renewal p 90/253 (b) Renewal (1)(2)</p> <p>We think FCL.940.TRI (b) (1) (iii) and (b) (2) (iv) does not cover properly the case of a candidate that would like to renew several privileges attached to his/her TRI certificate. We suggest to ask for one assessment of competence only on one of the types for with renewal of the instructional privilege which is sought. For this purpose FCL.940.TRI (b) (1) (iii) and (b) (2) (iv) should clearly mentions that the assessment of competence is required only on one of the types.</p> <p>Our wording:</p> <p>(b)(1) [...] (iii) passed an assessment of competence in accordance with FCL.935 on one the types of aeroplane in which renewal of the instructional privileges is sought. (2) [...] (iv) passed the assessment of competence in accordance with FCL.935 on one of the types of helicopter in which renewal of the instructional privileges is sought.</p> <p>Rationale: The objective of the assessment of competence (FCL.935) is to evaluate the generic instructor competencies listed in FCL.920 and not competencies on a specific type. We suggest amending the proposal in order to avoid any significant additional burden for the industry.</p>
response	Noted
comment	<p>158 comment by: Martin PFEIFENBERGER</p> <p>FCL.910.TRI (c) (iv)</p> <p>Since there are numerous types with even more variants, shouldn't it be enough to extend the privileges to further variants if the TRI has undergone the appropriate difference training to act as PIC on board? This point contributes rather to losing the overview over all the different instructor ratings. In my opinion, we are approaching a point of overregulation in this area.</p>
response	Noted

comment	<p>159</p> <p style="text-align: right;">comment by: <i>Martin PFEIFENBERGER</i></p> <p>FCL.940.TRI</p> <p>(a)(2)(i) 50hrs of flight instruction on each of the types of helicopter (I suppose helicopter is rather meant than aircraft) is rather high. In our opinion, pilots should keep their professional skills not only in instructing, but also in doing their daily job as pilot. If someone holds e.g. 2 TRI ratings, this would mean that he has to instruct for more than 100hrs within this period. A requirement for less flight hours per type and an amount of flight hours containing all types would be more appropriate.</p> <p>FCL.940.TRI (b)(2)(i)</p> <p>Compared to the flight experience required under FCL.915 (b)(3) which can be substituted by an assessment of competence. Is this statement really intended for helicopters, since the term “route sector” is rather used for fixed wing regulation in 1178/2011?</p>
response	Noted

comment	<p>200</p> <p style="text-align: right;">comment by: <i>DGAC France</i></p> <p><u>Subject:</u> Prerequisites for TRI extension to the issue of a TRI/SFI certificate (FCL.905.TRI (b))</p> <p><u>Content of comment:</u></p> <p>France fully supports the amendment proposed that offers a more pragmatic approach for the industry.</p> <p>1) France fully supports the introduction of the 50h of instructional experience. In order to deal with all the situations France proposes to keep the prerequisite to have 3 years of experience as TRI or SFI as an alternative solution to the 50h of instructional experience. As a matter of fact for corporate aviation (SP HPA complex) it may be difficult to find TRI(SPA) who will meet the 50h condition. Point (b) (i) is slightly amended accordingly. In addition the 3 years condition should be kept in order to ensure that TRI currently complying with this condition (and not the 50h condition) keep their privilege when the text is finally changed.</p> <p>2) In order to precise that the notion of “instructional experience” could be covered by flight and FSTD instruction provided under Part ORO regulation (EU) n°965/2012, France proposes to slightly amend (b) (i).</p> <p>3) In addition wording of (b) (ii) could be interpreted as the whole TRI syllabus has to be covered. France proposes a slight modification of the wording of (b) (ii) in order to clarify this issue.</p> <p><u>Proposed amendment:</u></p> <p>FCL.905.TRI [...] (b) <i>(i) the holder has at least 3 years or 50 hours of instructional experience as a TRI or SFI, flight or FSTD instruction gained under regulation (EU) n°965/2012 Part ORO in the same category of aircraft may be credited;</i> and <i>(ii) has conducted the flight instruction syllabus of the relevant part of TRI training course</i></p>
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	according to FCL.930.TRI (a) (3) under the supervision and to the satisfaction of a qualified TRI nominated for this purpose by the HT of an ATO before application .
response	Noted

comment 201 comment by: DGAC France

Subject:**Prerequisites for TRI(SPA) extension to flight instruction in MPO (FCL.905.TRI (c) (1))****Content of comment:**

For coherence with France proposal for FCL.905.CRI (d) and FCL.905.FI (b) introducing additional requirements before providing instruction in MPO (see others comments), France suggests to also amend FCL.905.TRI (c) (1) in order to align for all instructors the requirements before being authorized to instruct in MPO conditions.

It should be noted that TRI(SPA) that will instruct in MPO will have candidates that are already holding an MCC certificate. In other words the TRI(SPA) will not instruct for an initial MCC. The candidates will already have notion of multi crew coordination. This point is justifying the fact that France is proposing more balanced requirements than the one proposed in the NPA.

France proposes to amendment FCL.905.TRI (c) (1) by requiring the TRI(SPA) to:

- has at least 500 hours as a pilot in multi-pilot operations on aeroplanes,

- and
- undergo the MCCI(A) training course.

Such proposal will define more sensible and balanced conditions.

This proposal is in line with France other comment on FCL.905.CRI (d) and FCL.905.FI (b).

Proposed amendment:**FCL.905.TRI**

(c)

(1)

[...]

The privileges of the TRI(SPA) may be extended to flight instruction for the issue, revalidation or renewal for single-pilot high-performance complex aeroplanes in multi-pilot operations, provided that the TRI:

(1)

(i) has at least 500 hours as a pilot in multi-pilot operations on aeroplanes,
and

(ii) has completed the training course for MCCI in accordance with FCL.930.MCCI.
or

(2) holds or has held a TRI certificate for a multi-pilot aeroplanes

response Noted

comment 202 comment by: DGAC France

Subject:

TRI restriction to FSTD (FCL.910.TRI (a))**Content of comment:**

The restriction to only FFS on the TRI is not adequate. France suggests referring to a restriction to FSTD (covering both options FFS or FTD 2/3) and not only FFS.

As a matter of fact France considers that simulators that can be used for a TRI flight instruction could be FFS and FTD 2/3 (see other comment on FCL.930.TRI (a) (3) to find further explanations).

Proposed amendment:**FCL.910.TRI TRI — Restricted privileges**

(a) General.

If the TRI training is carried out in an **FSTD** only, the privileges of the TRI shall be restricted to training in the **FSTD**.

response

Noted

comment

203

comment by: DGAC France

Subject:**Additional training to lift TRI restriction to FFS (FCL.910.TRI (a))****Content of comment:**

1) The reference to an AMC in the Part FCL seems not be appropriate. There will be no possibility to publish AltMoC. France proposes an alternative wording and suggests adding a new point (4) in FCL.930.TRI (a) referring to the additional training (see other comment on FCL.930.TRI (a) (4)).

2) Moreover France considers that the following wording used in FCL.910.TRI (a) is ambiguous: *“In this case, the TRI may conduct line flying under supervision or landing training, provided that the TRI training course has included additional training for this purpose on the aeroplane.”*

As a matter of fact this sentence could be understood as a TRI LIFUS is required for the entire line flying under supervision, including in particular the completion of sectors/flight hours required in AMC1 ORO.FC.220 (e).

It should be clear that the TRI LIFUS is in particular required for supervising the first four take-offs and landings in the aeroplane as required by ORO.FC.220 (e) (3). The sectors/flight hours required by AMC1 ORO.FC.220 (e) can be performed under the supervision of a flight crew member nominated by the operator who is not necessarily holding a LIFUS TRI(A) rating in accordance with Part FCL.

This comment is to be considered in correlation with the comment about a new definition of LIFUS in FCL.010. This comment underlines the necessity to introduce a clear definition of LIFUS in regulation (EU) n°1178/2011.

3) Finally France considers that it should be clarified in the regulation that a TRI LIFUS is properly qualified to act as an instructor for the training flight on an aeroplane mentioned in FCL.060 (c) (2).

To cover all these issues France proposes an alternative wording for FCL.910.TRI (a).

Proposed amendment:

FCL.910.TRI*(a) General.*

If the TRI training is carried out in an **FSTD** only, the privileges of the TRI shall be restricted to training in the **FSTD**.

The restriction shall be removed when the TRI has completed the additional training in accordance with **FCL.930.TRI (a) (4)**

In this case, the TRI may conduct line flying under supervision **of a zero flight time type rating course as required by regulation (EU) n°965/2012, landing training in normal or abnormal operations or the training flight mentioned in FCL.060 (c) (2) if conducted in an aeroplane**, provided that the TRI training course has included additional training for this purpose on the aeroplane.

response Noted

comment 204

comment by: DGAC France

Subject:

TRI privileges extensions and completion of relevant parts of the technical training and flight instruction parts of the TRI course (FCL.910.TRI (b) (2))

Content of comment:

France fully supports the amendment proposed for FCL.910.TRI (b) (2).

The new wording make it clear that only the relevant parts of the TRI syllabus have to be performed for a TRI extension to a new type.

This amendment allow to take into account the communalities between aircraft of a same family (ex: Dassault Falcon) for the purpose of a TRI extension training course.

response Noted

comment 205

comment by: DGAC France

Subject:

TRI privileges extensions (FCL.910.TRI (b) and (c))

Content of comment:

1) France notes that the draft of the NPA is not in line with the amended regulation (EU) n°1178/2011 voted during EASA committee in October 2014 that has already address this issue. The proposal should be aligned with the text that has been voted.

As a consequence the reference to Part 21 should be included as a general remark at the beginning of the paragraph.

2) Moreover there is no extension to another variant for a same type but only TRI extensions to another type rating.

3) For coherence purposes France suggests that point (c) (1) (i) for TRI(H) is aligned with point (b) (2) as proposed for TRI(A). As a matter of fact in the case of a privilege extension to another type only the relevant parts of a TRI course has to be covered.

4) For coherence purposes with point (b) (1) for TRI(A) extension to another type, France suggests that a recent experience in the last 12 months on the helicopter type is also required in the case of a TRI(H) extension to another type.

5) For TRI(H) the supervision required by FCL.910.TRI (c) (1) (ii) seems redundant with the



assessment of competence (FCL.935) required by FCL.910.TRI (c) (1) (iii). France suggests removing the supervision. This comment is in line with France other comment in the case of a TRI(H) renewal.

Proposed amendment:

(b) TRI for aeroplanes and for powered-lift aircraft — TRI(A) and TRI(PL).

The privileges of a TRI are restricted to the type of aeroplane or powered-lift aircraft in which the training and the assessment of competence was taken. **Unless otherwise specified in the OSD established in accordance with Part 21**, the privileges of the TRI shall be extended to further types when the TRI has:

- (1) completed within the 12 months preceding the application, at least 15 route sectors, including take-offs and landings on the applicable aircraft type, of which 7 sectors may be completed in an FFS;
- (2) completed the relevant parts of the technical training and flight instruction parts of the relevant applicable TRI course;
- (3) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an FIE or a TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.

~~(4) The privileges of the TRI shall be extended to further variants in accordance with the operational suitability data established in accordance with Part 21 when the TRI has complied with the applicable parts of the technical training and flight instruction parts of the applicable TRI course.~~

(c) TRI for helicopters — TRI(H).

(1) The privileges of a TRI(H) are restricted to the type of helicopter in which the skill test for the issue of the TRI certificate was taken. **Unless otherwise specified in the OSD established in accordance with Part 21**, the privileges of the TRI shall be extended to further types when the TRI has:

- (i) completed **the relevant parts** of the TRI course on the applicable type of helicopter or an FSTD representing that type;
- (ii) **completed within the 12 months preceding the application, at least 10h on the applicable helicopter type, of which no more than 5h may be completed in an FFS or FTD 2/3;**

~~(ii) conducted at least 2 hours of flight instruction on the applicable type, under the supervision of an adequately qualified TRI(H); and~~

- (iii) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an FIE or TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including preflight, post-flight and theoretical knowledge instruction.

~~(iv) The privileges of the TRI shall be extended to further variants in accordance with the operational suitability data established in accordance with Part 21 when the TRI has complied with the applicable parts of the technical training and flight instruction parts of the applicable TRI course.~~

response Noted

comment 206

comment by: DGAC France



Subject:**TRI flight instruction on simulators (FCL.930.TRI (a) (3))****Content of comment:**

France requires the reference to “*simulator*” in point (a) (3) to be clarified. As a matter of fact the term “*simulator*” is not defined in FCL.010. Only FFS, FTD, FNPT, BITD and OTD are defined.

What are the simulators that can be used for a TRI flight instruction: all FSTDs, FFS, FTD 2/3, FNPT 2/1 ...?

France suggests making a clear reference to FSTD (covering both options FFS or FTD 2/3 that may be used for a TRI course).

This reference to FSTD will be consistent with what is provided in FCL.910.SFI: “*The privileges of the SFI shall be restricted to **the FTD 2/3 or FFS** of the aircraft type in which the SFI training course was taken.*”

Proposed amendment:**FCL.930.TRI (a)**

[...]

(3) 5 hours of flight instruction on the appropriate aircraft or ~~a simulator~~ a FSTD representing that aircraft for single-pilot aircraft and 10 hours for multi-pilot aircraft or ~~a simulator a FSTD~~ representing that aircraft.

response Noted

comment 207

comment by: DGAC France

Subject:**Additional training to lift TRI restriction to FFS (FCL.930.TRI (a))****Content of comment:**

France requires that a point (4) is added to FCL.930.TRI (a) in order to make a reference to the additional training that is mentioned in FCL.910.TRI (a) for FFS restriction removal.

For coherence the reference to the AMC1 FCL.930.TRI in FCL.910.TRI (a) should be removed and replaced by a reference to this new point FCL.930.TRI (a) (4).

Besides it should be noted that in the “Overview of the proposed amendments” (page 17/253) the insertion of a number (4) in (a) FCL.930.TRI is mentioned but in fact this is not effective in the amendment. This discrepancy stresses the fact that this point has been simply forgotten in the proposed text of the NPA.

Proposed amendment:**FCL.930.TRI (a)**

[...]

(4) additional specific training before conducting line flying under supervision of a zero flight time type rating course as required by regulation (EU) n°965/2012 or landing training in normal or abnormal operations or the training flight mentioned in FCL.060 (c) (2) if conducted in an aeroplane.



response Noted

comment 208

comment by: DGAC France

Subject:

TRI assessment of competence on a FFS or FTD 2/3 (FCL.935.TRI and associated AMCs)

Content of comment:

In correlation and consistency with comments on FCL.930.TRI (a) (3) (TRI flight instruction on simulators), FCL.910.TRI (a) (TRI restriction to FSTD), France suggests to mention in FCL.935.TRI the possibility to conduct the assessment of competence not only on an FFS but on a FSTD (covering both options FFS or FTD 2/3).

For supporting this comment it should be considered the current content of AMC4 FCL.935 Assessment of competence:

“Content of the assessment for the SFI

The assessment should consist of at least 3 hours of flight instruction related to the duties of an SFI on the applicable FFS or FTD 2/3”

When reading this existing AMC4 it appears clearly that in the case of a SFI the assessment of competence (FCL.935) could be conducted also on a FTD 2/3.

Therefore the same possibility should be considered for the TRI assessment of competence (FCL.935).

In addition France proposes to add a new AMC6 FCL.935 for TRI assessment of competence.

Proposed amendment:

FCL.935.TRI TRI — Assessment of competence

*The assessment of competence shall be conducted **in an FSTD**, if available.*

AMC 6 FCL.935 - Assessment of competence

Content of the assessment of competence for the TRI

(1) For TRI(A):

The assessment conducted in a FSTD by a TRE(A) should consist of at least 3 hours of flight instruction related to the privileges of a TRI(A) on the applicable FFS or FTD 2/3.

When no FSTD exist the assessment of competence is conducted in an aeroplane by a TRE(A) and should consist of a training flight related to the privileges of a TRI(A).

(2) For TRI(H):

The assessment conducted in a FSTD by a TRE(H) should consist of at least 2 hours of flight instruction related to the privileges of a TRI(H) on the applicable FFS or FTD 2/3.

When no FSTD exist the assessment of competence is conducted in an helicopter by a TRE(H) and should consist of a training flight related to the privileges of a TRI(H).

response Noted

comment 209

comment by: DGAC France

Subject:

Revalidation requirement for a TRI certificate with an assessment of competence in the case of privileges on several types (FCL.940.TRI (a) (4))



Content of comment:

France considers that the reference to the recommendation to OSD is too restrictive. This reference will no longer offer the possibility to revalidate all privileges with only one assessment of competence (FCL.935). The objective of the assessment of competence is to evaluate the generic instructor competencies listed in FCL.920 and not competencies on a specific type.

France is not in favour of such an amendment and considers that it will represent a significant additional burden for the industry.

Proposed amendment:***FCL.940.TRI****(a)**[...]**(4)*

If a person holds a TRI certificate on more than one type of aircraft ~~and if it is part of a recommendation of the operational suitability data established in accordance with Part 21~~ within the same category, the assessment of competence taken on one of those types shall revalidate the TRI certificate for the other types held within the same category of aircraft.

response Noted

comment 210

comment by: DGAC France

Subject:

Renewal requirement for a TRI(A) and assessment of competence FCL.935.TRI (FCL.940.TRI (b) (1) (iii))

Content of comment:

The supervision required in FCL.940.TRI (b) (1) (iii) should be replaced by an assessment of competence (FCL.935) for coherence with renewal conditions of all others instructor certificates and in particular for coherence with TRI(H) renewal condition (FCL.940.TRI (b) (2) (iv)).

Proposed amendment:***FCL.940.TRI****(b)**(1)**[...]*

(iii) passed an assessment of competence in accordance with FCL.935 on one of the types of aeroplane in which renewal of the instructional privileges is sought.

response Noted

comment 211

comment by: DGAC France



Subject:

Renewal requirement for a TRI(H) and recent experience on the type (FCL.940.TRI (b) (2) (i))

Content of comment:

France supports the addition of a new requirement asking for an experience on the type in the last 12 months.

Nevertheless FCL.940.TRI (b) (2) (i) makes a reference to a number of route sectors which is not relevant for helicopters. Instead France suggests mentioning a number of hours. An equivalent of 30 route sectors is an experience of 10h.

Proposed amendment:***FCL.940.TRI***

(b)

[...]

(2) Helicopters and powered lift. If the TRI(H) or TRI(PL) certificate has lapsed, the applicant shall have within the last 12 months preceding the application: , within a period of 12 months before renewal:

(i) completed at least 10h on the applicable helicopter type of which no more than 5h may be completed in a FFS or FTD 2/3, and;

[...]

response Noted

comment 212

comment by: DGAC France

Subject:

Renewal requirement for a TRI(H) and supervision (FCL.940.TRI (b) (2) (iii))

Content of comment:

The supervision required by (b) (2) (iii) is not relevant as an assessment of competence (FCL.935) is required by (b) (2) (iv).

This point (b) (2) (iii) should be deleted.

In order to support this proposal it has to be noted that the need for supervision will be determined by the ATO in the framework of the refresher training required by FCL.940.TRI (b) (2) (ii) and as detailed in the new AMC1 FCL.940.TRI added in Doc B (pages 34 and 35).

The amount of refresher training needed will be determined on a case-by-case basis by the ATO taking into account the following factors:

(i) the experience of the applicant;

(ii) the amount of time lapsed since the expiry of the TRI or SFI certificate;

(iii) the technical elements of the SFI/TRI course as determined by the assessment of the candidate by the ATO. that will consider.

Proposed amendment:

	<p>FCL.940.TRI (b) (2) [...] (iii) conducted at least 3 hours of flight instruction on the applicable type of helicopter under the supervision of a TRI(H) during type rating or recurrent training.</p>
response	Noted
	<p>213 comment by: DGAC France</p> <p>Subject: Renewal requirement and assessment of competence for a TRI(A)/(H) in the case of privileges on several types (FCL.940.TRI (b) (1) (iii) and (b) (2) (iv))</p> <p>Content of comment: France considers that FCL.940.TRI (b) (1) (iii) and (b) (2) (iv) does not cover properly the case of a candidate that would like to renew several privileges attached to his/her TRI certificate. France suggests to require only one assessment of competence on one of the types for which renewal of the instructional privilege is sought. For this purpose FCL.940.TRI (b) (1) (iii) and (b) (2) (iv) should clearly mention that the assessment of competence is required only on one of the types. On the contrary FCL.940.TRI (b) (1) (i) and (ii) for TRI(A) and FCL.940.TRI (b) (2) (i) and (ii) for TRI(H) shall be still required for each of the applicable types to be renewed. The objective of the assessment of competence (FCL.935) is to evaluate the generic instructor competencies listed in FCL.920 and not competencies on a specific type. France suggests amending the proposal in order to avoid any significant additional burden for the industry.</p> <p>Proposed amendment:</p> <p>FCL.940.TRI (b) (1) [...] <i>(iii) passed an assessment of competence in accordance with FCL.935 on one of the types of aeroplane in which renewal of the instructional privileges is sought.</i></p> <p>(2) [...] <i>(iv) passed the assessment of competence in accordance with FCL.935 on one of the types of helicopter in which renewal of the instructional privileges is sought.</i></p>
response	Noted
comment	247 comment by: European Gliding Union

EGU Comment

CRI(S)

The current wording permits CRIs to instruct for the renewal of a class or type rating, but not for the maintenance of LAPL recency – even though this is an identical competence. Although both aeroplane and sailplane licences may include towing and aerobatic ratings, the CRI Certificate, which may provide flight instruction for these ratings, is limited to aeroplanes only. The volunteer nature of gliding clubs places a particular premium on accessible, affordable instructors’ qualifications. European sailplane pilots need a CRI(S) even more than their power colleagues need the CRI(A)

Recommendations

FCL.905.CRI CRI – Privileges and conditions should be amended to read:

(a)

“(2) a towing or aerobatic rating for the aeroplane or sailplane category, provided the CRI holds the relevant rating and has demonstrated

A further paragraph (3) should be added:

(3) the training required for recency by FCL.140.A & FCL.140.S

FCL.915.CRI – Prerequisites should be amended to read:

.....

(b) “for single-engine aeroplanes and sailplanes:

(1) 300 hours flight time as a pilot on the relevant category or aircraft

(2) 30 hours as PIC on the applicable class or type or aeroplane, or on sailplanes, as appropriate”

FCL.930.CRI CRI – Training course should be amended to read:

(a)

(3) or 3 hours of flight instruction on single-engine aeroplanes or sailplanes, given by an FI(A) or FI(S), as appropriate, qualified in accordance with FCL.905.FI(i)

FCL.940.CRI CRI – Revalidation and renewal – (a)(3) should be amended to read:

(3) pass the assessment of competence in accordance with FCL.935 for multi-engine, single-engine aeroplanes or sailplanes, as relevant.

response

Noted

comment

270

comment by: *Irish Aviation Authority*

The following is proposed:

FCL.905.TRI TRI — Privileges and conditions

The privileges of a TRI are to instruct for:

~~(a) the revalidation and renewal of an EIR or an IR, provided the TRI holds a valid IR;~~

(~~ea~~) in the case of the TRI for single-pilot aeroplanes, TRI(SPA):

(1) the issue, ~~revalidation~~ and renewal of type ratings for single-pilot high performance complex aeroplanes when the applicant seeks privileges to operate in single-pilot operations;

(2) ~~The privileges of the TRI(SPA) may be extended to flight instruction~~ the issue or renewal of type ratings for single-pilot high performance complex aeroplanes ~~type ratings~~ when the applicant seeks privileges to operate in multi-pilot operations, provided that the TRI:

(i) ~~holds an MCCI certificate~~ has completed MCC requirements in accordance with FCL.720(A)(d)(4); ~~or and~~

(ii) ~~holds or has held a TRI certificate for multi-pilot aeroplanes;~~ has completed the training course for MCCI in accordance with FCL.930.MCCI; or

(iii) holds or has held a TRI(MPA) certificate.

(~~23~~) the MPL course on the basic phase, provided that the ~~privileges of the TRI have~~ been the privileges extended to multi-pilot operations and s/he holds or has held an FI(A) or an IRI(A) certificate;

(4) the renewal of an EIR or SP IR, provided that the TRI holds the relevant SP class or type rating, holds an SP IR and complies with the cross crediting requirements of Appendix 8 to this rule.

(~~db~~) in the case of the TRI for multi-pilot aeroplanes, TRI(MPA):

(1) the issue, ~~revalidation~~ and renewal of type ratings including multi-pilot IR for:

(i) multi-pilot aeroplanes;

(ii) single-pilot high performance complex aeroplanes when the applicant seeks privileges to operate in multi-pilot operations;

(2) MCC training;

(3) the MPL course on the basic, intermediate and advanced phases, ~~when they have completed the provisions of FCL.925 (b) and~~ provided that, for the basic phase, they hold, ~~or for FSTD training hold or have held,~~ an FI(A) or IRI(A) certificate;

(4) the LIFUS of a zero flight time type rating course and the recency requirements of FCL.060 (c)(2) provided that the TRI has undergone specific additional training.

(c) for TRI(A):

(1) the base training under normal procedures during a type rating course provided that the TRI has undergone specific additional training and has satisfactorily demonstrated on the aeroplane their ability to conduct such training to an appropriately qualified TRI(A):



(2) the training of emergency and abnormal procedures in the aeroplane provided that the TRI has undergone TRI training on the aeroplane and has completed an assessment of competence on the aeroplane in accordance with FCL.935.

(ed) in the case of the TRI for helicopters TRI(H):

(1) the issue, ~~revalidation~~ and renewal of helicopter type ratings;

(2) MCC training, ~~provided he/she~~ when the TRI holds a multi-pilot helicopter type rating;

(3) the extension of the single-engine IR(H) to multi-engine IR(H);

(4) the renewal of an IR, provided the TRI(H) holds a valid IR.

(fe) in the case of the TRI for powered-lift aircraft TRI(PL):

(1) the issue, ~~revalidation~~ and renewal of powered-lift type ratings;

(2) MCC training.

(bf) the issue, **revalidation and renewal** of a TRI or SFI certificate, provided that the holder has TRI:

(1) holds the TRI certificate on the appropriate type; and

(2) has three years or 50 hours of instructional experience as TRI or SFI. Instructional experience gained under Part Ops in the same category of aircraft will count in full towards this requirement; and

(3) is nominated for this purpose by the HT of an ATO.

(The experience of 50 hours required in point (f) (2) shall be understood as a general experience as TRI/SFI and not specific experience on the specific type.)

response Noted

comment

271

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.910.TRI TRI — Restricted privileges

(a)General. If the TRI training is carried out in an ~~FSTD~~ only, the privileges of the TRI shall be restricted to training in the ~~FSTD-ES~~.

(1) For TRI(A), privileges may be extended to the aeroplane, provided that the relevant requirements of FCL.905.TRI(b)(4) & (c) have been met.

~~In this case, the TRI may conduct line flying under supervision, provided that the TRI training~~



~~course has included additional training for this purpose.~~

~~(b) TRI for aeroplanes and for powered lift aircraft — TRI(A) and TRI(PL). The privileges of a TRI are shall be restricted to the type of aeroplane or powered lift aircraft in which the training and the assessment of competence was were taken. The privileges of the TRI shall be extended to further types in accordance with the operational suitability data established in Part-21, where applicable, when the TRI has:~~

~~(1) for aeroplanes and for powered-lift aircraft — TRI(A) and TRI(PL):~~

~~(i) completed within the 12 months preceding the application, at least 15 route sectors, take-offs and landings on the applicable aircraft type, of which 7 sectors may be completed in an FFS;~~

~~(ii) completed the relevant sections of the technical training and flight instruction parts of the applicable TRI course;~~

~~(2e) TRI for helicopters — TRI(H):-~~

~~(1) The privileges of a TRI(H) are restricted to the type of helicopter in which the skill test for the issue of the TRI certificate was taken. The privileges of the TRI shall be extended to further types when the TRI has:~~

~~(i) completed within the 12 months preceding the application, at least 10 hours on the applicable type of helicopter, of which 5 hours may be completed in an FFS or FTD 2/3;~~

~~(ii) completed the relevant sections of the appropriate type technical part of the TRI course on the applicable type of helicopter or an FSTD FFS or FTD 2/3 representing that type;~~

~~(iii) conducted at least 2 hours of flight instruction on the applicable type, under the supervision of an adequately qualified TRI(H); and .~~

~~(iii) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an FIE or TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.~~

~~(2iii) Before the privileges of a TRI(H) are extended from single-pilot to multi-pilot privileges on the same type of helicopters, the holder shall have at least 100 hours in multi-pilot operations on this type.~~

~~(3) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an FIE or a TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.~~

~~(e) Notwithstanding the paragraphs above, holders of a TRI certificate who have been issued with a type rating in accordance with FCL.725(e) shall be entitled to have their TRI privileges extended to that new type of aircraft.~~

response Noted

comment

281

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.915.TRI TRI — Prerequisites

An applicant for an **initial** TRI certificate shall:

(a) hold a CPL, MPL or ATPL ~~pilot licence on~~ **for** the applicable aircraft category **in which flight instruction is to be given**;

(b) for a TRI(MPA) certificate **have completed**:

(1) ~~have completed~~ 1 500 hours flight time as a pilot on multi-pilot aeroplanes; and

(2) ~~have completed~~, within the 12 months preceding the date of application, 30 route sectors, including take-offs and landings, as PIC or co-pilot on the applicable aeroplane type, of which 15 sectors may be completed in an FFS representing that type;

(c) for a TRI(SPA) certificate:

(1) have completed, within the 12 months preceding the date of application, 30 route sectors, including take-offs and landings, as PIC on the applicable aeroplane type, of which 15 sectors may be completed in an FFS representing that type; and

(2) (i) have competed at least 500 hours flight time as pilot on aeroplanes, including 30 hours as PIC on the applicable type of aeroplane; or

(ii) hold or have held an FI certificate for multi-engine aeroplanes with IR(A) privileges;

(d) for TRI(H) **certificate**:

(1) ~~for a TRI(H) certificate~~ for single-pilot single-engine helicopters, have completed 250 hours as a pilot on helicopters;

(2) ~~for a TRI(H) certificate~~ for single-pilot multi-engine helicopters, have completed 500 hours as pilot of helicopters, including 100 hours as PIC on single-pilot multi-engine helicopters;

(3) ~~for a TRI(H) certificate~~ for multi-pilot helicopters, have completed 1 000 hours of flight time as a pilot on helicopters, including:

(i) 350 hours as a pilot on multi-pilot helicopters; or

(ii) for applicants already holding a TRI(H) certificate for single-pilot multi-engine helicopters, 100 hours as pilot of that type in multi-pilot operations.

(4) Holders of an FI(H) certificate shall be fully credited towards the requirements of (1) and (2) in the relevant single- pilot helicopter;



	<p>(e) for TRI(PL) certificate have completed:</p> <p>(1) have completed 1 500 hours flight time as a pilot on multi-pilot aeroplanes, powered-lift, or multi-pilot helicopters; and</p> <p>(2) have completed, within the 12 months preceding the application, 30 route sectors, including take-offs and landings, as PIC or co-pilot on the applicable powered-lift type, of which 15 sectors may be completed in an FFS representing that type.</p>
response	Noted

comment	<p>282 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.930.TRI TRI — Training course</p> <p>(a) The TRI training course shall include, at least:</p> <p>(1) 25 hours of teaching and learning;</p> <p>(1) 10 hours of technical training related to the applicable aircraft type, including revision of technical knowledge, the preparation of lesson plans and the development of classroom/simulator instructional skills;</p> <p>(3) 5 hours of flight instruction for single-pilot aircraft, or 10 hours of flight instruction for multi-pilot aircraft, on the applicable aircraft type or an FSTD representing that type. 5 hours of flight instruction on the appropriate aircraft or a simulator representing that aircraft for single pilot aircraft and 10 hours for multi pilot aircraft or a simulator representing that aircraft.</p> <p>(4) Additional training when instructional privileges are sought in accordance with FCL.905.TRI (b)(4), (c)(1) or (c)(2).</p> <p>(b) Crediting: Applicants for a TRI certificate</p> <p>(1) Applicants holding or having held instructor certificate shall be fully credited towards the requirement of (a)(1).</p> <p>(c) An applicant for a TRI certificate who holds an SFI certificate for the relevant type shall be fully credited towards the requirements of this paragraph the training course for the issue of a TRI certificate, except that they will be restricted to flight instruction in simulators until they have undergone the requirements of FCL.905.TRI (b) (4), (c)(1) or (c) (2) as applicable.</p>
response	Noted

comment	<p>283 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p>
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FCL.935.TRI TRI — Assessment of competence

(a) ~~If the~~ TRI assessment of competence shall be conducted in an FSTD if available. ~~the TRI certificate shall be restricted to flight instruction in FFSs.~~

(the specific requirements for AoC for A or H should be described in the AMC)

~~The restriction shall be lifted when the TRI has passed the assessment of competence on an aircraft.~~

(b) When an applicant for a TRI certificate restricted to FSTD on the applicable type, holds a SFI certificate on the applicable type, the applicant shall be fully credited towards this requirement.

response Noted

comment 284

comment by: Irish Aviation Authority

The following wording is proposed:

FCL.940.TRI TRI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)

(a) *Revalidation.*

(1) Aeroplanes. For revalidation of a TRI(A) certificate, the applicant shall, within the last 12 months preceding the expiry date of the certificate, fulfil one 2 of the following 3 requirements:

(i) conduct one of the following parts of a complete on a type rating or recurrent training course: one simulator session of at least 3 hours; or if the instructional session is to be conducted in an aircraft, one air exercise of at least 1 hour comprising a minimum of 2 take-offs and landings;

(ii) receive instructor refresher training as a TRI(A) at an ATO or, where no ATO exists to provide such training, as approved by the Authority responsible for the issue of the certificate;

(iii) pass the assessment of competence in accordance with FCL.935.

(2) Helicopters and powered lift. For revalidation of a TRI(H) or TRI(PL) certificate, the applicant shall, within the validity period of the TRI certificate, fulfil 2 of the following 3 requirements:

(i) complete 50 hours of flight instruction on each of the types of aircraft for which instructional privileges are held or in an FSTD representing those types, of which at least 15 hours shall be within the 12 months preceding the expiry date of the TRI certificate.

In the case of TRI(PL), these hours of flight instruction shall be flown as a TRI or type rating examiner (TRE), or SFI or synthetic flight examiner (SFE). In the case of TRI(H), time flown as



FI, instrument rating instructor (IRI), synthetic training instructor (STI) or as any kind of examiner shall also be relevant for this purpose;

(ii) receive instructor refresher training as a TRI(H) or TRI(PL), as relevant, at an ATO;

(iii) pass the assessment of competence in accordance with FCL.935.

(3) For at least each alternate revalidation of a TRI certificate, the holder shall ~~have to~~ pass the assessment of competence in accordance with FCL.935.

(4) If a person holds a TRI certificate on more than one type of aircraft within the same category, the assessment of competence taken on one of those types shall revalidate the TRI certificate for the other types held within the same category of aircraft.

(5) Specific requirements for revalidation of a TRI(H). A TRI(H) holding an FI(H) certificate on the relevant type shall have full credit towards the requirements in (a) (2) above. In this case, the TRI(H) certificate will be valid until the expiry date of the FI(H) certificate.

(b) *Renewal.* If the TRI certificate has lapsed, the applicant shall have completed within the 12 months preceding the application:

(1) Aeroplanes: ~~If the TRI(A) certificate has lapsed, the applicant shall have:~~

(i) ~~completed within the last 12 months preceding the application~~ at least 30 route sectors, to include take-offs and landings on one of the applicable aeroplane types, of which not more than 15 sectors may be completed in a flight simulator;

(ii) ~~completed~~ instructor refresher training as a TRI(A) at an ATO, covering the relevant elements of the TRI(A) training course; and ~~completed the relevant parts of a TRI course at an approved ATO;~~

~~(iii) conducted on a complete type rating course at least 3 hours of flight instruction on the applicable type of aeroplane under the supervision of a TRI(A).~~

(iii) an assessment of competence in accordance with FCL.935 in one of the types for which renewal of the instructional privileges is sought.

(2) Helicopters and powered lift: ~~If the TRI (H) or TRI(PL) certificate has lapsed, the applicant shall within a period of 12 months before renewal:~~

(i) at least 10 hours, including take-offs and landings on the applicable aircraft type, of which not more than 5 hours may be completed in a FSTD; and

(ii) ~~receive~~ instructor refresher training as a TRI(H) or TRI(PL) at an ATO, which ~~should~~ shall cover the relevant elements of the TRI training course; and

(iii) ~~pass the~~ an assessment of competence in accordance with FCL.935 in each one of the types of aircraft ~~in~~ for which renewal of the instructional privileges is sought.

(c) For the assessment of competence for revalidation or renewal, the instructional session or exercise may be completed during initial, conversion, recurrent or refresher training with

	<p>an operator certified under Part Ops. An actual or a simulated crew may be used for the instructional session or exercise.</p>
response	Noted
comment	<p>366 comment by: <i>Ryanair ATO</i></p>
response	Noted
comment	<p>370 comment by: <i>Morten THVILUM</i></p> <p>FCL.910.TRI – Restricted privileges</p> <p>Dear Sir</p> <p>Prerequisite</p> <p>The industry and regulatory authorities have come a long way in using FSTDs especially FFSs in training which otherwise would be impossible or increase the risk is attempted in the aeroplane. The NPA will roll this back to the days when only flying around the windsock mattered.</p> <p>The value of TRI training as of today</p> <p>During type rating training pilots are trained specifically for qualifying to conduct safe take-offs and landings as part of the ZFT programs. The TRIs are specially training during their TRI course for this task, and are capable to instruct/verify the transition of the pilot's skills from the FFS to the aeroplane during LIFUS.</p> <p>ZFT and LIFUS</p> <p>The NPA no longer acknowledge the value of TRI training as being sufficient as the TRI conducting LIFUS needs further training in the aeroplane.</p> <p>Nothing in the history of ZFT supports this and the future of having all sized of CS-25 aeroplanes including A380s making touch and goes as part of making an airline capable of qualifying for ZFT including LIFUS of their pilots is rather dramatic.</p> <p>Landing training</p> <p>Until a couple of years ago, the TRI would be issued a TRI (restricted) once the proper TRI training had been conducted. Preparing a to-be-TRI for the task of conducting base training/landing training is indeed a matter of training high-risk manoeuvres in the FFS. The manoeuvres include substandard student performance, including dangerous substandard performance, low take-over manoeuvres, high workload critical scenarios, tactics and skills handling inexperienced pilots etc. Nothing of this can be substituted by making airborne training in a complex CS-25 aircraft. It will be more of a very expensive tick-off contributing to neither the quality nor the flight safety during training.</p> <p>Final comments</p> <p>TRI privileges to conduct LIFUS, as part of ZFT shall remain unchanged as of today.</p> <p>TRI privileges to conduct landing training shall be based on training requirements acc FCL 930 TRI, supported by an AMC suggesting the content of this specific training.</p>

Kind regards

Morten Thvilum
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response Noted

comment

383

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.905.TRI TRI — Privileges and conditions

The privileges of a TRI are to instruct for:

~~(a) the revalidation and renewal of an EIR or an IR, provided the TRI holds a valid IR;~~

~~(ea) in the case of the TRI for single-pilot aeroplanes, TRI(SPA):~~

~~(1) the issue, revalidation and renewal of type ratings for single-pilot high performance complex aeroplanes when the applicant seeks privileges to operate in single-pilot operations;~~

~~(2) The privileges of the TRI(SPA) may be extended to flight instruction~~ **the issue or renewal of type ratings** ~~for single-pilot high performance complex aeroplanes~~ **type ratings when the applicant seeks privileges to operate** ~~in multi-pilot operations, provided that the TRI:~~

~~(i) holds an MCCI certificate~~ **has completed MCC requirements in accordance with FCL.720(A)(d)(4); or and**

~~(ii) holds or has held a TRI certificate for multi-pilot aeroplanes;~~ **has completed the training course for MCCI in accordance with FCL.930.MCCI; or**

~~(iii) holds or has held a TRI(MPA) certificate.~~

~~(23) the MPL course on the basic phase, provided that the~~ **privileges of the TRI have been** ~~the privileges~~ **extended to multi-pilot operations and s/he** ~~holds or has held an FI(A) or an IRI(A) certificate;~~



(4) the renewal of an EIR or SP IR, provided that the TRI holds the relevant SP class or type rating, holds an SP IR and complies with the cross crediting requirements of Appendix 8 to this rule.

(eb) in the case of the TRI for multi-pilot aeroplanes, TRI(MPA):

(1) the issue, revalidation and renewal of type ratings including multi-pilot IR for:

(i) multi-pilot aeroplanes;

(ii) single-pilot high performance complex aeroplanes when the applicant seeks privileges to operate in multi-pilot operations;

(2) MCC training;

(3) the MPL course on the basic, intermediate and advanced phases, when they have completed the provisions of FCL.925 (b) and provided that, for the basic phase, they hold, or for FSTD training hold or have held, an FI(A) or IRI(A) certificate;

(4) the LIFUS of a zero flight time type rating course and the recency requirements of FCL.060 (c)(2) provided that the TRI has undergone specific additional training.

(c) for TRI(A):

(1) the base training under normal procedures during a type rating course provided that the TRI has undergone specific additional training and has satisfactorily demonstrated on the aeroplane their ability to conduct such training to an appropriately qualified TRI(A);

(2) the training of emergency and abnormal procedures in the aeroplane provided that the TRI has undergone TRI training on the aeroplane and has completed an assessment of competence on the aeroplane in accordance with FCL.935.

(ed) in the case of the TRI for helicopters TRI(H):

(1) the issue, revalidation and renewal of helicopter type ratings;

(2) MCC training, provided he/she when the TRI holds a multi-pilot helicopter type rating;

(3) the extension of the single-engine IR(H) to multi-engine IR(H);

(4) the renewal of an IR, provided the TRI(H) holds a valid IR.

(fe) in the case of the TRI for powered-lift aircraft TRI(PL):

(1) the issue, revalidation and renewal of powered-lift type ratings;

(2) MCC training.

(bf) the issue, revalidation and renewal of a TRI or SFI certificate, provided that the holder has TRI:

(1) holds the TRI certificate on the appropriate type; and

	<p>(2) has three years or 50 hours of instructional experience as TRI or SFI. Instructional experience gained under Part Ops in the same category of aircraft will count in full towards this requirement; and</p> <p>(3) is nominated for this purpose by the HT of an ATO.</p> <p>(The experience of 50 hours required in point (f) (2) shall be understood as a general experience as TRI/SFI and not specific experience on the specific type.)</p>
response	Noted

comment	<p>385 comment by: Ryanair ATO</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.910.TRI TRI — Restricted privileges</p> <p>(a)General. If the TRI training is carried out in an FFSTD only, the privileges of the TRI shall be restricted to training in the FSTD-FS.</p> <p>(1) For TRI(A), privileges may be extended to the aeroplane, provided that the relevant requirements of FCL.905.TRI(b)(4) & (c) have been met.</p> <p>In this case, the TRI may conduct line flying under supervision, provided that the TRI training course has included additional training for this purpose.</p> <p>(b) TRI for aeroplanes and for powered-lift aircraft — TRI(A) and TRI(PL). The privileges of a TRI are shall be restricted to the type of aeroplane or powered-lift aircraft in which the training and the assessment of competence was were taken. The privileges of the TRI shall be extended to further types in accordance with the operational suitability data established in Part-21, where applicable, when the TRI has:</p> <p>(1) for aeroplanes and for powered-lift aircraft — TRI(A) and TRI(PL):</p> <p>(i) completed within the 12 months preceding the application, at least 15 route sectors, take-offs and landings on the applicable aircraft type, of which 7 sectors may be completed in an FFS;</p> <p>(ii) completed the relevant sections of the technical training and flight instruction parts of the applicable TRI course;</p> <p>(2e) TRI for helicopters — TRI(H):-</p> <p>(1) The privileges of a TRI(H) are restricted to the type of helicopter in which the skill test for the issue of the TRI certificate was taken. The privileges of the TRI shall be extended to further types when the TRI has:</p>
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(i) completed within the 12 months preceding the application, at least 10 hours on the applicable type of helicopter, of which 5 hours may be completed in an FFS or FTD 2/3;

(ii) completed the relevant sections of the appropriate type technical part of the TRI course on the applicable type of helicopter or an FSTD FFS or FTD 2/3 representing that type;

~~(iii) conducted at least 2 hours of flight instruction on the applicable type, under the supervision of an adequately qualified TRI(H); and .~~

~~(iii) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an FIE or TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.~~

(2iii) Before the privileges of a TRI(H) are extended from single-pilot to multi-pilot privileges on the same type of helicopters, the holder shall have at least 100 hours in multi-pilot operations on this type.

(3) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an FIE or a TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.

(ec) Notwithstanding the paragraphs above, holders of a TRI certificate who have been issued with a type rating in accordance with FCL.725(e) shall be entitled to have their TRI privileges extended to that new type of aircraft.

response Noted

comment 386

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.915.TRI TRI — Prerequisites

An applicant for an initial TRI certificate shall:

(a) hold a CPL, MPL or ATPL pilot licence on for the applicable aircraft category in which flight instruction is to be given;

(b) for a TRI(MPA) certificate have completed:

(1) have completed 1 500 hours flight time as a pilot on multi-pilot aeroplanes; and

(2) have completed, within the 12 months preceding the date of application, 30 route sectors, including take-offs and landings, as PIC or co-pilot on the applicable aeroplane type,



of which 15 sectors may be completed in an FFS representing that type;

(c) for a TRI(SPA) certificate:

(1) have completed, within the 12 months preceding the date of application, 30 route sectors, including take-offs and landings, as PIC on the applicable aeroplane type, of which 15 sectors may be completed in an FFS representing that type; and

(2) (i) have completed at least 500 hours flight time as pilot on aeroplanes, including 30 hours as PIC on the applicable type of aeroplane; or

(ii) hold or have held an FI certificate for multi-engine aeroplanes with IR(A) privileges;

(d) for TRI(H) **certificate:**

(1) ~~for a TRI(H) certificate~~ for single-pilot single-engine helicopters, have completed 250 hours as a pilot on helicopters;

(2) ~~for a TRI(H) certificate~~ for single-pilot multi-engine helicopters, have completed 500 hours as pilot of helicopters, including 100 hours as PIC on single-pilot multi-engine helicopters;

(3) ~~for a TRI(H) certificate~~ for multi-pilot helicopters, have completed 1 000 hours of flight time as a pilot on helicopters, including:

(i) 350 hours as a pilot on multi-pilot helicopters; or

(ii) for applicants already holding a TRI(H) certificate for single-pilot multi-engine helicopters, 100 hours as pilot of that type in multi-pilot operations.

(4) Holders of an FI(H) certificate shall be fully credited towards the requirements of (1) and (2) in the relevant single- pilot helicopter;

(e) for TRI(PL) **certificate have completed:**

(1) ~~have completed~~ 1 500 hours flight time as a pilot on multi-pilot aeroplanes, powered-lift, or multi-pilot helicopters; and

(2) ~~have completed,~~ within the 12 months preceding the application, 30 route sectors, including take-offs and landings, as PIC or co-pilot on the applicable powered-lift type, of which 15 sectors may be completed in an FFS representing that type.

response Noted

comment 387

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:



FCL.930.TRI TRI — Training course

(a) The TRI training course shall include, at least:

(1) 25 hours of teaching and learning;

~~(2)~~ 10 hours of technical training **related to the applicable aircraft type**, including revision of technical knowledge, the preparation of lesson plans and the development of classroom/simulator instructional skills;

(3) 5 hours of flight instruction for single-pilot aircraft, or 10 hours of flight instruction for multi-pilot aircraft, on the applicable aircraft type or an FSTD representing that type. 5 hours of flight instruction on the appropriate aircraft or a simulator representing that aircraft for single-pilot aircraft and 10 hours for multi-pilot aircraft or a simulator representing that aircraft.

(4) Additional training when instructional privileges are sought in accordance with FCL.905.TRI (b)(4), (c)(1) or (c)(2).

(b) **Crediting: Applicants for a TRI certificate**

~~(1)~~ Applicants holding or having held instructor certificate shall be fully credited towards the requirement of ~~(a)(1)~~.

~~(c)~~ An applicant for a TRI certificate who holds an SFI certificate for the relevant type shall be fully credited towards the requirements of ~~this paragraph~~ **the training course** for the issue of a TRI certificate, **except that they will be** restricted to flight instruction in simulators **until they have undergone the requirements of FCL.905.TRI (b) (4), (c)(1) or (c) (2) as applicable.**

response Noted

comment 388

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.935.TRI TRI — Assessment of competence

~~(a) If not~~ the TRI assessment of competence **shall be** conducted in an **FSTD if available.** ~~, the TRI certificate shall be restricted to flight instruction in FFSs.~~

(the specific requirements for AoC for A or H should be described in the AMC)

~~The restriction shall be lifted when the TRI has passed the assessment of competence on an aircraft.~~

(b) When an applicant for a TRI certificate restricted to FSTD on the applicable type, holds a SFI certificate on the applicable type, the applicant shall be fully credited towards this



	requirement.
response	Noted
comment	<p data-bbox="363 412 411 443">390</p> <p data-bbox="1161 412 1477 443" style="text-align: right;">comment by: Ryanair ATO</p> <p data-bbox="363 470 1477 568">The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p data-bbox="363 577 718 609">Recommended text changes:</p> <p data-bbox="363 645 1477 716">FCL.940.TRI TRI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)</p> <p data-bbox="363 752 549 784">(a) <i>Revalidation.</i></p> <p data-bbox="363 824 1477 922">(1) Aeroplanes. For revalidation of a TRI(A) certificate, the applicant shall, within the last 12 months preceding the expiry date of the certificate, fulfil one 2 of the following 3 requirements:</p> <p data-bbox="363 967 1477 1111">(i) conduct one of the following parts of a complete on a type rating or recurrent training course: one simulator session of at least 3 hours; or if the instructional session is to be conducted in an aircraft, one air exercise of at least 1 hour comprising a minimum of 2 take-offs and landings;</p> <p data-bbox="363 1146 1477 1245">(ii) receive instructor refresher training as a TRI(A) at an ATO or, where no ATO exists to provide such training, as approved by the Authority responsible for the issue of the certificate;</p> <p data-bbox="363 1254 1187 1285">(iii) pass the assessment of competence in accordance with FCL.935.</p> <p data-bbox="363 1326 1477 1424">(2) Helicopters and powered lift. For revalidation of a TRI(H) or TRI(PL) certificate, the applicant shall, within the validity period of the TRI certificate, fulfil 2 of the following 3 requirements:</p> <p data-bbox="363 1469 1477 1568">(i) complete 50 hours of flight instruction on each of the types of aircraft for which instructional privileges are held or in an FSTD representing those types, of which at least 15 hours shall be within the 12 months preceding the expiry date of the TRI certificate.</p> <p data-bbox="363 1612 1477 1756">In the case of TRI(PL), these hours of flight instruction shall be flown as a TRI or type rating examiner (TRE), or SFI or synthetic flight examiner (SFE). In the case of TRI(H), time flown as FI, instrument rating instructor (IRI), synthetic training instructor (STI) or as any kind of examiner shall also be relevant for this purpose;</p> <p data-bbox="363 1792 1369 1823">(ii) receive instructor refresher training as a TRI(H) or TRI(PL), as relevant, at an ATO;</p> <p data-bbox="363 1863 1177 1895">(iii) pass the assessment of competence in accordance with FCL.935.</p> <p data-bbox="363 1935 1477 2007">(3) For at least each alternate revalidation of a TRI certificate, the holder shall have to pass the assessment of competence in accordance with FCL.935.</p>

(4) If a person holds a TRI certificate on more than one type of aircraft within the same category, the assessment of competence taken on one of those types shall revalidate the TRI certificate for the other types held within the same category of aircraft.

(5) Specific requirements for revalidation of a TRI(H). A TRI(H) holding an FI(H) certificate on the relevant type shall have full credit towards the requirements in (a) (2) above. In this case, the TRI(H) certificate will be valid until the expiry date of the FI(H) certificate.

(b) *Renewal.* If the TRI certificate has lapsed, the applicant shall have completed within the 12 months preceding the application:

(1) Aeroplanes: ~~If the TRI(A) certificate has lapsed, the applicant shall have:~~

(i) ~~completed within the last 12 months preceding the application~~ at least 30 route sectors, to include take-offs and landings on one of the applicable aeroplane types, of which not more than 15 sectors may be completed in a flight simulator;

(ii) ~~completed~~ instructor refresher training as a TRI(A) at an ATO, covering the relevant elements of the TRI(A) training course; and ~~completed the relevant parts of a TRI course at an approved ATO;~~

(iii) ~~conducted on a complete type rating course at least 3 hours of flight instruction on the applicable type of aeroplane under the supervision of a TRI(A).~~

(iii) an assessment of competence in accordance with FCL.935 in one of the types for which renewal of the instructional privileges is sought.

(2) Helicopters and powered lift. ~~If the TRI (H) or TRI(PL) certificate has lapsed, the applicant shall within a period of 12 months before renewal:~~

(i) at least 10 hours, including take-offs and landings on the applicable aircraft type, of which not more than 5 hours may be completed in a FSTD; and

(ii) ~~receive~~ instructor refresher training as a TRI(H) or TRI(PL) at an ATO, which ~~should~~ shall cover the relevant elements of the TRI training course; and

(iii) ~~pass the an~~ assessment of competence in accordance with FCL.935 in ~~each one~~ of the types of aircraft ~~in for~~ which renewal of the instructional privileges is sought.

(c) For the assessment of competence for revalidation or renewal, the instructional session or exercise may be completed during initial, conversion, recurrent or refresher training with an operator certified under Part Ops. An actual or a simulated crew may be used for the instructional session or exercise.

response Noted

comment 425

comment by: KLM

For clarity please amend the last alinea of FCL.910.TRI (a) to read as follows:
In this case, the TRI may conduct line flying under supervision **for the purpose of ZFTT** or



response	landing training, provided that the TRI training course has included additional training for this purpose on the aeroplane. Noted
comment	426 comment by: <i>KLM</i> KLM fully supports the amendment made to FCL.935.TRI
response	Noted
comment	427 comment by: <i>KLM</i> KLM fully supports the amendment made to FCL.940(b)(1)(iii)
response	Noted
comment	443 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i> Relevant Text: In this case, the TRI may conduct line flying under supervision or landing training, provided that the training course has included additional training for this purpose on the aeroplane. Comment: It is unclear what is required to get the privilege to conduct base training. The AMC only says “checked for base training” in the same paragraph which describes LIFUS. Proposal: Clarify the training requirements for a TRI to get base training privileges.
response	Noted
comment	444 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i> Relevant Text: FCL.940.TRI (a) (4) Comment: The change of the rule makes it only possible to revalidate several TRI-ratings if it is recommended by the OSD. This increases the burden for the TRIs, who have previously been able to revalidate through one AoC, but now might have to do several assessments. It makes sense to follow the OSD, but for those aircraft types that lack an OSD, or where the OSD does not evaluate all other possible TRI-ratings, it might be unfair to require a separate assessment for each type. Proposal: If a person holds a TRI certificate on more than one type of aircraft within the

same category, the assessment of competence taken on one of those types shall revalidate the TRI certificate for the other types held within the same category of aircraft. If the recommendation of the operational suitability data established in accordance with part-21 includes the review of TRI assessments of competence on other types, this recommendation must be followed.

response Noted

comment 461 comment by: *Bond Offshore Helicopters*

FCL.905.TRI

(b) (ii)

has conducted the flight instruction syllabus of the TRI training

does this mean the whole syllabus or parts of it?

We would support formal training for a TRI Tutor, but in the same way that we do not need trainee TRIs to deliver every lesson in a type rating course. We also would like the entry to show this could be a simulated course which means you do not have to wait for a actual course to be scheduled

response Noted

comment 463 comment by: *Bond Offshore Helicopters*

FCL.930.TRI

(a) (2)

can we change "technical training" to "instructor training".

response Noted

comment 464 comment by: *Bond Offshore Helicopters*

FCL.940.TRI

(a) (4)

Can we change this

OSD should recommend which types in the same category do not (Its a do at the moment) revalidate the TRI certificate on other types.

response Noted

comment 490 comment by: *Dassault Aviation*

Dassault-Aviation comment on FCL.905.TRI TRI — Privileges and conditions (b)(i)

Dassault Aviation wants to extend this requirement to impose a minimum of flying experience in order to instruct for the issue of a TRI or SFI certificate:

“The holder has at least 50 hours of instructional experience as a TRI or SFI, **with at least 25**



hours of flight instruction;”

Indeed, minimum hours of flight instruction permit to reduce the unbalance experiences between a TRI with 50 hours of instructional experience in flight and a TRI with 50 hours of instructional experience in flight simulator.

response Noted

comment 491

comment by: *Dassault Aviation*

Dassault-Aviation comment on FCL.910.TRI TRI — Restricted privileges (b)(2)

Dassault Aviation fully support this amendment as it allows to consider the communalities between aircraft of a same family in order to reduce the training time, as defined in **FCL.930.TRI(a)(3)**.

This argument has been approved by french NAA (DGAC) for TRI privileges extensions in the frame of Dassault Falcon ATO TRI extension courses.

response Noted

comment 517

comment by: *FOCA Switzerland*

**Annex I Part FCL
FCL.905.TRI (b)**

Subject:**Prerequisites for TRI extension to the issue of a TRI/SFI certificate**

FOCA fully supports the amendment proposed that offers a more pragmatic approach for the industry.

1) FOCA fully supports the introduction of the 50h of instructional experience.

In order to deal with all the situations FOCA proposes to keep the prerequisite to have 3 years of experience as TRI or SFI as an alternative solution to the 50h of instructional experience. As a matter of fact for corporate aviation (SP HPA complex) it may be difficult to find TRI(SPA) who will meet the 50h condition. Point (b) (i) is slightly amended accordingly.

In addition the 3 years condition should be kept in order to ensure that TRI currently complying with this condition (and not the 50h condition) keep their privilege when the text is finally changed.

2) In order to precise that the notion of “instructional experience” could be covered by flight and FSTD instruction provided under Part ORO regulation (EU) n°965/2012, FOCA proposes to slightly amend (b) (i).

3) In addition wording of (b) (ii) could be interpreted as the whole TRI syllabus has to be covered. FOCA proposes a slight modification of the wording of (b) (ii) in order to clarify this issue.

Proposal

FCL.905.TRI

[...]

(b)

(i) the holder has at least 3 years or 50 hours of instructional experience as a TRI or SFI, flight or FSTD instruction gained under regulation (EU) n°965/2012 Part ORO in the same



	<p><i>category of aircraft may be credited;</i> and (ii) has conducted the flight instruction syllabus <i>of the relevant part</i> of TRI training course according to FCL.930.TRI (a) (3) under the supervision and to the satisfaction of a qualified TRI nominated for this purpose by the HT of an ATO.</p>
response	Noted

comment	<p>518 comment by: FOCA Switzerland</p> <p>FCL.905.TRI (c) (1)</p> <p>Prerequisites for TRI(SPA) extension to flight instruction in MPO For coherence with FOCA proposal for FCL.905.CRI (d) and FCL.905.FI (b) introducing additional requirements before providing instruction in MPO (see others comments), FOCA suggests to also amend FCL.905.TRI (c) (1) in order to align for all instructors the requirements before being authorized to instruct in MPO conditions. It should be noted that TRI(SPA) that will instruct in MPO will have candidates that are already holding an MCC certificate. In other words the TRI(SPA) will not instruct for an initial MCC. The candidates will already have notion of multi crew coordination. This point is justifying the fact that FOCA is proposing more balanced requirements than the one proposed in the NPA. FOCA proposes to amendment FCL.905.TRI (c) (1) by requiring the TRI(SPA) to: - hold an MCC certificate or equivalent (as defined in FCL.720.A (d) (4)), and - undergo the MCCI(A) training course. Such proposal will define more sensible and balanced conditions. This proposal is in line with FOCA other comment on FCL.905.CRI (d) and FCL.905.FI (b).</p> <p>Proposal</p> <p>FCL.905.TRI (c) (1) [...]</p> <p><i>The privileges of the TRI(SPA) may be extended to flight instruction for the issue, revalidation or renewal for single-pilot high-performance complex aeroplanes in multi-pilot operations, provided that the TRI:</i> (1) <i>(i) has met MCC requirements in accordance with FCL.720.A (d) (4);</i> <i>and</i> <i>(ii) has completed the training course for MCCI in accordance with FCL.930.MCCI.</i> <i>or</i> <i>(2) holds or has held a TRI certificate for a multi-pilot aeroplanes</i></p>
response	Noted

comment	<p>519 comment by: FOCA Switzerland</p> <p>Annex I Part FCL</p>
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FCL.910.TRI (a)**Subject:****TRI restriction to FSTD**

The restriction to only FFS on the TRI is not adequate. FOCA suggests referring to a restriction to FSTD (covering both options FFS or FTD 2/3) and not only FFS.

As a matter of fact FOCA considers that simulators that can be used for a TRI flight instruction could be FFS and FTD 2/3 (see other comment on FCL.930.TRI (a) (3) to find further explanations).

Proposal***FCL.910.TRI TRI — Restricted privileges***

(a) General.

*If the TRI training is carried out in an **FSTD** only, the privileges of the TRI shall be restricted to training in the **FSTD***

response Noted

comment 520

comment by: FOCA Switzerland

Annex I Part FCL**FCL.910.TRI (a)****Subject:****Additional training to lift TRI restriction to FFS**

1) The reference to an AMC in the Part FCL seems not be appropriate. There will be no possibility to publish AltMoC. FOCA proposes an alternative wording and suggests adding a new point (4) in FCL.930.TRI (a) referring to the additional training (see other comment on FCL.930.TRI (a) (4)).

2) FOCA considers that the following wording used in FCL.910.TRI (a) is ambiguous: *“In this case, the TRI may conduct line flying under supervision or landing training, provided that the TRI training course has included additional training for this purpose on the aeroplane.”*

As a matter of fact this sentence could be understood as a TRI LIFUS is required for the entire line flying under supervision, including in particular the completion of sectors/flight hours required in AMC1 ORO.FC.220 (e).

It should be clear that the TRI LIFUS is in particular required for supervising the first four take-offs and landings in the aeroplane as required by ORO.FC.220 (e) (3). The sectors/flight hours required by AMC1 ORO.FC.220 (e) can be performed under the supervision of a flight crew member nominated by the operator who is not necessarily holding a LIFUS TRI(A) rating in accordance with Part FCL.

This comment is to be considered in correlation with the comment about a new definition of LIFUS in FCL.010. This comment underlines the necessity to introduce a clear definition of LIFUS in regulation (EU) n°1178/2011.

3) Finally FOCA considers that it should be clarified in the regulation that a TRI LIFUS is properly qualified to act as an instructor for the training flight on an aeroplane mentioned in FCL.060 (c) (2).

To cover all these issues FOCA proposes an alternative wording for FCL.910.TRI (a)

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Proposal

FCL.910.TRI*(a) General.**If the TRI training is carried out in an **FSTD** only, the privileges of the TRI shall be restricted to training in the **FSTD**.**The restriction shall be removed when the TRI has completed the additional training in accordance with **FCL.930.TRI (a) (4)****In this case, the TRI may conduct line flying under supervision **of a zero flight time type rating course as required by regulation (EU) n°965/2012, landing training in normal or abnormal operations or the training flight mentioned in FCL.060 (c) (2) if conducted in an aeroplane**, provided that the TRI training course has included additional training for this purpose on the aeroplane.*

response Noted

comment 521

comment by: FOCA Switzerland

Annex I Part FCL**FCL.910.TRI (b) and (c)****Subject:****TRI privileges extensions**

1) FOCA notes that the draft of the NPA is not in line with the amended regulation (EU) n°1178/2011 voted during EASA committee in October 2014 that has already address this issue. The proposal should be aligned with the text that has been voted.

As a consequence the reference to Part 21 should be included as a general remark at the beginning of the paragraph.

2) Moreover there is no extension to another variant for a same type but only TRI extensions to another type rating.

3) For coherence purposes FOCA suggests that point (c) (1) (i) for TRI(H) is aligned with point (b) (2) as proposed for TRI(A). As a matter of fact in the case of a privilege extension to another type only the relevant parts of a TRI course has to be covered.

4) For coherence purposes with point (b) (1) for TRI(A) extension to another type, FOCA suggests that a recent experience in the last 12 months on the helicopter type is also required in the case of a TRI(H) extension to another type.

5) For TRI(H) the supervision required by FCL.910.TRI (c) (1) (ii) seems redundant with the assessment of competence (FCL.935) required by FCL.910.TRI (c) (1) (iii). FOCA suggests removing the supervision. This comment is in line with FOCA other comment in the case of a TRI(H) renewal.

Proposal***(b) TRI for aeroplanes and for powered-lift aircraft — TRI(A) and TRI(PL).***

*The privileges of a TRI are restricted to the type of aeroplane or powered-lift aircraft in which the training and the assessment of competence was taken. **Unless otherwise specified in the OSD established in accordance with Part 21**, the privileges of the TRI shall be extended to further types when the TRI has:*

(1) completed within the 12 months preceding the application, at least 15 route sectors, including take-offs and landings on the applicable aircraft type, of which 7 sectors may be completed in an FFS;



(2) completed the relevant parts of the technical training and flight instruction parts of the relevant applicable TRI course;

(3) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an FIE or a TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.

~~(4) The privileges of the TRI shall be extended to further variants in accordance with the operational suitability data established in accordance with Part 21 when the TRI has complied with the applicable parts of the technical training and flight instruction parts of the applicable TRI course.~~

(c) TRI for helicopters — TRI(H).

(1) The privileges of a TRI(H) are restricted to the type of helicopter in which the skill test for the issue of the TRI certificate was taken. **Unless otherwise specified in the OSD established in accordance with Part 21**, the privileges of the TRI shall be extended to further types when the TRI has:

(i) completed **the relevant parts** of the TRI course on the applicable type of helicopter or an FSTD representing that type;

(ii) completed within the 12 months preceding the application, at least 5h on the applicable helicopter type, of which no more than 3h may be completed in an FFS;

~~(ii) conducted at least 2 hours of flight instruction on the applicable type, under the supervision of an adequately qualified TRI(H); and~~

(iii) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an FIE or TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including preflight, post-flight and theoretical knowledge instruction.

~~(iv) The privileges of the TRI shall be extended to further variants in accordance with the operational suitability data established in accordance with Part 21 when the TRI has complied with the applicable parts of the technical training and flight instruction parts of the applicable TRI course.~~

response Noted

comment 522

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.930.TRI (a) (3)**

Subject:

TRI flight instruction on simulators

FOCA requires the reference to “*simulator*” in point (a) (3) to be clarified. As a matter of fact the term “*simulator*” is not defined in FCL.010. Only FFS, FTD, FNPT, BITD and OTD are defined.

What are the simulators that can be used for a TRI flight instruction: all FSTDs, FFS, FTD 2/3, FNPT 2/1 ...?

FOCA suggests making a clear reference to FSTD (covering both options FFS or FTD 2/3 that may be used for a TRI course).

This reference to FSTD will be consistent with what is provided in FCL.910.SFI: “*The privileges of the SFI shall be restricted to **the FTD 2/3 or FFS** of the aircraft type in which the SFI training course was taken.*”



	<p>Proposal</p> <p>FCL.930.TRI (a) [...] (3) 5 hours of flight instruction on the appropriate aircraft or a simulator a FSTD representing that aircraft for single-pilot aircraft and 10 hours for multi-pilot aircraft or a simulator a FSTD representing that aircraft.</p>
response	Noted
comment	<p>523 comment by: FOCA Switzerland</p> <p>Annex I Part FCL FCL.930.TRI (a) (missing point (4) to be added)</p> <p>Subject: Additional training to lift TRI restriction to FFS FOCA requires that a point (4) is added to FCL.930.TRI (a) in order to make a reference to the additional training that is mentioned in FCL.910.TRI (a) for FFS restriction removal. For coherence the reference to the AMC1 FCL.930.TRI in FCL.910.TRI (a) should be removed and replaced by a reference to this new point FCL.930.TRI (a) (4). Besides it should be noted that in the “Overview of the proposed amendments” (page 17/253) the insertion of a number (4) in (a) FCL.930.TRI is mentioned but in fact this is not effective in the amendment. This discrepancy stresses the fact that this point has been simply forgotten in the proposed text of the NPA.</p> <p>Proposal</p> <p>FCL.930.TRI (a) [...] (4) additional specific training before conducting line flying under supervision of a zero flight time type rating course as required by regulation (EU) n°965/2012 or landing training in normal or abnormal operations or the training flight mentioned in FCL.060 (c) (2) if conducted in an aeroplane.</p>
response	Noted
comment	<p>524 comment by: FOCA Switzerland</p> <p>Annex I Part FCL FCL.935.TRI</p> <p>Subject: TRI assessment of competence on a FFS or FTD 2/3 In correlation and consistency with comments on FCL.930.TRI (a) (3) (TRI flight instruction on simulators), FCL.910.TRI (a) (TRI restriction to FSTD), FOCA suggests to mention in FCL.935.TRI the possibility to conduct the assessment of competence not only on an FFS but on a FSTD (covering both options FFS or FTD 2/3). For supporting this comment it should be considered the current content of AMC4 FCL.935</p>

Assessment of competence:

“Content of the assessment for the SFI

The assessment should consist of at least 3 hours of flight instruction related to the duties of an SFI on the applicable FFS or FTD 2/3”

When reading this existing AMC4 it appears clearly that in the case of a SFI the assessment of competence (FCL.935) could be conducted also on a FTD 2/3.

Therefore the same possibility should be considered for the TRI assessment of competence (FCL.935).

In addition FOCA proposes to add a new AMC6 FCL.935 for TRI assessment of competence.

Proposal

FCL.935.TRI TRI — Assessment of competence

*The assessment of competence shall be conducted **in an FSTD**, if available.*

AMC 6 FCL.935 - Assessment of competence

Content of the assessment of competence for the TRI

(1) For TRI(A):

The assessment conducted in a FSTD by a TRE(A) should consist of at least 3 hours of flight instruction related to the privileges of a TRI(A) on the applicable FFS or FTD 2.

When no FSTD exist the assessment of competence is conducted in an aeroplane by a TRE(A) and should consist of a training flight related to the privileges of a TRI(A).

(2) For TRI(H):

The assessment conducted in a FSTD by a TRE(H) should consist of at least 2 hours of flight instruction related to the privileges of a TRI(H) on the applicable FFS or FTD 2/3.

When no FSTD exist the assessment of competence is conducted in an helicopter by a TRE(H) and should consist of a training flight related to the privileges of a TRI(H).

response Noted

comment 525

comment by: FOCA Switzerland

Annex I Part FCL FCL.940.TRI (a) (4)

Subject:

Revalidation requirement for a TRI certificate with an assessment of competence in the case of privileges on several types

FOCA considers that the reference to the recommendation to OSD is too restrictive. This reference will no longer offer the possibility to revalidate all privileges with only one assessment of competence (FCL.935). The objective of the assessment of competence is to evaluate the generic instructor competencies listed in FCL.920 and not competencies on a specific type.

FOCA is not in favour of such an amendment and considers that it will represent a significant additional burden for the industry.

Proposal

Keep current wording for FCL.940.TRI (a) (4).

FCL.940.TRI



	<p>(a) [...] (4) If a person holds a TRI certificate on more than one type of aircraft and if it is part of a recommendation of the operational suitability data established in accordance with Part 21 within the same category, the assessment of competence taken on one of those types shall revalidate the TRI certificate for the other types held within the same category of aircraft.</p>
response	Noted
	<p>526 comment by: FOCA Switzerland</p> <p>Annex I Part FCL FCL.940.TRI (b) (1) (iii)</p> <p>Subject: Renewal requirement for a TRI(A) and assessment of competence FCL.935.TRI The supervision required in FCL.940.TRI (b) (1) (iii) should be replaced by an assessment of competence (FCL.935) for coherence with renewal conditions of all others instructor certificates and in particular for coherence with TRI(H) renewal condition (FCL.940.TRI (b) (2) (iv)).</p> <p>FCL.940.TRI (b) (1) [...] (iii) passed an assessment of competence in accordance with FCL.935 on one of the types of aeroplane in which renewal of the instructional privileges is sought.</p>
response	Noted
	<p>528 comment by: FOCA Switzerland</p> <p>Annex I Part FCL FCL.940.TRI (b) (2) (i)</p> <p>Subject: Renewal requirement for a TRI(H) and recent experience on the type FOCA supports the addition of a new requirement asking for an experience on the type in the last 12 months. Nevertheless FCL.940.TRI (b) (2) (i) makes a reference to a number of route sectors which is not relevant for helicopters. Instead FOCA suggests mentioning a number of hours. An equivalent of 30 route sectors is an experience of 10h.</p> <p>Proposal</p> <p>FCL.940.TRI (b) [...] (2) Helicopters and powered lift. If the TRI(H) or TRI(PL) certificate has lapsed, the applicant</p>

response	<p>shall have within the last 12 months preceding the application: , within a period of 12 months before renewal:</p> <p>(i) completed at least 10h on the applicable helicopter type of which no more than 5h may be completed in a FFS or FTD 2/3, and;</p>
comment	<p>529 comment by: FOCA Switzerland</p> <p>Annex I Part FCL FCL.940.TRI (b) (2) (iii)</p> <p>Subject: Renewal requirement for a TRI(H) and supervision</p> <p>The supervision required by (b) (2) (iii) is not relevant as an assessment of competence (FCL.935) is required by (b) (2) (iv). This point (b) (2) (iii) should be deleted. In order to support this proposal it has to be noted that the need for supervision will be determined by the ATO in the framework of the refresher training required by FCL.940.TRI (b) (2) (ii) and as detailed in the new AMC1 FCL.940.TRI added in Doc B (pages 34 and 35). The amount of refresher training needed will be determined on a case-by-case basis by the ATO taking into account the following factors: (i) the experience of the applicant; (ii) the amount of time lapsed since the expiry of the TRI or SFI certificate; (iii) the technical elements of the SFI/TRI course as determined by the assessment of the candidate by the ATO. that will consider</p> <p>Proposal</p> <p>FCL.940.TRI (b) (2) [...] (iii) conducted at least 3 hours of flight instruction on the applicable type of helicopter under the supervision of a TRI(H) during type rating or recurrent training.</p>
response	Noted
comment	<p>530 comment by: FOCA Switzerland</p> <p>Subject FCL.940.TRI (b) (1) (iii) and (b) (2) (iv)</p> <p>Renewal requirement and assessment of competence for a TRI(A)/(H) in the case of privileges on several types</p> <p>FOCA considers that FCL.940.TRI (b) (1) (iii) and (b) (2) (iv) does not cover properly the case of a candidate that would like to renew several privileges attached to his/her TRI certificate. For this purpose FCL.940.TRI (b) (1) (iii) and (b) (2) (iv) should clearly mention that the assessment of competence is required only on one of the types. On the contrary FCL.940.TRI (b) (1) (i) and (ii) for TRI(A) and FCL.940.TRI (b) (2) (i) and (ii) for</p>

TRI(H) shall be still required for each of the applicable types to be renewed.
 The objective of the assessment of competence (FCL.935) is to evaluate the generic instructor competencies listed in FCL.920 and not competencies on a specific type.
 FOCA suggests amending the proposal in order to avoid any significant additional burden for the industry.

Proposal

FCL.940.TRI

(b)

(1)

[...]

(iii) passed an assessment of competence in accordance with FCL.935 on one of the types of aeroplane in which renewal of the instructional privileges is sought.

(2)

[...]

(iv) passed the assessment of competence in accordance with FCL.935 on one of the types of helicopter in which renewal of the instructional privileges is sought.

response Noted

comment 555 comment by: Geoffroy BEMELMANS

Could the text be made clearer in respect of the possibility of revalidating a TRI certificate *before* the 12 months preceding the expiry date?. i.e. if the certificate is revalidated prior to the 12 months preceding the expiry, the new expiry starts with the date of the assessment of competence or instructor refresher training.

(just like FCL 740 allows a type rating to be revalidated prior to 90 days prior to the expiry date, thus changing the date of expiry starting from the date of the test)

response Noted

comment 568 comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>Although the Explanatory Note to NPA 2014-29(A) explains the reason for the proposed amendment to FCL.940.TRI Revalidation and renewal para. (a)(1)(i), it further states that all other changes to FCL.940.TRI are made for text standardisation and correction of grammatical errors.</p> <p>However, IAOPA (Europe) notes that no explanation has been given concerning the proposed change from one to 2 requirements at para (a) (1), neither has any</p>	<p>(a) Revalidation</p> <p>(1) Aeroplanes. For revalidation of a TRI(A) certificate, the applicant shall, within the last 12 months preceding the expiry date of the certificate, fulfil one 2 of the following 3 requirements:</p> <p>(i) conduct one of the following parts of a complete type rating or recurrent training course within the validity period of the TRI(A) certificate: simulator session of at least 3</p>

evidence been provided to indicate that an economic impact assessment has been conducted concerning this proposal. Due to the lack of such substantiation, IAOPA (Europe) objects to this proposal in principle and considers that any such change should only be considered following the completion of RMT.0596.

Notwithstanding this objection, IAOPA (Europe) also notes that the periods within which any of the requirements shall be met differ between the TRI(A) and TRI(H) and recommends that harmonisation of these periods should be considered.

In addition, IAOPA (Europe) considers that, in common with similar recommendations for the revalidation of an FI certificate, instructor refresher training for revalidation of a TRI certificate should be allowed either at an ATO or an organisation approved by a competent authority.

Therefore an amendment is proposed as indicated.

hours or one air exercise of at least 1 hour comprising a minimum of 2 take-offs and landings;

(ii) receive instructor refresher training as a TRI(A) at an ATO or an organisation approved by a competent authority, within the validity period of the TRI(A) certificate;

(iii) pass the assessment of competence in accordance with FCL.935, within the 12 months preceding the expiry date of the TRI(A) certificate.

(2) Helicopters and powered lift. For revalidation of a TRI (H) or TRI(PL) certificate, the applicant shall, within the validity period of the TRI certificate, fulfil 2 of the following 3 requirements:

(i) complete 50 hours of flight instruction on each of the types of aircraft for which instructional privileges are held, or in an FSTD representing those types, during the period of validity of the certificate, of which at least 15 hours shall be within the 12 months preceding the expiry date of the TRI certificate.

In the case of TRI(PL), these hours of flight instruction shall be flown as a TRI or type rating examiner (TRE), or SFI or synthetic flight examiner (SFE). In the case of TRI(H), time flown as FI, instrument rating instructor (IRI), synthetic training instructor (STI) or as any kind of examiner shall also be relevant for this purpose;

(ii) receive instructor refresher training as a TRI(H) or TRI(PL), as relevant, at an ATO or an organisation approved by a competent authority, within the validity period of the TRI(H) certificate;

(iii) pass the assessment of competence in accordance with FCL.935, within the 12 months preceding the expiry date of the TRI(H) certificate.



response Noted

comment 569

comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>IAOPA (Europe) considers that, in common with similar recommendations for the renewal of an FI certificate, instructor refresher training for renewal of a TRI certificate should be allowed either at an ATO or an organisation approved by a competent authority.</p> <p>Therefore an amendment is proposed as indicated.</p>	<p>(b) Renewal</p> <p>(1) Aeroplanes:</p> <p>(ii) instructor refresher training as a TRI at an ATO or an organisation approved by a competent authority which should cover the relevant elements of the TRI training course; and</p> <p>(2) Helicopters and powered lift:</p> <p>(ii) received instructor refresher training as a TRI at an ATO or an organisation approved by a competent authority, which should cover the relevant elements of the TRI training course; and</p>

response Noted

comment 575

comment by: Nick Carr

FCL.915.TRI

An applicant for a TRI certificate shall:

This implies that even for a revalidation and renewal application the instructor must comply with the prerequisites. Could an addition be made to clarify this applies for the initial application only.

An applicant for an **initial** TRI certificate shall:

response Noted

comment	<p data-bbox="359 235 406 280">576</p> <p data-bbox="1197 235 1498 280" style="text-align: right;">comment by: <i>Nick Carr</i></p> <p data-bbox="359 291 829 369">FCL.940.TRI - Revalidation and renewal (a) Revalidation</p> <p data-bbox="359 403 1498 504">The increase in revalidation requirements seems odd and not based on any safety case. The alternate revalidations by AoC should maintain standardisation. The refresher training addition for large ATOs will be an extra burden and cost for limited benefit.</p> <p data-bbox="359 537 1356 582">I recommend maintaining the current requirements of 1 out of the 3 requirements.</p>
response	Noted
comment	<p data-bbox="359 705 406 750">587</p> <p data-bbox="1244 705 1498 750" style="text-align: right;">comment by: <i>AESA</i></p> <p data-bbox="359 772 1037 817">Annex 1. Part FCL, FCL. 910. TRI TRI Restricted privileges</p> <p data-bbox="359 806 1498 884">(a) General. If the TRI training is carried out in an FFS only, the privileges of the TRI shall be restricted to training in the FFS.</p> <p data-bbox="359 884 1498 952"><i>The restriction shall be removed when the TRI has completed the additional training in accordance with AMC 1 FCL. 930. TRI(a).</i></p> <p data-bbox="359 952 1498 1019">We believe that AMC cited is inadequate, because according to it all training would be necessary again.</p> <p data-bbox="359 1019 1498 1097">Moreover, if a particular AMC is cited in the regulatory corps, is it transformed in a regulation then?</p>
response	Noted
comment	<p data-bbox="359 1220 406 1265">602</p> <p data-bbox="981 1220 1498 1265" style="text-align: right;">comment by: <i>Danish Transport Authority</i></p> <div data-bbox="359 1288 1498 1646" style="border: 1px solid gray; padding: 5px;"> <p data-bbox="359 1288 1498 1411">Relevant Text: In this case, the TRI may conduct line flying under supervision or landing training, provided that the training course has included additional training for this purpose on the aeroplane.</p> <p data-bbox="359 1444 1498 1523">Comment: It is unclear what is required to get the privilege to conduct base training. The AMC only says “checked for base training” in the same paragraph which describes LIFUS.</p> <p data-bbox="359 1556 1498 1612">Proposal: Clarify the training requirements for a TRI to get base training privileges.</p> </div>
response	Noted
comment	<p data-bbox="359 1870 406 1915">617</p> <p data-bbox="981 1870 1498 1915" style="text-align: right;">comment by: <i>Danish Transport Authority</i></p> <div data-bbox="359 1937 1498 2027" style="border: 1px solid gray; padding: 5px;"> <p data-bbox="359 1937 1498 1993">Relevant Text: A line is missing under privileges and conditions</p> </div>

	<p>Comment:</p> <p>Proposal: Insert a new line stating that the TRI is valid on the relevant type.</p>	
response	Noted	
comment	<p>620</p> <p>comment by: <i>Danish Transport Authority</i></p> <p>Comment: It is unclear after additional training how this restriction is shown in the certificate.</p> <p>Proposal: Certificate should read “TRI(MPA) FFS ONLY, TRI(MPA) Basetraining, TRI(MPA) LIFUS and TRI(MPA) (unrestricted)”</p>	
response	Noted	
comment	<p>621</p> <p>comment by: <i>Danish Transport Authority</i></p> <p>Relevant Text: at least 3 hours of flight instruction on the applicable type of aeroplane under the supervision of a TRI(A)</p> <p>Comment:</p> <p>Proposal: This should be changed to supervision of a TRE(A)</p>	
response	Noted	
comment	<p>628</p> <p>comment by: <i>European Cockpit Association</i></p> <p>Commented text:</p> <p>FCL.905.TRI (b): <i>(i) the holder has at least 50 hours of instructional experience as a TRI or SFI; and</i> <i>(ii) has conducted the flight instruction syllabus of the TRI training course according to</i></p>	

FCL.930.TRI(a)(3) under the supervision and to the satisfaction of a qualified TRI nominated by the HT of an ATO.

ECA's comments:

Although we can agree with such requirements, it will elevate the difficulty for TRI(H)'s. There are missing privileges in MP helicopters.

response Noted

comment 629

comment by: *European Cockpit Association*

Commented text:

FCL.910.TRI

(a) General. If the TRI training is carried out in an FFS only, the privileges of the TRI shall be restricted to training in the FFS.

The restriction shall be removed when the TRI has completed the additional training in accordance with AMC1 FCL.930.TRI(a).(a)(H)

In this case, the TRI may conduct line flying under supervision or landing training, provided that the TRI training course has included additional training for this purpose on the ~~aeroplane~~, aircraft.

(c)(iv) The privileges of the TRI shall be extended to further variants in accordance with the operational suitability data established in accordance with Part-21 when the TRI has complied with the applicable parts of the technical training and flight instruction parts of the applicable TRI course.

ECA's Comments:

(a) This is a general and also applicable to helicopters so the yellow highlighted lines should be included.

(c)(iv) equivalent with (b)(4): Not all manufactures has OSD Part21, in the other side, the requirements could be higher than actual, so some TRI might be out.

response Noted

comment 630

comment by: *European Cockpit Association*

Commented text:

FCL.935.TRI

The assessment of competence shall be conducted in an FFS, if available.

~~*If the TRI assessment of competence is conducted in an FFS, the TRI certificate shall be restricted to flight instruction in FFSs.*~~

~~*The restriction shall be lifted when the TRI has passed the assessment of competence on an aircraft.*~~

ECA's comments:

We do not agree with this change. While training the crews in FFS could be justified in terms or risk reduction, the assessment of competence should not imply training emergencies, so the risk shall not be higher than in a "standard" flight.



response Noted

comment

631

comment by: *European Cockpit Association*

Commented text:

FCL.935.TRI

*(a)(2)(ii) receive instructor refresher training as a TRI(H) or TRI(PL), as relevant, at an ATO;
(a)(4) If a person holds a TRI certificate on more than one type of aircraft and if it is part of a recommendation of the operational suitability data established in accordance with Part-21 within*

the same category, the assessment of competence taken on one of those types shall revalidate the TRI certificate for the other types held within the same category of aircraft.

(b)(2) Helicopters and powered lift. If the TRI(H) or TRI(PL) certificate has lapsed, the applicant shall

have within the last 12 months preceding the application: , within a period of 12 months before

renewal:

*(i) completed at least 30 route sectors, to include take-offs and landings on the applicable aircraft type, of which not more than 15 sectors may be completed in a flight simulator; and
(ii) received instructor refresher training as a TRI at an ATO, which should cover the relevant elements of the TRI training course; and*

(iii) conducted at least 3 hours of flight instruction on the applicable type of helicopter under the supervision of a TRI(H) during type rating or recurrent training.

ECA's Comment:

(a)(2)(ii) Refresher training as established in AMC1 FCL.940.FI(a)(2) only refers to FI or IRI, so TRI should be included for coherence, like in FCL.940.IRI

(a)(4) manufactures are raising the OSD requirements, which is not always positive

(b)(2)(i) this is a “copy paste” from airplane which DO NOT apply to helicopters.

(b)(2)(ii) as in (a)(2)(ii)

(b)(2)(ii) again, imported from airplanes; This could be literally impossible, imagine in a R-22 which is a 2 seats helicopter.

response Noted

comment

671

comment by: *UK CAA*

Page No: 86

Paragraph No: FCL 905.TRI (b)(i) and (ii)

Comment:

1. Sub-paragraph (b)(i) - does not take account of the “has conducted four type rating courses” specified in AMC2 FCL.930.TRI(g) that is the acceptable experience for the TRI(H).

2. Sub-paragraph (b)(i) - 50 hours training by a TRI in the simulator should not count for training TRIs in aircraft.



3. The proposed text of sub-paragraph (b)(ii) - ‘has conducted the flight instruction syllabus of the TRI training course according to FCL.930.TRI(a)(3) under the supervision and to the satisfaction of a qualified TRI nominated by the HT of an ATO’ should not be used.

Justification:

Comment 1. Sub-paragraph (b)(i) does not take into account AMC2 FCL.930.TRI TRI Training Course para (g) ‘A TRI(H) may instruct in a TRI(H) course once he or she has conducted a minimum of four type rating instruction courses’.

Comment 2. Sub-paragraph (b)(i) needs to discriminate between aircraft and simulator experience in respect of the training to be given.

Comment 3. Sub-paragraph (b)(ii) - The statement ‘TRI nominated by the HT of an ATO’ does not indicate the minimum qualification requirements of the TRI to supervise the training, which should be at least to hold the qualification of FCL 905.TRI(b) himself.

Comment 3. Sub-paragraph (b)(ii) - The requirement is only to complete the flight instruction syllabus; therefore the TRI has not been trained or assessed in delivering Part 1 or 2 of the TRI course.

Proposed Text: Amend sub-paragraphs (i) and (ii) and add new sub-paragraph (iii) as follows:

“(i) has conducted the syllabus of the TRI training course according to FCL.930.TRI(a)(3) under the supervision and to the satisfaction of a TRI qualified in accordance with FCL 905 TRI (b); and

(ii) to instruct for the issue of a TRI the holder has at least 50 hours of instructional experience as a TRI in aircraft, including, in the case of a TRI(H), having conducted a minimum of four type rating courses; and

(iii) to instruct for the issue of the SFI the holder has at least 50 hours of instructional experience as a TRI in aircraft or simulators, including, in the case of a TRI(H), having conducted a minimum of four type rating courses.”

response Noted

comment 672

comment by: UK CAA

Page No: 87

Paragraph No: FCL.910. TRI(b)(3)

Comment: The reference to ‘an FIE’ should be removed.

Justification: This is not within the privileges of an FIE. Only a TRE has this privilege

Proposed Text:



	“...with FCL.935 in order to demonstrate to an FIE or to a TRE qualified in accordance...”
response	Noted

comment	673 comment by: UK CAA
	<p>Page No: 89</p> <p>Paragraph No: FCL.935.TRI</p> <p>Comment: The wording “shall be conducted in an FFS, if available” is causing great difficulty and additional cost and time, and is giving some simulator operators a virtual monopoly. It would be better to allow either and recommend use of the FFS in AMC.</p> <p>A TRI with aircraft privileges must be assessed in the aircraft, the FFS is not sufficient – It is recommended that the existing meaning be restored.</p> <p>Justification: To test in the FFS “if available” is considered an unduly onerous requirement that is difficult to apply consistently. There will be a reduction in safety if the TRI is tested in the FFS only.</p> <p>Proposed Text: Replace with:</p> <p>“The assessment of competence shall be conducted in an FFS or an aircraft that is representative of the aircraft type.</p> <p>If the TRI assessment of competence is conducted in an FFS, the TRI certificate shall be restricted to flight instruction in an FFS. The restriction shall be lifted when the TRI has passed the assessment of competence in the aircraft.”</p>
response	Noted

comment	674 comment by: UK CAA
	<p>Page No: 89</p> <p>Paragraph No: FCL.940.TRI(a)(4)</p> <p>Comment: It is considered that this change in fact makes the revalidation requirement more onerous because currently an assessment of competence is not required if the experience requirements are met. OSD reports do not refer to training between different manufacturers’ types. The revalidation requirements for a TRI with more than 1 type should be met by meeting the experience requirements for each of the different types and by refresher training or by an AoC on one of the types.</p> <p>Justification: An AoC assesses instructional competence. If a TRI is deemed after a practical teaching exercise to be competent to teach on one particular type, his competence to instruct should be assumed on another type.</p> <p>Proposed Text: Replace text with the following:</p>

“If a person holds a TRI certificate on more than 1 type of aircraft within the same category, revalidation of the TRI certificates for all types may be accomplished when the TRI meets the requirements of (a)(1)(i) for each of the types and completes either refresher training as a TRI or an Assessment of Competence on one of the types as part of the revalidation requirements.”

response Noted

comment 675 comment by: UK CAA

Page No: 90

Paragraph No: FCL 940.TRI (b)(2)(i)

Comment: It is recommended that sub-paragraph (b)(2)(i) be deleted.

Justification: The requirement to fly 30 sectors is not competency based and has nothing to do with the TRI ability to instruct. Holding a current type rating and passing a Proficiency Check ensures the handling competence of the pilot and para FCL 940 (b) (2) (ii) (iii) (iv) ensures the required competence as a TRI.

Proposed Text: Delete sub-paragraph FCL 940.TRI (b)(2)(i).

response Noted

comment 676 comment by: UK CAA

Page No: 90

Paragraph No: FCL 940.TRI (b)(2)(iii)

Comment: It is recommended that the word “Conducted” should be deleted to be consistent with the aeroplane text.

Justification: Consistency.

Proposed Text: “(iii) ~~Conducted~~ at least 3 hours.....”

response Noted

comment 677 comment by: UK CAA

Page No: 90

Paragraph No: FCL 940.TRI (b)(2)(iv)

Comment: The requirement for an assessment of competence in each type, for renewal, should apply to each type of aeroplane as well as each type of helicopter.



	<p>Justification: Renewal should require re-testing in each type.</p> <p>Proposed Text: Sub-paragraph (b)(2)(iv) should be restored to its previous position that was paragraph (3) so that it applies to all TRI renewals.</p>
response	Noted
comment	<p>725 comment by: <i>Cristian DURANTE</i></p> <p>TRI for helicopter - TRI(H).</p> <p>We should recognize that there is need for necessary provisions in field of licence endorsement, that clearly showing the TRI (H) privileges when single-pilot or multi-pilot operations in single pilot certified helicopter.</p>
response	Noted
comment	<p>768 comment by: <i>Finnish Transport Safety Agency</i></p> <p>FCL.905.TRI (b) Finland supports the proposed amendment. In addition Finland recommends to approve also training provided under Regulation 965/2012.</p> <p>Proposed text: FCL.905.TRI -- (b) the issue of a TRI or SFI certificate, provided that the holder has 3 years of experience as a TRI; and (i) the holder has at least 50 hours of instructional experience as a TRI or SFI, including the instruction provided according to Regulation (EU) 965/2012; and --</p>
response	Noted
comment	<p>769 comment by: <i>Finnish Transport Safety Agency</i></p> <p>FCL.905.TRI (c) (1)</p> <p>The requirements of TRI SPA acting in multi-pilot operations should be aligned with the corresponding FI(A) and CRI(A) requirements. The current requirements are very strict and should be made more flexible.</p> <p>Proposed text: FCL.905.TRI -- (c) in the case of the TRI for single-pilot aeroplanes: (1) the issue, revalidation and renewal of type ratings for single-pilot high performance</p>



	<p>complex aeroplanes when the applicant seeks privileges to operate in single-pilot operations. The privileges of the TRI(SPA) may be extended to flight instruction for single-pilot high performance complex aeroplanes type ratings in multi-pilot operations, provided that the TRI:</p> <ul style="list-style-type: none"> (i) holds an MCCI certificate; or (ii) holds or has held a TRI certificate for multi-pilot aeroplanes; or (iii) holds at least 500 hours of flight experience as a pilot in multi-pilot operations; or (iv) has completed the MCC training and holds at least 100 hours of flight experience as a pilot in multi-pilot operations on the class or type in concern. <p>--</p>
response	Noted
comment	<p>770 comment by: <i>Finnish Transport Safety Agency</i></p> <p>FCL.910.TRI (a)</p> <p>Finland recommends to clarify the text as it is now unclear whether the ‘in this case’ refers to TRI with restricted privileges or to TRI with unrestricted privileges.</p> <p>Proposed text: FCL.910.TRI (a) -- TRI with restricted privileges may conduct line flying under supervision..</p>
response	Noted
comment	<p>771 comment by: <i>Finnish Transport Safety Agency</i></p> <p>FCL.910.TRI (b)(4) and (c)(1)(iv)</p> <p>Finland recommends the proposed text to be amended in order to clarify it. As a general clause in point (b) the TRI privileges are restricted to the <i>type</i> of aeroplane. However, in point (b)(4) the TRI applicant should complete additional training in order to extend his/her TRI privileges from one <i>variant</i> to another. It should be clarified in which cases the TRI privileges shall be restricted to variant instead of a type.</p> <p>Similar clarification should be added to (c)(1)(iv).</p> <p>Proposed text: FCL.910.TRI -- (b) -- (4) If the privileges of the TRI are restricted extended to further variants in accordance with the operational suitability data established in accordance with Part-21, the privileges of the TRI shall be extended to further variants when the TRI has complied with the applicable parts of the technical training and flight instruction parts of the applicable TRI course.</p>

response Noted

comment 772 comment by: *Finnish Transport Safety Agency*

FCL.930.TRI (a)(3)

According to FCL.930.TRI point (a)(3) the TRI training course shall include flight instruction on the appropriate aircraft or a simulator representing that aircraft. The Regulation Aircrew does not have definition for 'simulator'. However, certain FDT2/FNPTII/MCC training devices may be used in flight training for type rating for aeroplanes when so approved by the FSTD approval certificate and Regulation Aircrew.

Therefore TRIs should be allowed to receive part of their instructor flight training on flight training devices certified as mentioned above. It should also be noted that after the issuance of the TRI certificate the instructors will use the same FSTDs when instructing for a class or type rating.

Proposed text:

FCL.930.TRI

(a)

--

(3) 5 hours of flight instruction on the appropriate aircraft, ~~or a simulator~~ or an FSTD representing that aircraft for single-pilot aircraft and 10 hours for multi-pilot aircraft, ~~or a simulator~~ or an FSTD representing that aircraft.

response Noted

comment 773 comment by: *Finnish Transport Safety Agency*

FCL.935.TRI

As Finland suggests in the comment for FCL.930.TRI (a)(3) that TRI flight instruction should be allowed to be received also in other FSTD than FFS, also the assessment of competence should be allowed in other type specific FSTD than FFS. This could be the case for single-pilot types where adequately equipped FTD are found.

Proposed text:

FCL.935.TRI

The assessment of competence shall be conducted in an FSTD FFS, if available.

response Noted

comment 774 comment by: *Finnish Transport Safety Agency*

FCL.940.TRI (a)(1)(i)

Finland supports the proposed amendment.

However, this principle should be extended also for holders of other instructor certificates, where applicable. Please see Finland's comment to FCL.915 (c).



response Noted

comment 775 comment by: Finnish Transport Safety Agency

FCL.940.TRI (a)(4)

The NPA proposes that when a person holds a TRI certificate on more than one type of aircraft, the assessment of competence taken on one of those types shall revalidate the TRI certificate for the other types held within the same category of aircraft *only* when it is part of a recommendation of the OSD.

As this is a restriction of the rule, the current OEBs should be updated to take this change in to account. Otherwise unnecessary burden would exist on TRI holders.

Other solution is to keep the text as it was.

response Noted

comment 776 comment by: Finnish Transport Safety Agency

FCL.940.TRI (b)(2)(i)

Instead of certain amount of route sectors the required flight experience on helicopters would be better to be counted as hours.

In addition, in Finland's opinion also FTD2 and FTD3 flight experience should be accepted.

Proposed text:
FCL.940.TRI
--
(b)
--
(2) Helicopters and powered lift. If the TRI(H) or TRI(PL) certificate has lapsed, the applicant shall have within the last 12 months preceding the application:
(i) completed at least 10 hours of flight experience ~~30 route sectors~~, to include take-offs and landings on the applicable aircraft type, of which not more than 5 hours ~~15 sectors~~ may be completed in an FFS, FTD3 or FTD2 ~~a flight simulator~~; and
--

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 4: SPECIFIC REQUIREMENTS FOR THE CLASS RATING INSTRUCTOR — CRI

p. 90-92

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment 4 comment by: Jochen Schwab

FCL905.CRI (a):



A clear statement for the privileges of a CRI regarding LAPL holders is missing, because a LAPL does not have a class rating.

It must be clearly stated that a CRI (for class SEP or TMG) has similar privileges as stated in FCL905.CRI. (a) (1) regarding LAPL holders. Therefore, the following amendment for FCL905.CRI (a) is recommended:

“(3) the extension of a LAPL on another aircraft category according FCL.135 and the LAPL recency requirements according FCL.140”

response Noted

comment 49 comment by: IAOPA (EUROPE)
 (Comment deleted following release of Regulation (EU) 2015/445).

response Noted

comment 100 comment by: René Meier, Europe Air Sports
 FCL.905.CRI CRI-Privileges and conditions
 page 90/253
 (a)(2)

Please change to "a towing or aerobatic rating for the aeroplane **or sailplane** category, provided the CRI holds the relevant rating and has demonstrated..."

Rationale:
 As both, powered flight pilots as well as sailplane pilots need instruction on towing both categories must be allowed to give training.

response Noted

comment 103 comment by: René Meier, Europe Air Sports
 FCL.915.CRI CRI -Prerequisites
 page 91/253
 (b)

Please amend (b)(1) to read "300 hours flight time as pilot on the relevant aircraft category."

Please amend (b)(2) to read "30 hours as Pilot in command on the applicable class or type of aeroplane, or on sailplanes, appropriate."

Rationale:
 In accepting our proposal powered flight pilots and glider/sailplane pilots are treated equally.

response Noted



comment	<p data-bbox="363 271 411 309">136</p> <p data-bbox="954 271 1498 309">comment by: <i>René Meier, Europe Air Sports</i></p> <p data-bbox="363 331 858 443">FCL.905.CRI CRI-Privileges and conditions p 90/253 (2)(i)</p> <p data-bbox="363 477 1498 544">FCL.905.CRI could be improved for extending CRI privileges to the aerobatic rating instruction.</p> <p data-bbox="363 584 523 618">We propose:</p> <p data-bbox="363 656 1498 757">(i) a towing rating for the aeroplane category, provided the CRI holds the relevant rating and has demonstrated the ability to instruct for that rating to an FI qualified in accordance with FCL.905.FI(i).</p> <p data-bbox="363 763 1121 797">(ii) an aerobatic rating provided for the aeroplane that the CRI:</p> <p data-bbox="363 801 1498 1361">(1) holds an aerobatic rating in accordance with FCL.800, (2) has completed at least 30 hours of aerobatic flight time in the case of aeroplane or 60 launches for aerobatic purposes in the case of sailplane, (3) has passed, within last six months before applying for the aerobatic rating, additional instructor training in accordance with FCL.905.FI (f) (iv), a pre-entry flight test with an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f) to assess their experience and ability to undertake the course. Before applying for the pre-entry flight or in the case of failure to of the pre-entry flight, additional training may be required to reach required competencies. This additional training is shall be provided by an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with point FCL.905.FI (f), (4) has completed as a student pilot an additional instructor training course including one flight of instruction under the supervision of a FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f). This flight instruction under supervision shall include the verification of the applicant's competencies as described in FCL.920.</p> <p data-bbox="363 1406 491 1440">Rationale:</p> <p data-bbox="363 1444 1498 1545">We think for aerobatics instructors the requirements need to be enhanced to ensure a high safety level for this kind of activities. This comment is in line with what is proposed for FI extension to aerobatic rating [see other comment on FCL.905.FI (f)].</p>
response	Noted

comment	<p data-bbox="363 1675 411 1713">137</p> <p data-bbox="954 1675 1498 1713">comment by: <i>René Meier, Europe Air Sports</i></p> <p data-bbox="363 1742 858 1854">FCL.940.CRI CRI-Revalidation and renewal p 92/253 (a)</p> <p data-bbox="363 1888 1498 1989">We want to keep the regulation as it stands today. The current requirement – namely 1 condition is required out of 3 - was established under JAR FCL 1.385. No safety issue has been raised since then.</p>
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We favour the original wording of this provision.

Rationale:

We are of the opinion that the proposed text requiring 2 conditions out of 3 (namely, experience, refresher, assessment of competence) for revalidating a CRI certificate is not relevant from a safety point of view and represents an additional burden for General Aviation. We do not favour this change, it is not at all in line with the General Aviation Roadmap.

response Noted

comment 138 comment by: René Meier, Europe Air Sports

FCL.940.CRI CRI-Revalidation and renewal
p 92/253
(a)(2)

The same possibility introduced for FI [FCL.940.FI (a) (2)] should be considered and possible for CRI.

Please change to:

(2) receive refresher training as a CRI at an ATO or a competent authority.

Rationale:

It should be possible for CRI revalidation to have a CRI refresher training conducted by the competent authority.

response Noted

comment 214 comment by: DGAC France

Subject:

Prerequisites for CRI extension to aerobatic rating instruction (FCL.905.CRI (a) (2))

Content of comment:

France considers that FCL.905.CRI could be improved for extending CRI privileges to the instruction to aerobatic rating.

France considers that for aerobatic instructors the requirements need to be reinforced to ensure a high safety level for this kind of activities.

Therefore France proposes to amend FCL.905.CRI (a) (2).

This comment is in line with what is proposed for FI extension to aerobatic rating (see other comment on FCL.905.FI (f))

Proposed amendment:

FCL.905.CRI

(a)

[...]

(2)

(i) a towing ~~or aerobatic~~ rating for the aeroplane category, provided the CRI holds the



relevant rating and has demonstrated the ability to instruct for that rating to an FI qualified in accordance with FCL.905.FI(i).

(ii) an aerobatic rating provided for the aeroplane that the CRI:

(1) holds an aerobatic rating in accordance with FCL.800,

(2) has completed at least 30 hours of aerobatic flight time in the case of aeroplane or 60 launches for aerobatic purposes in the case of sailplane,

(3) has passed, within last six months before applying for the aerobatic additional instructor training in accordance with FCL.905.CRI (a) (2) (ii) (4), a pre-entry flight test with an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f) (ii) to assess their experience and ability to undertake the course.

Before applying for the pre-entry flight or in the case of failure to of the pre-entry flight, additional training may be required to reach required competencies. This additional training is shall be provided by an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with point FCL.905.FI (f) (ii),

(4) has completed as a student pilot an additional instructor training course including one flight of instruction under the supervision of a FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f) (ii). This flight instruction under supervision shall include the verification of the applicant's competencies as described in FCL.920.

response Noted

comment

215

comment by: DGAC France

Subject:

Prerequisites for CRI extension to flight instruction in MPO (FCL.905.CRI (d))

Content of comment:

1) France agrees on the fact that an additional requirement should be defined for CRI that requests an extension of their privileges to instruct in MPO.

Nevertheless France considers that the proposed requirement is clearly too demanding for these categories of instructor that will provide instruction for the issue, revalidation or renewal of class/type except HPA complex aeroplanes.

Most of the existing and future CRI will not be in a position to meet the prerequisites FCL.915.MCCI (b) (1) for issuance of a MCCI certificate. In most of the case the experience of 1500 hours of flying experience as pilot in multi-pilot operations will be very difficult to fulfil.

Moreover it should be noted that CRI that will instruct in MPO will have candidates that are already holding an MCC certificate. In other words the CRI will not instruct for an initial MCC. The candidates will already have notion of multi crew coordination. This point is justifying the fact that France is proposing more balanced requirements.

Therefore France proposes an alternative draft for the proposed amendment by requiring the CRI to:

- has at least 500 hours as a pilot in multi-pilot operations on aeroplanes,
- and

- undergo the MCCI training course.

Such proposal will improve CRI competencies for instruction in MPO and in the same define sensible and balanced conditions.

2) With such an amendment the transition arrangement for “grand fathers” has to be clearly and cautiously defined in order to not jeopardize current operations for operators using HPA non complex aeroplanes in MPO.



Proposed amendment:**FCL.905.CRI**

[...]

(d)

The privileges of the CRI may be extended to flight instruction for the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes, except for single-pilot high-performance complex aeroplanes in multi-pilot operations, provided that the CRI:

(1)

(i) has at least 500 hours as a pilot in multi-pilot operations on aeroplanes, and

(ii) has completed the training course for MCCI in accordance with FCL.930.MCCI. or

(2) holds or has held a TRI certificate for a multi-pilot aeroplanes

response Noted

comment

216

comment by: DGAC France

Subject:**Revalidation requirement for a CRI certificate (FCL.940.CRI (a))****Content of comment:**

France considers that the reasoning that has conducted to proposed an amendment to FCL.940.CRI (a) consisting in requiring 2 conditions out of 3 (experience, refresher, assessment of competence) for revalidating a CRI certificate is not sufficiently justified in the overview of the proposed amendment.

The relevance of this amendment from a safety point of view should be better justified. JAR FCL 1.385 was requesting only 1 condition out of 3. France would like to know if it has been demonstrated that those requirements have raised any safety concern in the past.

Requiring 2 conditions out of 3 may represent an additional burden for General Aviation. The decision to keep or not this amendment should be properly assessed in regards of the balance between improvements in terms of safety and operational consequences.

From a general point of view France is not in favour of amendments that are not in line with the general aviation roadmap strategy and that may represent an additional burden for General Aviation.

response Noted

comment

217

comment by: DGAC France

Subject:**Refresher training as a CRI (FCL.940.CRI (a) (2))****Content of comment:**

France considers that the same possibility introduced for FI (FCL.940.FI (a) (2)) should be considered and possible for CRI. Therefore it should be possible for CRI revalidation to have a CRI refresher training conducted by the competent authority.



	<p><u>Proposed amendment:</u></p> <p>FCL.940.CRI (a) (2) receive refresher training as a CRI at an ATO <i>or a competent authority</i></p>	
response	Noted	
comment	273	comment by: <i>René Meier, Europe Air Sports</i>
	<p>FCL.905.CRI CRI-Privileges and conditions page 90/253 (a)</p> <p>A paragraph (3) should be added with this text:</p> <p>(3) "the training required for recency by FCL.140.A and by FCL.140.S</p> <p>Rationale: The volunteer nature of gliding clubs places a particular premium on accessible, affordable instructors' qualifications.</p>	
response	Noted	
comment	274	comment by: <i>René Meier, Europe Air Sports</i>
	<p>FCL.930.CRI CRI-Training course p 91/273 (3)</p> <p>Please make the second part of the sentence of (3) to read: "...or 3 hours of flight instruction on single-engine aeroplanes or sailplanes, given by an FI(A) or FI(S), as appropriate, qualified in accordance with FCL.905.FI(i)"</p> <p>Rationale: To obtain consistency with our other proposals.</p>	
response	Noted	
comment	276	comment by: <i>René Meier, Europe Air Sports</i>
	<p>FCL.940.CRI CRI-Revalidation and renewal p 92/253 (a)(3) should be amended to read:</p> <p>(3) "pass the assessment of competence in accordance with FCL.935 for multi-engine, single-engine aeroplanes or sailplanes, as relevant."</p> <p>Rationale:</p>	

	To be consistent with our other remarks.
response	Noted
comment	<p>285 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.905.CRI CRI — Privileges and conditions</p> <p>(a) The privileges of a CRI are to instruct for:</p> <p>(1) the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes, except for single-pilot high performance complex aeroplanes, when the privileges sought by the applicant are to fly in single-pilot operations;</p> <p>(2) a towing or aerobatic rating for the aeroplane category, provided the CRI holds the relevant rating and has demonstrated the ability to instruct for that rating to an FI qualified in accordance with FCL.905.FI(ij).</p> <p>(3) an aerobatic rating, provided that the CRI complies with FCL.905.FI point (g).</p>
response	Noted
comment	<p>286 comment by: <i>Irish Aviation Authority</i></p> <p>Create FCL.910.CRI CRI as follows:</p> <p>FCL.910.CRI CRI – Restricted privileges</p> <p>(ba) The privileges of a CRI are restricted to the class or type of aeroplane in which the instructor assessment of competence was taken. The privileges of the CRI shall be extended to further classes or types when the CRI has completed, within the last 12 months:</p> <p>(1) 15 hours flight time as PIC on aeroplanes of the applicable class or type of aeroplane;</p> <p>(2) one training flight from the right hand seat under the supervision of another CRI or FI qualified for that class or type occupying the other pilot’s seat.</p>
response	Noted
comment	<p>287 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is suggested:</p> <p>FCL.915.CRI CRI — Prerequisites</p> <p>(a) An applicant for a CRI certificate shall have completed at least:</p>

(a1) for multi-engine aeroplanes:

(1i) 500 hours flight time as a pilot on aeroplanes;

(2ii) 30 hours as PIC on the applicable class or type of aeroplane;

(b2) for single-engine aeroplanes:

(1i) 300 hours flight time as a pilot on aeroplanes;

(2ii) 30 hours as PIC on the applicable class or type of aeroplane.

(b) Applicants for a CRI certificate for multi-engine aeroplanes holding a CRI certificate for single-engine aeroplanes shall have fulfilled the prerequisites for a CRI established in (a)(1) and the requirements of FCL.930.CRI(a)(3) and FCL.935.

response Noted

comment

288

comment by: *Irish Aviation Authority*

The following deletion is proposed:

FCL.930.CRI CRI — Training course

~~(b) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (a)(1).~~

response Noted

comment

289

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.940.CRI CRI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)

(a) *Revalidation*. For revalidation of a CRI certificate the applicant shall, within the 12 months preceding the expiry date of the CRI certificate, **complete**:

(1) ~~conduct~~ at least 10 hours of flight instruction in the role of a CRI. If the applicant has CRI privileges on both single-engine and multi-engine aeroplanes, the 10 hours of flight instruction shall be equally divided between single-engine and multi-engine aeroplanes. **Time flown as FE, CRE or IRE shall be relevant for this purpose**; or

(2) ~~receive~~ refresher training as a CRI at an ATO; or

(3) ~~pass~~ the assessment of competence in accordance with FCL.935 for multi-engine or single-engine aeroplanes, as relevant.

(b) For ~~at least~~ each alternate revalidation of a CRI certificate, the holder **shall have to**



	<p>comply with the requirement of (a)(3).</p> <p>(c) Renewal Renewal. If the CRI certificate has lapsed, the applicant shall, within a period of 12 months before renewal:</p> <p>(1) receive refresher training as a CRI at an ATO;</p> <p>(2) pass the assessment of competence established in accordance with FCL.935 for multi-engine or single-engine aeroplanes, as relevant. The assessment for ME will renew for SE if both privileges are held.</p>
response	Noted
comment	<p>392 comment by: Ryanair ATO</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.905.CRI CRI — Privileges and conditions</p> <p>(a) The privileges of a CRI are to instruct for:</p> <p>(1) the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes, except for single-pilot high performance complex aeroplanes, when the privileges sought by the applicant are to fly in single-pilot operations;</p> <p>(2) a towing or aerobatic rating for the aeroplane category, provided the CRI holds the relevant rating and has demonstrated the ability to instruct for that rating to an FI qualified in accordance with FCL.905.FI(i).</p> <p>(3) an aerobatic rating, provided that the CRI complies with FCL.905.FI point (g).</p> <p>FCL.910.CRI CRI – Restricted privileges</p> <p>(ba) The privileges of a CRI are restricted to the class or type of aeroplane in which the instructor assessment of competence was taken. The privileges of the CRI shall be extended to further classes or types when the CRI has completed, within the last 12 months:</p> <p>(1) 15 hours flight time as PIC on aeroplanes of the applicable class or type of aeroplane;</p> <p>(2) one training flight from the right hand seat under the supervision of another CRI or FI qualified for that class or type occupying the other pilot’s seat.</p>
response	Noted
comment	<p>393 comment by: Ryanair ATO</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the</p>

	<p>Forum.</p> <p>Recommended text changes:</p> <p>FCL.915.CRI CRI — Prerequisites</p> <p>(a) An applicant for a CRI certificate shall have completed at least:</p> <p>(a1) for multi-engine aeroplanes:</p> <p>(1i) 500 hours flight time as a pilot on aeroplanes;</p> <p>(2ii) 30 hours as PIC on the applicable class or type of aeroplane;</p> <p>(b2) for single-engine aeroplanes:</p> <p>(1i) 300 hours flight time as a pilot on aeroplanes;</p> <p>(2ii) 30 hours as PIC on the applicable class or type of aeroplane.</p> <p>(b) Applicants for a CRI certificate for multi-engine aeroplanes holding a CRI certificate for single-engine aeroplanes shall have fulfilled the prerequisites for a CRI established in (a)(1) and the requirements of FCL.930.CRI(a)(3) and FCL.935.</p>
response	Noted

comment	<p>394</p> <p style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.930.CRI CRI — Training course</p> <p>(a) The training course for the CRI shall include, at least:</p> <p>(1) 25 hours of teaching and learning instruction;</p> <p>(2) 10 hours of technical training, including revision of technical knowledge, the preparation of lesson plans and the development of classroom/simulator instructional skills;</p> <p>(3) 5 hours of flight instruction on multi-engine aeroplanes, or 3 hours of flight instruction on single-engine aeroplanes, given by an FI(A) qualified in accordance with FCL.905.FI(i).</p> <p>(b) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (a)(1).</p>
response	Noted

comment	<p data-bbox="359 235 406 280">395</p> <p data-bbox="1157 235 1498 280" style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p data-bbox="359 302 1498 403">The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p data-bbox="359 414 718 448">Recommended text changes:</p> <p data-bbox="359 481 1498 548">FCL.940.CRI CRI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)</p> <p data-bbox="359 582 1498 660">(a) Revalidation. For revalidation of a CRI certificate the applicant shall, within the 12 months preceding the expiry date of the CRI certificate, complete:</p> <p data-bbox="359 694 1498 840">(1) conduct at least 10 hours of flight instruction in the role of a CRI. If the applicant has CRI privileges on both single-engine and multi-engine aeroplanes, the 10 hours of flight instruction shall be equally divided between single-engine and multi-engine aeroplanes. Time flown as FE, CRE or IRE shall be relevant for this purpose; or</p> <p data-bbox="359 873 973 907">(2) receive refresher training as a CRI at an ATO; or</p> <p data-bbox="359 940 1498 1019">(3) pass the assessment of competence in accordance with FCL.935 for multi-engine or single-engine aeroplanes, as relevant.</p> <p data-bbox="359 1052 1498 1131">(b) For at least each alternate revalidation of a CRI certificate, the holder shall have to comply with the requirement of (a)(3).</p> <p data-bbox="359 1164 1498 1243">(c) Renewal Renewal. If the CRI certificate has lapsed, the applicant shall, within a period of 12 months before renewal:</p> <p data-bbox="359 1276 941 1310">(1) receive refresher training as a CRI at an ATO;</p> <p data-bbox="359 1344 1498 1444">(2) pass the assessment of competence established in accordance with FCL.935 for multi-engine or single-engine aeroplanes, as relevant. The assessment for ME will renew for SE if both privileges are held.</p> <p data-bbox="213 1467 343 1518">response</p> <p data-bbox="359 1467 438 1518">Noted</p>
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comment	<p data-bbox="359 1590 406 1624">445</p> <p data-bbox="678 1579 1498 1646" style="text-align: right;">comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p data-bbox="359 1680 766 1713">Relevant Text: FCL.905.CRI (2) (d)</p> <p data-bbox="359 1758 1396 1836">Comment: The meaning of the paragraph is unclear. If the intention is to describe the requirements for adding Multi-pilot privileges to SPA it needs to be rewritten.</p> <p data-bbox="359 1881 1498 2029">Proposal: The privileges of the CRI may be extended to flight instruction for the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes in multi-pilot operations, except for single-pilot high-performance complex aeroplanes, provided that the CRI:</p>
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response Noted

comment 469

comment by: Nick Carr

FCL.940.CRI - Revalidation and renewal
(a)

The proposed amendment to increase the revalidation requirements significantly increases the burden for a CRI. Many CRIs like myself instruct as a hobby and are not paid to do so. This will most probably mean that many will not want to go to the extra expense of traveling and paying for an AOC and or refresher training. Many may not revalidate which will mean a loss of experience to the GA industry.

I propose that no change be made. An AOC for each alternate revalidation will remain important to ensure some control is exercised over standards.

response Noted

comment 487

comment by: Uppvinden AB

FCL.905.CRI a 2
a towing rating according to FCL.905.FI f (the proposed change)

Proposal: Include a limited instructor certificate for a specific training, eg. towing or aerobatic rating.

A current towing or aerobatic pilot without an instructor's certificate can be a much better instructor than a non-current instructor. The best safety standards are met with active pilots and not with "old" instructors who maybe trained long ago.

response Noted

comment 531

comment by: FOCA Switzerland

Annex I Part FCL
FCL.905.CRI (a) (2)

Subject:

Prerequisites for CRI extension to aerobatic rating instruction

FOCA considers that FCL.905.CRI could be improved for extending CRI privileges to the instruction to aerobatic rating.

FOCA considers that for aerobatic instructors the requirements need to be reinforced to ensure a high safety level for this kind of activities.

Therefore FOCA proposes to amend FCL.905.CRI (a) (2).

This comment is in line with what is proposed for FI extension to aerobatic rating (see other comment on FCL.905.FI (f))



Proposal**FCL.905.CRI**

(a)

[...]

(2)

(i) a towing ~~or aerobatic~~ rating for the aeroplane category, provided the CRI holds the relevant rating and has demonstrated the ability to instruct for that rating to an FI qualified in accordance with FCL.905.FI(i).

(ii) an aerobatic rating provided for the aeroplane that the CRI:

(1) holds an aerobatic rating in accordance with FCL.800,

(2) has completed at least 30 hours of aerobatic flight time in the case of aeroplane or 60 launches for aerobatic purposes in the case of sailplane,

(3) has passed, within last six months before applying for the aerobatic additional instructor training in accordance with FCL.905.CRI (a) (2) (ii) (4), a pre-entry flight test with an FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f) (ii) to assess their experience and ability to undertake the course.

(4) has completed as a student pilot an additional instructor training course including one flight of instruction under the supervision of a FI holding an aerobatic rating in accordance FCL.800 and qualified in accordance with FCL.905.FI (f) (ii). This flight instruction under supervision shall include the verification of the applicant's competencies as described in FCL.920.

response Noted

comment 532

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.905.CRI (d)**

Subject:

Prerequisites for CRI extension to flight instruction in MPO

1) FOCA agrees on the fact that an additional requirement should be defined for CRI that requests an extension of their privileges to instruct in MPO.

Nevertheless FOCA considers that the proposed requirement is clearly too demanding for these categories of instructor that will provide instruction for the issue, revalidation or renewal of class/type except HPA complex aeroplanes.

Most of the existing and future CRI will not be in a position to meet the prerequisites FCL.915.MCCI (b) (1) for issuance of a MCCI certificate. In most of the case the experience of 1500 hours of flying experience as pilot in multi-pilot operations will be very difficult to fulfil.

Moreover it should be noted that CRI that will instruct in MPO will have candidates that are already holding an MCC certificate. In other words the CRI will not instruct for an initial MCC. The candidates will already have notion of multi crew coordination. This point is justifying the fact that FOCA is proposing more balanced requirements.

Therefore FOCA proposes an alternative draft for the proposed amendment by requiring the CRI to:

- has at least 500 hours as a pilot in multi-pilot operations on aeroplanes,

and

- undergo the MCCI training course.



Such proposal will improve CRI competencies for instruction in MPO and in the same define sensible and balanced conditions.

2) With such an amendment the transition arrangement for “grand fathers” has to be clearly and cautiously defined in order to not jeopardize current operations for operators using HPA non complex aeroplanes in MPO.

Proposal

FCL.905.CRI

[...]

(d)

The privileges of the CRI may be extended to flight instruction for the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes, except for single-pilot high-performance complex aeroplanes in multi-pilot operations, provided that the CRI:

(1)

(i) has at least 500 hours as pilot in multi-pilot operations on aeroplanes and

(ii) has completed the training course for MCCI in accordance with FCL.930.MCCI.

or

(2) holds or has held a TRI certificate for a multi-pilot aeroplanes

response

Noted

comment

533

comment by: FOCA Switzerland

Annex I Part FCL FCL.940.CRI (a)

Subject:

Revalidation requirement for a CRI certificate

FOCA considers that the reasoning that has conducted to propose an amendment to FCL.940.CRI (a) consisting in requiring 2 conditions out of 3 (experience, refresher, assessment of competence) for revalidating a CRI certificate is not sufficiently justified in the overview of the proposed amendment.

The relevance of this amendment from a safety point of view should be better justified. JAR FCL 1.385 was requesting only 1 condition out of 3. FOCA would like to know if it has been demonstrated that those requirements have raised any safety concern in the past.

Requiring 2 conditions out of 3 may represent an additional burden for General Aviation. The decision to keep or not this amendment should be properly assessed in regards of the balance between improvements in terms of safety and operational consequences.

From a general point of view FOCA is not in favour of amendments that are not in line with the general aviation roadmap strategy and that may represent an additional burden for General Aviation.

Proposal



response	FOCA supports the changed wording in FCL.940.CRI (a) Noted
comment	<p>534 comment by: FOCA Switzerland</p> <p>Annex I Part FCL FCL.940.CRI (a) (2)</p> <p><u>Subject:</u> Refresher training as a CRI</p> <p>FOCA considers that the same possibility introduced for FI (FCL.940.FI (a) (2)) should be considered and possible for CRI. Therefore it should be possible for CRI revalidation to have a CRI refresher training conducted by the competent authority.</p> <p>FCL.940.CRI (a) (2) receive refresher training as a CRI at an ATO <i>or a competent authority</i></p>
response	Noted
comment	<p>553 comment by: trevor sexton</p> <p>FCL940.CRI revalidation and renewal.</p> <p>Currently, all instructors are required to meet certain criteria for revalidation; these are ‘experience (the required flight training delivered to others)’, ‘refresher training’ and ‘assessment of competence’.</p> <p>Hitherto, for a CRI or TRI(A) only one of these criteria had to be met.</p> <p>This NPA will change this for CRI,s needing to meet two of these and</p> <p>There is no explanation for the change proposals in EASA’s covering note, neither has an assessment been conducted into the financial impact of these changes....Many CRI,s do this for a hobby and will either give up or will have to pass the costs on.</p> <p>EASA have previous form for adding operational complexity in order to make consistent, elegant regulations. where is the evidence for this proposal?</p> <p>This goes against what Patrick Ky has been trying to change with the GA roadmap to make rules less restrictive and only make changes where changes have been justified..</p> <p>Since there is no evidence of a problem here The rule should be changed so that FI requirements should be alined to that of CRI and not the other way round.</p>
response	Noted



comment	<p>559</p> <p style="text-align: right;">comment by: <i>Guillaume SUDRE</i></p> <p>I noticed that you complexified the conditions to revalidate a CRI rating : you now have to fulfill two conditions instead of one. The CRI rating for SEP class is used by many instructors to train general aviation pilots accross europe. Instructors help to sustain GA accross europe in flying clubs, etc...</p> <p>The agency also states in it's GA roadmap "The Agency aims to bring positive change to the General Aviation community by simplifying existing regulations ..."</p> <p>Since this NPA is doing the opposite, I was wondering if you could publish in the CRD safety data's showing that CRI (SEP) instructors have a much worst safety records than FI (who already have to fulfill two conditions).</p> <p>If you are unable to come up with such datas, I think there is no reason to complexify the regulation (at least for CRI(SEP)).</p>
response	<p>Noted</p>

comment	<p>570</p> <p style="text-align: right;">comment by: <i>IAOPA (EUROPE)</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 5px;">Observation</th> <th style="text-align: left; padding: 5px;">Proposed new text</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top; padding: 5px;"> <p>IAOPA (Europe) notes the Explanatory Note to NPA 2014-29(A) provides no explanation concerning the proposed change from one to 2 requirements at para (a), neither has any evidence been provided to indicate that an economic impact assessment has been conducted concerning this proposal. Due to the lack of such substantiation, IAOPA (Europe) objects to this proposal in principle and considers that any such change should only be considered following the completion of RMT.0596.</p> <p>Notwithstanding this objection, IAOPA (Europe) also notes that the periods within which any of the requirements shall be met differ between CRI and FI certificates and recommends that harmonisation of these periods should be considered.</p> <p>In addition, IAOPA (Europe) considers that, in common with similar recommendations for the revalidation or renewal of an FI certificate, instructor refresher training for revalidation or renewal of a CRI certificate should be allowed either at an ATO or an organisation approved by a competent authority.</p> <p>IAOPA (Europe) also notes that no specific format for CRI refresher training seminars has been included in Acceptable Means of</p> </td> <td style="vertical-align: top; padding: 5px;"> <p>FCL.940.CRI CRI — Revalidation and renewal</p> <p>(a) For revalidation of a CRI certificate the applicant shall, within the 12 months preceding the expiry date of the CRI certificate Revalidation. For revalidation of a CRI certificate the applicant shall, within the validity period of the CRI certificate, fulfil 2 one of the following 3 requirements:</p> <p>(1) conduct at least 10 hours of flight instruction in the role of a CRI within the validity period of the CRI certificate. If the applicant has CRI privileges on both single-engine and multi-engine aeroplanes, the 10 hours of flight instruction shall be equally divided between single-engine and multi-engine aeroplanes; or</p> <p>(2) receive refresher training as a CRI at an ATO or an organisation approved by a competent authority, within the validity period of the CRI certificate; or</p> <p>(3) pass the assessment of competence in accordance with FCL.935 for multi-engine or single-engine aeroplanes, as relevant, within the 12 months preceding the expiry date of the CRI certificate.</p> </td> </tr> </tbody> </table>	Observation	Proposed new text	<p>IAOPA (Europe) notes the Explanatory Note to NPA 2014-29(A) provides no explanation concerning the proposed change from one to 2 requirements at para (a), neither has any evidence been provided to indicate that an economic impact assessment has been conducted concerning this proposal. Due to the lack of such substantiation, IAOPA (Europe) objects to this proposal in principle and considers that any such change should only be considered following the completion of RMT.0596.</p> <p>Notwithstanding this objection, IAOPA (Europe) also notes that the periods within which any of the requirements shall be met differ between CRI and FI certificates and recommends that harmonisation of these periods should be considered.</p> <p>In addition, IAOPA (Europe) considers that, in common with similar recommendations for the revalidation or renewal of an FI certificate, instructor refresher training for revalidation or renewal of a CRI certificate should be allowed either at an ATO or an organisation approved by a competent authority.</p> <p>IAOPA (Europe) also notes that no specific format for CRI refresher training seminars has been included in Acceptable Means of</p>	<p>FCL.940.CRI CRI — Revalidation and renewal</p> <p>(a) For revalidation of a CRI certificate the applicant shall, within the 12 months preceding the expiry date of the CRI certificate Revalidation. For revalidation of a CRI certificate the applicant shall, within the validity period of the CRI certificate, fulfil 2 one of the following 3 requirements:</p> <p>(1) conduct at least 10 hours of flight instruction in the role of a CRI within the validity period of the CRI certificate. If the applicant has CRI privileges on both single-engine and multi-engine aeroplanes, the 10 hours of flight instruction shall be equally divided between single-engine and multi-engine aeroplanes; or</p> <p>(2) receive refresher training as a CRI at an ATO or an organisation approved by a competent authority, within the validity period of the CRI certificate; or</p> <p>(3) pass the assessment of competence in accordance with FCL.935 for multi-engine or single-engine aeroplanes, as relevant, within the 12 months preceding the expiry date of the CRI certificate.</p>
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<p>Compliance & Guidance Material to Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 and will be commenting further on this when responding to NPA 2014-29(B).</p> <p>Therefore an amendment is proposed as indicated.</p>	<p>(b) For at least each alternate revalidation of a CRI certificate, the holder shall have to comply with the requirement of (a)(3).</p> <p>(c) Renewal. If the CRI certificate has lapsed, the applicant shall, within a period of 12 months before renewal:</p> <p>(1) receive refresher training as a CRI at an ATO or an organisation approved by a competent authority;</p> <p>(2) pass the assessment of competence established in FCL.935.</p>
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response Noted

comment 603 comment by: Danish Transport Authority

Relevant Text: FCL.905.CRI (2) (d)

Comment: The meaning of the paragraph is unclear. If the intention is to describe the requirements for adding Multi-pilot privileges to SPA it needs to be rewritten.

Proposal: The privileges of the CRI may be extended to flight instruction for the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes in multi-pilot operations, except for single-pilot high-performance complex aeroplanes, provided that the CRI:

response Noted

comment 632 comment by: European Cockpit Association

Commented text:

FCL.915.IRI

(b)(2) in the case of applicants for an IR(H) for ~~multi-pilot~~ multi-engine helicopters, meet the requirements of FCL.905.FI(g)(3)(ii);

ECA's Comments:

We understand it is an error and should be ME.



response Noted

comment

678

comment by: UK CAA

Page No: 91

Paragraph No: FCL.905.CRI (d)

Comment: If the intent is to extend the CRI for instruction of pilots for the multi-pilot role in single pilot aircraft except SPHPCA, then it is recommended that the order of the words should be changed.

Justification: Clarity.

Proposed Text: Replace sub-paragraph (d) to read:

“The privileges of the CRI may be extended to include flight instruction for the issue, revalidation or renewal of a class or type rating for the multi-pilot operation of single-pilot aeroplanes, excluding single-pilot high-performance aeroplanes, provided that the CRI:”

response Noted

comment

679

comment by: UK CAA

Page No: 92

Paragraph No: FCL.940.CRI (a)(2), (c)(1) and (c)(2)

Comment: See also the UK CAA comment concerning FCL.940.FI, Page 85.

At the FCL TAG-SSCC meeting in June 2014, it was agreed that the FI Seminar needed to be approved, but did not have to be given by the authority or an ATO - it could be another approved person.

Abolition of the use of the term “instructor seminar” is going to cause some administrative difficulties. Currently the UK have a number of companies, including individuals who are not ATOs, that are approved just to give instructor seminars. Their approval certificates state that they are approved to run instructor seminars. However, they do not have the capability to give other refresher training for instructors.

Justification: Discussion at TAG-SSCC FCL Group - assuming that what is meant here is the equivalent of an instructor seminar rather than practical instruction in the simulator.

Proposed Text: Replace sub-paragraphs (a)(2) and (c)(1) with:

“(a)(2) receive instructor refresher training provided by a competent authority or by an ATO or other holder of an approval to provide such theoretical training issued by a competent authority.”



response	<p>“(c)(1) receive instructor refresher training provided by a competent authority or by an ATO or other holder of an approval to provide such theoretical training issued by a competent authority; and”</p> <p>Noted</p>
comment	<p>746 comment by: <i>Light Aircraft Association</i></p> <p>The LAA does not support the proposed amendment of FCL.940.CRI since this increases the burden on those instructors who hold a Class Rating Instructor certificate.</p> <p>Existing revalidation requirements for Class Rating Instructors have proven sufficient given the privileges of this certificate; there is no evidence to support this amendment. Merely aligning the requirements with that of other instructor certificates for administrative convenience is insufficient reason to support such a change.</p> <p>The LAA considers appropriate refresher training should be encouraged through an industry system of continued professional development and not mandated through further regulatory requirements.</p> <p>It is proposed that the existing requirements contained within FCL.940.CRI remain.</p>
response	<p>Noted</p>
comment	<p>777 comment by: <i>Finnish Transport Safety Agency</i></p> <p>FCL.905.CRI (d)</p> <p>The requirement to extend CRI privileges to flight instruction in multi-pilot operations is too demanding for aeroplanes other than high performance and complex. The requirement of point (d)(1) would mean that the CRI should have 1500 hours of flying experience as a pilot in multi-pilot operations.</p> <p>In Finland’s opinion less flight experience is enough as the CRI privileges do not include MCC training.</p> <p>Proposed text: FCL.905.CRI --</p> <p>(d) The privileges of the CRI may be extended to flight instruction for the issue, revalidation or renewal of a class or type rating for single-pilot aeroplanes, except for single-pilot high-performance complex aeroplanes in multi-pilot operations, provided that the CRI:</p> <ul style="list-style-type: none"> (1) holds an MCCI certificate; or (2) holds or has held a TRI certificate for multi-pilot aeroplanes; or (3) holds at least 500 hours of flight experience as a pilot in multi-pilot operations; or (4) has completed the MCC training and holds at least 100 hours of flight experience as a pilot in multi-pilot operations on the class or type in concern.

response Noted

comment 778 comment by: *Finnish Transport Safety Agency*

FCL.930.CRI (a)(3)

According to current FCL.930.CRI point (a)(3) the training course for the CRI shall include flight instruction on multi-engine aeroplanes, or on single-engine aeroplanes.

However, certain FDT2/FNPTII/MCC training devices may be used in flight training for type rating for aeroplanes when so approved by the FSTD approval certificate and Regulation Aircrew. Therefore CRIs should be allowed to receive part of their instructor flight training on flight training devices certified as mentioned above. It should also be noted that after the issuance of the CRI certificate the instructors will use the same FSTDs when instructing for a class or type rating.

Proposed text:

FCL.930.CRI

(a)

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(3) 5 hours of flight instruction on multi-engine aeroplanes or FSTD representing that aircraft, or 3 hours of flight instruction on single-engine aeroplanes, given by an FI(A) qualified in accordance with FCL.905.FI(i).

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 5: SPECIFIC REQUIREMENTS FOR THE INSTRUMENT RATING INSTRUCTOR — IRI p. 92-93

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment 10 comment by: *David Chambers*

There is a wide disparity in the amount of IFR flight experience required for these roles, varying from 200 (an FI) to 800 (an IRI) with many examiner roles in between. It seems unreasonable to have such a disproportionately large amount of IFR time required for the IRI when examiners in different classes are specified with considerably less. It could be argued that FCL.1000 defines a common requirement that examiners should already have the privileges to instruct for any qualification they test for, but it could also be argued that this is overridden with stated IFR pre-requisites in many of the specific examiner sections.

FCL.915.IRI: IRI(A) must have completed 800 hours under IFR, of which 400 in aeroplanes. Can train towards IR rating, revalidation and renewal

FCL.1010.TRE: TRE(A) can conduct proficiency checks for revalidation or renewal of type ratings, EIRs and IRs. For single engined aircraft must have completed 500 hours total time of which 200 PIC and 50 hours TR instruction (but there is no mention of any IFR time at all)

FCL.1010.CRE(A) can conduct proficiency checks for revalidation and renewal of IRs provided they have 2000 hours total time, 450 IFR and 250 IFR instruction. The 2000 hour total isn't



required to renew/revalidate EIRs, but the 450 and 250 are.
 FCL.1010.IRE(A). An IRE can conduct skills tests for issue, revalidation and renewal of IR and EIR. Must have 2000 hours total, 450 IFR and 250 IFR instruction.
 FCL.905.FI: FI(A) must have completed 200 hours IFR and 500 hours instruction.

However, I would propose that since 450 IFR hours are considered adequate for a CRE or IRE to conduct IR skill tests, then an IRI should only require that amount or less. Since an FI only requires 200 hours IFR time in order to instruct for instrument ratings, I see no safety reason why that figure could not be applied as the prerequisite for IRI(A).

It may be the case that these figures are retained in order to preserve "grandfather rights" of existing examiners. However, given the industry trend to adopt more modern IR technology (e.g. GNSS, PBN, Glass cockpit etc.), familiarity with these aspects may be present in newer instructors who would be held back from becoming IRIs.

I would also point out that considerable IFR time can be gained without flying in IMC or flying manually, which are far more relevant skills especially for SEP IR flight. Surely, the IRI skill test itself should be an adequate filter of competence.

I therefore propose that FCL.1010.IRI is reduced to 200 hours IFR time in aeroplanes.

response

Noted

comment

12

comment by: c

Why do you persist with this nonsense whereby an IRI tutor has to have a FI certificate? In the original draft Opinion to the Aircrew Regulation, there was no mention of this requirement, and yet after a comment by France and Belgium, with no supporting evidence, the requirement was suddenly slipped in the final Opinion which, naturally, was duly passed by the EU Commission? What is the justification for this?

response

Noted

comment

51

comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>IAOPA (Europe) considers that it will become increasingly difficult for there to be a sufficient number of IRIs to meet the anticipated industry demand for the conduct of instruction for the EIR or IR unless point (1) of paragraph (a) is amended.</p>	<p>(1) have completed at least 800 hours of flight time under IFR, of which at least 400 hours shall be in aeroplanes. For this purpose, 1 hour of instrument flight time may be counted as 4 hours of flight time; and</p>
<p>The UK has, for this purpose, considerable operational experience of providing greater credit for instrument flight time experience than for flight time under IFR.</p>	
<p>Therefore an amendment incorporating the</p>	

UK's previous policy under JAR-FCL is proposed as indicated.	
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response Noted

comment 139 comment by: René Meier, Europe Air Sports

FCL.915.IRI IRI-Prerequisites
p 93/253
(b)(2)

There is an inconsistency in FCL.915.IRI for IRI(H).
FCL.915.IRI (b) (2) is aiming at addressing IRI(H) who are candidates to become instrument rating instructors on multi-engine helicopters. For that purpose a reference to FCL.905.FI (g) (3) (ii) is mentioned (requirements to be instructor on multi-engine helicopters).

**“FCL.905.FI (g)
(3)**

(ii) for multi-engine helicopters, met the requirements established in FCL.910.TRI(c)(1) and the prerequisites for the TRI(H) training course established in FCL.915.TRI(d)(2); for the issue of a TRI certificate;”

Therefore the reference to **“multi-pilot helicopter”** in FCL.915.IRI (b) (2) is not consistent.

Rationale:

It is to be corrected and changed to **“multi-engine helicopter”**.

response Noted

comment 218 comment by: DGAC France

Subject:
Prerequisites for IRI(A) (FCL.915.IRI (a))

Content of comment:

France considers that current wording for FCL.915.IRI could be understood as a candidate to IRI certificate holding an EIR may comply with (a) and then instruct to EIR without holding a full IR.

France thinks that this is an issue and that the wording should be amended to ensure that a candidate to IRI certificate who wants to instruct to EIR has to hold a full IR (and not only an EIR rating).

Therefore France proposes to slightly amend FCL.915.IRI (a).

This proposal is in line with France other comment on FCL.905.FI (g).



response	<p><u>Proposed amendment:</u></p> <p>FCL.915.IRI IRI — Prerequisites An applicant for an IRI certificate shall: (a) for an IRI(A): (1) holds an IR(A); and (2) have completed at least 800 hours of flight time under IFR, of which at least 400 hours shall be in aeroplanes; and [...]</p>
comment	<p>219 comment by: DGAC France</p> <p><u>Subject:</u> Discrepancy in IRI(H) prerequisites (FCL.915.IRI (b) (2))</p> <p><u>Content of comment:</u> France suggests to correct an inconsistency in FCL.915.IRI for IRI(H). FCL.915.IRI (b) (2) is aiming at addressing IRI(H) who are candidates to become instrument rating instructors on multi-engine helicopters. For that purpose a reference to FCL.905.FI (g) (3) (ii) is mentioned (requirements to be instructor on multi-engine helicopters). “FCL.905.FI (g) (3) (ii) for multi-engine helicopters, met the requirements established in FCL.910.TRI(c)(1) and the prerequisites for the TRI(H) training course established in FCL.915.TRI(d)(2); for the issue of a TRI certificate;” Therefore the reference to “multi-pilot helicopter” in FCL.915.IRI (b) (2) is not consistent. It should be corrected and changed to “multi-engine helicopter”.</p> <p><u>Proposed amendment:</u></p> <p>FCL.915.IRI [...] (b) for an IRI(H): (1) have completed at least 500 hours of flight time under IFR, of which at least 250 hours shall be instrument flight time in helicopters; and (2) in the case of applicants for an IR(H) for multi-pilot multi-engine helicopters, meet the requirements of FCL.905.FI (g)(3)(ii); [...]</p>
response	<p>Noted</p>
comment	<p>290 comment by: Irish Aviation Authority</p> <p>The following wording is proposed:</p> <p>FCL.905.IRI IRI — Privileges and conditions</p> <p>(a) The privileges of an IRI are to instruct for the issue, revalidation and renewal of an EIR or</p>

	<p>an IR on the appropriate aircraft category.</p> <p>(b) Specific requirements for the MPL course. To instruct for the basic phase of training on an MPL course, the IRI(A) shall:</p> <p>(1) hold an IR for multi-engine aeroplanes; and</p> <p>(2) have completed at least 1 500 hours of flight time in multi-crew operations.</p> <p>(3) In the case of IRI already qualified to instruct on ATP(A) or CPL(A)/IR integrated courses, the requirement of (b)(2) may be replaced by the completion of the course provided for in paragraph FCL.905.FI(j)(3). (This belongs in prerequisites.)</p>	
response	Noted	
comment	<p>291</p> <p>The following wording is proposed:</p> <p>FCL.915.IRI IRI — Prerequisites</p> <p>An applicant for an IRI certificate shall hold an IR in the appropriate aircraft category and:</p> <p>(a) for an IRI(A):</p> <p>(1) have completed at least 800 hours of flight time under IFR, of which at least 400 hours shall be in aeroplanes; and</p> <p>(2) in the case of applicants of an IRI(A) for multi-engine aeroplanes, meet the requirements of paragraphs FCL.905.FI(h)(3)(i);</p> <p>(b) for an IRI(H):</p> <p>(1) have completed at least 500 hours of flight time under IFR, of which at least 250 hours shall be instrument flight time in helicopters; and</p> <p>(2) in the case of applicants for an IR(H) for multi-pilot engine helicopters, meet the requirements of FCL.905.FI(gh)(3)(ii);</p> <p>(c) for an IRI(As), have completed at least 300 hours of flight time under IFR, of which at least 100 hours shall be instrument flight time in airships.</p> <p>(d) Specific requirements for the MPL course. To instruct for the basic phase of training on an MPL course, the IRI(A) shall:</p> <p>(1) hold an IR for multi-engine aeroplanes; and</p> <p>(2) have completed at least 1 500 hours of flight time in multi-crew operations.</p> <p>(3) If already qualified to instruct on ATPL(A) or CPL(A)/IR integrated courses, the</p>	comment by: <i>Irish Aviation Authority</i>

response	<p>requirement of (d)(2) may be replaced by the completion of the course provided for in paragraph FCL.905.FI(k)(3).</p> <p>Noted</p>
comment	<p>292 comment by: <i>Irish Aviation Authority</i></p> <p>The following addition / deletion is proposed:</p> <p>FCL.930.IRI IRI — Training course</p> <p>(b) Flight instruction shall be given by an FI qualified in accordance with FCL.905.FI(ij).</p> <p>(c) Crediting: Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (a)(1).</p>
response	<p>Noted</p>
comment	<p>397 comment by: <i>Ryanair ATO</i></p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.905.IRI IRI — Privileges and conditions</p> <p>(a) The privileges of an IRI are to instruct for the issue, revalidation and renewal of an EIR or an IR on the appropriate aircraft category.</p> <p>(b) Specific requirements for the MPL course. To instruct for the basic phase of training on an MPL course, the IRI(A) shall:</p> <p>(1) hold an IR for multi-engine aeroplanes; and</p> <p>(2) have completed at least 1 500 hours of flight time in multi-crew operations.</p> <p>(3) In the case of IRI already qualified to instruct on ATP(A) or CPL(A)/IR integrated courses, the requirement of (b)(2) may be replaced by the completion of the course provided for in paragraph FCL.905.FI(j)(3). (This belongs in prerequisites.)</p>
response	<p>Noted</p>
comment	<p>398 comment by: <i>Ryanair ATO</i></p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p>

FCL.915.IRI IRI — Prerequisites

An applicant for an IRI certificate shall **hold an IR in the appropriate aircraft category and:**

(a) for an IRI(A):

(1) have completed at least 800 hours of flight time under IFR, of which at least 400 hours shall be in aeroplanes; and

(2) ~~in the case of applicants of an IRI(A)~~ for multi-engine aeroplanes, meet the requirements of paragraph ~~s~~ **FCL.905.FI(h)(3)(i)**;

(b) for an IRI(H):

(1) have completed at least 500 hours of flight time under IFR, of which at least 250 hours shall be instrument flight time in helicopters; and

(2) ~~in the case of applicants for an IRI(H)~~ for multi-~~engine~~ **pilot engine** helicopters, meet the requirements of FCL.905.FI(~~gh~~)(3)(ii);

(c) for an IRI(As), have completed at least 300 hours of flight time under IFR, of which at least 100 hours shall be instrument flight time in airships.

(d) Specific requirements for the MPL course. To instruct for the basic phase of training on an MPL course, the IRI(A) shall:

(1) hold an IR for multi-engine aeroplanes; and

(2) have completed at least 1 500 hours of flight time in multi-crew operations.

(3) If already qualified to instruct on ATPL(A) or CPL(A)/IR integrated courses, the requirement of (d)(2) may be replaced by the completion of the course provided for in paragraph FCL.905.FI(k)(3).

response Noted

comment 399

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:**FCL.930.IRI IRI — Training course**

(a) The training course for the IRI shall include, at least:

(1) 25 hours of teaching and learning instruction;

(2) 10 hours of technical training, including revision of instrument theoretical knowledge, the preparation of lesson plans and the development of classroom instructional skills;



(3) (i) for the IRI(A), at least 10 hours of flight instruction on an aeroplane, FFS, FTD 2/3 or FPNT II. In the case of applicants holding an FI(A) certificate, these hours are reduced to 5;

(ii) for the IRI(H), at least 10 hours of flight instruction on a helicopter, FFS, FTD 2/3 or FNPT II/III;

(iii) for the IRI(As), at least 10 hours of flight instruction on an airship, FFS, FTD 2/3 or FNPT II.

(b) Flight instruction shall be given by an FI qualified in accordance with FCL.905.FI(ij).

~~(c) **Crediting:** Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (a)(1).—~~

response Noted

comment 535

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.915.IRI (a)**

Subject:

Prerequisites for IRI(A)

FOCA considers that current wording for FCL.915.IRI could be understood as a candidate to IRI certificate holding an EIR may comply with (a) and then instruct to EIR without holding a full IR.

FOCA thinks that this is an issue and that the wording should be amended to ensure that a candidate to IRI certificate who wants to instruct to EIR has to hold a full IR (and not only an EIR rating).

Therefore FOCA proposes to slightly amend FCL.915.IRI (a).

This proposal is in line with FOCA other comment on FCL.905.FI (g).

Proposal

FCL.915.IRI IRI — Prerequisites

An applicant for an IRI certificate shall:

(a) for an IRI(A):

(1) holds an IR(A); and

(2) have completed at least 800 hours of flight time under IFR, of which at least 400 hours shall be in aeroplanes; and

[...]

response Noted

comment 536

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.915.IRI (b) (2)**

Subject:



Discrepancy in IRI(H) prerequisites

FOCA suggests to correct an inconsistency in FCL.915.IRI for IRI(H).

FCL.915.IRI (b) (2) is aiming at addressing IRI(H) who are candidates to become instrument rating instructors on multi-engine helicopters. For that purpose a reference to FCL.905.FI (g) (3) (ii) is mentioned (requirements to be instructor on multi-engine helicopters).

“FCL.905.FI (g)

(3)

(ii) for multi-engine helicopters, met the requirements established in FCL.910.TRI(c)(1) and the prerequisites for the TRI(H) training course established in FCL.915.TRI(d)(2); for the issue of a TRI certificate;”

Therefore the reference to “multi-pilot helicopter” in FCL.915.IRI (b) (2) is not consistent. It should be corrected and changed to “multi-engine helicopter”.

Proposal**FCL.915.IRI IRI — Prerequisites**

An applicant for an IRI certificate shall:

(a) for an IRI(A):

(1) holds an IR(A); and

(2) have completed at least 800 hours of flight time under IFR, of which at least 400 hours shall be in aeroplanes; and

[...]

response Noted

comment 811

comment by: AOPA Sweden

FCL.915.IRI.

We see no need for 800 / 400 hours IFR for aeroplanes, when 500 / 250 hours are sufficient for helicopters. Please also compare with the relevant FAA requirements for a CFII.

We suggest the 800/400 hours for aeroplanes are cut to the same numbers of hours as for helicopters.

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 6: SPECIFIC REQUIREMENTS FOR THE SYNTHETIC FLIGHT INSTRUCTOR — SFI

p. 93-96

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment 63

comment by: FlightSafety International - Deputy Head of Training

SFI(A) / SFI(H) prerequisite qualification disparity. Reference: Part FCL.915.SFI SFI — Prerequisites. SFI(A) (c) (2) (i) and (ii), SFI(H) (e) (1)

Prerequisites to become an SFI(H) are not aligned with those for an SFI(A). An SFI(H) is



required to have completed at least 1 hour of flight time on the flight deck of the applicable type within the 12 months preceding the application. An SFI(A) candidate does not have to have met that requirement, instead he may have completed, as a pilot or as an observer, within the 12 months preceding the application, at least 3 route sectors on the flight deck of the applicable aircraft type or 2 line-orientated flight training-based simulator sessions conducted by qualified flight crew on the flight deck of the applicable type. Thus an SFI(A)'s prerequisites can be completed in a simulator, but not so for the SFI(H).

The actual aircraft flight experience requirement for SFI(H) candidates is often difficult to achieve when rotorcraft are in such constant operational demand. This acts as an artificial and unwarranted restrictor on SFI (H) qualification, slowing the training tempo and delaying qualification. The SFI(A) synthetic experience prerequisite proves that it is not essential for an instructor candidate to have flown the actual aircraft type prior to qualifying.

Part FCL.915.SFI SFI - Prerequisites.SFI(H) (e) (1) should be amended or an AMC adopted allowing SFI(H) prerequisites to match those of SFI(A) candidates including an option for 2 line-orientated flight training-based simulator sessions. F

response Noted

comment

64

comment by: *FlightSafety International - Deputy Head of Training*

TRI (Simulator Only) Courses, SFI Tutors and SFE Examiners. Reference: Part FCL FCL.905.SFI

The differences between a TRI course leading to the award of TRI (Simulator only), and an SFI course are negligible; the course content is in most cases identical and courses run conjointly. Indeed, the privileges are also virtually identical; either qualification restricts instruction to the simulator only. Logic would therefore dictate that if an SFI is competent to act as a tutor on a SFI course, then he/she must be equally competent to act as tutor on a TRI (Simulator Only) course.

Supporting this logic is regulation FCL.930.TRI which at sub-paragraph (c) states that TRI applicants who already hold a SFI certificate for the relevant type shall be fully credited towards TRI training course requirements. Therefore, a SFI who was trained by another SFI (iaw *the Article 14 (6) EC Derogation permitting this activity*), and who holds the appropriate type rating and a valid medical, can apply for and be awarded TRI (Sim) status without ever being tutored by a TRI. This appears to undermine any logic of the restriction preventing appropriately experienced SFIs from acting as tutors on TRI courses leading to a TRI (Sim) qualification.

The above points apply equally to restrictions that prevent a suitably experienced SFE from conducting an AoC for the award of TRI(Simulator Only), a restriction that is also unnecessarily hampering the capability of ATOs to meet the current demand.

The aviation industry has a significant, and increasing, demand for TRI courses. Reputable non-Airline ATOs such as Boeing Training and Flight Services UK and FlightSafety International whose instructor/examiner cadre is predominantly SFI/SFE have the expertise, experience and facilities necessary to help meet this demand, but the current regulations prohibit them from using their workforce to do so. An amendment of Part FCL permitting appropriately experienced SFIs to act as tutors, and appropriately experienced SFEs to



response	<p>conduct AoCs, on TRI(Simulator Only) courses would permit them to contribute effectively towards meeting the demand for new TRIs with nil adverse safety impact.</p> <p>Noted</p>
comment	<p>66 comment by: <i>FlightSafety International - Deputy Head of Training</i></p> <p style="text-align: center;">Re: FCL IF WSG001 Proposal re SFI Revalidation Requirements</p> <p>FCL IF WSG001 proposals re: SFI Revalidation Requirements are not supported. The existing requirements are for two of three requirements and the LPC;</p> <p>FlightSafety International does not support this change proposal because it adds to the qualification burden by stipulating that all of the requirements plus a couple of new ones must be met; this appears to be an unwarranted imposition with no discernible safety benefit; some elements of the proposed change lack coherence.</p> <p>WSG001 has also proposed that: <i>FCL.940.SFI SFI — Revalidation and renewal</i> <i>(a) Revalidation. For revalidation of a SFI certificate, the applicant shall, within the last 12 months preceding the expiry date of the certificate:</i> <i>(1) receive instructor refresher training as a SFI at an ATO, which shall cover the relevant elements of the SFI training course <u>for each of the types</u> of aircraft for which instructional privileges are held;</i></p> <p>FlightSafety International does not support this change proposal. The proposal for separate type-specific refresher training for each type is unjustified and has no discernible safety benefit. The Refresher Seminar is a generic, non-type specific event. <u>Only one refresher is required, regardless of numbers of types held by an SFI.</u></p> <p style="text-align: center;">WSG001 has also proposed that: <i>(3) complete the requirements of FCL.910.SFI (b);</i></p> <p>This is the 3 route sectors/3 LOFTS previously only required for initial qualification, and now WSG001 seeks to make it a recurring requirement. FlightSafety International does not support this change proposal. There is nil justification for this measure.</p>
response	<p>Noted</p>
comment	<p>80 comment by: <i>FlightSafety International - Deputy Head of Training</i></p> <p>1. FCL.905.SFI(a) – An EC Article 14(6) derogation allows SFIs to provide training for the revalidation and renewal of the <u>type-specific</u> IR without having completed IRI training. This derogation should be incorporated in Part FCL.</p> <p>ii.</p>
response	<p>Noted</p>

comment	84	comment by: <i>FlightSafety International - Deputy Head of Training</i>
	<p>FCL.905.SFI – An EC Article 14(6) Derogation grants the privilege to SFIs that do not fulfil the requirement of having at least 3 years of experience as TRI, to provide instruction for SFI applicants, subject to the SFI having at least 3 years of experience of instruction as an SFI, completed a specific 2-day SFI tutor course provided by an SFI tutor and having passed an assessment of competence. This derogation should be incorporated in Part FCL. SFI tutors should also be granted the privilege of conducting Parts 1, 2 and 3 instructor training courses for TRI (Simulator Only) applicants as well as SFI candidates. These industry-critical change proposals are strongly recommended by both FlightSafety International and CAE.</p>	
response	Noted	
comment	85	comment by: <i>FlightSafety International - Deputy Head of Training</i>
	<p>The NPA 2014-29 (A) recommendations by FCL002 regarding FCL.915.SFI SFI — Prerequisites specifies that:</p> <p>An applicant for an SFI certificate shall:</p> <p>...(d) additionally, for an SFI(A) for single-pilot high performance complex aeroplanes:</p> <p>(1) have completed at least 500 hours of flight time as a pilot on aeroplanes, <u>of which at least 30 hours shall be as PIC on the applicable type;</u></p> <p>By specifying '<u>on the applicable type</u>' most SPHPCA SFIs will be unable to meet the regulatory requirement for new aircraft types because they no longer hold a license/medical (otherwise they would be TRIs and not SFIs) and they will be unable to qualify on any new types coming into service or being offered as a new training program with a synthetic training provider/ATO. The wording should revert to 'single pilot aeroplanes' not 'the applicable type'</p>	
response	Noted	
comment	86	comment by: <i>FlightSafety International - Deputy Head of Training</i>
	<p>FCL.905.SFI SFI - Privileges and conditions</p> <p>FCL IF WSG001 change proposals state:</p> <p>(2) <i>the issue and renewal of type ratings for single-pilot high performance complex aeroplanes when the applicant seeks privileges to operate in multi-pilot operations, provided that the SFI:</i></p> <p><i>holds an MCCI certificate; or</i></p> <p>(ii) <i>holds or has held a TRI certificate for multi-pilot aeroplanes; and ...</i></p> <p>It is strongly recommended that subparagraph (2) (ii) be amended to read:</p> <p>(ii) holds or has held a TRI <u>or SFI</u> certificate for multi-pilot aeroplanes</p>	
response	Noted	
comment	140	comment by: <i>René Meier, Europe Air Sports</i>

FCL.905.SFI SFI-Privileges and conditions
p 94/253

For the sake of consistency with FCL.905.TRI (b), EAS proposes to introduce some provisions so as to allow a SFI to provide instruction for the issue and renewal of SFI and TRI restricted FSTD certificates.

It should be noted that the EC decision of the 6th February 2014 has granted derogation 14.6 to the UK on the same subject.

This derogation should now be reflected in the regulation itself.

Please add this text:

(e) the issue and renewal of a SFI certificate or a TRI certificate restricted to FSTD, provided that the SFI:

(1) holds the SFI certificate for the appropriate type;

and

(2) has at least three years or 50 hours of instructional experience as a SFI, instructional experience gained under Regulation (EU) No 965/2012 Part-ORO in the same category of aircraft may be credited;

and

(3) has conducted the flight instruction syllabus of the relevant part of the FSTD content of a TRI training course according to FCL.930.TRI (a) (3) or SFI training course according to FCL.930.SFI (a) (2) under the supervision and to the satisfaction of a qualified TRI or SFI nominated for this purpose by the HT of an ATO.

Rationale:

In doing so we shall have consistency with the TRI-provisions and a rule applicable to all members states.

response

Noted

comment

141

comment by: *René Meier, Europe Air Sports*

FCL.910.SFI SFI-Restricted privileges

p 94/253

(b)

The reference to the syllabus required for SFI extension lacks precision. We propose a more precise wording to clearly identify the part of the TRI course that is required.

The alternative wording proposed seeks consistency with FCL.930.SFI (a) (2) [see the other comment on FCL.930.SFI (a) (2)].

We propose:

(b) completed the relevant parts of technical training and FSTD content of the flight instruction syllabus of the applicable TRI course;

Rationale:

We think our wording is clearer.



response Noted

comment 142 comment by: René Meier, Europe Air Sports

FCL.910.SFI SFI-Restricted privileges
p 94/253

A reference to Part-21 is missing in FCL.910.SFI. Such a reference, like for the TRI [see other comment on FCL.910.TRI (b) and (c)], should be included as a general remark at the beginning of the paragraph.

Our formula:
The privileges of the SFI shall be restricted to the FTD 2/3 or FFS of the aircraft type in which the SFI training course was taken.

Unless otherwise specified in the OSD established in accordance with Part-21, the privileges may be extended to other FSTDs representing further types of the same category of aircraft when the holder has:
[...]

Rationale:
This makes it easier to understand the text.

response Noted

comment 143 comment by: René Meier, Europe Air Sports

FCL.930.SFI SFI-Training Course
p 95/253

In line with our proposal for FCL.910.SFI (b) (see other comment), we suggest to modify the wording of FCL.930.SFI (a) (2):
(a) The training course for the SFI shall include:
(1) the FSTD content of the applicable type rating course;

(2) the relevant parts of technical training and FSTD content of the flight instruction syllabus of the applicable TRI training course.

Rationale:
We are in-line with our proposal for comment FCL.910.SFI(b).

response Noted

comment 144 comment by: René Meier, Europe Air Sports

FCL.940.SFI SFI-Revalidation and renewal
p 96/253
(d)



	<p>The reference to the recommendation to OSD is too restrictive. This reference will no longer offer the possibility to revalidate all privileges with only one assessment of competence (FCL.935).</p> <p>We propose:</p> <p>If a person holds a SFI certificate on more than one type of aircraft within the same category, the assessment of competence taken on one of those types shall revalidate the SFI certificate for the other types held within the same category of aircraft.</p> <p>Rationale: The objective of the assessment of competence is to evaluate the generic instructor competencies listed in FCL.920 and not competencies on a specific type.</p> <p>We do not favour such an amendment and considers that it will represent a significant additional burden for the industry.</p>
response	Noted
comment	<p>145 comment by: <i>René Meier, Europe Air Sports</i></p> <p>FCL.940.SFI SFI-Revalidation and renewal p 96/253 (e) Renewal.</p> <p>If the SFI certificate has lapsed, the applicant shall, within the 12 months preceding the application:</p> <p>(1) receive instructor refresher training as an SFI at an ATO; and</p> <p>(2) pass the relevant sections of the assessment of competence in accordance with FCL.935.</p> <p>Rationale: To be consistent with the wording used in the other parts of the regulation, we suggest to remove the reference to the "relevant sections of...".</p>
response	Noted
comment	<p>148 comment by: <i>FlightSafety International - Deputy Head of Training</i></p> <p>Part FCL Section 7 FCL.905.SFI SFI — Privileges and conditions</p> <p>The privileges of an SFI are to carry out synthetic flight instruction, within the relevant aircraft category, for:</p> <p>....(b) in the case of SFI for single-pilot aeroplanes:</p> <p>.....(1) the issue, revalidation and renewal of type ratings for single-pilot high performance complex aeroplanes, when the applicant seeks privileges to operate in single-pilot operations.</p> <p>The privileges of the SFI(SPA) may be extended to flight instruction for single-pilot high performance complex aeroplanes type ratings in multi-pilot operations, provided that he/she:</p> <p>.....(i) holds an MCCI certificate; or</p>

.....(ii) holds or has held a TRI certificate for multi-pilot aeroplanes;

Part FCL Section 7 FCL.905.SFI SFI — Privileges and conditions (b) (1) (ii) means that a current SFI (SPA) with a lapsed TRI MPA certificate can deliver SPHPCA MP ops training, but an SFI (SPA) who previously held (a now lapsed) SFI MPA certificate cannot. There are no grounds for this distinction, this anomaly should be amended to allow lapsed SFI MPA certificate holders to deliver MP ops training if they now hold a valid SFI SPA certificate. This is a privilege for TRIs, it should be extended to SFIs too.

response Noted

comment

220

comment by: DGAC France

Subject:

Prerequisites for SFI(SPA) extension to flight instruction in MPO (FCL.905.SFI (c) (1))

Content of comment:

For coherence with France proposal for FCL.905.TRI (c) (1) introducing additional requirements before providing instruction in MPO (see others comments), France suggests to also amend FCL.905.SFI (c) (1) in order to align for all instructors the requirements before being authorized to instruct in MPO conditions.

It should be noted that SFI(SPA) that will instruct in MPO will have candidates that are already holding an MCC certificate. In other words the SFI(SPA) will not instruct for an initial MCC. The candidates will already have notion of multi crew coordination. This point is justifying the fact that France is proposing more balanced requirements.

France proposes to amendment FCL.905.SFI (c) (1) by requiring the SFI(SPA) to:

- has at least 500 hours as a pilot in multi-pilot operations on aeroplanes,
- and

- undergo the MCCI(A) training course.

Such proposal will define more sensible and balanced conditions.

This proposal is in line with France other comment on FCL.905.CRI (d), FCL.905.FI (b) and FCL.905.TRI (c) (1).

Proposed amendment:

FCL.905.SFI

[...]

(c)

(1)

[...]

The privileges of the SFI(SPA) may be extended to flight instruction for the issue, revalidation or renewal for single-pilot high-performance complex aeroplanes in multi-pilot operations, provided that the SFI(SPA):

(1)

(i) has at least 500 hours as a pilot in multi-pilot operations on aeroplanes,
and

(ii) has completed the training course for MCCI in accordance with FCL.930.MCCI.

or

(2) holds or has held a TRI certificate for a multi-pilot aeroplanes



response Noted

comment

221

comment by: DGAC France

Subject:

SFI extension to flight instruction for TRI and SFI certificates (FCL.905.SFI)

Content of comment:

For coherence with FCL.905.TRI (b) France proposes to define some requirements in order to authorize SFI to provide instruction of the issue and renewal of SFI and TRI restricted FSTD certificates.

It should be noted that the EC decision of the 6th February 2014 has granted derogation 14.6 to the UK on the same subject.

France considers that such derogation should now be reflected in the regulation itself.

Therefore France proposes an amendment by adding a point (e) to FCL.905.SFI.

Proposed amendment:

FCL.905.SFI

[...]

(e) the issue and renewal of a SFI certificate or a TRI certificate restricted to FSTD, provided that the SFI:

(1) holds the SFI certificate for the appropriate type;

and

(2) has at least 3 years or 50 hours of instructional experience as a SFI, instructional experience gained under regulation (EU) n°965/2012 Part ORO in the same category of aircraft may be credited;

and

(3) has conducted the flight instruction syllabus of the relevant part of the FSTD content of a TRI training course according to FCL.930.TRI (a) (3) or SFI training course according to FCL.930.SFI (a) (2) under the supervision and to the satisfaction of a qualified TRI or SFI nominated for this purpose by the HT of an ATO before application

response Noted

comment

224

comment by: DGAC France

Subject:

SFI privileges extension (FCL.910.SFI (b))

Content of comment:

The reference to the course content required for SFI extension lacks precision. We propose a



more precise wording in order to clearly identify the part of the TRI course that is required. The alternative wording proposed seeks consistencies with FCL.930.SFI (a) (2) (see the other comment on FCL.930.SFI (a) (2)).

Proposed amendment:

FCL.910.SFI

[...]

(b) completed the relevant parts of technical training and **FSTD content of the flight instruction syllabus** of the applicable TRI course; and

response Noted

comment

225

comment by: DGAC France

Subject:

SFI privileges extension (FCL.910.SFI)

Content of comment:

A reference to Part 21 is missing in FCL.910.SFI. Such a reference, like for the TRI (see other comment on FCL.910.TRI (b) and (c)), should be included as a general remark at the beginning of the paragraph.

Proposed amendment:

FCL.910.SFI SFI — Restricted privileges

The privileges of the SFI shall be restricted to the FTD 2/3 or FFS of the aircraft type in which the SFI training course was taken.

Unless otherwise specified in the OSD established in accordance with Part 21, the privileges may be extended to other FSTDs representing further types of the same category of aircraft when the holder has:

[...]

response Noted

comment

226

comment by: DGAC France

Subject:

Revalidation requirement for a SFI certificate with an assessment of competence in the case of privileges of several types (FCL.940.SFI (d))

Content of comment:

France considers that the reference to the recommendation to OSD is too restrictive. This reference will no longer offer the possibility to revalidate all privileges with only one assessment of competence (FCL.935). The objective of the assessment of competence is to evaluate the generic instructor competencies listed in FCL.920 and not competencies on a specific type.

France is not in favour of such an amendment and considers that it will represent a significant additional burden for the industry.



response	<p><u>Proposed amendment:</u></p> <p>FCL.940.SFI [...] (d) If a person holds a SFI certificate on more than one type of aircraft and if it is part of a recommendation of the operational suitability data established in accordance with Part 21 within the same category, the assessment of competence taken on one of those types shall revalidate the SFI certificate for the other types held within the same category of aircraft.</p>
comment	<p>227 comment by: DGAC France</p> <p><u>Subject:</u></p> <p>SFI renewal (FCL.940.SFI (e))</p> <p><u>Content of comment:</u></p> <p>1) France considers that for consistency with the SFI revalidation requirements it should also be required to the applicant for a SFI renewal that he/she has completed, on an FSTD, proficiency checks for the issue of the specific aircraft type ratings representing types for which privileges are to be renewed. It is not logical ask for such requirement for revalidation (FCL.940.SFI (b)) and not for renewal. In addition it should be noted that such requirement was existing in JAR FCL 1.415 (b) (4).</p> <p>2) For consistencies with the wording used in the other parts of the regulation, France suggests to remove the reference to the “<i>relevant sections</i>”.</p> <p><u>Proposed amendment:</u></p> <p>FCL.940.SFI [...]</p> <p>(e) <i>Renewal. If the SFI certificate has lapsed, the applicant shall, within the 12 months preceding the application:</i></p> <p>(1) <i>receive instructor refresher training as an SFI at an ATO; and</i></p> <p>(2) <i>pass the relevant sections of the assessment of competence in accordance with FCL.935 and</i></p> <p>(3) <i>have completed, on an FSTD, the proficiency checks for the issue of the specific aircraft type ratings representing the types for which privileges are to be renewed.</i></p>
response	Noted
comment	253 comment by: FlightSafety International - Deputy Head of Training

FCL.910.SFI SFI — Restricted privileges states that

The privileges of the SFI shall be restricted to the FTD 2/3 or FFS of the aircraft type in which the SFI training course was taken. The privileges may be extended to other FSTDs representing further types of the same category of aircraft when the holder has:

- (a) satisfactorily completed the simulator content of the relevant type rating course; and
- (b) completed the relevant parts of the technical training and flight instruction parts of the applicable TRI course; and
- (bc) conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of an SFI on the applicable type under the supervision and to the satisfaction of a TRE or an SFE qualified for this purpose.

The addition of a new subpara (b) to FCL.910.SFI to extend SFI privileges to other FSTDs representing further types of the same category of aircraft will have huge resource effects. This additional requirement will mean that all SFIs will have to be put through the relevant parts of each specific TRI(SFI) course in addition to the simulator content of the TR course and 3hrs demo of capabilities on a TR course. FlightSafety International and CAE do not support the addition of new subpara (b); we are not aware of any safety case being conducted or consultation with industry to highlight, identify or require such a constraining additional qualifying requirement. Neither of the ATOs are aware of any safety issues arising from the previous SFI type extension requirements which have hitherto proved entirely appropriate and adequate training measures for extension of SFI type privileges.

response Noted

comment

293

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.905.SFI SFI — Privileges and conditions

The privileges of an SFI are to carry out synthetic flight instruction, within the relevant aircraft category, for:

~~(a) the issue, revalidation and renewal of an IR, provided that he/she holds or has held an IR in the relevant aircraft category and has completed an IRI training course; and~~

~~(b)~~ in the case of SFI for single-pilot aeroplanes **SFI(SPA):**

(1) the issue, ~~revalidation~~ and renewal of type ratings for single-pilot high performance complex aeroplanes, when the applicant seeks privileges to operate in single-pilot operations.

~~(2) The privileges of the SFI(SPA) may be extended to flight instruction~~ **the issue and renewal of type ratings** for single-pilot aeroplanes ~~type ratings~~ **when the applicant seeks privileges to operate** in multi-pilot operations, provided that ~~he/she~~ **the SFI:**

(i) holds an MCC certificate; or

(ii) holds or has held a TRI **or SFI** certificate for multi-pilot aeroplanes; and



(23) provided that the privileges of the SFI(SPA) have been extended to multi-pilot operations in accordance with (12):

(i) MCC;

(ii) the MPL course on the basic phase;

(4) the renewal of an EIR or SP IR, provided that the SFI holds or has held the relevant SP class or type rating, an SP IR and complies with the cross crediting requirements of Appendix 8 to this rule, or has completed an IRI training course.

(b) in the case of SFI for multi-pilot aeroplanes, SFI(MPA):

(1) the issue, revalidation and renewal of type ratings including multi-pilot IR for:

(i) multi-pilot aeroplanes;

(ii) single-pilot high performance complex aeroplanes when the applicant seeks privileges to operate in multi-pilot operations;

(2) MCC training;

(3) the MPL course on the basic, intermediate and advanced phases, provided that, for the basic phase, he/she holds or has held an FI(A) or an IRI(A) certificate;

(c) in the case of SFI for helicopters SFI(H):

(1) the issue, revalidation and renewal of helicopter type ratings;

(2) MCC training, when the SFI has privileges to instruct for multi-pilot helicopters.

(3) the extension of the single-engine IR(H) to multi-engine IR(H);

(4) the issue and renewal of an IR, provided the SFI holds or has held an IR(H).

(d) for powered-lift aircraft SFI(PL):

(1) the issue and renewal of powered-lift type ratings;

(2) MCC.

(e) the issue, revalidation and renewal of a SFI or a TRI certificate provided that the SFI:

(1) holds the SFI certificate for the appropriate type; and

(2) has three years or 50 hours of instructional experience as a SFI. Instructional experience gained while providing flight simulation training required under Part Ops for the same category of aircraft will count in full towards this requirement; and,

(3) has conducted relevant parts of the flight instruction syllabus of a TRI(Sim only) or SFI training course under the supervision and to the satisfaction of a suitably qualified TRI or SFI

response	<p>nominated for that purpose by the HT of an ATO.</p> <p>Noted</p>
comment	<p>294 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.910.SFI SFI — Restricted privileges</p> <p>(a) The privileges of the SFI shall be restricted to the FTD 2/3 or FFS FSTD of the aircraft type in which the SFI training course and assessment of competence were was taken.</p> <p>(b) The privileges may shall be extended to other FSTDs representing further types of the same category of aircraft in accordance with the operational suitability data established in Part-21, where applicable, when the holder SFI has:</p> <p>(a1) satisfactorily completed the simulator content of the relevant type rating course as a pilot, and passed the skill test in accordance with Appendix 9 to this Part; and</p> <p>(2) for aeroplanes and powered lift, SFI(A) and SFI(PL), completed within the 12 months preceding the application:</p> <p>(i) Line operations training as determined by the HT of an ATO or the post holder training of an AOC holder; and</p> <p>(b) conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of an SFI on the applicable type under the supervision and to the satisfaction of a TRE qualified for this purpose.</p> <p>(ii) relevant sections of the technical training and flight instruction parts of the applicable SFI course;</p> <p>(3) for helicopters — SFI(H):</p> <p>(i) completed the relevant sections of the technical training and flight instruction parts of the TRI course on the applicable type of helicopter or an FSTD representing that type;</p> <p>(ii) conducted at least 2 hours of flight instruction on the FSTD representing the applicable type, under the supervision of an appropriately qualified TRI(H) or SFI(H);</p> <p>(iii) Before the privileges of a SFI(H) are extended from single-pilot to multi-pilot privileges on the same type of helicopter, the holder shall have at least 100 hours in multi-pilot operations on this type.</p> <p>(4) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an SFE or a TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.</p>
response	<p>Noted</p>

comment

295

comment by: Irish Aviation Authority

FCL.915.SFI SFI — Prerequisites

(Under Part FCL a pilot holds a licence for life. Therefore, there is a strong argument that even though the pilot may no longer exercise the privileges of their licence, for reasons of age or medical fitness, they still “hold” that licence and that the phraseology here of “hold or have held a (licence)” is redundant and that the SFI will still hold that licence, even if it was issued under JAR.)

The following wording is proposed:

An applicant for an SFI certificate shall:

- (a) hold or have held a CPL, MPL or ATPL in the appropriate aircraft category;
- (b) have **satisfactorily** completed **the simulator content of the relevant type rating course as a pilot, and passed the proficiency check skill test in accordance with Appendix 9 of this Part,** for the issue of the specific aircraft type rating in an FFS representing the applicable type, within the 12 months preceding the application; and
- (c) additionally, for an SFI(MPA) for multi-pilot aeroplanes or SFI(PL), have:
 - (1) at least 1 500 hours flight time as a pilot on multi-pilot aeroplanes or powered-lift **aircraft,** as applicable;
 - (2) completed, ~~as a pilot or as an observer,~~ within the 12 months preceding the application, **at least the requirements of FCL.910.SFI (b)(2)(i):**
 - ~~(i) 3 route sectors on the flight deck of the applicable aircraft type; or~~
 - ~~(ii) 2 line orientated flight training based simulator sessions conducted by a TRI qualified flight crew on the flight deck of the applicable type. These simulator sessions shall include 2 flights of at least 2 hours each between 2 different aerodromes, and the associated pre flight planning and de briefing;~~
- (d) additionally, for an SFI(SPA) for single-pilot high performance complex aeroplanes:
 - (1) have completed at least 500 hours of flight time as ~~PIC~~ **a pilot** on ~~single pilot~~ aeroplanes **of which at least 30 hours shall be as PIC on the applicable type;**
 - (2) hold or have held a multi-engine IR(A) rating; and
 - (3) have met the requirements in (c)(2);
- (e) additionally, for an SFI(H), have:
 - (1) completed, as a pilot or as an observer, at least 1 hour of flight time on the flight deck of the applicable type, within the 12 months preceding the application; and



	<p>(2) in the case of for multi-pilot helicopters, at least 1 000 hours of flying experience as a pilot on helicopters, including at least 350 hours as a pilot on multi-pilot helicopters;</p> <p>(3) in the case of for single-pilot multi-engine helicopters, completed 500 hours as pilot of helicopters, including 100 hours as PIC on single-pilot multi-engine helicopters;</p> <p>(4) in the case of for single-pilot single-engine helicopters, completed 250 hours as a pilot on helicopters.</p>
response	Noted

comment	<p>296</p> <p>comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.930.SFI SFI — Training course</p> <p>(a) The training course for the SFI shall include the content of the TRI training course as applicable to delivering instruction in a FSTD.</p> <p>(b) Crediting: An applicant for an SFI certificate who holds a TRI certificate for the relevant type shall be fully credited towards the requirements of this paragraph.</p>
response	Noted

comment	<p>297</p> <p>comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.940.SFI SFI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)</p> <p>(a) Revalidation Revalidation. For revalidation of a SFI certificate, the applicant shall, within the 12 months preceding the expiry date of the certificate:</p> <p>(1) as a pilot, have passed the proficiency checks for the issue of the specific aircraft type ratings representing the types for which instructional privileges are held, in accordance with Appendix 9 of this Part; and</p> <p>(2) have completed the requirements of FCL.910.SFI (b)(2)(i); and</p> <p>(3) additionally, for aeroplanes, SFI(A) the applicant shall, within the 12 months preceding the expiry date of the certificate, fulfil 2 of the following 3 requirements:</p> <p>(i) conduct on a type rating or recurrent training course one simulator session of at least 3 hours;</p> <p>(ii) receive instructor refresher training as a SFI(A) at an ATO or, where no ATO exists to provide such training, as approved by the Authority responsible for the issue of the certificate;</p>
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(iii) pass the assessment of competence in accordance with FCL.935.

(4) additionally, for helicopters and powered lift, SFI(H) or SFI(PL) certificate, the applicant shall, within the validity period of the SFI certificate, fulfil 2 of the following 3 requirements:

(i) complete 50 hours of flight instruction on each of the types of aircraft for which instructional privileges are held or in an FSTD representing those types, of which at least 15 hours shall be within the 12 months preceding the expiry date of the SFI certificate.

For SFI(PL), these hours of flight instruction shall be flown as a TRI or type rating examiner (TRE), or SFI or synthetic flight examiner (SFE). For SFI(H), time flown as FI, instrument rating instructor (IRI), synthetic training instructor (STI) or as any kind of examiner shall also be relevant for this purpose;

(ii) receive instructor refresher training as a TRI(H) or TRI(PL), as relevant, at an ATO;

(iii) pass the assessment of competence in accordance with FCL.935.

A SFI(H) holding an FI(H) certificate on the relevant type shall have full credit towards this requirement. In this case, the SFI(H) certificate will be valid until the expiry date of the FI(H) certificate.

~~For revalidation of an SFI certificate the applicant shall, within the validity period of the SFI certificate, fulfil 2 of the following 3 requirements:~~

~~(1) complete 50 hours as an instructor or an examiner in FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the SFI certificate;~~

~~(2) receive instructor refresher training as an SFI at an ATO;~~

~~(3) pass the relevant sections of the assessment of competence in accordance with FCL.935.~~

~~(b) Additionally, the applicant shall have completed, on an FFS, the proficiency checks for the issue of the specific aircraft type ratings representing the types for which privileges are held.~~

~~(eb) For at least each alternate revalidation of an SFI certificate, the holder shall have to comply with the requirement of (a)(3).~~

(c) If a person holds a SFI certificate on more than one type of aircraft within the same category, the assessment of competence taken on one of those types shall revalidate the SFI certificate for the other types held within the same category of aircraft.

(d) *Renewal.* If the SFI certificate has lapsed, the applicant shall, within the 12 months preceding the application:

~~(1) complete the simulator content of the SFI training course; (2) fulfil the requirements specified in (a)(1), (2), (3) and (4) as applicable; and~~

(2) pass relevant sections of the assessment of competence in accordance with FCL.935.



(e) For the assessment of competence for revalidation or renewal of SFI(MPA), the instructional session or exercise may be completed during initial, conversion, recurrent or refresher training with an operator certified under Part Ops. For this assessment of competence, an actual or a simulated crew may be used for the instructional session or exercise.

response Noted

comment 400

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.905.SFI SFI — Privileges and conditions

The privileges of an SFI are to carry out synthetic flight instruction, within the relevant aircraft category, for:

~~(a) the issue, revalidation and renewal of an IR, provided that he/she holds or has held an IR in the relevant aircraft category and has completed an IRI training course; and~~

~~(b) in the case of SFI for single-pilot aeroplanes SFI(SPA):~~

(1) the issue, revalidation and renewal of type ratings for single-pilot high performance complex aeroplanes, when the applicant seeks privileges to operate in single-pilot operations.

~~(2) The privileges of the SFI(SPA) may be extended to flight instruction~~ the issue and renewal of type ratings for single-pilot aeroplanes type ratings when the applicant seeks privileges to operate in multi-pilot operations, provided that he/she the SFI:

(i) holds an MCC certificate; or

(ii) holds or has held a TRI or SFI certificate for multi-pilot aeroplanes; and

~~(2)~~ provided that the privileges of the SFI(SPA) have been extended to multi-pilot operations in accordance with ~~(1)~~:

(i) MCC;

(ii) the MPL course on the basic phase;

(4) the renewal of an EIR or SP IR, provided that the SFI holds or has held the relevant SP class or type rating, an SP IR and complies with the cross crediting requirements of Appendix 8 to this rule, or has completed an IRI training course.

~~(b)~~ in the case of SFI for multi-pilot aeroplanes, SFI(MPA):

(1) the issue, revalidation and renewal of type ratings including multi-pilot IR for:

- (i) multi-pilot aeroplanes;
- (ii) single-pilot high performance complex aeroplanes when the applicant seeks privileges to operate in multi-pilot operations;

(2) MCC training;

(3) the MPL course on the basic, intermediate and advanced phases, provided that, for the basic phase, he/she holds or has held an FI(A) or an IRI(A) certificate;

(c) in the case of SFI for helicopters SFI(H):

- (1) the issue, revalidation and renewal of helicopter type ratings;
- (2) MCC training, when the SFI has privileges to instruct for multi-pilot helicopters.
- (3) the extension of the single-engine IR(H) to multi-engine IR(H);
- (4) the issue and renewal of an IR, provided the SFI holds or has held an IR(H).

(d) for powered-lift aircraft SFI(PL):

- (1) the issue and renewal of powered-lift type ratings;
- (2) MCC;

(e) the issue, revalidation and renewal of a SFI or a TRI certificate provided that the SFI:

- (1) holds the SFI certificate for the appropriate type; and
- (2) has three years or 50 hours of instructional experience as a SFI. Instructional experience gained while providing flight simulation training required under Part Ops for the same category of aircraft will count in full towards this requirement; and,
- (3) has conducted relevant parts of the flight instruction syllabus of a TRI(Sim only) or SFI training course under the supervision and to the satisfaction of a suitably qualified TRI or SFI nominated for that purpose by the HT of an ATO.

response Noted

comment

402 comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.910.SFI SFI — Restricted privileges

(a) The privileges of the SFI shall be restricted to the ~~FTD 2/3 or FFS~~ **FSTD** of the aircraft type in which the SFI training course ~~and assessment of competence were~~ **was** taken.



(b) The privileges ~~may~~ shall be extended to other FSTDs representing further types of the same category of aircraft in accordance with the operational suitability data established in Part-21, where applicable, when the holder SFI has:

(a1) satisfactorily completed the simulator content of the relevant type rating course as a pilot, and passed the skill test in accordance with Appendix 9 to this Part; and

(2) for aeroplanes and powered lift, SFI(A) and SFI(PL), completed within the 12 months preceding the application:

(i) Line operations training as determined by the HT of an ATO or the post holder training of an AOC holder; and

~~(b) conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of an SFI on the applicable type under the supervision and to the satisfaction of a TRE qualified for this purpose.~~

(ii) relevant sections of the technical training and flight instruction parts of the applicable SFI course;

(3) for helicopters — SFI(H):

(i) completed the relevant sections of the technical training and flight instruction parts of the TRI course on the applicable type of helicopter or an FSTD representing that type;

(ii) conducted at least 2 hours of flight instruction on the FSTD representing the applicable type, under the supervision of an appropriately qualified TRI(H) or SFI(H);

(iii) Before the privileges of a SFI(H) are extended from single-pilot to multi-pilot privileges on the same type of helicopter, the holder shall have at least 100 hours in multi-pilot operations on this type.

(4) passed the relevant sections of the assessment of competence in accordance with FCL.935 in order to demonstrate to an SFE or a TRE qualified in accordance with Subpart K his/her ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.

response Noted

comment 403

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.915.SFI SFI — Prerequisites

(Under Part FCL a pilot holds a licence for life. Therefore, there is a strong argument that even though the pilot may no longer exercise the privileges of their licence, for reasons of

age or medical fitness, they still “hold” that licence and that the phraseology here of “hold or have held a (licence)” is redundant and that the SFI will still hold that licence, even if it was issued under JAR.)

An applicant for an SFI certificate shall:

(a) hold or have held a CPL, MPL or ATPL in the appropriate aircraft category;

(b) have satisfactorily completed the simulator content of the relevant type rating course as a pilot, and passed the proficiency check skill test in accordance with Appendix 9 of this Part, for the issue of the specific aircraft type rating in an FFS representing the applicable type, within the 12 months preceding the application; and

(c) additionally, for an SFI(MPA) for multi-pilot aeroplanes or SFI(PL), have:

(1) at least 1 500 hours flight time as a pilot on multi-pilot aeroplanes or powered-lift aircraft, as applicable;

(2) completed, as a pilot or as an observer, within the 12 months preceding the application, at least the requirements of FCL.910.SFI (b)(2)(i):

(i) 3 route sectors on the flight deck of the applicable aircraft type; or

(ii) 2 line-orientated flight training-based simulator sessions conducted by a TRI qualified flight crew on the flight deck of the applicable type. These simulator sessions shall include 2 flights of at least 2 hours each between 2 different aerodromes, and the associated pre-flight planning and de-briefing;

(d) additionally, for an SFI(SPA) for single-pilot high performance complex aeroplanes:

(1) have completed at least 500 hours of flight time as PIC a pilot on single-pilot aeroplanes of which at least 30 hours shall be as PIC on the applicable type;

(2) hold or have held a multi-engine IR(A) rating; and

(3) have met the requirements in (c)(2);

(e) additionally, for an SFI(H), have:

(1) completed, as a pilot or as an observer, at least 1 hour of flight time on the flight deck of the applicable type, within the 12 months preceding the application; and

(2) in the case of for multi-pilot helicopters, at least 1 000 hours of flying experience as a pilot on helicopters, including at least 350 hours as a pilot on multi-pilot helicopters;

(3) in the case of for single-pilot multi-engine helicopters, completed 500 hours as pilot of helicopters, including 100 hours as PIC on single-pilot multi-engine helicopters;

(4) in the case of for single-pilot single-engine helicopters, completed 250 hours as a pilot on helicopters.

response Noted

comment

404

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.930.SFI SFI — Training course

(a) The training course for the SFI shall include the content of the TRI training course **as applicable to delivering instruction in a FSTD.**

(b) **Crediting:** An applicant for an SFI certificate who holds a TRI certificate for the relevant type shall be fully credited towards the requirements of this paragraph.

FCL.940.SFI SFI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)

(a) ~~Revalidation~~ **Revalidation.** For revalidation of a SFI certificate, the applicant shall, within the 12 months preceding the expiry date of the certificate:

(1) as a pilot, have passed the proficiency checks for the issue of the specific aircraft type ratings representing the types for which instructional privileges are held, in accordance with Appendix 9 of this Part; and

(2) have completed the requirements of FCL.910.SFI (b)(2)(i); and

(3) additionally, for aeroplanes, SFI(A) the applicant shall, within the 12 months preceding the expiry date of the certificate, fulfil 2 of the following 3 requirements:

(i) conduct on a type rating or recurrent training course one simulator session of at least 3 hours;

(ii) receive instructor refresher training as a SFI(A) at an ATO or, where no ATO exists to provide such training, as approved by the Authority responsible for the issue of the certificate;

(iii) pass the assessment of competence in accordance with FCL.935.

(4) additionally, for helicopters and powered lift, SFI(H) or SFI(PL) certificate, the applicant shall, within the validity period of the SFI certificate, fulfil 2 of the following 3 requirements:

(i) complete 50 hours of flight instruction on each of the types of aircraft for which instructional privileges are held or in an FSTD representing those types, of which at least 15 hours shall be within the 12 months preceding the expiry date of the SFI certificate.

For SFI(PL), these hours of flight instruction shall be flown as a TRI or type rating examiner (TRE), or SFI or synthetic flight examiner (SFE). For SFI(H), time flown as FI, instrument rating instructor (IRI), synthetic training instructor (STI) or as any kind of examiner shall also be relevant for this purpose;



(ii) receive instructor refresher training as a TRI(H) or TRI(PL), as relevant, at an ATO;

(iii) pass the assessment of competence in accordance with FCL.935.

A SFI(H) holding an FI(H) certificate on the relevant type shall have full credit towards this requirement. In this case, the SFI(H) certificate will be valid until the expiry date of the FI(H) certificate.

For revalidation of an SFI certificate the applicant shall, within the validity period of the SFI certificate, fulfil 2 of the following 3 requirements:

(1) complete 50 hours as an instructor or an examiner in FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the SFI certificate;

(2) receive instructor refresher training as an SFI at an ATO;

(3) pass the relevant sections of the assessment of competence in accordance with FCL.935.

(b) Additionally, the applicant shall have completed, on an FFS, the proficiency checks for the issue of the specific aircraft type ratings representing the types for which privileges are held.

(eb) For at least each alternate revalidation of an SFI certificate, the holder shall pass the relevant sections of the assessment of competence in accordance with FCL.935. have to comply with the requirement of (a)(3).

(c) If a person holds a SFI certificate on more than one type of aircraft within the same category, the assessment of competence taken on one of those types shall revalidate the SFI certificate for the other types held within the same category of aircraft.

(d) *Renewal.* If the SFI certificate has lapsed, the applicant shall, within the 12 months preceding the application:

(1) complete the simulator content of the SFI training course; (2) fulfil the requirements specified in (a)(1), (2), (3) and (4) as applicable; and

(2) pass relevant sections of the assessment of competence in accordance with FCL.935.

(e) For the assessment of competence for revalidation or renewal of SFI(MPA), the instructional session or exercise may be completed during initial, conversion, recurrent or refresher training with an operator certified under Part Ops. For this assessment of competence, an actual or a simulated crew may be used for the instructional session or exercise.

response Noted

comment 465

comment by: *Bond Offshore Helicopters*

FCL.940.SFI (d)
same comment as (464)

response Noted

comment	<p data-bbox="359 235 406 280">492</p> <p data-bbox="1093 235 1476 280" style="text-align: right;">comment by: <i>Dassault Aviation</i></p> <p data-bbox="359 291 1364 324">Dassault-Aviation comment on FCL.940.TRI TRI — Revalidation and renewal (a)(1)</p> <p data-bbox="359 331 1093 365">Dassault Aviation proposes two cases of revalidation for TRI :</p> <p data-bbox="359 369 1484 436">Ø fulfill 2 of the following 3 requirements quoted into this section for a TRI not depending of a training organizations,</p> <p data-bbox="359 441 1484 508">Ø fulfill 1 of the following 3 requirements quoted into this section for a TRI depending of a training organizations.</p> <p data-bbox="359 512 1484 580">Indeed, TRI inside a training organization perform a higher number of activities which allow them to keep an adequate level of competences.</p>
response	<p data-bbox="359 593 438 638">Noted</p>
comment	<p data-bbox="359 683 406 728">537</p> <p data-bbox="1093 683 1476 728" style="text-align: right;">comment by: <i>FOCA Switzerland</i></p> <p data-bbox="359 750 582 828">Annex I Part FCL FCL.905.SFI (c) (1)</p> <p data-bbox="359 862 470 896"><u>Subject:</u></p> <p data-bbox="359 900 1141 934">Prerequisites for SFI(SPA) extension to flight instruction in MPO</p> <p data-bbox="359 938 1484 1075">For coherence with FOCA proposal for FCL.905.TRI (c) (1) introducing additional requirements before providing instruction in MPO (see others comments), FOCA suggests to also amend FCL.905.SFI (c) (1) in order to align for all instructors the requirements before being authorized to instruct in MPO conditions.</p> <p data-bbox="359 1079 1484 1216">It should be noted that SFI(SPA) that will instruct in MPO will have candidates that are already holding an MCC certificate. In other words the SFI(SPA) will not instruct for an initial MCC. The candidates will already have notion of multi crew coordination. This point is justifying the fact that FOCA is proposing more balanced requirements.</p> <p data-bbox="359 1220 1300 1254">FOCA proposes to amendment FCL.905.SFI (c) (1) by requiring the SFI(SPA) to:</p> <ul style="list-style-type: none"> <li data-bbox="359 1258 1236 1292">- has at least 500 hours as a pilot in multi-pilot operations on aeroplanes, <li data-bbox="359 1296 406 1330">and <li data-bbox="359 1335 821 1368">- undergo the MCCI(A) training course. <p data-bbox="359 1373 1141 1406">Such proposal will define more sensible and balanced conditions.</p> <p data-bbox="359 1411 1484 1467">This proposal is in line with FOCA other comment on FCL.905.CRI (d), FCL.905.FI (b) and FCL.905.TRI (c)(1).</p> <p data-bbox="359 1512 470 1545">Proposal</p> <p data-bbox="359 1579 502 1612"><i>FCL.905.SFI</i></p> <p data-bbox="359 1617 406 1650">[...]</p> <p data-bbox="359 1655 399 1688">(c)</p> <p data-bbox="359 1693 399 1727">(1)</p> <p data-bbox="359 1731 406 1765">[...]</p> <p data-bbox="359 1769 1484 1859">The privileges of the SFI(SPA) may be extended to flight instruction for the issue, revalidation or renewal for single pilot high-performance complex aeroplanes in multi-pilot operations, provided that the SFI(SPA):</p> <ul style="list-style-type: none"> <li data-bbox="359 1863 383 1897">1 <li data-bbox="359 1901 1300 1935">(i) has at least 500 hrs as a pilot in multi-pilot operations on aeroplanes, <li data-bbox="359 1939 406 1973">and <li data-bbox="359 1977 1404 2011">(ii) has completed the training course for MCCI in accordance with FCL.930.MCCI. <li data-bbox="359 2016 391 2049">or

(2) holds or has held a TRI certificate for a multi-pilot aeroplane.

response Noted

comment 538

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.905.SFI**

Subject:

SFI extension to flight instruction for TRI and SFI certificates

For coherence with FCL.905.TRI (b) FOCA proposes to define some requirements in order to authorize SFI to provide instruction of the issue and renewal of SFI and TRI restricted FSTD certificates.

It should be noted that the EC decision of the 6th February 2014 has granted derogation 14.6 to the UK on the same subject.

FOCA considers that such derogation should now be reflected in the regulation itself.

Therefore FOCA proposes an amendment by adding a point (e) to FCL.905.SFI.

Proposal

FCL.905.SFI

[...]

(e) the issue and renewal of a SFI certificate or a TRI certificate restricted to FSTD, provided that the SFI:

(1) holds the SFI certificate for the appropriate type;

and

(2) has at least 3 years or 50 hours of instructional experience as a SFI, instructional experience gained under regulation (EU) n°965/2012 Part ORO in the same category of aircraft may be credited;

and

(3) has conducted the flight instruction syllabus of the relevant part of the FSTD content of a TRI training course according to FCL.930.TRI (a) (3) or SFI training course according to FCL.930.SFI (a) (2) under the supervision and to the satisfaction of a qualified TRI or SFI nominated for this purpose by the HT of an ATO before application.

response Noted

comment 539

comment by: FOCA Switzerland

FCL.910.SFI (b)

Subject:



SFI privileges extension

The reference to the course content required for SFI extension lacks precision. We propose a more precise wording in other to clearly identify the part of the TRI course that is required. The alternative wording proposed seeks consistencies with FCL.930.SFI (a) (2) (see the other comment on FCL.930.SFI (a) (2)).

A reference to Part.21 is missing in FCL.910.SFI (b) (see other comment) we suggest to modify the wording of FCL.930.SFI (a)(2) in other to be more precise.

FCL.910.SFI

[...]

(b) completed the relevant parts of technical training and FSTD content of the flight instruction syllabus of the applicable TRI course;

FCL.910.SFI SFI — Restricted privileges

The privileges of the SFI shall be restricted to the FTD 2/3 or FFS of the aircraft type in which the SFI training course was taken.

Unless otherwise specified in the OSD established in accordance with Part 21, the privileges may be extended to other FSTDs representing further types of the same category of aircraft when the holder has;

[...]

response

Noted

comment

540

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.930.SFI (a) (2)**

Subject:**SFI training course**

For consistencies with FOCA proposal for FCL.910.SFI (b) (see other comment) we suggest to modify the wording of FCL.930.SFI (a) (2) in other to be more precise.

Proposal**FCL.930.SFI SFI — Training course**

(a) The training course for the SFI shall include:

(1) the FSTD content of the applicable type rating course;

(2) the relevant parts of technical training and FSTD content of the flight instruction syllabus of the applicable TRI training course.

response

Noted

comment

541

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.940.SFI (d)**

Subject:

Revalidation requirement for a SFI certificate with an assessment of competence in the case of privileges of several types



FOCA considers that the reference to the recommendation to OSD is too restrictive. This reference will no longer offer the possibility to revalidate all privileges with only one assessment of competence (FCL.935). The objective of the assessment of competence is to evaluate the generic instructor competencies listed in FCL.920 and not competencies on a specific type.

FOCA is not in favour of such an amendment and considers that it will represent a significant additional burden for the industry.

Proposal

FCL.940.SFI

[...]

(d)

If a person holds a SFI certificate on more than one type of aircraft ~~and if it is part of a recommendation of the operational suitability data established in accordance with Part 21~~ within the same category, the assessment of competence taken on one of those types shall revalidate the SFI certificate for the other types held within the same category of aircraft.

response Noted

comment 542

comment by: FOCA Switzerland

Annex I Part FCL FCL.940.SFI (e) (2)

Subject:

SFI renewal

For consistencies with the wording used in the other parts of the regulation, FOCA suggests to remove the reference to the “*relevant sections*”.

Proposal

CL.940.SFI

[...]

(e) Renewal. If the SFI certificate has lapsed, the applicant shall, within the 12 months preceding the application:

(1) receive instructor refresher training as an SFI at an ATO; and

(2) pass ~~the relevant sections of~~ the assessment of competence in accordance with FCL.935.

response Noted

comment 566

comment by: DGAC France

Subject:

Discrepancies between privileges of a TRI(SPA) and a SFI(SPA) with extension to flight instruction in MPO

Content of comment:

FCL.905.TRI (c) (2) states that a TRI(SPA) **is only authorized to act in the MPL course on the**



basic phase, provided that he/she has the privileges extended to multi-pilot operations and holds or has held an FI(A) or an IRI(A) certificate.

In parallel FCL.905.SFI (c) (2) states that a SFI(SPA) **is authorized to act in a MCC course and the MPL course on the basic phase**, provided that the privileges of the SFI(SPA) have been extended to multi-pilot operations.

France notes a discrepancy between the privileges granted to the TRI(SPA) and the SFI(SPA). For coherence with France proposal for FCL.905.SFI (c) (1) (see other comment) it is proposed to delete the reference to MCC in FCL.905.SFI (c) (2).

Besides it should be noted that the holder of a MCCI is obviously authorized to act in MCC courses. It seems not necessary to precise it or at least it should be added to the TRI(SPA).

Proposed amendment:

FCL.905.SFI

[...]

(c)

[...]

(2) ~~MCC and~~ *the MPL course on the basic phase, provided that the privileges of the SFI(SPA) have been extended to multi-pilot operations in accordance with (1)*

response Noted

comment

680

comment by: UK CAA

Page No: 95 and 96

Paragraph No: FCL.940.SFI (a)(2), and (e)(1)

Comment: See also the UK CAA comment concerning FCL.940.CRI, Page 92.

At the FCL TAG-SSCC meeting in June 2014 it was agreed that the FI Seminar needed to be approved, but did not have to be given by the authority or an ATO - it could be another approved person.

Abolition of the use of the term “instructor seminar” is going to cause some administrative difficulties. Currently the UK have a number of companies, including individuals who are not ATOs, that are approved just to give instructor seminars. Their approval certificates state that they are approved to run instructor seminars. However, they do not have the capability to give other refresher training for instructors.

Justification: Discussion at TAG-SSCC FCL Group - assuming that what is meant here is the equivalent of an instructor seminar rather than practical instruction in the simulator?

Proposed Text: Replace sub-paragraphs (a)(2) and (e)(1) as follows:

“(a)(2) receive instructor refresher training provided by a competent authority or by an ATO or other holder of an approval to provide such theoretical training issued by a competent authority.”



response	<p>“(e)(1) receive instructor refresher training provided by a competent authority or by an ATO or other holder of an approval to provide such theoretical training issued by a competent authority; and”</p> <p>Noted</p>
comment	<p>681 comment by: UK CAA</p> <p>Page No: 96</p> <p>Paragraph No: FCL.940.SFI (d)</p> <p>Comment: It is considered that this change in fact makes the revalidation requirement more onerous because an assessment of competence is not required if the experience requirements are met. OSD reports do not refer to training between different manufacturers’ types. The revalidation requirements for an SFI with more than 1 type should be by meeting the experience requirements for each of the different types and by refresher training or by an AoC on one of the types.</p> <p>Justification: An AoC assesses instructional competence. If an SFI is deemed after a practical teaching exercise to be competent to teach on one particular type, his competence to instruct should be assumed on another type.</p> <p>Proposed Text: Replace sub-paragraph (d) with the following:</p> <p>“If a person holds an SFI certificate on more than 1 type of aircraft within the same category, revalidation of the TRI certificates for all types may be accomplished when the SFI meets the requirements of (a)(1) for each of the types and completes either refresher training as an SFI or an Assessment of Competence on one of the types as part of the revalidation requirements.”</p>
response	<p>Noted</p>
comment	<p>779 comment by: Finnish Transport Safety Agency</p> <p>FCL.905.SFI (c) (1)</p> <p>The requirements of SFI SPA acting in multi-pilot operations should be aligned with the corresponding TRI SPA, FI(A) and CRI(A) requirements.</p> <p>Proposed text: FCL.905.SFI --</p> <p>(c) in the case of SFI for single-pilot aeroplanes: (1) the issue, revalidation and renewal of type ratings for single-pilot high performance complex aeroplanes, when the applicant seeks privileges to operate in single-pilot operations.</p> <p>The privileges of the SFI(SPA) may be extended to flight instruction for single-pilot high performance complex aeroplanes type ratings in multi-pilot operations, provided that he/she:</p> <p>(i) holds an MCCI certificate; or</p>

(ii) holds or has held a TRI certificate for multi-pilot aeroplanes; and or;
 (iii) holds at least 500 hours of flight experience as a pilot in multi-pilot operations; or
 (iv) has completed the MCC training and holds at least 100 hours of flight experience as a pilot in multi-pilot operations on the class or type in concern.

--

response Noted

comment 780 comment by: Finnish Transport Safety Agency

FCL.940.SFI (d)

Finland supports the possibility to revalidate SFI certificate for the other types held with only one assessment of competence.

However, the current OEBs should be updated to take this provision in to account. Otherwise unnecessary burden would exist on SFI holders.

response Noted

comment 828 comment by: CAE

In JAR-FCL the qualifications required to be able to teach the various kinds of instructor were not as clear as they might have been and have historically been interpreted as allowing SFIs to act as tutors on SFI courses - and so to teach other SFIs. The Approved Training Organisations providing Type Rating courses, especially in the business/corporate aircraft domain, relied on this interpretation to provide adequate numbers of SFIs to instruct for Type Ratings. The wording of Part FCL is more specific in this respect. Part-FCL says that the privilege to teach SFIs is granted only to Type Rating Instructors (TRIs) with 3 years of experience as TRIs (now amended by NPA 2015-29(A)). The issue to be addressed is that many existing SFIs currently working in the role of teaching SFIs cannot comply with the requirements to become TRIs with 3 years experience and so will be unable to continue to act as tutors on SFI courses. In addition, there are insufficient TRIs with 3 years experience available to meet the demand for SFI tutors. Industry representatives have advised that the resulting shortage of SFI course tutors for both helicopter and aeroplane types would cause serious disruption to the training of pilots, particularly in the business/corporate aircraft domain.

As a result of the above, the UK CAA issued an exemption with regards to the privileges of an SFI under FCL.905.SFI, as follows:

Part-FCL 905.SFI and the training of SFIs

Exemption Reference – E3607

1. The Civil Aviation Authority, on behalf of the United Kingdom, pursuant to article 14(4) of Regulation (EC) No. 216/2008 and subject to paragraph 2 exempts any person acting as a tutor for a Synthetic Flight Instructor (SFI) course from the requirement at FCL.905.TRI(b) of Annex I of Regulation (EU) No.1178/2011 (Part-FCL) that to instruct for the SFI certificate a person shall hold a Type Rating Instructor certificate (TRI) and have 3 years experience as a TRI (now amended by NPA 2014-29(A)).



2. This exemption is subject to the following conditions:

2.1 Any person acting as a tutor for an SFI course, shall:

(a) hold a TRI or SFI certificate for the applicable type of aircraft and provide evidence to the Competent Authority that they have acted as tutor on an SFI course within the 3 years prior to the implementation of the Annexes to Regulation 1178/2011 by the country of the Competent Authority; or

(b) (i) hold a TRI or SFI certificate for the applicable type of aircraft; and

(ii) have completed a 2-day SFI tutor course as defined in Schedule 1, that is presented by an SFI or TRI tutor; and

(iii) after completing the 2-day tutor course, pass an assessment of competence during the first SFI course for which they act as tutor

2.2 The assessment of competence specified in (b)(iii) shall be conducted by either: a Competent Authority Inspector/examiner; or an SFE or TRE with Tutor privileges; or a senior examiner who has tutor privileges.

3. The exemption E3577, dated 24 April 2013, is hereby revoked.

4. This Exemption has effect from 22 May 2013 until the derogation under Article 14(6) of Regulation (EC) No. 216/2008 applies, unless previously revoked.

CAE proposes that the privileges of the SFI are extended in line with the above exemption issued by the UK CAA.

response

Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 7: SPECIFIC REQUIREMENTS FOR THE MULTI-CREW COOPERATION INSTRUCTOR — MCCI

p. 96-97

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment

17

comment by: Roland KUESTNER

Attachment [#8](#)

change of FCL.905.MCCI (a)(1):
the practical part of MCC course when combined with a type rating course or in a stand-alone MCC course

or change FCL.905.MCCI (a)(2):
in the case of MCCI(A), the basic phase of the MPL integrated training course or a type rating course, provided he/she holds or has held an FI(A) or an IRI(A) certificate.



	reason: see attached document
response	Noted
comment	<p>18 comment by: <i>Roland KUESTNER</i></p> <p>change of FCL.910.MCCI: The privileges of the holder of an MCCI certificate shall be restricted to the FNPT II/III MCC, FTD 2/3 or FFS representing the aircraft types or classes similar to the device in which the MCCI training course was taken.</p>
response	Noted
comment	<p>228 comment by: <i>DGAC France</i></p> <p><u>Subject:</u> MCCI revalidation (FCL.940.MCCI)</p> <p><u>Content of comment:</u> Revalidation requirements for MCCI do not cover properly pilots that are acting within an approved organisation holding an AOC issued in accordance with Part ORO regulation (EU) n°965/2012. On one hand, regulation (EU) n°1178/2011 requires those pilots to hold a MCCI certificate for performing, as TRE(SPA), skill tests, proficiency checks in multi-pilot operations (MPO) on single pilot HPA aeroplanes to the benefit of pilots of their company. On the other hand, regulation (EU) n°965/2012 requires those pilots to hold a MCCI certificate in order to conduct operator recurrent training and checking mentioned in Subpart FC. To support this point it should be reminded that ORO.FC.145 states that: “ORO.FC.145 Provision of training (a) <i>All the training required in this Subpart shall be conducted:</i> [...] (2) <i>by appropriately qualified personnel. In the case of flight and flight simulation training and checking, the personnel providing the training and conducting the checks shall be qualified in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011.”</i> Those pilots holding who have to hold an MCCI certificate will not be in a position to easily perform the supervision FCL.930.MCCI (a) (3) within an ATO offering MCC training in order to revalidate their MCCI certificate. In addition requiring those MCCI to go to an ATO in a non familiar environment is not relevant and not representative of his/her daily work inside the AOC holder. Therefore it is more appropriate to allow those MCCI holders to perform the supervision inside their AOC holder. The FCL.930.MCCI (a) (3) supervision could be done during a recurrent training session performed in accordance with Subpart FC of regulation (EU) n°965/2012. If AOC holders are not authorized to perform such revalidation it will have a critical operational impact on their operations (scheduling disruptions, training programming...). The same reasoning could be applicable for the supervision to be performed for a renewal. France suggests an amendment to FCL.940.MCCI. This comment has to be addressed in correlation with the decision on France other comment about extension of TRI(SPA) privileges to MPO instruction (FCL.905.TRI (c) (1)).</p>

Proposed amendment:**FCL.940.MCCI MCCI — Revalidation and renewal****(a) Revalidation.**

(i) For revalidation of an MCCI certificate the applicant shall have completed the requirements of FCL.930.MCCI (a) (3) on the relevant type of FSTD, within the last 12 months of the validity period of the MCCI certificate.

(ii) Notwithstanding FCL.940.MCCI (a) (i), the requirements of FCL.930.MCCI (a) (3) could be complied during a recurrent training session in accordance with regulation (EU) n°965/2012 under the supervision of a TRI, SFI or MCCI nominated by an AOC holder for that purpose.

(b) Renewal.

(i) If the MCCI certificate has lapsed, the applicant shall complete the requirements of FCL.930.MCCI (a) (2) and (3) on the relevant type of FSTD.

(ii) Notwithstanding FCL.940.MCCI (b) (i), the requirements of FCL.930.MCCI (a) (3) could be complied during a recurrent training session in accordance with regulation (EU) n°965/2012 under the supervision of a TRI, SFI or MCCI nominated by an AOC holder for that purpose

response Noted

comment 298

comment by: Irish Aviation Authority

The following wording is proposed:

FCL.905.MCCI MCCI — Privileges and conditions

(a) The privileges of an MCCI are to carry out flight instruction during:

(1) the practical training part of MCC courses when not combined with type rating training; and

(2) ~~in the case of~~ for MCCI(A), the basic phase of the MPL integrated training course, provided he/she holds or has held an FI(A) or an IRI(A) certificate.

response Noted

comment 299

comment by: Irish Aviation Authority

The following wording is proposed:

FCL.910.MCCI MCCI — Restricted privileges

The privileges of the holder of an MCCI certificate shall be restricted to the ~~FNPT II/III MCC, FTD 2/3 or FFS~~ FSTD in which the MCCI training course was taken.

The privileges may be extended to other FSTDs representing further types of aircraft when the holder has completed the technical and practical training of the MCCI course on that type of ~~FNPT II/III MCC, FTD 2/3 or FFS~~ FSTD.



response Noted

comment 300 comment by: Irish Aviation Authority

The following wording is proposed:

FCL.915.MCCI MCCI — Prerequisites

An applicant for an MCCI certificate shall:

(a) hold or have held a CPL, MPL or ATPL ~~in~~ **for** the appropriate aircraft category;

(b) have at least:

(1) ~~in the case of~~ **for** aeroplanes, airships and powered-lift aircraft, 1 500 hours of flying experience as a pilot in multi-pilot operations;

(2) ~~in the case of~~ **for** helicopters, 1 000 hours of flying experience as a pilot in multi-crew operations, of which at least 350 hours **shall have been** in multi-pilot helicopters.

response Noted

comment 301 comment by: Irish Aviation Authority

The following wording is proposed:

FCL.930.MCCI MCCI — Training course

(a) The training course for the MCCI shall include, at least:

(1) 25 hours of teaching and learning instruction;

(2) technical training related to the type of FSTD ~~where~~ **in which** the applicant wishes to instruct;

(3) 3 hours of practical instruction, ~~which may be flight instruction or MCC instruction of an~~ **MCC course** on the relevant ~~FNPT II/III MCC, FTD 2/3 or FFS~~ **FSTD**, under the supervision of a TRI, SFI or MCCI nominated by the ATO for that purpose. ~~These hours of~~ **This practical** flight instruction under supervision shall include the ~~assessment~~ **verification** of the applicant's competencies as described in FCL.920.

~~(b) **Crediting:** Applicants holding or having held an FI, TRI, CRI, IRI or SFI certificate shall be fully credited towards the requirement of (a)(1). **In accordance with FCL.915(c)(1).**~~

response Noted

comment 302 comment by: Irish Aviation Authority

The following wording is proposed:



FCL.940.MCCI MCCI — Revalidation and renewal

(a) **Revalidation**. For revalidation of an MCCI certificate the applicant shall have completed the requirements of FCL.930.MCCI(a)(3) **at an ATO or AOC holder** on the relevant ~~type of FNPT II/III, FTD 2/3 or FFS~~ **FSTD**, within the last 12 months of the validity period of the MCCI certificate.

(b) ~~Renewal~~ **Renewal**. If the MCCI certificate has lapsed, the applicant shall, **within the 12 months preceding the application**, complete the requirements of FCL.930.MCCI(a)(2) and (3) **at an ATO or AOC holder** on the relevant ~~type of FNPT II/III MCC, FTD 2/3 or FFS~~ **FSTD**.

response Noted

comment 405

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:**FCL.905.MCCI MCCI — Privileges and conditions**

(a) The privileges of an MCCI are to carry out ~~flight~~ instruction during:

(1) the practical **training** part of MCC courses when not combined with type rating training; and

(2) ~~in the case of for~~ MCCI(A), the basic phase of the MPL integrated training course, provided he/she holds or has held an FI(A) or an IRI(A) certificate.

response Noted

comment 406

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:**FCL.910.MCCI MCCI — Restricted privileges**

The privileges of the holder of an MCCI certificate shall be restricted to the ~~FNPT II/III MCC, FTD 2/3 or FFS~~ **FSTD** in which the MCCI training course was taken.

The privileges may be extended to other FSTDs representing further types of aircraft when the holder has completed the **technical and** practical training of the MCCI course on that ~~type of FNPT II/III MCC, FTD 2/3 or FFS~~ **FSTD**.

response Noted



comment	<p>407</p> <p style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.915.MCCI MCCI — Prerequisites</p> <p>An applicant for an MCCI certificate shall:</p> <p>(a) hold or have held a CPL, MPL or ATPL in for the appropriate aircraft category;</p> <p>(b) have at least:</p> <p>(1) in the case of for aeroplanes, airships and powered-lift aircraft, 1 500 hours of flying experience as a pilot in multi-pilot operations;</p> <p>(2) in the case of for helicopters, 1 000 hours of flying experience as a pilot in multi-crew operations, of which at least 350 hours shall have been in multi-pilot helicopters.</p>
response	Noted

comment	<p>408</p> <p style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.930.MCCI MCCI — Training course</p> <p>(a) The training course for the MCCI shall include, at least:</p> <p>(1) 25 hours of teaching and learning instruction;</p> <p>(2) technical training related to the type of FSTD where in which the applicant wishes to instruct;</p> <p>(3) 3 hours of practical instruction, which may be flight instruction or MCC instruction of an MCC course on the relevant FNPT II/III MCC, FTD 2/3 or FFS FSTD, under the supervision of a TRI, SFI or MCCI nominated by the ATO for that purpose. These hours of This practical flight instruction under supervision shall include the assessment verification of the applicant's competencies as described in FCL.920.</p> <p>(b) Crediting: Applicants holding or having held an FI, TRI, CRI, IRI or SFI certificate shall be fully credited towards the requirement of (a)(1). In accordance with FCL.915(c)(1).</p>
response	Noted

comment	<p>409</p> <p style="text-align: right;">comment by: <i>Ryanair ATO</i></p>
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The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.940.MCCI MCCI — Revalidation and renewal

(a) **Revalidation.** For revalidation of an MCCI certificate the applicant shall have completed the requirements of FCL.930.MCCI(a)(3) **at an ATO or AOC holder** on the relevant **type of FNPT II/III, FTD 2/3 or FFS FSTD**, within the last 12 months of the validity period of the MCCI certificate.

(b) **Renewal. Renewal.** If the MCCI certificate has lapsed, the applicant shall, **within the 12 months preceding the application**, complete the requirements of FCL.930.MCCI(a)(2) and (3) **at an ATO or AOC holder** on the relevant **type of FNPT II/III MCC, FTD 2/3 or FFS FSTD**.

response Noted

comment 543

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.940.MCCI**

**Subject
MCCI revalidation**

Revalidation requirements for MCCI do not cover properly pilots that are acting within an approved organisation holding an AOC issued in accordance with Part ORO regulation (EU) Nr 965/2012.

On one hand, regulation (EU) Nr 1178/2011 requires those pilots to hold a MCCI certificate for performing, as TRE(SPA), skill tests, proficiency checks in multi-pilot operations (PO) on single pilot HPA aeroplanes to the benefit of pilots of their company.

On the other hand, regulation (EU) Nr 965/2012 requires those pilots to hold a MCCI certificate in order to conduct operator recurrent training and checking mentioned in Subpart FC. To support this point it should be reminded that ORO.FC.145 states that:

ORO.FC.145 Provision of training

(a) All the training required in this Subpart shall be conducted:

[...]

(2) by appropriately qualified personnel. In the case of flight and flight simulation training and checking, the personnel providing the training and conducting the checks shall be qualified in accordance with Annex I (Part.FCL) to Regulation (EU) Nr 1178/2011.

Those pilots holding who have to hold a MCCI certificate will not be in a position to easily perform the supervision FCL.930.MCCI (a)(3) within an ATO offering MCC training in order to revalidate their MCCI certificate. In addition requiring those MCCI to go to an ATO in a non familiar environment is not relevant and not representative of his/her daily work inside the ATO holder.

Therefore it is more appropriate to allow those MCCI holders to perform the supervision

inside their AOC holder. The FCL.930.MCCI (a)(3) supervision could be done during a recurrent training session performed in accordance with Subpart FC of regulation (EU) Nr 965/2012.

If AOC holders are not authorized to perform such revalidation it will have a critical operational impact on their operations (scheduling disruptions, training programming..).

The same reasoning could be applicable for the supervision to be performed for a renewal. FOCA suggest an amendement to FCL.940.MCCI.

Proposal

FCL.940.MCCI MCCI - Revalidation and renewal

(a) Revalidation

(i) For revalidation of an MCCI certificate the applicant shall have completed the requirements of FCL.930.MCCI (a)(3) on the relevant type of FSTD within the last 12 months of the validity period of the MCCI certificate.

(ii) Notwithstanding FCL.940.MCCI (a)(i), the requirements of FCL.930.MCCI (a)(3) could be complied during a recurrent training session in accordance with regulation (EU) Nr 965/2012 under the supervision of a TRI, SFI or MCCI nominated by an AOC holder for that purpose.

(b) Renewal

(i) If the MCCI certificate has lapsed, the applicant shall complete the requirements of FCL.930.MCCI (a)(2) and (3) on the relevant type of FSTD.

(ii) Notwithstanding FCL.940.MCCI (b)(i), the requirements of FCL.930.MCCI (a)(3) could be complied during a recurrent training session in accordance with regulation (EU) Nr 965/2012 under the supervision of a TRI, SFI or MCCI nominated by an AOC holder for that purpose.

response Noted

comment 633

comment by: *European Cockpit Association*

Commented text:

FCL.905.MCCI Privileges and conditions

(b)(2) in the case of helicopters, 1000 hours of flying experience as a pilot in multi-crew operations, of which at least 350 hours in multi-pilot helicopters.

ECA's Comments:

This paragraph established a quite (very) high requirement, bearing in mind that a TRI(H) can also perform such training with the “only” requirement of hold a MP TR, without any “numbers”, see FCL.905.TRI (e)(2).

Also there is no reference that the MCCI shall have CRM or HF knowledge and/or skills.

response Noted

comment 781

comment by: *Finnish Transport Safety Agency*



FCL.940.MCCI

The revalidation requirements for MCCI should be allowed to be completed also via training provided under Regulation 965/2012 as is proposed for the TRI and SFI.

Proposed text:

FCL.940.MCCI

(a) For revalidation of an MCCI certificate the applicant shall have completed the requirements of FCL.930.MCCI(a)(3) on the relevant type of FSTD, within the last 12 months of the validity period of the MCCI certificate. Instruction may have been performed within an approved organisation holding an AOC issued in accordance with Part-ORO.

(b) Renewal. If the MCCI certificate has lapsed, the applicant shall complete the requirements of FCL.930.MCCI(a)(2) and (3) on the relevant type of FSTD. Instruction may have been performed within an approved organisation holding an AOC issued in accordance with Part-ORO.

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 8: SPECIFIC REQUIREMENTS FOR THE SYNTHETIC TRAINING INSTRUCTOR — STI p. 97-99

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment 303

comment by: Irish Aviation Authority

The following wording is proposed:

FCL.905.STI STI — Privileges and conditions

(a) The privileges of an STI are to carry out synthetic flight instruction in the appropriate aircraft category, **class or type** for:

(1) the issue of a licence;

(2) the issue, ~~revalidation~~ or renewal of an **EIR or IR** and a class or type rating for single-pilot aircraft, except for single-pilot high performance complex aeroplanes;

~~(3) (b) Additional privileges for the STI(A). The privileges of an STI(A) shall include synthetic flight instruction during the core flying skills training of the MPL integrated training course, provided that the relevant requirements of FCL.925 are met.~~

response Not accepted

Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.



comment	<p data-bbox="363 241 411 271">304</p> <p data-bbox="1034 241 1477 271" style="text-align: right;">comment by: <i>Irish Aviation Authority</i></p> <p data-bbox="363 300 783 329">The following wording is proposed:</p> <p data-bbox="363 371 831 400">FCL.910.STI STI — Restricted privileges</p> <p data-bbox="363 443 1485 510">(a) The privileges of an STI shall be restricted to the FNPT II/III, FTD 2/3 or FFS FSTD in which the STI training course was taken.</p> <p data-bbox="363 553 1485 651">(b) The privileges may be extended to other FSTDs representing further different categories, classes or types of aircraft when the holder has within the 12 months preceding the application:</p> <p data-bbox="363 694 1485 831">(a1) completed the FFS content of the TRI course on the applicable type for instruction on an EIR or IR course, completed the instrument theoretical and flight instruction parts of an IRI course in accordance with FCL.930.IRI, and holds or has held a single pilot or multi-pilot instrument rating;</p> <p data-bbox="363 873 1485 972">(2) completed as STI the synthetic flight content of the course on the FSTD, under the supervision of an FI qualified in accordance with FCL.905.FI (j), including the verification of the applicant's competencies as described in FCL.920;</p> <p data-bbox="363 1014 1485 1225">(b3) passed, as a pilot, in the FSTD in which flight instruction is to be conducted, the applicable sections of the proficiency check in accordance with Appendix 9 of this Part, for the specific aircraft category, class or type rating on an FFS of the applicable type, within the 12 months preceding the application; For an STI(A) wishing to instruct on BITD only, the proficiency check shall include only the exercises appropriate for the skill test for the issue of a PPL(A).</p> <p data-bbox="363 1267 1485 1366">(4) conducted, on a CPL, IR, PPL or class or type rating course, at least 3 hours of flight instruction under the supervision of an FI(A), CRI(A), IRI(A) or TRI(A) nominated by the ATO for this purpose. At least 1 hour of flight instruction shall be supervised by an FIE(A).</p> <p data-bbox="363 1408 1485 1507">(c) conducted, on a type rating course, at least one FSTD session related to the duties of an STI with a minimum duration of 3 hours on the applicable type of aircraft, under the supervision of a flight instructor examiner (FIE).</p>
response	<p data-bbox="363 1538 523 1568">Not accepted</p> <p data-bbox="363 1592 1485 1729">Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.</p>
comment	<p data-bbox="363 1809 411 1839">305</p> <p data-bbox="1034 1809 1477 1839" style="text-align: right;">comment by: <i>Irish Aviation Authority</i></p> <p data-bbox="363 1868 783 1897">The following wording is proposed:</p> <p data-bbox="363 1939 746 1968">FCL.915.STI STI — Prerequisites</p> <p data-bbox="363 2011 831 2040">An applicant for an STI certificate shall:</p>

(a) hold, or have held within the 3 years prior to the application, a pilot licence and instructional privileges appropriate to the courses on which instruction is intended;

(b) ~~have completed in an FNPT the relevant proficiency check for the class or type rating, ,~~ within a period of 12 months preceding the application:

(i) as a pilot, have passed the applicable sections of the proficiency check in accordance with Appendix 9 to this Part, for the specific aircraft category, class or type in the applicable FSTD.

An applicant for an STI(A) wishing to instruct on BITDs only, shall complete only the exercises appropriate for a skill test for the issue of a PPL(A);

(eii) additionally, for an STI(H), (As) or (PL) have completed at least 1 hour of flight time as an observer on the flight deck of the applicable type of helicopter, airship or power lifter, within the 12 months preceding the application.

response Not accepted

Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.

comment

306

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.930.STI STI — Training course

(a) The training course for the STI shall comprise at least 3 hours of **synthetic** flight instruction related to the ~~duties of an STI in an FFS, FTD 2/3 or FNPT II/III~~ **course and FSTD on which the STI wishes to instruct**, under the supervision of an FIE **qualified in accordance with FCL.905.FI (j)**. ~~These hours of flight instruction under supervision shall include the assessment of the applicant's competence as described in FCL.920.~~ **This supervision shall include the verification of the applicant's competencies as described in FCL.920.**

Applicants for an STI(A) wishing to instruct on a BITD only, shall complete the flight instruction on a BITD.

(b) For applicants for an STI(H), the course shall also include the FFS ~~flight instruction content~~ **relevant parts** of the applicable TRI(H) course.

response Not accepted

Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.



comment

307

comment by: Irish Aviation Authority

The following wording is proposed:

FCL.940.STI STI - Revalidation and renewal of the STI certificate (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)

(a) ~~Revalidation.~~ **Revalidation.** For revalidation of an STI certificate the applicant shall have, within the last 12 months of the validity period of the STI certificate:

(1) conducted at least 3 hours of flight instruction in **the relevant FSTD** ~~an FFS or FNPT II/III or BITD~~, as part of a complete CPL, IR, PPL or class or type rating course; and

(2) **as a pilot**, passed in the **FSTD** ~~FFS, FTD 2/3 or FNPT II/III~~ on which flight instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate **category**, class or type of aircraft.

For an STI(A) instructing on BITDs only, the proficiency check shall include only the exercises appropriate for a skill test for the issue of a PPL(A).

(b) For each alternate revalidation of an STI certificate, the holder shall conduct relevant sections of the applicable course under the supervision of an FI qualified in accordance with FCL.905.FI(j). This supervision shall include verification of the applicant's competencies as described in FCL.920.

(bc) Renewal. Renewal. If the STI certificate has lapsed, the applicant shall **within the 12 months preceding the application:**

(1) receive refresher training as an STI at an ATO; complete the requirements of (a) (2);

(2) conduct relevant sections of the applicable course under the supervision of an FI qualified in accordance with FCL.905.FI (j). This supervision shall include verification of the applicant's competencies as described in FCL.920. ~~pass in the FFS, FTD 2/3 or FNPT II/III on which flight instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate class or type of aircraft.~~

~~For an STI(A) instructing on BITDs only, the proficiency check shall include only the exercises appropriate for a skill test for the issue of a PPL(A);~~

~~(3) conduct on a complete CPL, IR, PPL or class or type rating course, at least 3 hours of flight instruction under the supervision of an FI, CRI(A), IRI or TRI(H) nominated by the ATO for this purpose. At least 1 hour of flight instruction shall be supervised by an FIE(A).~~

response

Not accepted

Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.



comment	<p style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p>410</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.905.STI STI — Privileges and conditions</p> <p>(a) The privileges of an STI are to carry out synthetic flight instruction in the appropriate aircraft category, class or type for:</p> <p>(1) the issue of a licence;</p> <p>(2) the issue, revalidation or renewal of an EIR or IR and a class or type rating for single-pilot aircraft, except for single-pilot high performance complex aeroplanes;</p> <p>(3) (b) Additional privileges for the STI(A). The privileges of an STI(A) shall include synthetic flight instruction during the core flying skills training of the MPL integrated training course, provided that the relevant requirements of FCL.925 are met.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.</p>
comment	<p style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p>411</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.910.STI STI — Restricted privileges</p> <p>(a) The privileges of an STI shall be restricted to the FNPT II/III, FTD 2/3 or FFS FSTD in which the STI training course was taken.</p> <p>(b) The privileges may be extended to other FSTDs representing further different categories, classes or types of aircraft when the holder has within the 12 months preceding the application:</p> <p>(a1) completed the FFS content of the TRI course on the applicable type for instruction on an EIR or IR course, completed the instrument theoretical and flight instruction parts of an IRI course in accordance with FCL.930.IRI, and holds or has held a single pilot or multi-pilot instrument rating;</p> <p>(2) completed as STI the synthetic flight content of the course on the FSTD, under the supervision of an FI qualified in accordance with FCL.905.FI (j), including the verification of</p>

the applicant's competencies as described in FCL.920;

(b3) passed, as a pilot, in the FSTD in which flight instruction is to be conducted, the applicable sections of the proficiency check in accordance with Appendix 9 of this Part, for the specific aircraft category, class or type rating on an FFS of the applicable type, within the 12 months preceding the application; For an STI(A) wishing to instruct on BITD only, the proficiency check shall include only the exercises appropriate for the skill test for the issue of a PPL(A).

(4) conducted, on a CPL, IR, PPL or class or type rating course, at least 3 hours of flight instruction under the supervision of an FI(A), CRI(A), IRI(A) or TRI(A) nominated by the ATO for this purpose. At least 1 hour of flight instruction shall be supervised by an FIE(A).

(c) conducted, on a type rating course, at least one FSTD session related to the duties of an STI with a minimum duration of 3 hours on the applicable type of aircraft, under the supervision of a flight instructor examiner (FIE).

response Not accepted

Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.

comment

412

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.915.STI STI — Prerequisites

An applicant for an STI certificate shall:

(a) hold, or have held within the 3 years prior to the application, a pilot licence and instructional privileges appropriate to the courses on which instruction is intended;

(b) have completed in an FNPT the relevant proficiency check for the class or type rating, within a period of 12 months preceding the application:

(i) as a pilot, have passed the applicable sections of the proficiency check in accordance with Appendix 9 to this Part, for the specific aircraft category, class or type in the applicable FSTD.

An applicant for an STI(A) wishing to instruct on BITDs only, shall complete only the exercises appropriate for a skill test for the issue of a PPL(A);

(eii) additionally, for an STI(H), (As) or (PL) have completed at least 1 hour of flight time as an observer on the flight deck of the applicable type of helicopter, airship or power lifter, within the 12 months preceding the application.



response	<p>Not accepted</p> <p>Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.</p>
comment	<p>413 comment by: Ryanair ATO</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.930.STI STI — Training course</p> <p>(a) The training course for the STI shall comprise at least 3 hours of synthetic flight instruction related to the duties of an STI in an FFS, FTD 2/3 or FNPT II/III course and FSTD on which the STI wishes to instruct, under the supervision of an FI qualified in accordance with FCL.905.FI (j). These hours of flight instruction under supervision shall include the assessment of the applicant's competence as described in FCL.920. This supervision shall include the verification of the applicant's competencies as described in FCL.920.</p> <p>Applicants for an STI(A) wishing to instruct on a BITD only, shall complete the flight instruction on a BITD.</p> <p>(b) For applicants for an STI(H), the course shall also include the FFS flight instruction content relevant parts of the applicable TRI(H) course.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.</p>
comment	<p>414 comment by: Ryanair ATO</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended text changes:</p> <p>FCL.940.STI STI - Revalidation and renewal of the STI certificate (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)</p> <p>(a) Revalidation. Revalidation. For revalidation of an STI certificate the applicant shall have, within the last 12 months of the validity period of the STI certificate:</p>

(1) conducted at least 3 hours of flight instruction in **the relevant FSTD** ~~an FFS or FNPT II/III or BITD~~, as part of a complete CPL, IR, PPL or class or type rating course; and

(2) **as a pilot**, passed in the **FSTD FFS, FTD 2/3 or FNPT II/III** on which flight instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate **category**, class or type of aircraft.

For an STI(A) instructing on BITDs only, the proficiency check shall include only the exercises appropriate for a skill test for the issue of a PPL(A).

(b) For each alternate revalidation of an STI certificate, the holder shall conduct relevant sections of the applicable course under the supervision of an FI qualified in accordance with FCL.905.FI(j). This supervision shall include verification of the applicant's competencies as described in FCL.920.

(bc) Renewal. *Renewal.* If the STI certificate has lapsed, the applicant shall **within the 12 months preceding the application:**

(1) ~~receive refresher training as an STI at an ATO; complete the requirements of (a) (2);~~

(2) ~~conduct relevant sections of the applicable course under the supervision of an FI qualified in accordance with FCL.905.FI (j). This supervision shall include verification of the applicant's competencies as described in FCL.920. pass in the FFS, FTD 2/3 or FNPT II/III on which flight instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate class or type of aircraft.~~

~~For an STI(A) instructing on BITDs only, the proficiency check shall include only the exercises appropriate for a skill test for the issue of a PPL(A);~~

~~(3) conduct on a complete CPL, IR, PPL or class or type rating course, at least 3 hours of flight instruction under the supervision of an FI, CRI(A), IRI or TRI(H) nominated by the ATO for this purpose. At least 1 hour of flight instruction shall be supervised by an FIE(A).~~

response Not accepted

Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.

comment 571

comment by: Nick Carr

FCL.915.STI STI - Prerequisites

(a) hold, of have held within 3 years prior to the application, a pilot licence and **instructional privileges appropriate** to the courses on which instruction is intended;

Does the agency intend that for PPL (A), CPL, MEP and ME/IR training the instructor will have held or already hold the privileges to instruct for those (ie FI CPL, ME CRI, ME IRI). For instructors who hold those privileges, do they need to attain the STI certificate to instruct in FSTDs, or is the intention more aligned to permit instructors without a medical to continue

	teaching?
response	<p>Not accepted</p> <p>Thank you for your comment. Compared to the changes proposed through the NPA, the changes proposed by you are significantly different. The text will be further developed through RMT.0596 dealing with Subparts J and K. Your proposed amendments will serve as the basis for discussions in the context of the activities of this RMT.</p>

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 9: MOUNTAIN RATING INSTRUCTOR — MI

p. 99

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment	<p>308</p> <p>The following wording is proposed:</p> <p>FCL.915.MI MI — Prerequisites</p> <p>An applicant for an MI certificate shall:</p> <p>(a) hold a, FI, CRI, or TRI certificate, with privileges for single-pilot aeroplanes;</p> <p>(b) hold a mountain rating.</p> <p>(c) Within the six months before attending the course, applicants shall have passed a pre-entry flight test with an MI holding an FE certificate and qualified in accordance with FCL.905.FI (j) to assess their experience and ability to undertake the training course.</p>	comment by: Irish Aviation Authority
response	Noted	

comment	<p>309</p> <p>The following wording is proposed:</p> <p>FCL.930.MI MI — Training course</p> <p>(a) The training course for the MI shall be conducted under the supervision of a FI qualified in accordance with FCL.905.FI (j) and shall include the continuous verification assessment of the applicant's competencies as described in FCL.920.</p> <p>(b) Before attending the course, applicants shall have passed a pre-entry flight test with an MI holding an FI certificate to assess their experience and ability to undertake the training course. (This should be in Prerequisites.)</p> <p>(AMC to FCL.930.MI should be developed in order to have an idea of the content of the training.)</p>	comment by: Irish Aviation Authority
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response Noted

comment 310 comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.940.MI Validity of the MI certificate

The MI certificate is valid as long as the holder's FI, FCRJ or ETRI certificate is valid.

response Noted

comment 415 comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.915.MI MI — Prerequisites

An applicant for an MI certificate shall:

- (a) hold a, FI, CRI, or TRI certificate, with privileges for single-pilot aeroplanes;
- (b) hold a mountain rating.

(c) Within the six months before attending the course, applicants shall have passed a pre-entry flight test with an MI holding an FE certificate and qualified in accordance with FCL.905.FI (j) to assess their experience and ability to undertake the training course.

FCL.930.MI MI — Training course

(a) The training course for the MI shall be conducted under the supervision of a FI qualified in accordance with FCL.905.FI (j) and shall include the continuous verification assessment of the applicant's competencies as described in FCL.920.

~~(b) Before attending the course, applicants shall have passed a pre-entry flight test with an MI holding an FI certificate to assess their experience and ability to undertake the training course. (This should be in Prerequisites.)~~

(AMC to FCL.930.MI should be developed in order to have an idea of the content of the training.)

FCL.940.MI Validity of the MI certificate

The MI certificate is valid as long as the holder's FI, FCRJ or ETRI certificate is valid.



response Noted

comment

810

comment by: AOPA Sweden

A general suggestion for the upcoming regulatory work

Consider allowing FI and/or CRI with a mountain rating(MR) to instruct for the mountain rating as long as they have a valid MR. The need for a specific mountain rating instructor drastically reduces the number of available instructors.

Also the MR is sparsely available within the Union, and it would be questionable if there is really a need for a specific rating for the small number of instructors.

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART J: INSTRUCTORS, SECTION 10: SPECIFIC REQUIREMENTS FOR THE FLIGHT TEST INSTRUCTOR — FTI p. 99-100

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment

311

comment by: Irish Aviation Authority

The following wording is proposed:

FCL.930.FTI FTI — Training course

(a) The training course for the FTI shall include, at least:

(1) 25 hours of teaching and learning;

(2) 10 hours of technical training, including revision of technical knowledge, the preparation of lesson plans and the development of classroom/simulator instructional skills;

(3) 5 hours of practical flight instruction under the supervision of an FTI qualified in accordance with FCL.905.FTI(1)(a)(2). These hours of flight instruction shall include the **continuous verification** assessment of the applicant's competencies as described in FCL.920.

(b) Crediting:

(1) ~~Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (a)(1).~~ **As in FCL.915(c)(1).**

(2) In addition, applicants holding or having held an FI or TRI certificate in the relevant aircraft category shall be fully credited towards the requirements of (a)(2).

response Noted



comment	<p data-bbox="359 235 406 280">312</p> <p data-bbox="1029 235 1498 280" style="text-align: right;">comment by: <i>Irish Aviation Authority</i></p> <p data-bbox="359 291 790 324">The following wording is proposed:</p> <p data-bbox="359 358 1498 436">FCL.940.FTI FTI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)</p> <p data-bbox="359 470 1498 548">(a) Revalidation Revalidation. For revalidation of an FTI certificate, the applicant shall, within the validity period of the FTI certificate, fulfil one of the following requirements:</p> <p data-bbox="359 582 614 616">(1) complete at least:</p> <p data-bbox="359 649 1498 728">(i) 50 hours of flight tests, of which at least 15 hours shall be within the 12 months preceding the expiry date of the FTI certificate; and</p> <p data-bbox="359 761 1498 840">(ii) 5 hours of flight test flight instruction within the 12 months preceding the expiry date of the FTI certificate; or</p> <p data-bbox="359 873 1498 1041">(2) receive refresher training as an FTI at an ATO. The refresher training shall be based on the practical flight instruction element of the FTI training course, in accordance with FCL.930.FTI(a)(3), and include at least 1 instruction flight under the supervision of an FTI qualified in accordance with FCL.905.FTI(ba)(2). This instructional flight under supervision may be counted towards the requirement of (a)(1)(ii).</p> <p data-bbox="359 1075 1498 1198">(b) Renewal Renewal. If the FTI certificate has lapsed, the applicant shall complete the requirements of (a)(2) receive refresher training as an FTI at an ATO. The refresher training shall comply at least with the requirements of FCL.930.FTI(a)(3).</p>
response	Noted

comment	<p data-bbox="359 1317 406 1361">416</p> <p data-bbox="1157 1317 1498 1361" style="text-align: right;">comment by: <i>Ryanair ATO</i></p> <p data-bbox="359 1377 1498 1489">The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p data-bbox="359 1523 726 1556">Recommended Text changes:</p> <p data-bbox="359 1590 774 1624">FCL.930.FTI FTI — Training course</p> <p data-bbox="359 1657 1029 1691">(a) The training course for the FTI shall include, at least:</p> <p data-bbox="359 1724 813 1758">(1) 25 hours of teaching and learning;</p> <p data-bbox="359 1803 1498 1881">(2) 10 hours of technical training, including revision of technical knowledge, the preparation of lesson plans and the development of classroom/simulator instructional skills;</p> <p data-bbox="359 1915 1498 2027">(3) 5 hours of practical flight instruction under the supervision of an FTI qualified in accordance with FCL.905.FTI(ba)(2). These hours of flight instruction shall include the continuous verification assessment of the applicant's competencies as described in FCL.920.</p>
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	<p>(b) Crediting:</p> <p>(1) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (a)(1). As in FCL.915(c)(1).</p> <p>(2) In addition, applicants holding or having held an FI or TRI certificate in the relevant aircraft category shall be fully credited towards the requirements of (a)(2).</p>
response	Noted

comment	<p>417 comment by: Ryanair ATO</p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended Text changes:</p> <p>FCL.940.FTI FTI — Revalidation and renewal (please note that the requirement in accordance with Annex III to 216/2008 for regular refresher training is not covered)</p> <p>(a) Revalidation Revalidation. For revalidation of an FTI certificate, the applicant shall, within the validity period of the FTI certificate, fulfil one of the following requirements:</p> <p>(1) complete at least:</p> <p>(i) 50 hours of flight tests, of which at least 15 hours shall be within the 12 months preceding the expiry date of the FTI certificate; and</p> <p>(ii) 5 hours of flight test flight instruction within the 12 months preceding the expiry date of the FTI certificate; or</p> <p>(2) receive refresher training as an FTI at an ATO. The refresher training shall be based on the practical flight instruction element of the FTI training course, in accordance with FCL.930.FTI(a)(3), and include at least 1 instruction flight under the supervision of an FTI qualified in accordance with FCL.905.FTI(ba)(2). This instructional flight under supervision may be counted towards the requirement of (a)(1)(ii).</p> <p>(b) Renewal Renewal. If the FTI certificate has lapsed, the applicant shall complete the requirements of (a)(2) receive refresher training as an FTI at an ATO. The refresher training shall comply at least with the requirements of FCL.930.FTI(a)(3).</p>
response	Noted

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL]
— SUBPART K: EXAMINERS, SECTION 1: COMMON REQUIREMENTS**

p. 101-104

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt



with through Opinion No 05/2017 — stemming from this CRD.

comment	54	comment by: IAOPA (EUROPE)
	(Comment deleted following release of Regulation (EU) 2015/445).	
response	Noted	
comment	73	comment by: FlightSafety International - Deputy Head of Training
	FCL.1000 Examiner certificates	
	(c) Examination outside the territory of the Member States:	
	(1) Notwithstanding paragraph (a), in the case of skill tests and proficiency checks provided in an ATO located outside the territory of the Member States, <u>or in any non-Member State operating</u> site of an ATO the principal place of business of which is located in a Member State, the competent authority of the Member State may issue an examiner certificate to an applicant holding a pilot licence issued by a third country in accordance with ICAO Annex 1, provided that the applicant:	
	Comment: The proposed (<u>highlighted</u>) amendment clarifies the applicability of the regulation.	
response	Noted	
comment	74	comment by: FlightSafety International - Deputy Head of Training
	FCL.1025 Validity, revalidation and renewal of examiner certificates	
	Comment: It should be noted that Recency and Refresher Seminars requirements for each Examiner category need to be met; and it is the examining <u>technique</u> which is being assessed. This technique is common to all categories.	
response	Noted	
comment	192	comment by: The Norwegian Air Sports Federation
	NLF supports the amended requirements in FCL.1005. The change is vital in rural areas, where access to instructors and examiners is limited.	
response	Noted	
comment	229	comment by: DGAC France
	<u>Subject:</u> Examiner authorization for special cases (FCL.1000 (b))	

Content of comment:

In order to cover specific cases France suggests that a flexibility is introduced in the regulation to allow, on a case by case basis, the competent Authority to designate an examiner, not qualified in accordance with FCL.1000 (a), to conduct a skill test or proficiency check

Such flexibility was existing in JAR FCL 1.425 (a) (2) and was very useful to deal with rare aircraft for which it may be difficult to find a properly qualified examiner.

Proposed amendment:**FCL.1000**

[...]

(b)

[...]

(3) Where no qualified examiner is available and, at the discretion of the Authority, inspectors or examiners may be, on a case by case basis, authorised without meeting the relevant instructor, type or class ratings requirements as mentioned in (a) above.

response Noted

comment 278

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

FCL.1000 Examiner certificates

(It should be allowed that an examiner can be certificated by an Authority which is not the one which issued the examiner's licence. This may involve amending FCL.030. This is to allow for genuine cases where a pilot is required to change Authority for the issue of the licence for employment reasons, but their examining privileges are exercised wholly or mostly in their native country. If this is allowed, then a safeguard should be added so that a pilot may not go "shopping" to find the most favourable country to apply for an examiner certificate, even though it may be possible for a pilot to hold an examiner certificate under this provision in several different countries.)

response Noted

comment 279

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

FCL.1000 Examiner certificates

Recommended text changes:

(a) General.

Holders of an examiner certificate shall only carry out:

(1) examination in an aircraft when the examiner:

(i) for licences and certificates, holds an equivalent licence or certificate to the ones for which they are authorised to conduct skill tests, proficiency checks or assessments of competence; and

(ii) for class or type rating and examination for additional ratings, holds the relevant rating for which examination is to be conducted;

(iii) holds the privilege to instruct for them;

(iv) is qualified to act as PIC on the aircraft during a skill test, proficiency check or assessment of competence;

(v) holds an examiner certificate appropriate to the examination being conducted, issued in accordance with this Subpart.

(2) examination in a FSTD when he/she holds:

(i) the privilege to instruct for those licences, ratings or certificates for which they are authorised to conduct skill tests, proficiency checks or assessments of competence; and

(ii) an examiner certificate issued in accordance with this Subpart.

~~(1) hold an equivalent licence, rating or certificate to the ones for which they are authorised to conduct skill tests, proficiency checks or assessments of competence and the privilege to instruct for them;~~

~~(2) be qualified to act as PIC on the aircraft during a skill test, proficiency check or assessment of competence when conducted on the aircraft.~~

(b) Special conditions:

(1) ~~In the case of~~ For the introduction of new aircraft in the Member States or in an operator's fleet, when compliance with the requirements in this Subpart is not possible, the competent authority may issue a specific certificate giving privileges for the conduct of skill tests and proficiency checks. Such a certificate shall be limited to the skill tests and proficiency checks necessary for the introduction of the new type of aircraft and its validity shall not, in any case, exceed 1 year.

(2) Holders of a certificate issued in accordance with (b)(1) who wish to apply for an examiner certificate shall comply with the prerequisites and revalidation requirements for that category of examiner.

(3) Where no qualified examiner is available and, at the discretion of the Authority, inspectors or examiners may be authorised on a case by case basis without meeting the relevant instructor, type or class rating requirements as mentioned in (a) above.

(c) Examination outside the territory of the Member States:

(1) Notwithstanding paragraph (a), in the case of skill tests and proficiency checks provided in an ATO located outside the territory of the Member States **or any operating site of an ATO the principal place of business of which is located in a Member State**, the competent authority of the Member State may issue an examiner certificate to an applicant holding a pilot licence issued by a third country in accordance with ICAO Annex 1, provided that the applicant:

(i) holds at least an equivalent licence, rating, or certificate to the one for which they are authorised to conduct skill tests, proficiency checks or assessments of competence, and in any case at least a CPL;

(ii) complies with the requirements established in this Subpart for the issue of the relevant examiner certificate; and

(iii) demonstrates to the competent authority an adequate level of knowledge of European aviation safety rules to be able to exercise examiner privileges in accordance with this Part.

(2) The certificate referred to in paragraph (1) shall be limited to providing skill tests and proficiency tests/checks:

(i) outside the territory of the Member States; and

(ii) to pilots who have sufficient knowledge of the language in which the test/check is given.

response Noted

comment 313

comment by: *Irish Aviation Authority*

The following wording is proposed:

CL.1000 Examiner certificates

(It should be allowed that an examiner can be certificated by an Authority which is not the one which issued the examiner's licence. This may involve amending FCL.030. This is to allow for genuine cases where a pilot is required to change Authority for the issue of the licence for employment reasons, but their examining privileges are exercised wholly or mostly in their native country. If this is allowed, then a safeguard should be added so that a pilot may not go "shopping" to find the most favourable country to apply for an examiner certificate, even though it may be possible for a pilot to hold an examiner certificate under this provision in several different countries.)

(a) General.

Holders of an examiner certificate shall **only carry out:**

(1) examination in an aircraft when the examiner:

(i) for licences and certificates, holds an equivalent licence or certificate to the ones for which they are authorised to conduct skill tests, proficiency checks or assessments of competence; and



(ii) for class or type rating and examination for additional ratings, holds the relevant rating for which examination is to be conducted;

(iii) holds the privilege to instruct for them;

(iv) is qualified to act as PIC on the aircraft during a skill test, proficiency check or assessment of competence;

(v) holds an examiner certificate appropriate to the examination being conducted, issued in accordance with this Subpart.

(2) examination in a FSTD when he/she holds:

(i) the privilege to instruct for those licences, ratings or certificates for which they are authorised to conduct skill tests, proficiency checks or assessments of competence; and

(ii) an examiner certificate issued in accordance with this Subpart.

~~(1) hold an equivalent licence, rating or certificate to the ones for which they are authorised to conduct skill tests, proficiency checks or assessments of competence and the privilege to instruct for them;~~

~~(2) be qualified to act as PIC on the aircraft during a skill test, proficiency check or assessment of competence when conducted on the aircraft.~~

(b) Special conditions:

(1) ~~In the case of~~ **For the** introduction of new aircraft in the Member States or in an operator's fleet, when compliance with the requirements in this Subpart is not possible, the competent authority may issue a specific certificate giving privileges for the conduct of skill tests and proficiency checks. Such a certificate shall be limited to the skill tests and proficiency checks necessary for the introduction of the new type of aircraft and its validity shall not, in any case, exceed 1 year.

(2) Holders of a certificate issued in accordance with (b)(1) who wish to apply for an examiner certificate shall comply with the prerequisites and revalidation requirements for that category of examiner.

(3) Where no qualified examiner is available and, at the discretion of the Authority, inspectors or examiners may be authorised on a case by case basis without meeting the relevant instructor, type or class rating requirements as mentioned in (a) above.

(c) Examination outside the territory of the Member States:

(1) Notwithstanding paragraph (a), in the case of skill tests and proficiency checks provided in an ATO located outside the territory of the Member States **or any operating site of an ATO the principal place of business of which is located in a Member State**, the competent authority of the Member State may issue an examiner certificate to an applicant holding a pilot licence issued by a third country in accordance with ICAO Annex 1, provided that the applicant:

	<p>(i) holds at least an equivalent licence, rating, or certificate to the one for which they are authorised to conduct skill tests, proficiency checks or assessments of competence, and in any case at least a CPL;</p> <p>(ii) complies with the requirements established in this Subpart for the issue of the relevant examiner certificate; and</p> <p>(iii) demonstrates to the competent authority an adequate level of knowledge of European aviation safety rules to be able to exercise examiner privileges in accordance with this Part.</p> <p>(2) The certificate referred to in paragraph (1) shall be limited to providing skill tests and proficiency tests/checks:</p> <p>(i) outside the territory of the Member States; and</p> <p>(ii) to pilots who have sufficient knowledge of the language in which the test/check is given.</p>
response	Noted

comment	<p>314 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.1005 Limitation of privileges in case of vested interests</p> <p>Examiners shall not conduct:</p> <p>(a) except with the agreement of the competent authority of the applicant, skill tests or assessments of competence of applicants for the issue of a licence, rating or certificate:</p> <p>(1) to whom they have provided more than 25% of, or the last instructional session of, the required flight instruction for the licence, rating or certificate for which the skill test or assessment of competence is being taken; or</p> <p>(2) when they have been responsible for the recommendation for the skill test, in accordance with FCL.030(b);</p> <p>(b) skill tests, proficiency checks or assessments of competence whenever they feel that their objectivity may be affected.</p>
response	Noted

comment	<p>315 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.1010 Prerequisites for examiners</p> <p>Applicants for an examiner certificate shall demonstrate:</p>
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(a) relevant knowledge, background, **suitability** and appropriate experience related to the privileges of an examiner;

(Needs better definition in the AMC)

(b) that they have not been subject to any sanctions, including the suspension, limitation or revocation of any of their licences, ratings or certificates issued in accordance with this Part, for non-compliance with the Basic Regulation and its Implementing Rules during the ~~last~~ **3 years prior to application**.

response Noted

comment

316

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.1015 Examiner standardisation

(a) Applicants for an examiner certificate shall undertake a standardisation course provided by the competent authority or by an ATO and approved by the competent authority.

(b) The standardisation course shall consist of theoretical and practical instruction and shall include, at least:

(1) the conduct of 2 skill tests, proficiency checks or assessments of competence for the licences, ratings or certificates for which the applicant seeks the privilege to conduct tests, ~~and~~ checks **or assessments**;

(2) instruction on the applicable requirements in this part and the applicable air operations requirements, the conduct of skill tests, proficiency checks and assessments of competence, and their documentation and reporting;

(3) a briefing on:

(i) the national administrative procedures, **including fees and the circumstances under which the examiner can sign the applicant's licence or certificate**;

(ii) **basic** requirements for protection of personal data; **and**

(iii) **if the test, check or assessment is conducted on an aircraft, national procedures, liability, and accident insurance and fees**;

(4) a briefing on the need to review and apply the items in (3) when conducting skill tests, proficiency checks or assessments of competence of an applicant for which the competent authority is not the same **as that the one which** issued the examiner's certificate;

(5) an instruction on how to get access to ~~these~~ national procedures and requirements of other competent authorities when needed;



(c) Holders of an **examiners** certificate shall not conduct skill tests, proficiency checks or assessments of competence of an applicant for which the competent authority is not the same ~~as that the one which~~ issued the examiner's certificate, unless they have reviewed **and comply with** the latest available information containing the relevant national procedures of the applicant's competent authority.

response Noted

comment 317 comment by: *Irish Aviation Authority*

Typographical Error

Change to:

FCL.1020 Examiners' assessment of competence

response Noted

comment 318 comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.1025 Validity, revalidation and renewal of examiner certificates

(a) **Validity**. An examiner certificate shall be valid for 3 years.

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

(1) conducted at least 2 skill tests, proficiency checks or assessments of competence **in each of the examiner categories for which s/he holds an examiner certificate** every year;

(Examiner categories need to be defined in GM1 FCL.1000 – see below)

(2) attended an examiner refresher seminar provided by the competent authority or by an ATO and approved by the competent authority; ~~;~~ ~~during the last year of the validity period.~~

~~(3) One of the skill tests, or proficiency checks or assessments of competence completed during the last year of the validity period in accordance with (1) shall have been assessed by an inspector from the competent authority or by a senior examiner specifically authorised to do so by the competent authority responsible for the examiner's certificate.~~

passed an assessment of competence in accordance with FCL.1020.

~~(4) When the applicant for the revalidation holds privileges for more than one category of examiner, combined revalidation of all examiner privileges may be achieved when the applicant complies with the requirements in (b)(1) and (2) and FCL.1020 for one of the categories of examiner certificate held, in agreement with the competent authority.~~

(4) When the examiner holds privileges to conduct tests, checks or assessments for more than one category of aircraft, revalidation of examiner privileges shall be achieved when the



applicant complies with the requirements of (b)(1), (2) and (3) for each aircraft category unless otherwise agreed with the competent authority.

(GM1 FCL.900 defines 9 categories of instructor. What are the categories of examiner referred to here? For example, it would be inappropriate to allow examiner privileges for a helicopter or high performance jet transport to be revalidated by assessment as FE on a balloon. Guidance should be given to the competent authorities as to when this agreement should be exercised. Guidance should be included to cover the SP environment versus the MP environment and whether the examiner is to be PIC or another crew member during the test, check or assessment or if the examiner is observing from another seat or position in the aircraft or in the FSTD. GM 1 FCL.1000 or FCL.1025 should be developed.)

(c) *Renewal*. If the certificate has expired, applicants shall comply with the requirements of (b)(2) and (3) for each category of examiner for which examiner privileges are held, unless otherwise agreed with the competent authority, and FCL.1020 before they can resume the exercising of the privileges of their certificate.

(d) An examiner certificate shall only be revalidated or renewed if the applicant demonstrates continued compliance with the requirements in FCL.1010 and FCL.1030.

response Noted

comment 319

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.1030 Conduct of skill tests, proficiency checks and assessments of competence

(a) When conducting skill tests, proficiency checks and assessments of competence, examiners shall:

(1) ensure that communication with the applicant can be established without language barriers;

(2) verify that the applicant complies with all the qualification, training and experience requirements in this Part for the issue, revalidation or renewal of the licence, rating or certificate for which the skill test, proficiency check or assessment of competence is taken;

(3) make the applicant aware of the consequences of providing incomplete, inaccurate or false information related to their training and flight experience.

(b) After completion of the skill test, ~~or~~ proficiency check **or assessment of competence**, the examiner shall:

(1) inform the applicant of the result of the test. In the event of a partial pass or fail, the examiner shall inform the applicant that he/she may not exercise the privileges of the rating until a full pass has been obtained. The examiner shall detail any further training requirement and explain the applicant's right of appeal;

(2) in the event of a pass in a proficiency check or assessment of competence for revalidation



or renewal, endorse the applicant's licence or certificate with the new expiry date of the rating or certificate, if specifically authorised for that purpose by the competent authority responsible for the applicant's licence **or certificate**;

(3) provide the applicant with a signed report of the skill test or proficiency check and submit without delay copies of the report to the competent authority responsible for the applicant's licence, and to the competent authority ~~that~~ **which** issued the examiner certificate. The report shall include:

(i) a declaration that the examiner has received information from the applicant regarding his/her experience and instruction, and found that **such** experience and instruction **compliesing** with the applicable requirements in this Part;

(ii) confirmation that all the required manoeuvres and exercises have been completed, ~~as well as information on the verbal theoretical confirmation of the applicant's knowledge examination, when applicable.~~ If an item has been failed **or lack of required knowledge is confirmed**, the examiner shall record the reasons for this assessment;

(iii) the result of the test, check or assessment of competence.

(iv) a declaration that the examiner has reviewed and applied the national procedures and requirements of the applicant's competent authority, **as described in FCL.1015**, if the competent authority responsible for the applicant's licence **or certificate** is not the same **as that one which** issued the examiner's certificate;

(v) a copy of the examiner's certificate containing the scope of his/her privileges as **an** examiner, ~~in the case of~~ **for** skill tests, proficiency checks or assessments of competence of an applicant for **which whom** the competent authority is not the same **as that one which** issued the examiner's certificate.

(c) Examiners shall maintain records for 5 years with details of all skill tests, proficiency checks and assessments of competence performed and their results.

(d) Upon request by the competent authority responsible for the examiner's certificate, or the competent authority responsible for the applicant's licence **or certificate**, examiners shall submit all records and reports, and any other information, as required for oversight activities.

response Noted

comment 324

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text change:

FCL.1005 Limitation of privileges in case of vested interests



Examiners shall not conduct:

(a) **except with the agreement of the competent authority of the applicant**, skill tests or assessments of competence of applicants for the issue of a licence, rating or certificate:

(1) to whom they have provided **more than 25% of, or the last instructional session of, the required** flight instruction for the licence, rating or certificate for which the skill test or assessment of competence is being taken; or

(2) when they have been responsible for the recommendation for the skill test, in accordance with FCL.030(b);

(b) skill tests, proficiency checks or assessments of competence whenever they feel that their objectivity may be affected.

response Noted

comment 330 comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1010 Prerequisites for examiners

Applicants for an examiner certificate shall demonstrate:

(a) relevant knowledge, background, **suitability** and appropriate experience related to the privileges of an examiner;

(Needs better definition in the AMC)

(b) that they have not been subject to any sanctions, including the suspension, limitation or revocation of any of their licences, ratings or certificates issued in accordance with this Part, for non-compliance with the Basic Regulation and its Implementing Rules during the **last 3** years **prior to application**.

response Noted

comment 336 comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1015 Examiner standardisation



(b) The standardisation course shall consist of theoretical and practical instruction and shall include, at least:

(3) a briefing on:

- i) the national administrative procedures, including fees and the circumstances under which the examiner can sign the applicant's licence or certificate
- (ii) basic requirements for protection of personal data; and
- (iii) if the test, check or assessment is conducted on an aircraft, national procedures, liability, and accident insurance and fees;

(4) a briefing on the need to review and apply the items in (3) when conducting skill tests, proficiency checks or assessments of competence of an applicant for which the competent authority is not the same as that the one which issued the examiner's certificate;

(5) an instruction on how to get access to these national procedures and requirements of other competent authorities when needed;

(c) Holders of an examiners certificate shall not conduct skill tests, proficiency checks or assessments of competence of an applicant for which the competent authority is not the same as that the one which issued the examiner's certificate, unless they have reviewed and comply with the latest available information containing the relevant national procedures of the applicant's competent authority.

response Noted

comment 339

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1025 Validity, revalidation and renewal of examiner certificates

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

(1) conducted at least 2 skill tests, proficiency checks or assessments of competence in each of the examiner categories for which s/he holds an examiner certificate every year;

(Examiner categories need to be defined in GM1 FCL.1000 – see below)

(2) attended an examiner refresher seminar provided by the competent authority or by an ATO and approved by the competent authority; during the last year of the validity period.

(3) ~~One of the skill tests, or proficiency checks or assessments of competence completed during the last year of the validity period in accordance with (1) shall have been assessed by an inspector from the competent authority or by a senior examiner specifically authorised to~~



~~do so by the competent authority responsible for the examiner's certificate, passed an assessment of competence in accordance with FCL.1020.~~

~~(4) When the applicant for the revalidation holds privileges for more than one category of examiner, combined revalidation of all examiner privileges may be achieved when the applicant complies with the requirements in (b)(1) and (2) and FCL.1020 for one of the categories of examiner certificate held, in agreement with the competent authority.~~

(4) When the examiner holds privileges to conduct tests, checks or assessments for more than one category of aircraft, revalidation of examiner privileges shall be achieved when the applicant complies with the requirements of (b)(1), (2) and (3) for each aircraft category unless otherwise agreed with the competent authority.

(GM1 FCL.900 defines 9 categories of instructor. What are the categories of examiner referred to here? For example, it would be inappropriate to allow examiner privileges for a helicopter or high performance jet transport to be revalidated by assessment as FE on a balloon. Guidance should be given to the competent authorities as to when this agreement should be exercised. Guidance should be included to cover the SP environment versus the MP environment and whether the examiner is to be PIC or another crew member during the test, check or assessment or if the examiner is observing from another seat or position in the aircraft or in the FSTD. GM 1 FCL.1000 or FCL.1025 should be developed.)

(c) **Renewal.** If the certificate has expired, applicants shall comply with the requirements of (b)(2) and (3) for each category of examiner for which examiner privileges are held, unless otherwise agreed with the competent authority, and FCL.1020 before they can resume the exercising of the privileges of their certificate.

(d) An examiner certificate shall only be revalidated or renewed if the applicant demonstrates continued compliance with the requirements in FCL.1010 and FCL.1030.

response Noted

comment 346

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text change:

FCL.1030 Conduct of skill tests, proficiency checks and assessments of competence

(b) After completion of the skill test, ~~or~~ proficiency check **or assessment of competence**, the examiner shall:

(2) in the event of a pass in a proficiency check or assessment of competence for revalidation or renewal, endorse the applicant's licence or certificate with the new expiry date of the rating or certificate, if specifically authorised for that purpose by the competent authority responsible for the applicant's licence **or certificate**;



(3) provide the applicant with a signed report of the skill test or proficiency check and submit without delay copies of the report to the competent authority responsible for the applicant's licence, and to the competent authority ~~that~~ **which** issued the examiner certificate. The report shall include:

(i) a declaration that the examiner has received information from the applicant regarding his/her experience and instruction, and found that **such** experience and instruction **complies** with the applicable requirements in this Part;

(ii) confirmation that all the required manoeuvres and exercises have been completed, ~~as well as information on the verbal theoretical confirmation of the applicant's knowledge examination, when applicable.~~ If an item has been failed **or lack of required knowledge is confirmed**, the examiner shall record the reasons for this assessment;

(iii) the result of the test, check or assessment of competence.

(iv) a declaration that the examiner has reviewed and applied the national procedures and requirements of the applicant's competent authority, **as described in FCL.1015**, if the competent authority responsible for the applicant's licence **or certificate** is not the same **as that one which** issued the examiner's certificate;

(v) a copy of the examiner's certificate containing the scope of his/her privileges as **an** examiner, ~~in the case of~~ **for** skill tests, proficiency checks or assessments of competence of an applicant for ~~which~~ **whom** the competent authority is not the same **as that one which** issued the examiner's certificate.

(c) Examiners shall maintain records for 5 years with details of all skill tests, proficiency checks and assessments of competence performed and their results.

(d) Upon request by the competent authority responsible for the examiner's certificate, or the competent authority responsible for the applicant's licence **or certificate**, examiners shall submit all records and reports, and any other information, as required for oversight activities.

response Noted

comment 428

comment by: KLM

KLM fully supports the amendment made to FCL.1015(b)(1)

response Noted

comment 435

comment by: Fédération Française d'Aérostation, ATO task force

FCL.1025 Validity, revalidation and renewal of examiner certificates

Suggested amendments:

(a) Validity. An examiner certificate shall be valid for 3 years.

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

(1) **(i) airplanes and helicopters:** conducted at least 2 skill tests, proficiency checks or



assessments of competence every year;

(ii) balloons and sailplanes: conducted a total of at least 2 skill tests, proficiency checks or assessments of competence;

(2) attended an examiner refresher seminar provided by the competent authority or by an ATO and approved by the competent authority, during the last year of the validity period; and

(3) **airplanes and helicopters:** when one of the skill tests, proficiency checks or assessments of competence completed during the last year of the validity period in accordance with (1) was assessed by an inspector from the competent authority or by a senior examiner specifically authorised to do so by the competent authority responsible for the examiner's certificate or to comply with the requirements of FCL.1020.

(4) When the applicant for the revalidation holds privileges for more than one category of examiner, combined revalidation of all examiner privileges may be achieved when the applicant complies with the requirements in (b)(1) and (2) and FCL.1020 for one of the categories of examiner certificate held, in agreement with the competent authority.

(c) Renewal. If the certificate has expired, applicants shall comply with the requirements of (b)(2) and FCL.1020 before they can resume the exercise of the privileges.

(d) An examiner certificate shall only be revalidated or renewed if the applicant demonstrates continued compliance with the requirements in FCL.1010 and FCL.1030.

Explanation:

Our workgroup suggests a lighter regime for balloon FEs (a total of 2 skill tests, profchecks or assessments performed during the validity period of 3 years instead of 2 per year) because again, balloons fly far less often than airplanes due to their extreme weather dependency and the complex organisation of flights. In some regions/countries there are simply not enough students/candidates to enable an FE(B) to conduct two or more skill tests per year. This of course then results in the need to differentiate between powered and non-powered aircraft.

Under (3), the present/old text (which needs minor editing to be comprehensible) requires an inspector or senior examiner to accompany the examiner during a flight, once every last year of the validity period of the examiner's certificate (thus once every three years) to assess whether the examiner is still competent.

This is all well and good when examiners are based on aerodromes where the senior examiners or inspectors are also based and they can just hop into a plane or simulator for a flight together, but given the huge distances between examiners in the ballooning world and the likelihood that there will be only a handful of 'senior examiners' per country (or maybe none at all, in which case a senior FE from another EU country must be involved), this is almost impossible to organize and prohibitively expensive when tried.

Imagine in a country like France, the examiner is situated in the lower Pyrenees and the senior examiner in say Nancy, about 900 kms away. The senior examiner can not just fly in with a private plane to the aerodrome of the examiner, because there IS no aerodrome - the examiner is based at a rebuilt farmhouse in a village of 500 inhabitants in the rural countryside that even Google Maps hardly knows how to find. The student pilot who needs to be examined with the senior examiner also on board the balloon lives 2 hours driving distance from the examiner. They need to organize the skill test flight just after sunrise (around 06:00 local time in summer) when the weather is the most stable. Briefing will be at 05:00. The decision to get everyone together (student pilot, crew, examiner, senior examiner) must be taken the day before based on the weather predictions that are notoriously unreliable. The senior examiner thus has to travel 900 km by road, travel all day by train or take a plane and hire a car for the last 100 kms or so, has to arrange a hotel room or be



*lodged with the examiner... and at 06:00 the next day on the launch field they find there is too much wind, too little visibility - and they must cancel the flight. The senior examiner has to return home and do the whole thing all over again a few weeks later. Who will pay for all that? The student pilot? The examiner? The balloon federation? How long will it take before the senior examiner gives up and retires from the job? How long thus before no examiner is left who complies with the rules and is 'current'?
This is clearly impossible.*

Note that this is NOT an exaggerated scenario but a realistic sketch of the ballooning world. Thus the suggestion to scratch balloons (and sailplanes, to please our fellow non-motorized fliers) from this paragraph and limit it to 'airplanes and helicopters'. The rules as they are written even with the suggested amendment already improve the checks on the competence of examiners immensely.

response Noted

comment 436 comment by: CAA Norway
or comply with the requirements of FCL.1020.
 In my understanding you are complying with FCL.1020, by complying to the text in (3), before the greyed out text.

response Noted

comment 446 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)

Relevant Text: FCL.1000(c) (1)
Comment: Spelling of the word Convention
Proposal: Correct spelling.

response Noted

comment 447 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)

Relevant Text: FCL.1005(a) (2)
Comment: The removal of the restriction for examiners to conduct skill tests or assessments of competence for applicants whom they have recommended for said test is questionable. How can we justify that the examiner can be objective when he/she has already made a judgment in saying that the candidate is good enough to pass the test? The justification that this would ease the burden for GA should not be the sole justification

	<p>as this rule applies to commercial operators also.</p> <p>Proposal: Reinstate the previous wording.</p>	
response	Noted	
comment	<p>466</p> <p>FCL.1025 (b) (3) Why has the comment</p> <p>"or comply with the requirements of FCL.1020" been added?</p> <p>An TRE AoC is part of the revalidation procedure.</p>	comment by: <i>Bond Offshore Helicopters</i>
response	Noted	
comment	<p>472</p> <p>According to FCL.1015 (c) an examiner just needs to review the latest information about the relevant administrative procedures of the applicant's competent authority before conducting skill tests, proficiency checks or assessments of competence. In line with that and as per the Examiners Differences Document published on EASA's webpage, especially proficiency checks for revalidations do normally not need prior authority's approval, so that such proficiency checks could be done by any examiner without the knowledge of the respective competent authority. That leads to the practical problem that the respective competent authority may hardly be in a position to monitor the conduct and performance of those examiners according to ARA.FCL.205 (a). Therefore, the rules of Annex I (Part-FCL) and Annex VI (Part-ARA) need to be adjusted!</p>	comment by: <i>Supreme Building Authority, Part of the Bavarian State Ministry of the Interior, for Building and Transport</i>
response	Noted	
comment	<p>488</p> <p>FCL.1025 b 3 "the last year of validity" can be a real challenge for sailplane examiners with respect to weather, number of applicants and number of senior examiners available. Proposal: Change to during the validity period (3 years) but with a minimum time between checks, eg. 2 years.</p>	comment by: <i>Uppvinden AB</i>
response	Noted	
comment	<p>544</p> <p>Annex I Part.FCL</p>	comment by: <i>FOCA Switzerland</i>

FCL.1000 (b)**Subject:****Examiner authorization for special cases**

In order to cover specific cases FOCA suggests that a flexibility is introduced in the regulation to allow, on a case by case basis, the competent Authority to designate an examiner, not qualified in accordance with FCL.1000 (a), to conduct a skill test or proficiency check. Such flexibility was existing in JAR-FCL 1.425 (a)(2) and was very useful to deal with rare aircraft for which it may be difficult to find a properly qualified examiner.

Proposal**FCL.1000**

[...]

(b)

[...]

(3) Where no qualified examiner is available and, at the discretion of the Authority, inspectors or examiners may be, on a case by case basis, authorised without meeting the relevant instructor, type or class ratings requirements as mentioned in (a) above.

response Noted

comment 558

comment by: *AeroClub Roger Janin, FR.ATO.0087***FCL.1015 Examiner standardisation**

“(4) a briefing on the need to review and apply the items in (3) when conducting skill tests, proficiency checks or assessments of competence of an applicant for which the competent authority is not the same that issued the examiner's certificate;”

Comment:

“I have a dream....”

For the time being the European citizens who are pilots do not see one Europe, they still see 28+4 nations, no benefit of simplification for them. Instead of putting constraints on the European citizens, the European citizens would much prefer that the Agency put the administrative constraints on the national administrations. European citizens strongly invite the EU Agency to launch actions toward national administrations to fully standardize there rules, procedures and tools all over Europe in order that the European citizens see practically there national administration as the “local office desk” of a virtual single European aviation administration and not continue to bear the burden of having 28+4 different national administrations with their own procedures, rules and tools. Can you imagine the USA with 51 different state aviation administrations, with their own rules, procedures and tools? No, you can't!



	<p>« Faites que le rêve dévore votre vie afin que la vie ne dévore pas votre rêve. »</p> <p>Antoine de Saint-Exupéry</p> <p>-- end of comment --</p>
response	Noted
comment	<p>567 comment by: DGAC France</p> <p>Subject: Renewal of examiners certificates</p> <p>Content of the comment: Current FCL.1025 (c) should be slightly modified in order to clarify that requirements (b) (2) and FCL.1020 have to be met within the 12 months before applying for the renewal. The current wording of FCL.1025 (c) referring to (b) (2) could be understood as the examiner refresher seminar has to be done not in the last year of validity of the certificate. In the case of a renewal it makes no sense.</p> <p>Proposed amendment:</p> <p>FCL.1025</p> <p>[...]</p> <p>(c) <i>Renewal</i>. If the certificate has expired, applicants shall comply with the requirements of (b) (2) and FCL.1020 within a period of 12 months before renewal.</p>
response	Noted
comment	<p>577 comment by: Nick Carr</p> <p>FCL.1025 Validity, revalidation and renewal of examiner certificates (b) (3)</p> <p>This paragraph is unnecessarily complicated and confusing.</p> <p>See proposed text below:</p> <p><i>(3)passed an Assessment of Competence with an inspector for the Competent Authority or senior examiner, during the 12 months preceeding the expiry date of the certificate.</i></p>
response	Noted
comment	<p>604 comment by: Danish Transport Authority</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Relevant Text: FCL.1000(c) (1)</div> <div style="border: 1px solid black; padding: 5px;">Comment: Spelling of the word Convention</div>

response	<div data-bbox="363 235 893 369" style="border: 1px solid black; padding: 5px;"> <p>Proposal: Correct spelling.</p> </div> <p>Noted</p>
comment	<p>605 comment by: <i>Danish Transport Authority</i></p> <div data-bbox="363 649 1481 1048" style="border: 1px solid black; padding: 5px;"> <p>Relevant Text: FCL.1005(a) (2)</p> <p>Comment: The removal of the restriction for examiners to conduct skill tests or assessments of competence for applicants whom they have recommended for said test is questionable. How can we justify that the examiner can be objective when he/she has already made a judgment in saying that the candidate is good enough to pass the test? The justification that this would ease the burden for GA should not be the sole justification as this rule applies to commercial operators also.</p> <p>Proposal: Reinstate the previous wording.</p> </div> <p>Noted</p>
comment	<p>682 comment by: <i>UK CAA</i></p> <p>Page No: 101</p> <p>Paragraph No: FCL.1000 (c)(1)</p> <p>Comment: Examiners should be independent of ATOs; so a test should not be conducted “in an ATO”. The test may use an aircraft or approved simulator that is owned by an ATO, or is independent. Also, the prerequisite should be that the applicant is a 3rd country examiner, not instructor?</p> <p>It is recommended that the text is amended to remove some redundant text at the end of the paragraph and improve the flow of the sentence.</p> <p>Justification: Clarity – editorial.</p> <p>Proposed Text: Replace sub-paragraph (c)(1) with the following:</p> <p>“(1) Notwithstanding paragraph (a), in the case of skill tests and proficiency checks conducted outside of the territory of the Member States, the competent authority of the Member State may issue an examiner certificate to an applicant holding a pilot licence, which shall be at least a CPL in the relevant aircraft category, issued by a third country in</p>

response	<p>accordance with ICAO Annex 1 to the Chicago Convention, which includes the privilege to examine for the equivalent licence, rating or certificate, provided that the applicant: “</p>
response	Noted
comment	<p>683 comment by: UK CAA</p> <p>Page No: 102</p> <p>Paragraph No: FCL.1005 (a)(2)</p> <p>Comment:</p> <p>The regulation has already been amended (with effect from 8 April 2015) to change this text to include provision for the examiner to have completed up to 25% of the instruction. The text should remain as set out in the April 2015 amendment.</p> <p>This NPA proposes that FCL.1005 sub-paragraph (a)(2) which states: “<i>when they have been responsible for the recommendation for the skill test, in accordance with FCL.030(b)</i>” should be deleted. The UK CAA disagrees. An examiner should not be permitted to recommend a student for the test that the examiner will conduct.</p> <p>Justification:</p> <ol style="list-style-type: none"> 1. The deletion of (a)(2) does not take into account the recent change to para (a)(1) (which is not reflected in this NPA). This allows the examiner to have conducted 25% of the training. 2. With the new change permitting the examiner to be involved in the training, it is essential the same person cannot now recommend for the test. 3. An individual cannot objectively train a candidate, recommend the candidate for a test and then fly the test with them. <p>Proposed Text: Retain sub-paragraph (a)(2) as it will appear in the 8 April 2015 amendment.</p>
response	Noted
comment	<p>684 comment by: UK CAA</p> <p>Page No: 103</p> <p>Paragraph No: FCL.1025 (b)</p> <p>Comment: The paragraph is considered unclear and some alternative text is offered below.</p> <p>Justification: Clarity.</p> <p>Proposed Text: Amend sub-paragraphs (b)(1), (2) and (3) to read as follows:</p> <p>(b) Revalidation. An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate:</p>

(1) conducted at least 2 skill tests, proficiency checks or assessments of competence every year; and

(2) attended an examiner refresher seminar provided by the competent authority or by an ATO approved by the competent authority, during the last year of the validity period; and

(3) either

- complied with the requirements of FCL.1020, or
- was assessed by an inspector from the competent authority or by a senior examiner specifically authorised to do so by the competent authority responsible for the examiner's certificate for one of the skill tests, or proficiency checks or assessments of competence completed during the last year of the validity period in accordance with (1).

Renumber sub-paragraph (4) to (c) and amend to read as follows:

(c) When the applicant for the revalidation holds examiner privileges for more than one category of aircraft, the combined revalidation of all examiner privileges may be achieved, in agreement with the competent authority, when the applicant complies with the requirements in (b)(1) and (2) and FCL.1020 for one of the categories of examiner certificate held.

Rename sub-paragraph (c) as (d) and (d) as (e).

response Noted

comment 747

comment by: *Light Aircraft Association*

The LAA support removal of FCL.1005(a)(1)(2) where this currently provides an unnecessary burden on small GA training organisations.

It is noted that FCL.1005(a) in this NPA does not accurately represent the current status of FCL.1005 via Commission Regulation (EU) 2015/445 which permits 25% of the required flight instruction for the licence, rating or certificate to have been completed by the examiner conducting the skill test.

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL]
— SUBPART K: EXAMINERS, SECTION 2: SPECIFIC REQUIREMENTS FOR THE FLIGHT EXAMINERS p. 104-106
— FE

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.



comment	<p>91 comment by: <i>Estonian CAA</i></p> <p>FCL.1005.FE FE — Privileges and conditions FE(H). The privileges of an FE for helicopters are to conduct: skill tests and proficiency checks for single-pilot multi-engine helicopter type ratings entered in a PPL(H) or a CPL(H), provided the examiner has completed the requirements in (1) or (2), as applicable, and holds a CPL(H) or ATPL(H) and, when applicable, an IR(H);</p> <p>With regard to above mentioned text it is unclear which IR related tests/checks can they perform or why is IR(H) relevant? As a comparison, for FE(A) there is no IR(A) requirement.</p>
response	Noted
comment	<p>280 comment by: <i>René Meier, Europe Air Sports</i></p> <p>FCL.1005.FE FE Privileges and conditions p 105/253 (d) FE(S) privileges, please add a further clause:</p> <p>"Assessments of competence for the issue, revalidation or renewal of instructor certificates for sailplanes, provided that the relevant instructor certificate is held and the examiner has completed 500 hours of flight time as a pilot on sailplanes or powered sailplanes and; (i) for applicants wishing to conduct assessments of competence on TMGs, 10 hours or 30 take-offs instructing applicants for an instructor certificate in TMGs; (ii) in all other cases, 10 hours or 30 launches instructing applicants for an instructor certificate.</p> <p>Rationale: Consequence of our request to fully delete provisions for an FIE(S).</p>
response	Noted
comment	<p>320 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.1005.FE FE — Privileges and conditions</p> <p>(a) FE(A). The privileges of an FE for aeroplanes are to conduct:</p> <p>(1) skill tests for the issue of the PPL(A) and skill tests and proficiency checks for associated single-pilot class and type ratings, except for single-pilot high performance complex aeroplanes, provided that the examiner has completed at least 1 000 hours of flight time as a pilot on aeroplanes or TMGs, including at least 250 hours of flight instruction;</p> <p>(2) skill tests for the issue of the CPL(A) and skill tests and proficiency checks for the associated single-pilot class and type ratings, except for single-pilot high performance complex aeroplanes, provided that the examiner has completed at least 2 000 hours of flight time as a pilot on aeroplanes or TMGs, including at least 250 hours of flight instruction;</p> <p>(3) skill tests and proficiency checks for the LAPL(A) and associated privileges, provided that</p>

the examiner has completed at least 500 hours of flight time as a pilot on aeroplanes or TMGs, including at least 100 hours of flight instruction;

(4) skill tests for the issue of a mountain rating, provided that the examiner has completed at least 500 hours of flight time as a pilot on aeroplanes or TMGs, including at least 500 take-offs and landings of flight instruction for the mountain rating.

(5) proficiency checks for :

(i) the revalidation ~~and~~ of EIRs and IRs provided that the FE(A) holds an IR and has completed at least 450hrs as PIC under IR;

(ii) renewal of EIRs and IRs, 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) and holds IRI or FI with privileges to instruct for IR.

(b) FE(H). The privileges of an FE for helicopters are to conduct:

(1) skill tests for the issue of the PPL(H) and skill tests and proficiency checks for single-pilot single-engine helicopter type ratings ~~entered in a PPL(H) or CPL(H)~~, provided that the examiner has completed at least 1 000 hours of flight time as a pilot on helicopters, including at least 250 hours of flight instruction;

(2) skill tests for the issue of the CPL(H) ~~and skill tests and proficiency checks for single-pilot single-engine helicopter type ratings entered in a CPL(H)~~, provided that the examiner has completed 2 000 hours of flight time as pilot on helicopters, including at least 250 hours of flight instruction;

(3) skill tests and proficiency checks for single-pilot multi-engine helicopter type ratings ~~entered in a PPL(H) or a CPL(H)~~, provided that the examiner has completed the requirements in (1) or (2), as applicable, and holds a CPL(H) or ATPL(H) and, when applicable, an IR(H);

(4) skill tests and proficiency checks for the LAPL(H) and associated privileges, provided that the examiner has completed at least 500 hours of flight time as a pilot on helicopters, including at least 150 hours of flight instruction.

(5) proficiency checks for:

(i) the revalidation ~~and~~ of IRs provided that the FE(H) holds an IR and has completed at least 300hrs as PIC under IR.

(ii) renewal of IRs, provided that the FE has completed at least 1 000 hours as a pilot on helicopters, complies with the requirements in FCL.1010.IRE(b)(2) and holds IRI or FI with privileges to instruct for IR.

(c) FE(As). The privileges of an FE for airships are to conduct:

(1) skill tests for the issue of the PPL(As) and CPL(As) and skill tests and proficiency checks for the associated airship type ratings, provided that the examiner has completed 500 hours of flight time as a pilot on airships, including 100 hours of flight instruction.

(2) proficiency checks for the issue, revalidation and renewal of IRs, provided the FE(As) has completed at least 1 500 hours as a pilot on airships and complies with the requirements in FCL.1010.IRE(c)(2).

(d) FE(S). The privileges of an FE for sailplanes are to conduct:

(1) skill tests and proficiency checks for the SPL and the LAPL(S), provided that the examiner has completed 300 hours of flight time as a pilot on sailplanes or powered sailplanes, including 150 hours or 300 launches of flight instruction;

(2) proficiency checks for the extension of the SPL privileges to commercial operations, provided that the examiner has completed 300 hours of flight time as a pilot on sailplanes or powered sailplanes, including 90 hours of flight instruction;

(3) skill tests for the extension of the SPL or LAPL(S) privileges to TMG, provided that the examiner has completed 300 hours of flight time as a pilot on sailplanes or powered sailplanes, including 50 hours of flight instruction on TMG;

(4) skill tests and proficiency checks for the cloud flying rating, provided that the examiner has completed at least 200 hours of flight time as pilot on sailplanes or powered sailplanes, including at least 5 hours or 25 flights of flight instruction for the cloud flying rating or at least 10 hours of flight instruction for the EIR or IR(A).

(e) FE(B). The privileges of an FE for balloons are to conduct:

(1) skill tests for the issue of the BPL and the LAPL(B) and skill tests and proficiency checks for the extension of the privileges to another balloon class or group, provided that the examiner has completed 250 hours of flight time as a pilot on balloons, including 50 hours of flight instruction;

(2) proficiency checks for the extension of the BPL privileges to commercial operations, provided that the examiner has completed 300 hours of flight time as a pilot on balloons, of which 50 hours in the same group of balloons for which the extension is sought. The 300 hours of flight time shall include 50 hours of flight instruction.

response Noted

comment

321

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.1010.FE FE — Prerequisites

An applicant for an FE certificate shall hold an **unrestricted** FI certificate in the appropriate aircraft category.

FCL.1025.FE FE Revalidation and renewal

(a) Revalidation: When the examiner holds privileges to conduct tests, checks or assessments for more than one type or class within an aircraft category, revalidation of examiner privileges for all types or classes within that category may be achieved when the applicant



complies with the requirements of FCL.1025(b) (2) and (3) for one of the aircraft types or classes within that category.
?Balloon groups?

(b) *Renewal*: When the examiner seeks to renew privileges to conduct tests, checks or assessments for more than one type or class within an aircraft category, the requirements of FCL.1025(b) (2) and (3) shall be completed for each class or type within that category, except that if the assessment is completed on a multi-engine class or type this will meet the requirement for single-engine class, type or TMG. For the purpose of this requirement, SEP & TMG are considered as one category.

response Noted

comment 348

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1005.FE FE — Privileges and conditions

(a) FE(A). The privileges of an FE for aeroplanes are to conduct:

(2) skill tests for the issue of the CPL(A) ~~and skill tests and proficiency checks for the associated single-pilot class and type ratings, except for single-pilot high performance complex aeroplanes,~~ provided that the examiner has completed at least 2 000 hours of flight time as a pilot on aeroplanes or TMGs, including at least 250 hours of flight instruction;

(3) skill tests and proficiency checks for the LAPL(A) ~~and associated privileges,~~ provided that the examiner has completed at least 500 hours of flight time as a pilot on aeroplanes or TMGs, including at least 100 hours of flight instruction;

(5) proficiency checks for :

(i) the revalidation ~~and~~ of EIRs and IRs provided that the FE(A) holds an IR and has completed at least 450hrs as PIC under IR;

(ii) renewal of EIRs ~~and IRs,~~ 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) ~~and holds IRI or FI with privileges to instruct for IR.~~

(b) FE(H). The privileges of an FE for helicopters are to conduct:

(1) skill tests for the issue of the PPL(H) and skill tests and proficiency checks for single-pilot single-engine helicopter type ratings ~~entered in a PPL(H) or CPL(H),~~ provided that the examiner has completed at least 1 000 hours of flight time as a pilot on helicopters, including at least 250 hours of flight instruction;

(2) skill tests for the issue of the CPL(H) ~~and skill tests and proficiency checks for single-pilot single-engine helicopter type ratings entered in a CPL(H),~~ provided that the examiner has completed 2 000 hours of flight time as pilot on helicopters, including at least 250 hours of



flight instruction;

(3) skill tests and proficiency checks for single-pilot multi-engine helicopter type ratings entered in a PPL(H) or a CPL(H), provided that the examiner has completed the requirements in (1) or (2), as applicable, and holds a CPL(H) or ATPL(H) and, when applicable, an IR(H);

(4) skill tests and proficiency checks for the LAPL(H) and associated privileges, provided that the examiner has completed at least 500 hours of flight time as a pilot on helicopters, including at least 150 hours of flight instruction.

(5) proficiency checks for:

(i) the revalidation and of IRs provided that the FE(H) holds an IR and has completed at least 300hrs as PIC under IR.

(ii) renewal of IRs, provided that the FE has completed at least 1 000 hours as a pilot on helicopters, complies with the requirements in FCL.1010.IRE(b)(2) and holds IRI or FI with privileges to instruct for IR.

(c) FE(As). The privileges of an FE for airships are to conduct:

(1) skill tests for the issue of the PPL(As) and CPL(As) and skill tests and proficiency checks for the associated airship type ratings, provided that the examiner has completed 500 hours of flight time as a pilot on airships, including 100 hours of flight instruction.

(2) proficiency checks for the issue, revalidation and renewal of IRs, provided the FE(As) has completed at least 1 500 hours as a pilot on airships and complies with the requirements in FCL.1010.IRE(c)(2).

response Noted

comment 349

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

**Recommended text changes:
FCL.1010.FE FE — Prerequisites**

An applicant for an FE certificate shall hold an unrestricted FI certificate in the appropriate aircraft category.

FCL.1025.FE FE Revalidation and renewal

(a) *Revalidation*: When the examiner holds privileges to conduct tests, checks or assessments for more than one type or class within an aircraft category, revalidation of examiner privileges for all types or classes within that category may be achieved when the applicant complies with the requirements of FCL.1025(b) (2) and (3) for one of the aircraft types or classes within that category.

?Balloon groups?

(b) *Renewal*: When the examiner seeks to renew privileges to conduct tests, checks or assessments for more than one type or class within an aircraft category, the requirements of FCL.1025(b) (2) and (3) shall be completed for each class or type within that category, except that if the assessment is completed on a multi-engine class or type this will meet the requirement for single-engine class, type or TMG. For the purpose of this requirement, SEP & TMG are considered as one category.

response Noted

comment 546 comment by: FOCA Switzerland

FCL.1005.FE FE — Privileges and conditions

Subject

(5) proficiency checks for the revalidation and renewal of 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).

Proposal

(i) The privileges of EIRs provided that the FE(A) holds an IR and has completed at least 450 hours under IR.

(ii) Renewals of EIR and IRs provided that the FE(A) has completed at least 150 hours as a pilot on aeroplane and complies with the requirements in FCL.1010.IRE (a)(2) and holds an IRI or FI with privileges to instruct IR.

response Noted

comment 557 comment by: AeroClub Roger Janin, FR.ATO.0087

FCL.1005 Limitation of privileges in case of vested interests

“skill tests or assessments of competence of applicants for the issue of a licence, rating or certificate:

(1) to whom they have provided flight instruction for the licence, rating or certificate for which the skill test or assessment of competence is being taken; “

rating or certificate for which the skill test or assessment of competence is being taken; “

Comment:

This requirement has been recently (October 2014) subject to an Agency decision to allow up to 25% of the flight training time having been given by the examiner. Please incorporate this past decision in the future rule.

--- end of comment ---

response Noted



**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL]
— SUBPART K: EXAMINERS, SECTION 3: SPECIFIC REQUIREMENTS FOR THE TYPE RATING
EXAMINERS — TRE**

p. 106-107

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment 22 comment by: *Henk van den Berg*

FCLFCL.1005.TRE – PRIVILEGES AND CONDITIONS

For a TRE to conduct an assessment of competence it is required a.o. to:

(a)(5) have undergone specific training for the assessment of competence in accordance with FCL.1015(b).

This requirement is not mentioned in FCL.1005.SFE.

FSC proposed solution:

Add the same requirement as (a)(5) for the SFE as well, so add the (a)(5) text to FCL-1005.SFE (a)(5).

response Noted

comment 23 comment by: *Henk van den Berg*

FCL.1010.TRE – PREREQUISITES

The two prerequisite sets for TRE (FCL.1010.TRE) and SFE (FCL.1010.SFE) seem inconsistent: Similar requirements for TRE and SFE seem to be missing for the SFE certificate, although for the SFE the flight instruction experience should be allowed on FSTDs.

Proposed solution:

TRE – MPA:

1.500 hrs as pilot on MPA;
Of which at least 500 hrs as PIC;
Hold CPL or ATPL;
Hold TRI certificate on type;
At least 50 hrs flt instr as TRI or SFI on type

SFE – MPA:

1.500 hrs on MPA;
Of which at least 500 hrs as PIC;
Hold or have held ATPL **or CPL;**
Hold an SFI certificate on type;
Hold or has held type rating on type;
At least 50 hrs flt instr [FSTD] as SFI on type.

Add the red text to FCL.1010.SFE – PREREQUISITES.

response Noted

comment 75 comment by: *FlightSafety International - Deputy Head of Training*

FCL.1005.TRE TRE - Privileges and conditions (a) (1), (2) and (5)



	<p>Comments: SPHPCA also have a type-specific IR, although some cross-crediting for IR(A) qualification is possible (ref Part-FCL Appendix 8). (Also applies to FCL.1005.SFE SFE — Privileges and conditions)</p> <p>FCL.1010.IRE compliance applies only if revalidation or renewal of the “Stand-alone” IR is required.</p> <p>The addition of the FCL.1020 observation requirement greatly reduces the benefit of this Part-FCL alleviation of previous (onerous) JAA requirements. (Also applies to SFEs)</p>
response	Noted
comment	<p>92 comment by: <i>Estonian CAA</i></p> <p>FCL.1005.TRE TRE — Privileges and conditions TRE(A) and TRE(PL).</p> <p>Following text will be inserted into reulation: "TRE(A) and has undergone specific training for the assessment of competence in accordance with FCL.1015(b). "</p> <p>It is unclear why this difference will be established in case of aeroplanes.</p>
response	Noted
comment	<p>323 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is propsoed:</p> <p>FCL.1005.TRE TRE — Privileges and conditions</p> <p>(a) TRE(A) and TRE(PL). The privileges of a TRE for aeroplanes or powered-lift aircraft are to conduct:</p> <p>(1) skill tests for the initial issue of and proficiency checks for revalidation or renewal of a multi-pilot type ratings including the associated IR if applicable for aeroplanes or powered-lift aircraft, as applicable;</p> <p>(2) proficiency checks for revalidation or renewal of SP type ratings, revalidation of EIRs and IRs;</p> <p>(3) renewal of EIRs and IRs, provided that the TRE complies with the requirements in FCL.1010.IRE (a)(2) for the aeroplane or powered-lift aircraft as applicable;</p> <p>(34) skill tests for ATPL(A) issue;</p> <p>(45) skill tests for MPL issue, provided that the examiner has complied with the requirements in FCL.925;</p> <p>(56) assessments of competence for the issue, revalidation or renewal of a TRI or SFI aeroplane or powered- lift aircraft certificate in the as applicable aircraft category, provided that the examiner has completed at least 3 years as a TRE has been assessed in accordance with FCL.1020 as competent to conduct such assessments.</p>

(b) TRE(H). The privileges of a TRE(H) are to conduct:

(1) skill tests and proficiency checks for the issue, revalidation or renewal of helicopter type ratings **and associated IRs, as applicable;**

~~(1) skill tests for the initial issue of type ratings for aeroplanes or powered-lift aircraft, as applicable;~~

(2) proficiency checks for the revalidation ~~or renewal~~ of IRs, or for the extension of the IR(H) from single-engine helicopters to multi-engine helicopters;

(3) renewal of IRs, provided the TRE(H) complies with the requirements in FCL.1010.IRE(b)(2);

~~(3)~~ skill tests for ATPL(H) issue;

(4) assessments of competence for the issue, revalidation or renewal of a TRI(H) or SFI(H) certificate, provided that the examiner has completed at least 3 years as a TRE(H), and has been assessed in accordance with FCL.1020 as competent to conduct such assessments.

response Noted

comment 325

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.1010.TRE TRE — Prerequisites

(a) TRE(A) and TRE(PL). Applicants for a TRE certificate for aeroplanes and powered-lift aircraft shall:

(1) ~~in the case of~~ **for** multi-pilot aeroplanes or powered-lift aircraft, have completed 1 500 hours of flight time as a pilot of multi-pilot aeroplanes or powered-lift aircraft, as applicable, of which at least 500 hours shall be as PIC;

(2) ~~in the case of~~ **for** single-pilot high performance complex aeroplanes, have completed 500 hours of flight time as a pilot of single-pilot aeroplanes, of which at least 200 hours shall be as PIC;

(3) hold a CPL or ATPL and a TRI certificate for the applicable type;

(4) for the initial issue of an TRE certificate, have completed at least 50 hours **or 3 years** of flight instruction as a TRI, FI or SFI in the applicable type or an FSTD representing that type.

(b) TRE(H). Applicants for a TRE (H) certificate for helicopters shall:

(1) hold a TRI(H) certificate ~~or, in the case of~~ **for** ~~single-pilot single-engine and multi-engine helicopters, a valid FI(H) certificate, for the applicable type;~~

(2) for the initial issue of a TRE(H) certificate, have completed 50 hours **or 3 years** of flight instruction as a TRI(H), ~~FI(H) or SFI(H)~~ in the applicable type or an FSTD representing that type;



- (3) ~~in the case of~~ **for** multi-pilot helicopters, hold a CPL(H) or ATPL(H) and have completed 1 500 hours of flight as a pilot on multi-pilot helicopters, of which at least 500 hours shall be as PIC;
- (4) ~~in the case of~~ **for** single-pilot multi-engine helicopters:
- (i) have completed 1 000 hours of flight as pilot on helicopters, of which at least 500 hours shall be as PIC;
- (ii) hold a CPL(H) or ATPL(H) and, when applicable, a valid IR(H);
- (5) ~~in the case of~~ **for** single-pilot single-engine helicopters:
- (i) have completed 750 hours of flight as a pilot on helicopters, of which at least 500 hours shall be as PIC;
- (ii) hold a CPL(H) or ATPL(H).
- (6) Before the privileges of a TRE(H) are extended from single-pilot multi-engine to multi-pilot multi-engine privileges on the same type of helicopter, the holder shall have at least 100 hours in multi-pilot operations on ~~this~~ **that same** type.
- (7) ~~in the case of~~ **For** applicants for the first multi-pilot multi-engine TRE(H) certificate, the 1 500 hours of flight experience on multi-pilot helicopters required in (b)(3) may be considered to have been met if they have completed the 500 hours of flight time as PIC on a multi-pilot helicopter of the same type.

response Noted

comment 350

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1005.TRE TRE — Privileges and conditions

(a) TRE(A) and TRE(PL). The privileges of a TRE for aeroplanes or powered-lift aircraft are to conduct:

(1) skill tests for the initial issue of **and proficiency checks for revalidation or renewal of a multi-pilot** type ratings **including the associated IR if applicable** for aeroplanes or powered-lift aircraft, as applicable;

(2) proficiency checks for revalidation or renewal of **SP** type ratings, **revalidation of** EIRs and IRs;

(3) renewal of EIRs and IRs, provided that the TRE complies with the requirements in FCL.1010.IRE (a)(2) for the aeroplane or powered-lift aircraft as applicable;



~~(34)~~ skill tests for ATPL(A) issue;

(45) skill tests for MPL issue, provided that the examiner has complied with the requirements in FCL.925;

~~(56)~~ assessments of competence for the issue, revalidation or renewal of a TRI or SFI **aeroplane or powered- lift aircraft** certificate **in the as applicable aircraft category**, provided that the examiner **has completed at least 3 years as a TRE has been assessed in accordance with FCL.1020 as competent to conduct such assessments.**

(b) TRE(H). The privileges of a TRE(H) are to conduct:

(1) skill tests and proficiency checks for the issue, revalidation or renewal of helicopter type ratings **and associated IRs, as applicable;**

~~(1) skill tests for the initial issue of type ratings for aeroplanes or powered- lift aircraft, as applicable;~~

(2) proficiency checks for the revalidation ~~or renewal~~ of IRs, or for the extension of the IR(H) from single-engine helicopters to multi-engine helicopters;

(3) renewal of IRs, provided the TRE(H) complies with the requirements in FCL.1010.IRE(b)(2);

~~(34)~~ skill tests for ATPL(H) issue;

~~(45)~~ assessments of competence for the issue, revalidation or renewal of a TRI(H) or SFI(H) certificate, provided that the examiner has completed at least 3 years as a TRE(H), **and has been assessed in accordance with FCL.1020 as competent to conduct such assessments.**

response Noted

comment 356

comment by: *Ryanair ATO*

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1010.TRE TRE — Prerequisites

(a) TRE(A) and TRE(PL). Applicants for a TRE certificate for aeroplanes and powered-lift aircraft shall:

(1) ~~in the case of for~~ multi-pilot aeroplanes or powered-lift aircraft, have completed 1 500 hours of flight time as a pilot of multi-pilot aeroplanes or powered-lift aircraft, as applicable, of which at least 500 hours shall be as PIC;

(2) ~~in the case of for~~ single-pilot high performance complex aeroplanes, have completed 500 hours of flight time as a pilot of single-pilot aeroplanes, of which at least 200 hours shall be



as PIC;

(3) hold a CPL or ATPL and a TRI certificate for the applicable type;

(4) for the initial issue of an TRE certificate, have completed at least 50 hours **or 3 years** of flight instruction as a TRI, FI or SFI in the applicable type or an FSTD representing that type.

(b) TRE(H). Applicants for a TRE (H) certificate for helicopters shall:

(1) hold a TRI(H) certificate ~~or, in the case of **for single-pilot single-engine and multi-engine helicopters**, a valid FI(H) certificate, for the applicable type;~~

(2) for the initial issue of a TRE(H) certificate, have completed 50 hours **or 3 years** of flight instruction as a TRI(H), FI(H) or SFI(H) in the applicable type or an FSTD representing that type;

(3) ~~in the case of **for**~~ multi-pilot helicopters, hold a CPL(H) or ATPL(H) and have completed 1 500 hours of flight as a pilot on multi-pilot helicopters, of which at least 500 hours shall be as PIC;

(4) ~~in the case of **for**~~ single-pilot multi-engine helicopters:

(i) have completed 1 000 hours of flight as pilot on helicopters, of which at least 500 hours shall be as PIC;

(ii) hold a CPL(H) or ATPL(H) and, when applicable, a valid IR(H);

(5) ~~in the case of **for**~~ single-pilot single-engine helicopters:

(i) have completed 750 hours of flight as a pilot on helicopters, of which at least 500 hours shall be as PIC;

(ii) hold a CPL(H) or ATPL(H).

(6) Before the privileges of a TRE(H) are extended from single-pilot multi-engine to multi-pilot multi-engine privileges on the same type of helicopter, the holder shall have at least 100 hours in multi-pilot operations on ~~this~~ **that same** type.

(7) ~~In the case of **For**~~ applicants for the first multi-pilot multi-engine TRE(H) certificate, the 1 500 hours of flight experience on multi-pilot helicopters required in (b)(3) may be considered to have been met if they have completed the 500 hours of flight time as PIC on a multi-pilot helicopter of the same type.

response Noted

comment 685

comment by: UK CAA

Page No: 106

Paragraph No: FCL.1005.TRE (a)(5)



Comment: It is recommended that this paragraph should be changed to make clear that it is instructional competence that is being assessed and that the TRE needs training to perform those assessments.

Justification: For single pilot aeroplanes, FIs are tested by FIEs on their ability to instruct; they are not tested by FEs. TREs are not trained to assess the abilities of instructors - it is just assumed that they are competent to do so after a few years as examiners.

Proposed Text: Amend sub-paragraph (a)(5) to read:

“(5) assessments of competence....., provided that the examiner has completed at least 3 years as a TRE(A) and has undergone specific training for the assessment of instructional competence in accordance with FCL.920 and FCL.935.”

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL]
— SUBPART K: EXAMINERS, SECTION 4: SPECIFIC REQUIREMENTS FOR THE CLASS RATING p. 107-108
EXAMINER — CRE

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment 55 comment by: IAOPA (EUROPE)
 (Comment deleted following release of Regulation (EU) 2015/445).

response Noted

comment 78 comment by: FlightSafety International - Deputy Head of Training
CREs to be granted CRI(A)-only AoC privileges
 FlightSafety International's Cessna Caravan Program is Single Pilot class but not an SPHPCA. Training on the Cessna Caravan is conducted by CRIs. The conduct of a CRI AoC requires an FIE; we don't have any... but we do have a number of highly experienced and diligent CREs.
Proposal: CREs to be granted CRI(A)-only AoC privileges.

response Noted

comment 230 comment by: DGAC France
Subject:
Prerequisites for CRE privileges to revalidate an IR(A) rating (FCL.1005.CRE (b) (2))
Content of comment:
 1) To conduct proficiency check for the revalidation and renewal of an IR(A), FCL.1005.CRE (b) (2) requires a CRE to comply with FCL.1010.IRE (a).
 It means that a CRE has:
 § to hold an IRI(A) of FI(A) with privileges to instruct for IR(A) (with the proposed



amendment); and
 § to have 2000 hours of flight time as a pilot of aeroplanes; and
 § to have 450 hours of flight time under IFR, of which 250 hours shall be as an instructor.
 First of all France fully supports the proposed amendment introduced in FCL.1010.IRE (a) (inclusion of FI with the privilege to instruct for IR).
 Nevertheless at the same time France considers that the prerequisites to allow a CRE to conduct proficiency check for IR(A) revalidation should be soften. As a matter of fact the 2000 hours as pilot on aeroplanes and the 250 hours as an instructor under IFR are too demanding for some operators and their CRE.
 For some operators the non compliance with this prerequisite will have a critical operational impact on their operations (scheduling disruptions, training programming...). Their CRE will not be in a position to perform IR(A) revalidations to the benefit of operator's pilots.
 In addition France believes that this requirement will be a major hurdle for new candidate to apply for a CRE(A) and as consequence it will jeopardize the activities of companies operating non HPA single pilot aeroplanes.
 Moreover it should be noted that compared to JAR FCL 1, FCL.1010.CRE as extended the scope of the CRE privileges by adding the possibility to conduct proficiency checks for renewal of IR(A) rating. This extension is justified by the fact that a CRE is now required to comply with IRE(A) prerequisites (FCL.1010.IRE (a)).
 In JAR.FCL1 (amendment 7) and more accurately JAR.FCL 1.445 (b), CRE(A) were not required to comply with IRE(A) prerequisites and their privileges were limited to revalidation of IR(A) rating.
 Consequently, France believes that the CRE prerequisites should be reviewed in order to soften FCL.1005.CRE (b) (2). It should be possible to issue to candidates, who cannot comply with the full 2000h total experience and the 250h experience of instruction under IFR, a CRE(A) certificate limited in terms of IR(A) to the privileges to performing only proficiency checks for revalidation of IR(A).
 In particular the experience of 250h experience of IR instruction should only be required for CRE(A) who are seeking full CRE(A) privileges and in particular the possibility to perform proficiency checks for IR(A) renewal.
 This amendment will have the only effect to restore JAR FCL 1 requirements that raised no safety concerns in the past.
 2) In addition to the proposed amendment for IR privileges attached to the CRE and for consistency France proposes also an amendment for EIR privileges attached to the CRE.

Proposed amendment:

FCL.1005.CRE CRE — Privileges

The privileges of a CRE are to conduct, for single-pilot aeroplanes, except for single-pilot high performance complex aeroplanes:

(a) skill tests for the issue of class and type ratings;

(b) proficiency checks for:

(1) revalidation or renewal of class and type ratings;

(2)

(i) revalidation of IRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and has completed at least 450 hours of flight time under IFR;

(ii) renewal of IRs, provided that the CRE complies with the requirements in FCL.1010.IRE(a);

(3)

(i) revalidation of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and has completed at least 450 hours of flight time under IFR;



	<i>(ii) renewal of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and complies with the requirements in FCL.1010.IRE(a)(2);</i>
response	Noted
comment	<p>231 comment by: DGAC France</p> <p>Subject: Prerequisites for issuance of a CRE certificate (FCL.1010.CRE (b))</p> <p>Content of comment: France fully supports the amendment proposed that offers a more pragmatic approach for the industry.</p>
response	Noted
comment	<p>326 comment by: Irish Aviation Authority</p> <p>The following wording is proposed:</p> <p>FCL.1005.CRE CRE — Privileges</p> <p>The privileges of a CRE are to conduct, for single-pilot aeroplanes, except for single-pilot high performance complex aeroplanes:</p> <p>(a) skill tests for the issue of class and type ratings;</p> <p>(b) proficiency checks for:</p> <p>(1) revalidation or renewal of class and type ratings;</p> <p>(2) revalidation and renewal of IRs and EIRs; provided that the CRE complies with the requirements in</p> <p>(5) proficiency checks for</p> <p>(i) the revalidation and of IRs provided that the CRE complies with the requirements in FCL.1010.IRE(a)(1) and has completed at least 450hrs as PIC under IR;</p> <p>(ii) The renewal of IRs provided that the CRE complies with the requirements in FCL.1010.IRE(a)</p> <p>(iii) Revalidation of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and has completed at least 450 hours of flight time under IFR;</p> <p>(iv) renewal of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes, and complies with the requirements in FCL.1010.IRE(a)(2).</p> <p>(3) revalidation and renewal of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and complies with the requirements in FCL.1010.IRE(a)(2).</p>
response	Noted



comment	<p>327 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.1010.CRE CRE — Prerequisites</p> <p>Applicants for a CRE certificate shall:</p> <p>(a) hold a CPL(A), MPL(A) or ATPL(A) with single-pilot privileges or have held it and hold a PPL(A);</p> <p>(b) hold a CRI or FI certificate for the applicable class or type;</p> <p>(c) have completed 500 hours of flight time as a pilot on aeroplanes.</p>
response	Noted
comment	<p>328 comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.1025.CRE CRE Revalidation and renewal</p> <p><i>(a) Revalidation: When the examiner holds privileges to conduct tests, checks or assessments for more than one class within an aircraft category, revalidation of examiner privileges for all classes within that category may be achieved when the applicant complies with the requirements of FCL.1025(b) (2) and (3) for one of the aircraft classes within that category.</i></p> <p><i>(b) Renewal: When the examiner seeks to renew privileges to conduct tests, checks or assessments for more than one class within an aircraft category, the requirements of FCL.1025(b) (2) and (3) shall be completed for each class within that category.</i></p>
response	Noted
comment	<p>357 comment by: <i>Ryanair ATO</i></p> <p>The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.</p> <p>Recommended Text changes:</p> <p>FCL.1005.CRE CRE — Privileges</p> <p>The privileges of a CRE are to conduct, for single-pilot aeroplanes, except for single-pilot high performance complex aeroplanes:</p> <p>(a) skill tests for the issue of class and type ratings;</p> <p>(b) proficiency checks for:</p>

- (1) revalidation or renewal of class and type ratings;
- (2) revalidation and renewal of IRs ~~and EIRs; provided that the CRE complies with the requirements in~~
~~(5) proficiency checks for~~
- (i) the revalidation ~~and~~ of IRs provided that the CRE complies with the requirements in FCL.1010.IRE(a)(1) and has completed at least 450hrs as PIC under IR;
- (ii) The renewal of IRs provided that the CRE complies with the requirements in FCL.1010.IRE(a)
- (iii) Revalidation of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and has completed at least 450 hours of flight time under IFR;
- (iv) renewal of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes, ~~and complies with the requirements in FCL.1010.IRE(a)(2).~~
- ~~(3) revalidation and renewal of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and complies with the requirements in FCL.1010.IRE(a)(2).~~

response Noted

comment 358

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1010.CRE CRE — Prerequisites

Applicants for a CRE certificate shall:

- (a) hold a CPL(A), MPL(A) or ATPL(A) with single-pilot privileges or have held it and hold a PPL(A);
- (b) hold a CRI ~~or FI~~ certificate for the applicable class or type;
- (c) have completed 500 hours of flight time as a pilot on aeroplanes.

FCL.1025.CRE CRE Revalidation and renewal

(a) *Revalidation*: When the examiner holds privileges to conduct tests, checks or assessments for more than one class within an aircraft category, revalidation of examiner privileges for all classes within that category may be achieved when the applicant complies with the requirements of FCL.1025(b) (2) and (3) for one of the aircraft classes within that category.

(b) *Renewal*: When the examiner seeks to renew privileges to conduct tests, checks or



assessments for more than one class within an aircraft category, the requirements of FCL.1025(b) (2) and (3) shall be completed for each class within that category.

response Noted

comment 545

comment by: FOCA Switzerland

Annex I Part FCL

FCL.1005.CRE (b)(2) and (3)

Subject:

Prerequisites for CRE privileges to revalidate an IR(A) rating

1) To conduct proficiency check for the revalidation and renewal of an IR(A), FCL.1005.CRE (b)(2) requires a CRE to comply with FCL.1010.IRE (a).

It means that a CRE has:

- . to hold an IRI(A) of FI(A) with privileges to instruct for IR(A) (with the proposed amendment); and
- . to have 2000 hrs of flight time as a pilot of aeroplanes; and
- . to have 450 hrs of flight time under IFR, of which 250 hours shall be as an instructor

Nevertheless at the same time FOCA considers that the prerequisites to allow a CRE to conduct proficiency check for IR(A) revalidation should be softened. As a matter of fact the 2000 hours

as pilot on aeroplanes and the 250 hours as an instructor under IFR are too demanding for some operators and their CRE.

For some operators the non compliance with this prerequisite will have a critical operational impact on their operations (scheduling disruptions, training programming...). Their CRE will not be in a position to perform IR(A) revalidations to the benefit of operator's pilots.

In addition FOCA believes that this requirement will be a major hurdle for new candidate to apply for a CRE(A) and as consequence it will jeopardize the activities of companies operating non HPA single pilot aeroplanes.

Moreover it should be noted that compared to JAR FCL 1, FCL.1010.CRE as extended the scope of the CRE privileges by adding the possibility to conduct proficiency checks for renewal of IR(A) rating. This extension is justified by the fact that a CRE is now required to comply with IRE(A) prerequisites (FCL.1010.IRE. (a)).

In JAR.FCL1 (amendment 7) and more accurately JAR.FCL 1.445 (b), CRE(A) were not required to comply with IRE(A) prerequisites and their privileges were limited to revalidation of IR(A) rating.

Consequently, FOCA believes that the CRE prerequisites should be reviewed in order to soften FCL.1005.CRE (b) (2).

It should be possible to issue to candidates, who cannot comply with the full 2000h total experience and the 250h experience of instruction under IFR, a CRE(A) certificate limited in terms of IR(A) to the privileges to performing only proficiency checks for revalidation of IR(A).

In particular the experience of 250h experience of IR instruction should only be required for CRE(A) who are seeking full CRE(A)

privileges and in particular the possibility to perform proficiency checks for IR(A) renewal.

This amendment will have the only effect to restore JAR FCL 1 requirements that



raised no safety concerns in the past.
 2) In addition to the proposed amendment for IR privileges attached to the CRE and for consistency FOCA proposes also an amendment for EIR privileges attached to the CRE.

Proposal

FCL.1005.CRE CRE — Privileges

The privileges of a CRE are to conduct, for single-pilot aeroplanes, except for single-pilot high performance complex aeroplanes:

- (a) skill tests for the issue of class and type ratings;
- (b) proficiency checks for:
 - (1) revalidation or renewal of class and type ratings;

(2)

(i) revalidation of IRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and has completed at least 450 hours of flight time under IFR;

(ii) renewal of IRs, provided that the CRE complies with the requirements in FCL.1010.IRE(a);

(3)

(i) revalidation of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and has completed at least 450 hours of flight time under IFR;

(ii) renewal of EIRs, provided that the CRE has completed at least 1 500 hours as a pilot on aeroplanes and complies with the requirements in FCL.1010.IRE(a)(2);

response

Noted

comment

547

comment by: *FOCA Switzerland*

**Annex I Part FCL
 FCL.1010.CRE (b)**

Subject:

Prerequisites for CRE certificate

FOCA fully supports the amendment proposed that offers a more pragmatic approach for the industry

response

Noted

comment

552

comment by: *Matthias Klein*

It is not clear, why a CRE requires a CPL(A) or higher licence. Usually, an Flight Examiner rating requires a Flight Instructor rating and appropriate experience. According to FCL.1010 FE, an applicant for an FE certificate shall hold: an FI certificate in the appropriate aircraft category. For the FI no CPL is required - only theoretical knowledge on CPL level (FCL.915.FI b)) is required. Why shall a CRI without CPL but appropriate experience and theoretical knowledge on CPL level, i. e. a FI not become CRE? To become an FE is open to FI without

response	<p>CPL but theoretical knowledge on CPL level (FCL.1010.FE) - but a CRE not? The CRE rights are included in the FE - so there is no reason to proceed in this manner. Just open the CRE for CRIs and FIs with appropriate experience. That's it.</p> <p>Noted</p>
comment	<p>703 comment by: <i>Icelandic Transport Authority</i></p> <p>Attachments #9 #10</p> <p>FCL.1005.CRE (b)(2)</p> <p>There is an operator in Iceland that uses DHC6 in commercial air transport operations. The aircraft are operated in multi-pilot operations in accordance with approved SOPs.</p> <p>According to JAR-FCL, training and testing for the DHC6 could be done by persons holding CRI/CRE privileges. The privileges also allowed the CREs to revalidate and renew the instrument rating. The Icelandic Civil Aviation Administration (Now the Icelandic Transport Authority) issued those privileges as type specific, i.e. the CRI and CRE privileges were issued specifically for the DHC6.</p> <p>The type rating course was initially conducted by the operator in question and instructor courses for the a/c were conducted jointly by the operator and a FTO. MCC or relevant multi crew experience was required as if dealing with multi-pilot aeroplanes.</p> <p>After the implementation of the Aircrew Regulation the above mentioned arrangement was no longer possible and for that reason the Icelandic Transport Authority (ICETRA) issued an article 14.4 exemption due to urgent operational circumstances for the operator in question. The exemption extended to both CRIs and CREs conducting training and checking on DHC6 for the operator in question.</p> <p>According to the NPA the privileges of the CRI may be extended to provide flight instruction for single-pilot <u>non</u>-high performance complex aeroplanes in multi pilot operations so that partly addresses the problem. However the requirements for the CRE to be able to conduct proficiency checks for revalidation or renewal of the IR remain unchanged, i.e. to be able to renew or revalidate the IR along with the type rating the examiner needs to fulfil the requirements of FCL.1010.IRE(a)</p> <p>In the view of ICETRA this requirement is too onerous for operators that are operating single pilot <u>non</u>-high performance complex aeroplanes in multi pilot operations. As the rules stand today to be able to revalidate or renew an IR along with a DHC6 type rating the CRE has to fulfil the prerequisites for the issue of an IRE(A) certificate (2000 hours as pilot of aeroplanes and 450 hours of flight time under IFR of which 250 shall be as an instructor). In contrast, for a TRE(A) certificate for single pilot high performance complex aeroplanes there is no comparable requirement. CRIs/CREs conducting training and checking on the DHC6 usually do not have the experience required by FCL.1010.IRE(A). They normally have experience in multi pilot operations similar to many TRIs/TREs that are conducting training and checking on MPAs or single pilot high performance complex aeroplanes.</p> <p>In ICETRA's view it is illogical to apply stricter requirements for persons doing training and checking in multi-pilot operations on single-pilot <u>non</u>-high performance complex aeroplanes compared to single-pilot high performance complex aeroplanes. The experience</p>

requirements for a CREs and TREs for single pilot aeroplanes are similar and the courses are structured in a similar way. In ICETRA's view there should be a provision in the regulation to allow CREs involved in this kind of operation to revalidate and/or renew the instrument rating along with the type rating without having to fulfil the onerous requirements of FCL.1010.IRE(a).

In light of the above ICETRA suggests that the requirements to renew or revalidate the IR in case of CREs for single pilot non-high performance complex aeroplanes used in multi pilot operations are aligned with those for TREs for single pilot high performance complex aeroplanes used in multi pilot operations. Alternatively ICETRA suggests that the privileges of TRIs/TREs are extended to single pilot non-high performance complex aeroplanes used in multi pilot operations. That could also be a solution to the current problem.

Should the problem remain unsolved it could lead to the bizarre situation where pilots involved in multi pilot operations on the DHC6 where proficiency checks are done in a FFS will need to revalidate their IR with an examiner in a MEP aeroplane. ICETRA does not see that as an improvement in aviation safety.

For further clarification documents regarding ICETRA's Article 14.4 exemption on the matter are attached. Reference is also made to prior communication between ICETRA and the Agency on the matter.

response Noted

comment 748

comment by: *Light Aircraft Association*

This amendment of FCL.1010.CRE(b) is fully supported as this will assist in removing the administrative burden on General Aviation.

response Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART K: EXAMINERS, SECTION 5: SPECIFIC REQUIREMENTS FOR THE INSTRUMENT RATING EXAMINER — IRE p. 108

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment 56

comment by: *IAOPA (EUROPE)*

Observation	Proposed new text
IRE prerequisites for the IRE(A) certificate include 'IFR flight time as an instructor' experience. Thus this does not include, for example, instrument flight instruction carried out under VFR, with the student pilot flying by sole reference to instruments.	FCL.1010.IRE IRE — Prerequisites
IAOPA (Europe) recommends that such instrument flight instruction may be counted towards the	(a) IRE(A). Applicants for an IRE certificate for aeroplanes shall hold an IRI(A) or an FI(A) certificate with the privilege to instruct for the IR(A) and have completed:



<p>prerequisites of FCL.1010.IRE and accordingly that paragraph (a) is amended as indicated.</p>	<p>(1) 2000 hours of flight time as a pilot of aeroplanes; and</p> <p>(2) 450 hours of flight time under IFR, of which 250 hours shall be as an instructor;</p> <p>(3) 250 hours of instrument flight instruction on aeroplanes</p>
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response Noted

comment 232 comment by: DGAC France

Subject:
Prerequisites for IRE certificate (FCL.1010.IRE (a) and (b))

Content of comment:
 France fully supports the amendment proposed that offers a more pragmatic approach for the industry.

response Noted

comment 329 comment by: Irish Aviation Authority

The following wording is proposed:

FCL.1005.IRE IRE — Privileges

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

response Noted

comment 331 comment by: Irish Aviation Authority

The following wording is proposed:

FCL.1010.IRE IRE — Prerequisites

(a) IRE(A). Applicants for an IRE certificate for aeroplanes shall hold an IRI(A) or a FI(A) with privileges to instruct for IR(A) and have completed:

(1) 2 000 hours of flight time as a pilot of aeroplanes; and

(2) 450 hours of ~~flight time under IFR~~ instrument flight time on aeroplanes, of which 250 hours shall be as an EIR or IR(A) instructor.



(b) IRE(H). Applicants for an IRE certificate for helicopters shall hold an IRI(H) or a FI(H) with privileges to instruct for IR(H) and have completed:

(1) 2 000 hours of flight time as a pilot on helicopters; and

(2) 300 hours of instrument flight time on helicopters, of which 200 hours shall be as an IR(H) instructor.

(c) IRE(As). Applicants for an IRE certificate for airships shall hold an IRI(As) or a FI(As) with privileges to instruct for IR(As) and have completed:

(1) 500 hours of flight time as a pilot on airships; and

(2) 100 hours of instrument flight time on airships, of which 50 hours shall be as an IRI(As) or a FI(As) instructor.

response Noted

comment 359

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

**Recommended text changes:
FCL.1005.IRE IRE — Privileges**

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

response Noted

comment 360

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

(a) IRE(A). Applicants for an IRE certificate for aeroplanes shall hold an IRI(A) or a FI(A) with privileges to instruct for IR(A) and have completed:

(1) 2 000 hours of flight time as a pilot of aeroplanes; and

(2) 450 hours of ~~flight time under IFR~~ instrument flight time on aeroplanes, of which 250 hours shall be as an EIR or IR(A) instructor.

(b) IRE(H). Applicants for an IRE certificate for helicopters shall hold an IRI(H) or a FI(H) with privileges to instruct for IR(H) and have completed:

(1) 2 000 hours of flight time as a pilot on helicopters; and



(2) 300 hours of instrument flight time on helicopters, of which 200 hours shall be as an **IR(H)** instructor.

(c) IRE(As). Applicants for an IRE certificate for airships shall hold an IRI(As) or a FI(As) with privileges to instruct for IR(As) and have completed:

(1) 500 hours of flight time as a pilot on airships; and

(2) 100 hours of instrument flight time on airships, of which 50 hours shall be as an **IRI(As) or a FI(As) instructor.**

response Noted

comment 548

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.1010.IRE (a) and (b)**

**Subject:
Prerequisites for IRE certificate**

FOCA fully supports the amendment proposed that offers a more pragmatic approach for the industry.

response Noted

comment 749

comment by: Light Aircraft Association

This amendment of FCL.1010.IRE is fully supported as this will assist in removing the administrative burden on General Aviation.

response Noted

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL]
— SUBPART K: EXAMINERS, SECTION 6: SPECIFIC REQUIREMENTS FOR THE SYNTHETIC FLIGHT EXAMINER — SFE** p. 108-109

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment 69

comment by: FlightSafety International - Deputy Head of Training

SFE(H) MP hours experience requirements. Reference: Part FCL.1010 SFE(H) b.(2)
EASA Part FCL.1010.SFE SFE - Prerequisites (b) SFE(H) (2) requires all SFE(H) applicants to have 1000hrs MPH experience regardless of whether they are going to exercise their examiner privileges on an MPH or SPH type of helicopter, there is no distinction. Yet EASA Part FCL includes a wholly valid distinction between the experience prerequisites on either MPH or SPH for all TRE(H) candidates, viz,:

EASA Part FCL.1010.TRE TRE - Prerequisites

(b) **TRE(H)**. Applicants for a TRE (H) certificate for helicopters shall:



(4) in the case of **single-pilot multi-engine helicopters**:

(i) have completed 1 000 hours of flight as pilot on helicopters, of which at least 500 hours shall be as PIC;

(ii) hold a CPL(H) or ATPL(H) and, when applicable, a valid IR(H);

(5) in the case of **single-pilot single-engine helicopters**:

(i) have completed 750 hours of flight as a pilot on helicopters, of which at least 500 hours shall be as PIC;

EASA Part FCL.1010.SFE SFE - Prerequisites

(b) **SFE(H)**. Applicants for an SFE certificate for helicopters shall:

(2) have at least 1000 hours of flight time as a pilot on **multi-pilot helicopters**;

EASA Part FCL.1010.SFE SFE - Prerequisites (b) SFE(H) (2) requires all SFE(H) applicants to have 1000hrs MPH experience regardless of whether they are going to exercise their examiner privileges on an MPH or SPH type of helicopter, there is no distinction. Yet EASA Part FCL includes a wholly valid distinction between the experience prerequisites on either MPH or SPH for all TRE(H) candidates as shown above. The effect is to prevent otherwise suitable and highly motivated SFE(H) candidates from becoming SPH examiners purely because their experience has been gained in SPH and they have less than 1000 MPH flying hours. This means that the pool of SFE(H) candidates available for selection and qualification by the ATOs is reduced; the most experienced potential SPH examiners may be unable to deliver training and checking in a branch of the helicopter domain that most needs the highest specialist knowledge (given the historical trend of mishap rates in the SPH community in Europe and worldwide).

The SPH training industry needs a regulatory amendment in order to recruit and maintain its cadre of examiners for an ever-increasing number of SPH programs. Using the EC-135 as an example, training devices in Europe and North America have been established at locations including Grand Prarie TX, Lake Charles LA, Dallas TX (USA), in Poland, Sankt Augustin and Donauworth (Germany) and at Staverton (UK). Other Sikorsky, Eurocopter and Agusta Westland SPH-type training programs have been established with FSTDs across Europe and in North America. EASA Part FCL.1010.SFE SFE - Prerequisites (b) SFE(H) (2) should be amended in order to permit SFE(H) candidates who do not meet the current 1000hrs MPH prerequisites to qualify, thereby enabling the size and SPH-experience levels of the existing SFE(H) cadre to increase.

EASA Part FCL.1010.SFE SFE - Prerequisites (b) SFE(H) (2) should be amended or an AMC adopted in line with the Part FCL prerequisites for TRE(H) i.e.,

in the case of **single-pilot multi-engine helicopters**:

(i) have completed 1000 hours of flight as a pilot on helicopters of which at least 500 hours shall be as PIC;

in the case of **single-pilot single-engine helicopters**:

(i) have completed 750 hours of flight as a pilot on helicopters, of which at least 500 hours shall be as PIC

response Noted

comment 76 comment by: *FlightSafety International - Deputy Head of Training*

FCL.1010.SFE SFE — Prerequisites SFE (A) and SFE(H)



(a) SFE(A) and SFE(PL). Applicants for an SFE certificate for aeroplanes or powered-lift aircraft shall:

(1) hold or have held an ATPL(A), a class or type rating and hold an SFI or TRI certificate with simulator privileges for the applicable type of aircraft;

(b) SFE(H). Applicants for an SFE certificate for helicopters shall:

(1) hold or have held an ATPL(A), a class or type rating and hold an SFI or TRI certificate with simulator privileges for the applicable type of helicopter...

Comment: For both SFE(A) and SFE(H), an SFE cannot have held an ATPL(A)/(H) and hold a TRI certificate, one must hold a licence to hold a TRI certificate (it's listed in the Licence ratings section).

response Noted

comment 77 comment by: *FlightSafety International - Deputy Head of Training*

A. SFE(A) flight time prerequisites for SPHPCA

An anomaly exists in Part FCL.1010. The pre-requisites for a TRE for SPHPCA stipulates 500 hours as pilot of SPA including 200 hours as PIC. However, the requirements for an SFE specify having at least 1500hrs of flight time as a pilot on MPA. The Article 14-6 derogation to allow suitably qualified SFEs to conduct skill tests on SPHPCA should also have specified an additional element to remove the anomalous SFE(A) requirement for SPHPCA for 1500hrs of flight time as a pilot on MPA. SFE(A) flight time requirements should be the same as TRE(A) i.e., 500 hours as pilot of SPA including 200 hours as PIC (see FCL.1010.TRE TRE- Prerequisites (a) (2)). This regulation prevents suitably experienced SPHPCA SFE(A) candidates from meeting the qualification criteria because they do not have sufficient MPA flight hours, yet a TRE(A) can qualify.

Proposal: SFE(A) for SPHPCA flight time requirements should be the same as TRE(A).

response Noted

comment 82 comment by: *FlightSafety International - Deputy Head of Training*

FCL.1005.SFE (a)(2) – an extant Article 14(6) EC Derogation allows SFEs to conduct proficiency checks for revalidation and renewal of the type-specific IR without having complied with the requirements applicable to an Instrument Rating Examiner (IRE), which includes the requirement to hold an Instrument Rating Instructor (IRI) certificate, but may not examine for the initial issue of any instrument rating, or for the revalidation or renewal of an instrument rating that is not associated with a revalidation or renewal of a type rating. This derogation should be incorporated into Part FCL

response Noted

comment 83 comment by: *FlightSafety International - Deputy Head of Training*

FCL.1005.SFE – An extant EC Derogation allows the SFE not only to conduct tests in the case of the initial issue of the SFI certificate but extends SFE privileges to allowing the SFE to test the SFI for additional types. In accordance with FCL.910.SFI(b) the privileges of the SFI may



be extended to other FSTDs representing further types of the same of the same category of aircraft when the holder has:

- satisfactorily completed the simulator content of the relevant type rating course; and
- conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of an SFI on the applicable type under the supervision and to the satisfaction of a TRE or SFE qualified for this purpose.

This Derogation permitting SFEs to examine SFIs for the extension of their instructor privileges to additional types should be incorporated into Part FCL.

response Noted

comment 94 comment by: *FlightSafety International - Deputy Head of Training*

FCL.1010.SFE SFE — Prerequisites

The FCL002 proposed amendments to allow SFE SPHPCA to hold or have held a licence are most strongly supported. However, there is a typographical error in their correction as shown here:

- a) SFE(A). Applicants for an SFE certificate for aeroplanes shall: (1) in the case of multi-pilot aeroplanes: (i) hold or have held an ATPL(A), and a class or type rating for the applicable type of aeroplane; and (ii) hold an SFI(A) certificate for the applicable type of aeroplane; and (iii) have at least 1500 hours of flight time as a pilot on multi-pilot aeroplanes;
- (2) **in the case of single-pilot high performance complex aeroplanes:** (i) hold of have held a CPL(A) or ATPL(A) and a type rating for the applicable class or type of aeroplane; (ii) hold an SFI(A) certificate for the applicable class or type of aeroplane; and (iii) have at least 500 hrs of flight time as a pilot on single-pilot aeroplanes;

hold of have should be corrected to read:... hold OR have

response Noted

comment 146 comment by: *René Meier, Europe Air Sports*

FCL.1010.SFE SFE Prerequisites
p 109/254
(a)(2)(i) and (ii)

Delete the word "class".

Rationale:

In the case of single pilot high performance aircraft the notion "class" is not needed.

response Noted

comment 172 comment by: *FlightSafety International - Deputy Head of Training*

FCL.1005.SFE



FCL.1005.SFE doesn't allow an SFE the privilege to examine on SPHPCA **despite FCL.1010.SFE laying out the prerequisites**. FCL.1005.SFE (a) (1) must be amended to include SFE examining privileges on SPHPCA as well as MPA and PLA. The amendment should read as follows:

FCL.1005.SFE SFE - Privileges and Conditions

a. SFE(A) and SFE (PL). The privileges of an SFE for aeroplanes or powered-lift aircraft are to conduct in an FFS or for the requirements in (5) on the applicable FSTD:

(1) Skill tests and proficiency checks for the issue, revalidation or renewal of type ratings for multi-pilot aeroplanes, single pilot high performance complex aeroplanes or powered-lift aircraft as applicable....

response Noted

comment 233

comment by: *DGAC France*

Subject:

Prerequisites for SFE certificate (FCL.1010.SFE (a) (2) (i))

Content of comment:

The paragraph refers to "the applicable class or type". In the case of single pilot high performance complex aeroplanes, the notion of "class" is not relevant. The word "class" should be deleted.

response Noted

comment 332

comment by: *Irish Aviation Authority*

The following wording is proposed:

FCL.1005.SFE SFE — Privileges and conditions

(a) SFE(A) and SFE(PL). The privileges of an SFE on aeroplanes or powered-lift aircraft are to conduct in an **appropriate FSTD** ~~FFS~~:

(1) skill tests ~~and proficiency checks~~ for the **initial issue of and, proficiency checks for** revalidation or renewal of type ratings, **including the associated IR if applicable**, for multi-pilot aeroplanes or powered-lift aircraft, as applicable;

(2) proficiency checks for revalidation or renewal of **SP type ratings, EIRs or IRs**, provided that the SFE complies with the requirements in FCL.1010.IRE for the **aeroplane or powered-lift aircraft as applicable** ~~aircraft category~~;

(3) skill tests for ATPL(A) issue;

(4) skill tests for MPL issue, provided that the examiner has complied with the requirements in FCL.925;

(5) assessments of competence for the issue, revalidation or renewal of an SFI **or TRI (restricted to simulator only)** certificate in the relevant **aeroplane or powered-lift aircraft as applicable** ~~category~~, provided that the examiner has completed at least **50 hours or 3 years**



as an SFE(A) or SFE(PL) and has been assessed in accordance with FCL.1020 as competent to conduct such assessments.

(b) SFE(H). The privileges of an SFE for helicopters are to conduct in an appropriate FSTD FFS:

(1) skill tests and proficiency checks for the issue, revalidation and renewal of helicopter type ratings and associated IRs, as applicable ; and

(2) proficiency checks for the revalidation and renewal of IRs or for the extension of the IR(H) from single-engine helicopters to multi-engine helicopters;

(3) renewal of IRs, provided that the SFE complies with the requirements in FCL.1010.IRE(b)(2);

(4) skill tests for ATPL(H) issue;

(5) skill tests and proficiency checks assessments of competence for the issue, revalidation or renewal of an SFI(H) or TRI(H)(restricted to simulator only) certificate, provided that the examiner has completed at least 50 hours or 3 years as an SFE(H) and has been assessed in accordance with FCL.1020 as competent to conduct such assessments.

response Noted

comment 333

comment by: Irish Aviation Authority

The following wording is proposed:

FCL.1010.SFE SFE — Prerequisites

(Under Part FCL a pilot holds a licence for life. Therefore, there is a strong argument that even though the pilot may no longer exercise the privileges of their licence, for reasons of age or medical fitness, they still “hold” that licence and that the phraseology here of “hold or have held a (licence)” is redundant and that the SFE will still hold that licence, even if it was issued under JAR.)

(a) SFE(A) and SFE(PL). Applicants for an SFE certificate for aeroplanes or powered-lift aircraft shall:

(1) hold or have held an ATPL(A), a class or type rating and hold an SFI(A) or TRI certificate with simulator privileges for the applicable type of aeroplane aircraft;

(2) have at least 1 500 hours of flight time as a pilot on multi-pilot aeroplanes or powered-lift aircraft as applicable;

(3) for the initial issue of an SFE certificate, have completed at least 50 hours or 3 years of synthetic flight instruction as an SFI(A) or TRI on the applicable type.

(b) SFE(H). Applicants for an SFE certificate for helicopters shall:

(1) hold or have held a CPL(H) or an ATPL(H), a type rating and hold an SFI(H), or TRI(H)



certificate **with simulator privileges**, for the applicable type of helicopter;

(3) for the initial issue of an SFE certificate, have completed at least 50 hours **or 3 years** of ~~synthetic flight instruction~~ as an SFI(H) **or TRI(H)** on the applicable type.

(3) ~~in the case of~~ for single-pilot multi-engine helicopters have completed 1 000 hours of flight as pilot on helicopters, of which at least 500 hours shall have been ~~be~~ as PIC;

(4) ~~in the case of~~ for single-pilot single-engine helicopters have completed 750 hours of flight as a pilot on helicopters, of which at least 500 hours shall have been ~~be~~ as PIC;

(5) Before the privileges of a SFE(H) are extended from single-pilot multi-engine to multi-pilot multi-engine privileges on the same type of helicopter, the holder shall have had at least 100 hours in multi-pilot operations on that same type.

(76) ~~in the case of~~ For applicants for the first multi-pilot multi-engine SFE(H) certificate, the 1 000 hours of flight experience on multi-pilot helicopters required in (b)(3) may be considered to have been met if they ~~have~~ completed ~~the~~ 500 hours of flight time as PIC on a multi-pilot helicopter of the same type.

response Noted

comment 361

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.105.SFE SFE — Privileges and conditions

(a) SFE(A) and SFE(PL). The privileges of an SFE on aeroplanes or powered-lift aircraft are to conduct in an **appropriate FSTD FFS**:

(1) skill tests ~~and proficiency checks~~ for the **initial** issue ~~of and~~, **proficiency checks for revalidation or renewal of type ratings, including the associated IR if applicable**, for multi-pilot aeroplanes or powered-lift aircraft, as applicable;

(2) proficiency checks for revalidation or renewal of **SP type ratings, EIRs or IRs**, provided that the SFE complies with the requirements in FCL.1010.IRE for the **aeroplane or powered-lift aircraft as applicable aircraft category**;

(3) skill tests for ATPL(A) issue;

(4) skill tests for MPL issue, provided that the examiner has complied with the requirements in FCL.925;

(5) assessments of competence for the issue, revalidation or renewal of an SFI **or TRI (restricted to simulator only)** certificate in the relevant **aeroplane or powered-lift aircraft as applicable category**, provided that the examiner has completed at least **50 hours or 3 years** as an SFE **(A) or SFE(PL) and has been assessed in accordance with FCL.1020 as competent to**



conduct such assessments.

(b) SFE(H). The privileges of an SFE for helicopters are to conduct in an appropriate FSTD FFS:

(1) skill tests and proficiency checks for the issue, revalidation and renewal of helicopter type ratings and associated IRs, as applicable ; and

(2) proficiency checks for the revalidation and renewal of IRs or for the extension of the IR(H) from single-engine helicopters to multi-engine helicopters;

(3) renewal of IRs, provided that the SFE complies with the requirements in FCL.1010.IRE(b)(2);

(4) skill tests for ATPL(H) issue;

(5) skill tests and proficiency checks assessments of competence for the issue, revalidation or renewal of an SFI(H) or TRI(H)(restricted to simulator only) certificate, provided that the examiner has completed at least 50 hours or 3 years as an SFE(H) and has been assessed in accordance with FCL.1020 as competent to conduct such assessments.

response Noted

comment 362

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1010.SFE SFE — Prerequisites

Comment: Under Part FCL a pilot holds a licence for life. Therefore, there is a strong argument that even though the pilot may no longer exercise the privileges of their licence, for reasons of age or medical fitness, they still “hold” that licence and that the phraseology here of “hold or have held a (licence)” is redundant and that the SFE will still hold that licence, even if it was issued under JAR.)

(a) SFE(A) and SFE(PL). Applicants for an SFE certificate for aeroplanes or powered-lift aircraft shall:

(1) hold or have held an ATPL(A), a class or type rating and hold an SFI(A) or TRI certificate with simulator privileges for the applicable type of aeroplane aircraft;

(2) have at least 1 500 hours of flight time as a pilot on multi-pilot aeroplanes or powered-lift aircraft as applicable;

(3) for the initial issue of an SFE certificate, have completed at least 50 hours or 3 years of synthetic flight instruction as an SFI(A) or TRI on the applicable type.

(b) SFE(H). Applicants for an SFE certificate for helicopters shall:



(1) hold or have held a CPL(H) or an ATPL(H), a type rating and hold an SFI(H), or TRI(H) certificate with simulator privileges, for the applicable type of helicopter;

(3) for the initial issue of an SFE certificate, have completed at least 50 hours or 3 years of synthetic flight instruction as an SFI(H) or TRI(H) on the applicable type.

(3) in the case of for single-pilot multi-engine helicopters have completed 1 000 hours of flight as pilot on helicopters, of which at least 500 hours shall have been be as PIC;

(4) in the case of for single-pilot single-engine helicopters have completed 750 hours of flight as a pilot on helicopters, of which at least 500 hours shall have been be as PIC;

(5) Before the privileges of a SFE(H) are extended from single-pilot multi-engine to multi-pilot multi-engine privileges on the same type of helicopter, the holder shall have had at least 100 hours in multi-pilot operations on that same type.

(76) In the case of For applicants for the first multi-pilot multi-engine SFE(H) certificate, the 1 000 hours of flight experience on multi-pilot helicopters required in (b)(3) may be considered to have been met if they have completed the 500 hours of flight time as PIC on a multi-pilot helicopter of the same type.

response Noted

comment 470

comment by: DGAC France

Subject:

Prerequisites for SFE certificate extension to conduct assessment of competences for issue, revalidation or renewal of an SFI certificate (FCL.1005.SFE (a) (5))

Content of comment:

For consistency with the proposed amendment in FCL.1005.TRE (a) (5) it should also be added the same requirement for a SFI(A) holder applying for a privilege extension in order to conduct SFI assessment of competence (FCL.935).

“ FCL.1005.TRE

(a)

[...]

(5) assessments of competence for the issue, revalidation or renewal of a TRI or SFI certificate in the applicable aircraft category, provided that the examiner has completed at least 3 years as a TRE(A) and has undergone specific training for the assessment of competence in accordance with FCL.1015(b).”

Proposed amendment:

FCL.1005.SFE

(a)

[...]

(5) assessments of competence for the issue, revalidation or renewal of an SFI certificate in the relevant aircraft category, provided that the examiner has completed at least 3 years as an SFE(A) and has undergone specific training for the assessment of competence in accordance with FCL.1015 (b).



response Noted

comment

549

comment by: FOCA Switzerland

Annex I Part FCL
FCL.1010.SFE (a)(2)(i)

Subject:

Prerequisites for SFE certificate

The paragraph refers to “the applicable class or type”. In the case of single pilot high performance complex aeroplanes, the notion of “class” is not relevant.

The word class should be deleted.

response

Noted

comment

686

comment by: UK CAA

Page No: 108

Paragraph No: FCL.1005.SFE (a)(1)

Comment: The type rating testing privileges should be aligned with those for the TRE. The privileges should include testing/checks for SP HPCA type ratings. The TRE is not restricted to multi-pilot aeroplanes, so the SFE should not be restricted either.

Justification: Consistency with TRE. The SFE already has to meet the SP HPCA prerequisites.

Proposed Text: Replace sub-paragraph (a)(1) with sub-paragraphs (1) and (2) to read:

“(1) skill tests for the initial issue of type ratings for aeroplanes or powered-lift aircraft, as applicable;

(2) proficiency checks for the revalidation or renewal of type ratings for aeroplanes or powered-lift aircraft, as applicable;”

Re-number sub-paragraphs (2) to (5) as (3) to (6).

response

Noted

comment

687

comment by: UK CAA

Page No: 109

Paragraph No: FCL.1010.SFE(2)(i)

Comment: Typing error.

Justification: Clarity.

Proposed Text: “hold of or have held.....”



response	Noted
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3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART K: EXAMINERS, SECTION 7: SPECIFIC REQUIREMENTS FOR THE FLIGHT INSTRUCTOR EXAMINER — FIE	p. 110
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EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt with through Opinion No 05/2017 — stemming from this CRD.

comment	<p>98 comment by: René Meier, Europe Air Sports</p> <p>FCL.1010.FIE FIE Privileges and conditions page 110/253 (d)</p> <p>Please delete (d), integrate the privileges held by FIE(S) in the FE(S) privileges.</p> <p>Rationale: The European gliding community has not identified any need for such an FIE(S) qualification. In this volunteer environment only a minimum of different qualifications should apply in order to keep costs down, to attract youngsters and to safeguard the future of gliding/sailplane operations.</p> <p>Consequently please delete the FIE(S) qualification requirements and integrate those in the one for FE(S).</p>
response	Noted

comment	<p>171 comment by: BGA</p> <p>Gliding, with its volunteer environment, needs the lowest extra costs imposed on it. Training and maintenance of examiners is expensive, so it is vital to appoint the minimum number commensurate with requirements.</p> <p>European gliding has not identified any need for an FIE(S) qualification in addition to FE(S). The needs of instructor examining can be met by FE(S) who holds the extra requirements currently specified for FIE(S). A single pool of examiners can support volunteer pilots and instructors more efficiently, and thus at lower cost, than one that has been needlessly divided into FE & FIE.</p> <p>The regulation (FCL.915.FI (e)) already specifies non examiners for a specific instructor Assessment of Competence: the extension of FI(S) privileges to TMG requires an AoC with an FI qualified in accordance with FCL.905.FI(i).</p> <p>Including instructor assessments in the privileges of FE(S), provided they hold the experience currently required by FCL.1010.FIE, would enable the FIE(S) to be discarded entirely, thus reducing the administrative burden of an un-needed qualification and demonstrating the Agency's commitment to reducing the burden on GA.</p> <p><u>Recommendation</u> FCL.1005.FE FE – Privileges and conditions should have a further clause (4) added to (d): (d) FE(S). The privileges of an FE for sailplanes are to conduct:</p>
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	<p>.....</p> <p>(4) Assessments of competence for the issue, revalidation or renewal of instructor certificates for sailplanes, provided that the relevant instructor certificate is held and the examiner has completed 500 hours of flight time as a pilot on sailplanes or powered sailplanes and;</p> <p>(i) for applicants wishing to conduct assessments of competence on TMGs, 10 hours or 30 take-offs instructing applicants for an instructor certificate in TMGs;</p> <p>(ii) in all other cases, 10 hours or 30 launches instructing applicants for an instructor certificate.</p> <p>FCL.1010.FIE FIE – Prerequisites clause (d) should be deleted</p>
response	Noted
comment	<p>248 comment by: <i>European Gliding Union</i></p> <p><u>EGU Comment</u></p> <p><u>FIE(S)</u></p> <p>Gliding, with its volunteer environment, needs the lowest extra costs imposed on it. Training and maintenance of examiners is expensive, so it is vital to appoint the minimum number commensurate with requirements.</p> <p>European gliding has not identified any need for an FIE(S) qualification in addition to FE(S).</p> <p>The regulation (FCL.915.FI (e)) already specifies non examiners for a specific instructor Assessment of Competence: <i>the extension of FI(S) privileges to TMG requires an AoC with an FI qualified in accordance with FCL.905.FI(i).</i></p> <p>The largest gliding Member State - largest by far - has many years of evidence showing that sailplane instruction can be safe and effective without any formal revalidation testing of sailplane instructors whatsoever. The imposition of the FIE(S) Certificate adds significant costs to this volunteer activity without any proven benefit.</p> <p>If examiners are indeed to be imposed for instructor examining, this can be met by FE(S) who holds the extra requirements currently specified for FIE(S). A single pool of examiners can support volunteer pilots and instructors more efficiently, and thus at lower cost, than one that has been needlessly divided into FE & FIE.</p> <p>An alternative is readily available: including instructor assessments within the privileges of FE(S), provided they hold the experience currently required by FCL.1010.FIE, would enable the FIE(S) to be discarded entirely, thus reducing the administrative burden of an un-needed qualification and demonstrating the Agency's commitment to reducing the burden on GA.</p> <p><u>Recommendation</u></p> <p>FCL.1005.FE FE – Privileges and conditions should have a further clause (4) added to (d): (d) FE(S). The privileges of an FE for sailplanes are to conduct:</p> <p>.....</p> <p>(4) Assessments of competence for the issue, revalidation or renewal of instructor certificates for sailplanes, provided that the relevant instructor certificate is held and the examiner has completed 500 hours of flight time as a pilot on sailplanes or powered</p>

	<p>sailplanes and;</p> <p>(i) for applicants wishing to conduct assessments of competence on TMGs, 10 hours or 30 take-offs instructing applicants for an instructor certificate in TMGs;</p> <p>(ii) in all other cases, 10 hours or 30 launches instructing applicants for an instructor certificate.</p> <p>FCL.1010.FIE FIE – Prerequisites clause (d) should be deleted</p>
response	Noted

comment	<p>334</p> <p>comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.1005.FIE FIE — Privileges and conditions</p> <p>Provided that the relevant instructor certificate is held the privileges of an FIE are to conduct:</p> <p>(a) FIE(A), The privileges of an FIE on aeroplanes, are to conduct assessments of competence for the issue, revalidation or renewal of certificates for FI(A), CRI(A), IRI(A) and TRI(A) on single-pilot aeroplanes, provided that the relevant instructor certificate is held.</p> <p>(b) FIE(H), The privileges of an FIE on helicopters, are to conduct assessments of competence for the issue, revalidation or renewal of certificates for FI(H), IRI(H) and TRI(H) on single-pilot helicopters, provided that the relevant instructor certificate is held.</p> <p>(c) FIE(As), (S), (B), The privileges of an FIE on sailplanes, powered sailplanes, balloons and airships, are to conduct assessments of competence for the issue, revalidation or renewal of instructor certificates on the applicable aircraft category, provided that the relevant instructor certificate is held.</p>
response	Noted

comment	<p>335</p> <p>comment by: <i>Irish Aviation Authority</i></p> <p>The following wording is proposed:</p> <p>FCL.1010.FIE FIE — Prerequisites</p> <p>(a) FIE(A). Applicants for an FIE certificate for aeroplanes shall:</p> <p>in case of applicants wishing to conduct assessments of competence:</p> <p>(a) for FIE(A):</p> <p>(1) hold the relevant instructor certificate, as applicable;</p>
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~~(2)~~ have completed 2 000 hours of flight time as a pilot on aeroplanes or TMGs; and

~~(3)~~ have at least 3 years' experience instructing for FI or 100 hours of flight time instructing applicants for an instructor certificate.

(b) for FIE(H). Applicants for an FIE certificate for helicopters shall:

(1) hold the relevant instructor certificate, as applicable;

~~(2)~~ have completed 2 000 hours of flight time as pilot on helicopters; and

~~(3)~~ have at least 3 years' experience instructing for FI or 100 hours of flight time instructing applicants for an instructor certificate.

(c) for FIE(As). Applicants for an FIE certificate for airships shall:

(1) have completed 500 hours of flight time as a pilot on airships; and

(2) have at least 20 hours of flight time instructing applicants for an FI(As) certificate;

~~(3)~~ hold the relevant instructor certificate.

(d) for FIE(S). Applicants for an FIE certificate for sailplanes shall:

(1) hold the relevant instructor certificate;

~~(2)~~ have completed 500 hours of flight time as a pilot on sailplanes or powered sailplanes; and

~~(3)~~ have completed:

(i) for applicants wishing to conduct assessments of competence on TMGs, have completed 10 hours or 30 take-offs instructing applicants for an instructor certificate in TMGs;

(ii) in for all other cases applicants, have completed 10 hours or 30 launches instructing applicants for an instructor certificate.

(e) for FIE(B). Applicants for an FIE certificate for balloons shall:

(1) hold the relevant instructor certificate;

~~(2)~~ have completed 350 hours of flight time as a pilot on balloons; and

~~(3)~~ have completed 10 hours instructing applicants for an instructor certificate.

response Noted

comment 363

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the



Forum.

Recommended text changes:

FCL.1005.FIE FIE — Privileges and conditions

Provided that the relevant instructor certificate is held the privileges of an FIE are to conduct:

(a) FIE(A), ~~The privileges of an FIE on aeroplanes, are to conduct~~ assessments of competence for the issue, revalidation or renewal of certificates for FI(A), CRI(A), IRI(A) and TRI(A) on single-pilot aeroplanes, ~~provided that the relevant instructor certificate is held.~~

(b) FIE(H), ~~The privileges of an FIE on helicopters, are to conduct~~ assessments of competence for the issue, revalidation or renewal of certificates for FI(H), IRI(H) and TRI(H) on single-pilot helicopters, ~~provided that the relevant instructor certificate is held.~~

(c) FIE(As), (S), (B), ~~The privileges of an FIE on sailplanes, powered sailplanes, balloons and airships, are to conduct~~ assessments of competence for the issue, revalidation or renewal of instructor certificates on the applicable aircraft category, ~~provided that the relevant instructor certificate is held.~~

response Noted

comment 364

comment by: Ryanair ATO

The submitted text represents the agreed position of the FCL-Implementation Forum Working Subgroup 001 (Subparts J & K) and has been recommended to the Chairman of the Forum.

Recommended text changes:

FCL.1010.FIE FIE — Prerequisites

~~(a) FIE(A).~~ Applicants for an FIE certificate for aeroplanes shall:

~~in case of applicants wishing to conduct assessments of competence:~~

(a) for FIE(A):

(1) ~~hold the relevant instructor certificate, as applicable;~~

~~(2) have completed 2 000 hours of flight time as a pilot on aeroplanes or TMGs; and~~

~~(3) have at least 3 years' experience instructing for FI or~~ 100 hours of flight time instructing applicants for an instructor certificate.

(b) ~~for FIE(H).~~ Applicants for an FIE certificate for helicopters shall:

(1) ~~hold the relevant instructor certificate, as applicable;~~

~~(2) have completed 2 000 hours of flight time as pilot on helicopters; and~~

~~(3) have at least 3 years' experience~~ **instructing for FI** or 100 hours of flight time instructing applicants for an instructor certificate.



(c) ~~for~~ FIE(As). Applicants for an FIE certificate for airships shall:

- (1) have completed 500 hours of flight time as a pilot on airships; ~~and~~
- (2) have at least 20 hours of flight time instructing applicants for an FI(As) certificate;
- ~~(3) hold the relevant instructor certificate.~~

(d) ~~for~~ FIE(S). Applicants for an FIE certificate for sailplanes shall:

- (1) ~~hold the relevant instructor certificate;~~
- ~~(2)~~ have completed 500 hours of flight time as a pilot on sailplanes or powered sailplanes; ~~and~~
- ~~(3) have completed:~~

- (i) for applicants wishing to conduct assessments of competence on TMGs, ~~have completed~~ 10 hours or 30 take-offs instructing applicants for an instructor certificate in TMGs;
- ~~(ii)~~ ~~in for~~ all other cases applicants, ~~have completed~~ 10 hours or 30 launches instructing applicants for an instructor certificate.

(e) ~~for~~ FIE(B). Applicants for an FIE certificate for balloons shall:

- (1) ~~hold the relevant instructor certificate;~~
- ~~(2)~~ have completed 350 hours of flight time as a pilot on balloons; ~~and~~
- ~~(3)~~ have completed 10 hours instructing applicants for an instructor certificate.

response Noted

comment 801 comment by: *Deutscher Aero Club (DAeC)*

FCL.1010.FIE-Prerequisites

Proposed Change:
Delete the requirements to have flight time instructing applicants for an instructor certificate in clauses (a)(3); (b)(3); (c)(2);(d)(3); (e)(3)

Rationale: Under national legislation, no such prerequisite existed for FIE provided by the national authorities. These FIE, in some cases, never instructed applicants for instructor certificates. The competences to assess applicants for instructor certificates were shown by alternative measures. The proven and safe system show that such distinct and stringent rule is not appropriate.

response Noted

comment 806 comment by: *The Finnish Aeronautical Association*



FCL.1005.FE**FCL.1010.FIE**

(Based on EGU Comment)

FIE(S)

Gliding, with its volunteer environment, needs the lowest extra costs imposed on it. Training and maintenance of examiners is expensive, so it is vital to appoint the minimum number commensurate with requirements.

European gliding has not identified any need for an FIE(S) qualification in addition to FE(S).

The regulation (FCL.915.FI (e)) already specifies non examiners for a specific instructor Assessment of Competence: the extension of FI(S) privileges to TMG requires an AoC with an FI qualified in accordance with FCL.905.FI(i).

The largest gliding Member State - largest by far - has many years of evidence showing that sailplane instruction can be safe and effective without any formal revalidation testing of sailplane instructors whatsoever. The imposition of the FIE(S) Certificate adds significant costs to this volunteer activity without any proven benefit.

If examiners are indeed to be imposed for instructor examining, this can be met by FE(S) who holds the extra requirements currently specified for FIE(S). A single pool of examiners can support volunteer pilots and instructors more efficiently, and thus at lower cost, than one that has been needlessly divided into FE & FIE.

An alternative is readily available: including instructor assessments within the privileges of FE(S), provided they hold the experience currently required by FCL.1010.FIE, would enable the FIE(S) to be discarded entirely, thus reducing the administrative burden of an un-needed qualification and demonstrating the Agency's commitment to reducing the burden on GA.

Recommendation :

FCL.1005.FE FE – Privileges and conditions should have a further clause (4) added to (d):

(d) FE(S). The privileges of an FE for sailplanes are to conduct:

.....

(4) Assessments of competence for the issue, revalidation or renewal of instructor certificates for sailplanes, provided that the relevant instructor certificate is held and the examiner has completed 500 hours of flight time as a pilot on sailplanes or powered sailplanes and;

(i) for applicants wishing to conduct assessments of competence on TMGs, 10 hours or 30 take-offs instructing applicants for an instructor certificate in TMGs;

(ii) in all other cases, 10 hours or 30 launches instructing applicants for an instructor certificate.

FCL.1010.FIE FIE – Prerequisites clause (d) should be deleted

response

Noted

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX I [PART-FCL] — SUBPART K: EXAMINERS, SECTION 8: SPECIFIC REQUIREMENTS FOR THE SENIOR EXAMINER — SE

p. 111

EASA thanks you for your comments. They will all be transferred to RMT.0596 which is working on the update of Subparts J and K. Only those elements that are considered very urgent will be dealt



with through Opinion No 05/2017 — stemming from this CRD.

comment	<p>147</p> <p>FCL.1035.SE SE-Privileges and conditions p 111/253</p> <p>We propose to redraft the beginning of FCL.1035.SE (a) to be coherent with FCL.1020 and FCL.1025 (b) (3) that mentions also issuance and renewal.</p> <p>We propose to delete the existing AMC1 FCL.1020; 1025 and draft a new AMC in relation to FCL.1035.</p> <p>This is our proposal:</p> <p>(a) The competent authority may conduct a pre-assessment of the applicant or candidate carrying out a skill test and proficiency check under supervision of an inspector of the competent authority.</p> <p>(b) Applicants should be required to attend a senior examiner briefing, course or seminar arranged by the competent authority. Content and duration will be determined by the competent authority and should include:</p> <ol style="list-style-type: none"> (1) pre-course self-study; (2) legislation; (3) the role of the senior examiner; (4) an examiner assessment; (5) national administrative requirements. <p>Rationale: Redundancy between the new FCL.1035.SE and previous AMC1 FCL.1020; FCL.1025 should be avoided.</p>	comment by: René Meier, Europe Air Sports
response	Noted	

comment	<p>234</p> <p><u>Subject:</u> Privileges and conditions for Senior Examiner (FCL.1035.SE)</p> <p><u>Content of comment:</u> France proposes to redraft the beginning of FCL.1035.SE (a) to be coherent with FCL.1020 and FCL.1025 (b) (3) that mentions also issuance and renewal. Some redundancy between the new FCL.1035.SE and previous AMC1 FCL.1020; FCL.1025 should be avoided. France proposes to delete the existing AMC1 FCL.1020; 1025 and draft a new AMC in relation to FCL.1035.</p> <p><u>Proposed amendment to FCL.1035.SE:</u></p> <p><i>FCL.1035.SE SE privileges and conditions</i> <i>(a) Senior examiners specifically authorised by the competent authority to observe skill tests, proficiency checks or assessments of competence for the issuance, revalidation or renewal of examiner certificates shall:</i></p>	comment by: DGAC France
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Proposed amendment to AMC1 FCL.1020; FCL.1025:**AMC1 FCL.1035 FCL.1020; FCL.1025****QUALIFICATION OF SENIOR EXAMINERS**

~~(a) A senior examiner specifically tasked by the competent authority to observe skill tests or proficiency checks for the revalidation of examiner certificates should:~~

- ~~(1) hold a valid or current examiner certificate appropriate to the privileges being given;~~
~~(2) have examiner experience level acceptable to the competent authority;~~
~~(3) have conducted a number of skill tests or proficiency checks as a Part-FCL examiner.~~

(a) The competent authority may conduct a pre-assessment of the applicant or candidate carrying out a skill test and proficiency check under supervision of an inspector of the competent authority.

(b) Applicants should be required to attend a senior examiner briefing, course or seminar arranged by the competent authority. Content and duration will be determined by the competent authority and should include:

- (1) pre-course self-study;
 (2) legislation;
 (3) the role of the senior examiner;
 (4) an examiner assessment;
 (5) national administrative requirements.

~~(d) The validity of the authorisation should not exceed the validity of the examiners certificate, and in any case should not exceed 3 years. The authorisation may be revalidated in accordance with procedures established by the competent authority.~~

response Noted

comment 430

comment by: KLM

Please delete sub paragraph (a)(2) of FCL.1035.SE.

Subparagraph (a)(1) and (a)(4) already contain competence requirements. The additional requirement is disproportionate.

Secondly, "a number of checks" is vague and could lead to different interpretations from different authorities. (no level playing field)

response Noted

comment 481

comment by: FAA

Reference text: (a) Senior examiners specifically authorised by the competent authority to observe skill tests or proficiency checks for the revalidation of examiner certificates shall: (2) have conducted a number of skill tests or proficiency checks as a Part-FCL examiner;

Comment: The reader is left to conclude a specific number of tests is not included so the authority retains some flexibility in appointing these individuals. If that is the case, a wording change that captures EASA's desire to only appoint active examiners may be appropriate.

response Noted



comment

550

comment by: FOCA Switzerland

**Annex I Part FCL
FCL.1035.SE**

FOCA proposes to redraft the beginning of FCL.1035.SE (a) to be coherent with FCL.1020 and FCL.1025 (b) (3) that mentions also issuance and renewal. Some redundancy between the new FCL.1035.SE and previous AMC1 FCL.1020; FCL.1025 should be avoided. FOCA proposes to delete the existing AMC1 FCL.1020; 1025 and draft a new AMC in relation to FCL.1035

Proposal

FCL.1035.SE SE privileges and conditions

(a) Senior examiners specifically authorised by the competent authority to observe skill tests, proficiency checks or assessments of competence for the issuance, revalidation or renewal of examiner certificates shall:

AMC1 FCL.1035 FCL.1020; FCL.1025

QUALIFICATION OF SENIOR EXAMINERS

(a) A senior examiner specifically tasked by the competent authority to observe skill tests or proficiency checks for the revalidation of examiner certificates should:

(1) hold a valid or current examiner certificate appropriate to the privileges being given;

(2) have examiner experience level acceptable to the competent authority;

(3) have conducted a number of skill tests or proficiency checks as a Part-FCL examiner.

(a) The competent authority may conduct a pre-assessment of the applicant or candidate carrying out a skill test and proficiency check under supervision of an inspector of the competent authority.

(b) Applicants should be required to attend a senior examiner briefing, course or seminar arranged by the competent authority.

Content and duration will be determined by the competent authority and should include:

(1) pre-course self-study;

(2) legislation;

(3) the role of the senior examiner;

(4) an examiner assessment;

(5) national administrative requirements.

(d) The validity of the authorisation should not exceed the validity of the examiners certificate, and in any case should not exceed 3 years. The authorisation may be revalidated in accordance with procedures established by the competent authority.

response

Noted

comment

688

comment by: UK CAA



Page No: 111

Paragraph No: FCL.1035.SE (a)

Comment: This proposal is considered to have a number of problems. It would be preferred that it is withdrawn from this NPA and re-developed by the subpart J & K Working Group. However, a possible re-wording is suggested below.

Justification: The role of the Senior Examiner (SE) is to assess the competence of other examiners. They must therefore be able to 'conduct' those assessments - "observing" is not sufficient. The SE does not need the privilege to conduct skill tests and proficiency checks as they are already included in the SE's certificate. However, the SE must be able to revalidate or renew the examiner's certificate after the assessment. The validity of the SE authorisation does not need to be set to the same dates as the examiner certificate (what if he/she has more than one?) - the rule just needs to say that the SE authorisation is not valid unless the SE has a valid examiner certificate.

Proposed Text: Replace with the following:

"SECTION 8 SPECIFIC REQUIREMENTS FOR THE SENIOR EXAMINER — SE

FCL.1035.SE SE privileges and conditions

(a) Senior examiners specifically authorised by the competent authority to conduct assessments of competence for the revalidation or renewal of examiner certificates shall:

- (1) have exercised the privileges of a Part-FCL examiner certificate by conducting skill tests and proficiency checks in accordance with the privileges of that certificate;
 - (2) demonstrate a minimum level of examiner experience specified by the competent authority;
 - (3) have successfully completed a senior examiner course at the competent authority; and
 - (4) demonstrate their competence to perform the role of senior examiner to the competent authority through an assessment of competence.
- (b) Senior examiners may only exercise the privileges of the senior examiner authorisation when they hold a valid examiner certificate.

(c) The senior examiner authorisation shall be used to conduct assessments of competence on examiners holding certificates issued by the competent authority that authorised the senior examiner only.

(d) Where authorised by the competent authority the senior examiner may revalidate or renew the examiner's certificate following successful completion of the assessment of competence.

(e) The validity period of the senior examiner authorisation shall be determined by the competent authority and shall not exceed 3 years. The authorisation may be revalidated in accordance with procedures established by the competent authority."

response

Noted



comment	750	comment by: <i>Light Aircraft Association</i>
	<p>FCL.1035.SE(a) states 'revalidation' in FCL.1035.SE where a Senior Examiner is typically authorised to observe skill tests or proficiency checks for the revalidation and renewal of examiner certificates. The text in FCL.1035.SE(a) should be amended to include renewal of examiner certificates also.</p> <p>FCL.1035.SE (a)(2) should also include Assessments of Competence, i.e. 'have conducted a number of skill tests, proficiency checks, or Assessments of Competence as a Part-FCL examiner;'</p>	
response	Noted	

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — APPENDIX 1:
CREDITING OF THEORETICAL KNOWLEDGE**

p. 112-113

comment	160	comment by: <i>Martin PFEIFENBERGER</i>
	<p>Appendix 1, 1.2: Why is there no crediting of theoretical knowledge from PPL(A) to PPL(H) and vice versa of the subject "Navigation" since there are no differences stated in the LOs?</p>	
response	<p>Not accepted</p> <p>Thank you for your comment. The concern you raised was already addressed with Regulation (EU) 2015/445.</p>	

comment	634	comment by: <i>European Cockpit Association</i>
	<p>Commented text:</p> <p>Append 1 3.1 <i>An applicant for an ATPL holding an ATPL in another category of aircraft, or complies with FCL.035(b) shall have received theoretical knowledge bridge instruction at an ATO on an approved course according to the differences identified between the ATPL syllabi for different aircraft categories</i></p> <p>ECA's Comments: Cross reference to avoid misinterpretations. Agree, but it shall be indicated in ATO approval certificate.</p>	
response	<p>Not accepted</p> <p>Thank you for your comment. Please be reminded that FCL.035 regulates the crediting of TK for holders of 'higher' licences towards 'lower' licences, whilst Appendix 1, 3.1 regulates the bridge training that has to be performed from one category to another category of aircraft at the same level of licence.</p>	



comment	635	comment by: <i>European Cockpit Association</i>
	Commented text:	
	Appendix 1	
	ECA's Comment:	
	We believe this part is missing a 3.7 explaining what credits a CPL/IR will have in order to obtain an ATPL, very common in helicopters, and mentioned in Appendix 3 H.2.	
response	Not accepted	
	Thank you for your comment. Paragraph 3.6 covers your concern already.	

comment	809	comment by: <i>AOPA Sweden</i>
	Appendix 1	
	Crediting of theoretical knowledge	
	Under B (ATPL)	
	Problem:	
	Students (applicants) already holding a CPL and wishing to take ATPL theory have to take the full ATPL exams as well as the course as far as we have understood it.	
	Looking at the learning objectives(LO), the LO for ATPL(A) and CPL(A) are to a large extent identical. Without getting into details, up to 80% of the LO are the same for ATPL(A) and CPL(A). The result is that CPL holders will have to take extra ATPL theory even though competence has already been demonstrated.	
	We suggest an ATPL "bridge" course, if the applicant already holds a CPL. In other words: An applicant for an ATPL (A) should be should be given credit for the CPL Theory. Only the Learning objectives not already covered by the CPL course should be covered in this "bridge" course and subsequently also tested.	
	Our suggestion could make it a natural progression to start with CPL and then continue with ATPL. Today, the double studies of the same stuff is not proportionate and could easily be fixed.	
response	Not accepted	
	Thank you for your comment. This issue has already existed in JAR-FCL. Therefore students have to decide very early in their career if they wanted to become a commercial pilot with future ambitions to fly on MPAs. For the time being. EASA does not have the intention to change this.	

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — APPENDIX 3:
TRAINING COURSES FOR THE ISSUE OF A CPL AND AN ATPL**

p. 116-133

comment	161	comment by: <i>Martin PFEIFENBERGER</i>
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	<p>Appendix 3, K. CPL modular course, No 3, 8, 10 and 11: One of the entry requirements is the well known requirement of 155hrs flight time in helicopters as stated in 3(a) (“in helicopters” should be added after “155 hours flight time” in this first sentence). The subsequent paragraphs ask for 30hrs and –if the applicant does not hold a night rating- 5hrs night training, which equals 190hrs and exceeds the 185 required flight hours required under No. 11. Since a PPL(H) holder has to fulfil at least 100hours of flight experience AFTER issue of his PPL(H) as entry requirement and since the night rating asks for 15 hours of training (10+5), it would make sense either to reduce the entry requirement to 150hrs or to state 190hrs of experience.</p> <p>Appendix 3, K. CPL modular course, No. 10: The term “circuit” was translated in the actual German version completely wrong with “Rundflug”!</p> <p>Appendix 3, K. CPL modular course, No. 11: I suppose 185 hours flight time in helicopters, reduced by the credits granted in 3.(a) are meant. The crediting for holder of licences of other categories is missing.</p>
response	<p>155 hours: Not accepted</p> <p>The relevant text was amended with Regulation (EU) No 245/2014 and proposed with NPA 2014-29 to clarify the credits. EASA has no intention to further change it.</p> <p>Wrong translation: Please clarify cases of wrong translation with your competent authority. Before publication, all Member States are requested to verify the proposed translations and to announce errors to the Commission. For corrections to be applied after publication, the procedure is the same.</p> <p>Crediting for holders of licences of other categories: Credits for other categories are now included.</p>
comment	<p>636 comment by: <i>European Cockpit Association</i></p> <p>Commented text:</p> <p>Appendix 3 <i>K.3.(a) – Moved from K.11 to K.3</i></p> <p>ECA's Comments: No comment; Nevertheless we believe there is a need for an AMC about flight instruction syllabus.</p>
response	<p>Noted</p> <p>Thank you for your comment. We will take that up for a future rulemaking task.</p>

TEST FOR THE ISSUE OF A CPL

comment	<p data-bbox="359 336 406 369">162</p> <p data-bbox="1021 336 1484 369" style="text-align: right;">comment by: <i>Martin PFEIFENBERGER</i></p> <p data-bbox="359 392 1484 459">Appendix 4, Skill test for the issue of a CPL, C Content of the skill test for the issue of the CPL – Helicopters:</p> <p data-bbox="359 459 1484 571">No. 2 states “The area and route to be flown shall be [...] at an approved aerodrome/site. The content of the test (see No. 5) states in Section 2, letter h): “Sloping ground/unprepared sites landing and take-offs.”</p> <p data-bbox="359 571 1484 716">This lead to the very unlucky translation in the actual German version: “[...] alle Maßnahmen in niedriger Höhe und beim Schweben müssen auf einem zugelassenen Flugplatz/an einem zugelassenen Standort erfolgen.“ Section 2, letter h) was translated with „Starts und Landungen von/auf Hängen und außerhalb genehmigter Hubschrauberflugplätze“.</p>
response	<p data-bbox="359 728 518 761">Not accepted</p> <p data-bbox="359 784 1484 940">Please clarify cases of wrong translation with your competent authority. Before publication, all Member States are requested to verify the proposed translations and to announce errors to the Commission. For corrections to be applied after publication, the procedure is the same.</p>
comment	<p data-bbox="359 996 406 1030">482</p> <p data-bbox="1252 996 1484 1030" style="text-align: right;">comment by: <i>FAA</i></p> <p data-bbox="359 1064 1484 1176">Reference text: Conduct of the test- 6. An applicant shall be required to fly the aircraft from a position where the PIC functions can be performed and to carry out the test as if no other crew member was taking the test.</p> <p data-bbox="359 1198 1484 1388">Comment: The goal here seems to be that the applicant needs to perform all the duties of a PIC as part of the evaluation process. Wording to that effect may make the intention clearer. The text could be changed to read “An applicant shall be required to fly the aircraft from a position where the PIC functions can be performed without assistance that would compromise the evaluation of the applicant’s performance.”</p>
response	<p data-bbox="359 1400 438 1433">Noted</p> <p data-bbox="359 1456 1484 1534">Thank you for your comment and the interest you show in the NPA. The wording is linked to different definitions listed in FCL.010 and therefore will not be changed.</p>
comment	<p data-bbox="359 1601 406 1635">689</p> <p data-bbox="1212 1601 1484 1635" style="text-align: right;">comment by: <i>UK CAA</i></p> <p data-bbox="359 1657 534 1691">Page No: 140</p> <p data-bbox="359 1724 901 1758">Paragraph No: Appendix 4, Section 2, Item o</p> <p data-bbox="359 1803 1484 1870">Comment: The term ‘Autorotative landing’ is not used in the flight syllabus where it is referred to as a ‘simulated engine off landing’.</p> <p data-bbox="359 1904 614 1937">Justification: Clarity.</p> <p data-bbox="359 1982 1380 2016">Proposed Text: Replace “Autorotative landing” with “Simulated engine off landing”.</p>

response	<p>Not accepted</p> <p>Thank you very much for your comment. EASA has decided to keep the wording as it is well accepted in the helicopter community and repeated in Appendix 9 where not only the test schedule but also the training programme for type ratings are defined.</p>
comment	<p>690 comment by: UK CAA</p> <p>Page No: 140</p> <p>Paragraph No: Appendix 4, Section 2, Item q</p> <p>Comment: It is not clear that the ‘Power checks, reconnaissance, approach and departure techniques’ refer to the confined area’.</p> <p>Justification: Clarity.</p> <p>Proposed Text: Amend to read:</p> <p>“Confined area power checks, reconnaissance, approach and departure techniques.”</p>
response	<p>Not accepted</p> <p>Thank you for your comment. With the header of Section 2, all sub-paragraphs refer to confined areas, therefore EASA does not consider the proposed text amendment necessary.</p>
comment	<p>819 comment by: AOPA Sweden</p> <p>Section 3. Consider adding GNSS/GPS/RNAV to item e. Almost all pilots are using GPS as a support for their enroute navigation.</p> <p>ADF is very sparesly used for enroute navigation as of 2015. Consider removing NDB.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. GNSS will be part of the IR only from 2020 onwards. Until then, we do not consider any changes for the CPL skill test.</p>

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — APPENDIX 5:
INTEGRATED MPL TRAINING COURSE**

p. 146-148

comment	<p>691 comment by: UK CAA</p> <p>Page No: 146</p> <p>Paragraph No: Appendix 5, THEORETICAL KNOWLEDGE</p> <p>Comment: The paragraph number is missing against the subject title.</p>
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Justification: Typing error.

Proposed Text:

“7. THEORETICAL KNOWLEDGE

An approved.....”

response

Accepted

Thank you for your comment. The text has been amended accordingly.

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — APPENDIX 6:
MODULAR TRAINING COURSES FOR THE IR**

p. 149-157

comment

57

comment by: *IAOPA (EUROPE)*

In order to prevent misinterpretation concerning prior instrument flight training and experience, IAOPA (Europe) recommends that the wording 'taking into account prior' should be replaced by 'which may take into account any previous'.

1. The aim of the competency-based modular flying training course is to train PPL or CPL holders for the instrument rating, taking which may take into account prior any previous instrument flight instruction and experience. It is designed to provide the level of proficiency needed to operate aeroplanes under IFR and in IMC.

response

Not accepted

Thank you for your comment. We have checked the text with legal and linguistic experts and the agreement was that if it remains unchanged, there would be no ambiguity in the interpretation.

comment

58

comment by: *IAOPA (EUROPE)*

(Comment deleted following release of Regulation (EU) 2015/445).

response

Noted

comment

59

comment by: *IAOPA (EUROPE)*

(Comment deleted following release of Regulation (EU) 2015/445).

response

Noted

comment

163

comment by: *Martin PFEIFENBERGER*



Appendix 6, B. IR(H) Modular flying training course

No. 2: There is a discrepancy with the statement in No. 2 and with the wording in FCL.610 which asks for an ATPL in another aircraft category in case of applying for the privileges for IR during night.

Noted – this item was changed with Regulation (EU) No 245/2014

No. 2: May the applicant do the training also on more than 1 type of helicopter and if yes, does he have to have any type rating training on these types if they are not used for the skill test?

Noted – the comment is not clear.

No. 7 and No 8: What does the wording “up to XX hours may be instrument ground time in an FNPT [...]” mean exactly? Our competent authority refuses training manuals which describe a training with 40hours FNPT II although this statement allows this. Who determines the amount of hours which can be done in an FNPT according to these statements, the competent authority or the ATO when describing the training programme?

Noted – the training manual has to be approved by the competent authority.

Your Explanatory Note states under 2.4.29 a new GM1 Appendix 3, 4, 5, 6, 7, 9 which could not be found among the NPA 2014-29 material.

Noted – AMC and GM are contained in NPA 29-2014(B)

No. 9.1. states that holder of an ATPL(H) shall have the theoretical knowledge instruction hours reduced by 50 hours, which is 1/3 of the total required time. If this applies also to applicants who will be credited according to Appendix 1, No. 4.2, there is no relation between the reduction of hours and the subjects which will be credited.

Not accepted – thank you for your comment. The credit relates to the ATPL(H) which can be obtained without IR but requires the full set of TK training and examinations.

No. 9.2. leads to different interpretations of the different national competent authorities. While the one says that also the 10 hours in the IFR certified helicopter may be reduced, the other says that the requirement of the 10 hours in the IFR certified helicopter remains valid. Adding a more precise wording would clarify the meaning (e.g. “[...] reduced to 10 hours which shall be flight time in an IFR certified (multi engine) helicopter.”

Not accepted – thank you for your comment. EASA considers the actual wording clear enough.

response See answers in bold above.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — APPENDIX 7: IR SKILL TEST

p. 158-168

comment 483

comment by: FAA



Reference text: Conduct of the test- 7. An applicant shall be required to fly the aircraft from a position where the PIC functions can be performed and to carry out the test as if no other crew member was taking the test.

Comment: The goal here seems to be that the applicant needs to perform all the duties of a PIC as part of the evaluation process. Wording to that effect may make the intention clearer. The text could be changed to read “An applicant shall be required to fly the aircraft from a position where the PIC functions can be performed **without assistance that would compromise the evaluation of the applicant’s performance.**”

response Noted

Thank you for your comment and the interest you show in the NPA. The wording is linked to different definitions listed in FCL.010 and therefore will not be changed.

comment

695

comment by: CAA Norway

The restriction underlined in the rule text is contradictory to the text in Appendix 6, see below.

APPENDIX 6

MODULAR TRAINING COURSES FOR THE IR

B. IR(H) — Modular flying training course

Prior to commencing the aircraft instruction phase of the IR(H) course, the applicant shall be the holder of the helicopter type rating used for the **IR(H) skill test**, or have completed approved type rating training on that type. The applicant shall hold a certificate of satisfactory completion of MCC if the skill test is to be **conducted in Multi-Pilot conditions**.

According to article 8(4), an applicant may conduct the the first skill test for an EASA licence (ATPL) and instrument rating skill test in a Multi Pilot Aeroplane. The test should then be conducted in an FSTD. You cannot split up that skill test in a separate IR skill test as single pilot.

CAA Norway proposes to change the rule in Appendix 7 (7) according to the previous text in JAR-FCL as follows:

7. An applicant shall fly the aircraft from a position where the PIC functions can be performed and to carry out the test as if there was no other crew member taking the test. The examiner shall take no part in the operation of the aircraft, except when intervention is necessary in the interests of safety or to avoid unacceptable delay to other traffic. **When the test is conducted in a Multi Pilot Aircraft and another pilot functions as a co-pilot during the test, the privileges of the instrument rating will be restricted to multi-pilot operations. A multi-pilot restriction may be removed by the applicant carrying out a skill test in accordance with Appendix 7 to Part-FCL in a single-pilot aeroplane with no other crew member involved in the conduct of the flight.**

response Not accepted

Thank you for your comment. The text in JAR-FCL allowed the multi-pilot operation only for a



proficiency check. With Part-FCL, also the skill test may be performed in multi-pilot conditions.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — APPENDIX 8: CROSS-CREDITING OF THE IR PART OF A CLASS OR TYPE RATING PROFICIENCY CHECK

p. 169-171

comment

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

Relevant Text: "...at least three IFR departures and approaches..."

Comment: As IFR departures and approaches can be performed visually, the text needs to clarify that the experience required should be with the sole reference to instruments.

Proposal: "...at least three IFR departures and approaches, flown solely by reference to instruments, on an..."

response

Not accepted

Thank you for your comment. Your concern was already addressed when Regulation (EU) 2016/539 was published.

comment

562

comment by: *Schimmel*

concerning FCL 625H

Cross credit of IR checks Helicopter
Attachment 8

Among the prof Check form LBA it is possible to cross credit an IR Check for SE Type rating and SP ME-Type rating.

But it is not possible to cross credit MP Rating.

This makes no sense because IR in a MP environment is easier than in a SP environment. A pilot which is able to fly IR as Single Pilot normally would have no problem to fly IR in a Multi Pilot Crew environment.

As well for holders of SP and MP IR it doesn't help. With that rule he/she has to undergo an additional proficiency check just for the Multi pilot IR which has a high cost impact.

response

Noted

Thank you for your comment. Please be advised that already JAR-FCL acknowledged the credit for an SP IR if the pilot had passed an MP IR test or check.



comment	606 comment by: <i>Danish Transport Authority</i>
	<p>Relevant Text: "...at least three IFR departures and approaches..."</p> <p>Comment: As IFR departures and approaches can be performed visually, the text needs to clarify that the experience required should be with the sole reference to instruments.</p> <p>Proposal: "...at least three IFR departures and approaches, flown solely by reference to instruments, on an..."</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Your concern was already addressed when Regulation (EU) 2016/539 was published.</p>
comment	<p>693 comment by: <i>UK CAA</i></p> <p>Page No: 170</p> <p>Paragraph No: Appendix 8, A.</p> <p>Comment: In the new table, if it is intended that the first set of credits are only valid if the holder has a HPCA type rating operated as Multi-Pilot, then this should be made clear.</p> <p>Justification: This credit should only apply to pilots qualified as multi-pilot.</p> <p>Proposed Text: Amend text to read:</p> <p>"MP aeroplane type rating; High performance complex aeroplane type rating operated as multi-pilot"</p>
response	<p>Not accepted</p> <p>Thank you for your comment. The credit is not granted between the MPA and the HPCA but only towards the aeroplanes mentioned in the second column of the table.</p>
comment	<p>751 comment by: <i>Light Aircraft Association</i></p> <p>Cross-crediting is currently interpreted in the UK as only providing credit up to the expiry of the MP type rating, whereupon the applicant must re-submit for revalidation once the type rating is revalidated.</p> <p>By way of an example, if expiry of the multi-pilot type-rating is 30/06/2015, and the applicant presents themselves for revalidation of their IR-SPA-SE on 17/05/2015 with an existing expiry date of 31/05/2015 for their IR-SPA-SE, then the examiner may only revalidate the IR-SPA-SE to 30/06/2015. The applicant must then repeat the administrative process with an examiner upon completion of the MP type rating, to then have the IR-SPA-SE extended to the full validity of the IR-SPA-SE at 31/05/2016.</p>

If credit is available via Appendix 8 on the day of revalidation, then the examiner should be able to validate credit for the full duration of the cross-credited IR, in the example above 12 months for the IR-SPA-SE.

Appendix 8 should show that, where cross-crediting is available in accordance with Appendix 8, credit is then available for the full period of the IR to be revalidated. In the example above, on 17/05/2015 the examiner should be permitted to revalidate the IR-SPA-SE to 31/05/2016 providing the MP holds a valid type rating on the date of revalidation (17/05/2015).

response Not accepted

Thank you for your comment. Following your example, the examiner would extend the validity of the IR for the SPA without check and this is unacceptable. The credit can only be applied for valid IRs.

comment 822

comment by: *AOPA Sweden*

Cross credit should be given also when renewing IR privileges.
There is no known safety implication with this additional application of cross credit.

response Not accepted

Thank you for your comment. As the renewal training requirements depend a lot on the experience of the pilot and on how long the IR has already expired, it is difficult to define the credits to be granted.

comment 823

comment by: *AOPA Sweden*

Cross credit should be given for the issue of an IR/ME, to also be valid on a Single engine aeroplane, if the applicant holds a valid Single Engine Rating.

response Not accepted

Thank you for your comment. Line 2 of the table already deals with your concern for the revalidation. Appendix 8 only deals with credits for revalidation not for the issue of an IR.

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — APPENDIX 9:
TRAINING, SKILL TEST AND PROFICIENCY CHECK FOR MPL, ATPL, TYPE AND CLASS RATINGS, AND p. 172-236
PROFICIENCY CHECK FOR IRs**

comment 24

comment by: *Henk van den Berg*

Appendix 9 – A - General paragraph 17

The flight training shall be performed by qualified instructor and within an ATO or within an approved organisation holding an AOC issued in accordance with Part-ORO.



1. The exact meaning of the word “within” in this sentence is unclear. Does it mean “employed by”? This text must be fully clear.
2. During FCL-IF mtg #3 in Helsinki (September 2013) the issue of responsibility for base training was extensively discussed. The conclusion was that the present Part-FCL and Part-ORA text were inconclusive.
2. AMC2 ORA.ATO.125 (c)(3) stipulates that an ATO is allowed to sub-contract parts of the type rating training program to either another ATO or an organisation not approved as such. In the latter case the ATO still needs to exercise “the other obligations, such as student progress monitoring and an adequate management system.”

Unfortunately it remains unclear in both articles for which the parties are responsible. If “base training” is sub-contracted to a Part-ORO AOC-holder, what responsibility is for the ATO and what for the AOC-holder.

In practice the ATO may be held responsible for the correctness of the base training program and the qualifications of the TRI conducting such base training.

The AOC holder should assume responsibility of the flight operation with the aeroplane.

Proposed solution:

The flight training shall be performed by a qualified instructor under the responsibility of (employed by) an ATO or under the responsibility of (employed by) an approved organisation holding an AOC issued in accordance with Part-ORO. In the latter case the ATO is accountable for the correctness of the training program, while the AOC holder is accountable for the operation of the aeroplane.

response

Partially accepted

Thank you for your comment. EASA agrees that the wording used for the amendment where the possibility is given to an AOC holder to perform the TR base training is unclear and therefore will amend the text. Unfortunately, we cannot regulate reliability concerns and therefore will not take the second part of your proposal into consideration for the text changes.

comment

25

comment by: *Henk van den Berg*

Appendix 9 – 6. *Multi-pilot aeroplanes and single-pilot high performance complex aeroplanes* (e)

(i) the qualification of the FFS or a combination of FNPT II MCC and FTD2 or FTD2.

Comment:

This sentence is not clear:

- What is meant by “a combination of FNPT II MCC and FTD 2”

Is it a simulator qualified as FNPT II and also as FTD 2, or does it mean an FNPT II and an FTD 2 are both used during the course?

Why is the FTD 1 not mentioned? It can also be used for parts of a type rating course.

Proposed solution:

Change sentence to:

“(i) Qualifications of the various categories of FSTDs used during the course.”

response

Partially accepted

Thank you for your comment. We have verified the text following your comment and have indeed seen that the drafting can be improved. As we did not follow your text proposal entirely and as there were other parts of the same paragraph for which we considered



changes necessary for clarity, we only marked the comment as partially accepted.

comment	26	comment by: <i>Henk van den Berg</i>
	<p>Appendix 9 – 6. <i>Multi-pilot aeroplanes and single-pilot high performance complex aeroplanes</i> (e) (iii) the amount of FFS or a combination of FNPT II MCC and FTD 2 or FTD 2 training provided on the course.</p> <p><u>Comment:</u> This sentence is not clear: - What is meant by “a combination of FNPT II MCC and FTD 2?” Is it a simulator qualified as FNPT II and also as FTD 2, or does it mean an FNPT II and an FTD 2 are both used during the course? Why is the FTD 1 not mentioned? It can also be used for parts of a type rating course.</p> <p><u>Proposed solution:</u> Change sentence to: “(i) Qualifications of the various categories of FSTDs used during the course.”</p>	
response	<p>Partially accepted</p> <p>Thank you for your comment. We have verified the text following your comment and have indeed seen that the drafting can be improved. As we did not follow your text proposal entirely and as there were other parts of the same paragraph for which we considered changes necessary for clarity, we only marked the comment as partially accepted.</p>	
comment	79	comment by: <i>Transport Malta</i>
	<p>7. Class rating -sea</p> <p>Section 6 shall be completed should read Section 3 shall be completed....</p>	
response	<p>Not accepted</p> <p>Thank you for your comment. This must be a misunderstanding. Section 6 refers to ME, Section 3 to any VFR operation; therefore, we will not change the text.</p>	
comment	235	comment by: <i>DGAC France</i>
	<p><u>Subject:</u> Base training (Appendix 9 A) §17)</p> <p><u>Content of comment:</u> France fully supports the amendment for performing the flight training for issuance of a type rating.</p>	
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>	
comment	236	comment by: <i>DGAC France</i>



Attachment [#11](#)

Subject:

Skill test and proficiency check for single pilot HPA Complex aeroplanes and simulated engine failure items

Appendix 9 B)

MULTI-PILOT AEROPLANES AND SINGLE-PILOT HIGH PERFORMANCE COMPLEX AEROPLANES SKILL TEST AND PROFICIENCY CHECK

Section 2

Items 2.5.1 and 2.5.2

Content of comment:

France suggests a slight amendment to be introduced in the content of the skill test and proficiency check for single pilot HPA complex aeroplanes.

In section 2, items 2.5.1 and 2.5.2 deals with take-offs with simulated engine failure. As stated in appendix 9, the completion of item 2.5.2 (engine failure between V1 and V2) is mandatory and has to be done in an FFS. The issue is that a FFS is not always available for single HPA complex aeroplanes. As a consequence the completion of item 2.5.2 in an FFS is not always possible.

Therefore France proposes to slightly amend appendix 9 for single pilot HPA complex in order to cope with this issue. The proposal is the following:

§ In a skill test or proficiency check for SP HPA complex aeroplanes, if item 2.5.2 has not been realized (due to the non-availability of a FFS); item 2.5.1 becomes a mandatory item.

On CS23 aeroplanes for which there is no V2, item 2.5.1 may be read as « shortly after lift-off».

If no FFS is available, item 2.5.1 may be done on an aeroplane, with the respect of a minimum safety height and specific safety measures (500 ft above the ground is a minimum).

In any case if item 2.5.1 is to be carried out with an aeroplane (instead of a FFS), the aeroplane safety manual, established in accordance with ORA.GEN.200 (a) (3), must describe how the exercise has to be carried out and the associated hazards.

§ Item 2.5.2 must be realized on FFS only. If no FFS is available, it is replaced by item 2.5.1 on the aeroplane.

response Not accepted

Thank you for your comment. Due to the fact that SP HP complex aeroplanes are so similar to MPA, when drafting Part-FCL, the decision taken was to group them with those aeroplanes for training, testing and checking. There is only a limited number of SP HP complex aeroplanes for which no simulators are available. For such rare cases, there are specific procedures foreseen in Article 14 of Regulation (EC) No 216/2008.

comment 237

comment by: DGAC France

Attachment [#12](#)

Subject:

Simulators for HPA Complex aeroplanes training (Appendix 9 B) §6 (e) (iii))

Content of comment:



	<p>France fully supports the amendment and the reference to FNPT II and MCC and FTD 2. For consistency and to completely address the proposal, France suggests amending the content of the skill test and proficiency check for MP aeroplanes and SP HPA Complex aeroplanes by adding a column in order to mention for each items of the test if a combination FTD2+ / FNPTII MCC may be used or not.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Due to the fact that SP HP complex aeroplanes are so similar to MPA, when drafting Part-FCL, the decision taken was to group them with those aeroplanes for training, testing and checking. There is only a limited number of SP HP complex aeroplanes for which no simulators are available. For such rare cases, there are specific procedures foreseen in Article 14 of Regulation (EC) No 216/2008. EASA does not support training or checking on SP HP complex aeroplanes on an FSTD other than an FFS.</p>
comment	<p>367 comment by: <i>Ryanair ATO</i></p> <p>Comment: This appears to be a typo:</p> <p>Appendix 9 6. e) (i) (i) the qualification of the FFS or a combination of FNPT II MCC and FTD 2 or FTD 2;</p> <p>Recommended text change:</p> <p>(i) the qualification of the FFS or a combination of FNPT II MCC and FTD 1 or FTD 2;</p> <p>and</p> <p>Appendix 9 6. e) (iii) (iii) the amount of FFS or a combination of FNPT II MCC and FTD 2 or FTD 2 training provided on the course; and</p> <p>Recommended text change:</p> <p>(iii) the amount of FFS or a combination of FNPT II MCC and FTD 1 or FTD 2 training provided on the course; and</p>
response	<p>Partially accepted</p> <p>Thank you for your comment. We have verified the text following your comment and have indeed seen that the drafting can be improved. As we did not follow your text proposal entirely and as there were other parts of the same paragraph for which we considered changes necessary for clarity, we only marked the comment as partially accepted.</p>
comment	<p>450 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p>

	<p>Relevant Text: 6 (c)</p> <p>Comment: As this rule also pertains to single-pilot high performance complex aeroplanes, there might be cases where the pilot would only fly the aeroplane VFR, therefore rule should remain.</p> <p>Proposal: Keep the original wording.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Due to the fact that SP HP complex aeroplanes are so similar to MPA, when drafting Part-FCL, the decision taken was to group them with those aeroplanes for training, testing and checking. Therefore, testing and checking on those aeroplanes should contain always IR elements. Furthermore, please refer also to FCL.720.A (c).</p>
comment	<p>451 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>Relevant Text: ME aeroplanes and TMG training only: engine shutdown and restart (ME skill test only) (at a safe altitude if performed in the aircraft)</p> <p>Comment: The text is not clear. Should be rewritten to clarify. What is the meaning of the text: “(ME skill test only)”?</p> <p>Proposal: Engine shutdown and restart (at a safe altitude if performed in the aircraft). Our standpoint is: The exercise should be trained but not mandatory for skill test or proficiency check. Add text: “(Skill test only)” to column for “Chkd in”</p>
response	<p>Accepted</p> <p>Thank you for your comment. The part ‘ME skill test only’ will be taken out as we agree with you that it is not necessary.</p>
comment	<p>452 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>Relevant Text: Specific requirements for the helicopter category</p> <p>Comment: There needs to be provisions for revalidating a single-pilot rating as well as a multi-pilot rating on the same type of helicopter, on the same proficiency check, just as it does on aeroplanes.</p> <p>Proposal: Introduce a text corresponding to the text in MPA/SPHPCA, subparagraph (h) on</p>

page 183.

response Not accepted

Thank you for your comment. We have, following your comment, re-evaluated the introductory text in C. and we consider the existing provisions sufficient and therefore will not amend the text as requested. For further clarification, please refer to 5. (definition of 'P') and paragraphs 11. and 12.

comment 468

comment by: *Stephen Oddy*

Comment at top of page 198, Paragraph 7 states:
"Section 6 shall be completed to revalidate a multi-engine class rating sea, VFR only, where the required experience of 10 route sectors within the previous 12 months has not been completed"

This is incorrect. The correct wording should be equivalent to:
"Section 6 shall be completed to revalidate a multi-engine class rating sea.
Section 3 shall be completed to revalidate a type or multi-engine class rating, VFR only, where the required experience of 10 route sectors within the previous 12 months has not been completed."

There should be no connection between asymmetric flying and VFR route sectors.

response Not accepted

Thank you for your comment. This must be a misunderstanding. Section 6 refers to ME, Section 3 to any VFR operation; therefore, we will not change the text.

comment 484

comment by: *FAA*

Reference text: Conduct of the test/check- 10. An applicant shall be required to fly the aircraft from a position where the PIC or co-pilot functions, as relevant. Under single-pilot conditions the test shall be performed as if there was no other crew member if taking the test or /check.

Comment: For clarity, the first sentence may be changed to "An applicant shall be required to fly the aircraft from a position where the PIC or co-pilot functions, as relevant, **may be performed.**"

For the second sentence, consistent with previous comments, a wording change to "Under single-pilot conditions the test shall be **conducted without assistance that would compromise the evaluation of the applicant's performance.**" Is recommended.

response Partially accepted

Thank you for your comment. EASA has reconsidered the wording and agrees that the first sentence requires a verb and therefore the text has been amended as you proposed. For



your second proposal, we decided to keep the text as proposed with the NPA as similar lines can be found for other tests or checks.

comment 607 comment by: Danish Transport Authority

Page: 176-182

Relevant Text:N/A

Comment: Test table lacks items for checking knowledge and skills according to sea plane operations AMC/GM

Proposal:

Review test table in order to identify and integrate minimum level and number of mandatory items for sea plane operations.

Perhaps a supplement to the table could work as well.

response Not accepted

Thank you for your comment. EASA will take it on board for its standing RMT.0587.

comment 608 comment by: Danish Transport Authority

Relevant Text: 6 (c)

Comment: As this rule also pertains to single-pilot high performance complex aeroplanes, there might be cases where the pilot would only fly the aeroplane VFR, therefore rule should remain.

Proposal: Keep the original wording.

response Not accepted

Thank you for your comment. Due to the fact that SP HP complex aeroplanes are so similar to MPA, when drafting Part-FCL, the decision taken was to group them with those aeroplanes for training, testing and checking. Therefore testing and checking on those aeroplanes should contain always IR elements. Furthermore, please refer also to FCL.720.A (c).

comment 609 comment by: Danish Transport Authority

Relevant Text: ME aeroplanes and TMG training only: engine shutdown and restart (ME skill test only) (at a safe altitude if performed in the aircraft)

Comment: The text is not clear. Should be rewritten to clarify. What is the meaning of the



response	<p>text: “(ME skill test only)”?</p> <p>Proposal: Engine shutdown and restart (at a safe altitude if performed in the aircraft). Our standpoint is: The exercise should be trained but not mandatory for skill test or proficiency check. Add text: “(Skill test only)” to column for “Chkd in”</p> <p>Accepted</p> <p>Thank you for your comment. The part ‘ME skill test only’ will be taken out as we agree with you that it is not necessary.</p>
comment	<p>610 comment by: <i>Danish Transport Authority</i></p> <p>Relevant Text: Specific requirements for the helicopter category</p> <p>Comment: There needs to be provisions for revalidating a single-pilot rating as well as a multi-pilot rating on the same type of helicopter, on the same proficiency check, just as it does on aeroplanes.</p> <p>Proposal: Introduce a text corresponding to the text in MPA/SPHPCA, subparagraph (h) on page 183.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. We have, following your comment, re-evaluated the introductory text in C. and we consider the existing provisions sufficient and therefore will not amend the text as requested. For further clarification, please refer to 5. (definition of ‘P’) and paragraphs 11. and 12.</p>
comment	<p>619 comment by: <i>Danish Transport Authority</i></p> <p>Comment: * appears in different columns</p> <p>Proposal: Suggest the * should only appear in the left column</p>
response	<p>Not accepted</p> <p>Thank you for your comment. After due considerations, the decision taken was not to accept your comment because it sometimes depends on the training device used and the training</p>

objective for the exercise if the star was set or not.

comment

637

comment by: *European Cockpit Association***Commented text:****Appendix 9**

6. The examiner may choose between different skill test or proficiency check scenarios containing simulated relevant operations ~~developed and approved by the competent authority~~. Full flight simulators and other training devices, when available, shall be used, as established in this Part

10. Under type/class rating in single-pilot conditions the test, ~~can~~ shall be performed ~~and to carry out the test as if there is was no other crew member if taking the test or/check. Under single-pilot conditions. Responsibility for the flight shall be allocated in accordance with nacional regulations~~

17. When the type rating course has included less than 2 hours flight training on the aircraft, the skill test may be conducted in an FFS and may be completed before the flight training on the aircraft. The flight training shall be performed by qualified instructor and within an ATO or within an approved organisation holding an AOC issued in accordance with Part-ORO

ECA's Comments:

6. We agree nevertheless this will ease authority responsibility in case of an incident/accident

10. For type/class rating we can agree (except in some ME), but definitely not for IR, due to some procedures that should be done by 2 pilots.

17. We don't have ZFT in helis. Nevertheless "an approved organization" should not be there, only ATO are accepted to conduct training.

response

Noted

Thank you for your comment. This is only to highlight that only the base training can be performed under the responsibility of an AOC holder; the TR training in the simulator remains with the ATO.

comment

696

comment by: *UK CAA***Page No:** 175**Paragraph No:** Appendix 9, section 5(a)

Comment: The text referring to the use of flight simulators is no longer present and appears to be omitted in error.

Justification: The text is missing with no apparent explanation.

Proposed Text: Restore the existing text:



“X = Flight simulators”

The wording may need to be adjusted depending upon the conclusion of the UK CAA comment on FCL.935.TRI, page 89.

response

Accepted

Thank you for the comment. Actually, the text was there but a line break was missing and therefore the text was no longer clear. The editorial will be corrected as requested.

comment

697

comment by: UK CAA

Page No: 181

Paragraph No: Appendix 9, Section 5, 5.5

Comment: If this is to apply to TMGs, it is recommended that the text “(ME skill test only)” should be deleted.

Justification: TMGs are generally not ME.

Proposed Text: Amend text to read:

“ME aeroplanes and TMG training only: Engine shutdown and restart (at a safe altitude if performed in the aircraft).”

response

Accepted

Thank you for your comment. The text has been amended as requested.

comment

698

comment by: UK CAA

Page No: 183

Paragraph No: Appendix 9, Section 6(e)(iii)

Comment: “FTD 2” appears twice - “...and FTD2 or FTD 2 training.....”

Justification: Typing error.

Proposed Text: “.....FNPT II MCC and FTD 2 training provided.....”

response

Partially accepted

Thank you for your comment. We have received many comments on this issue. In fact, it was not a typing error, but with the name of an ‘FNPTII MCC and FTD2’ for an FSTD the text was no longer easy to understand. We therefore have redrafted it.

comment

699

comment by: UK CAA



Page No: 207

Paragraph No: Appendix 9, Section 2.6.1

Comment:

1. The term “Autorotative landing” is incorrect terminology; it should be “Simulated engine off landing.”

2. This statement is considered confusing. It infers that autorotative landings (Simulated EOLs) are optional for SEH and can be replaced in training and testing by the power recovery. In fact Simulated EOLs are required for the LAPL/PPL/CPL courses and skill tests.

Justification:

1. ICAO Annex 1 Part C “*Specific requirements for the helicopter category*” CPL (H) requires instruction for an “*autorotative approach and landing*”

2. Simulated EOLs are required for the LAPL/PPL/CPL course and skill test.

Proposed Text: Amend Section 2.6.1 to read:

“Simulated engine off landing - SEH only
Power recovery - MEH only”

response

Not accepted

Thank you for your comment. After due considerations, we have decided to retain the wording as it is. But this will be further discussed in the context of the activities of future RMTs.

comment

726

comment by: *Cristian DURANTE*

Point 6.

It appears that the regulatory Agency, with the use of “**shall**” in the sentence, wants to force the examiners to use full flight simulator (FFS) and other training devices (OTD) instead aircraft. Only in the event that FFS or OTD is consider “not available” in this context then an aircraft may be used. The noble intent to reduce the risk exposure of the aircrew by the Agency, during these test/check, needs to be adequately balanced with the possible side-effects where they may occur.

1. Besides misinterpretations about the terminology “other training devices” among NAAs, inconsistencies it is instantly arise with BASIC REGULATION (EC) No 216/2008 - ANNEX III - 1.g. It is therefore clear that OTD is totally inappropriate for checking/testing, simply because without any specified qualification level.
2. We are sure that with the use of generic term FSTDs, the examiners are approaching the target in the best possible conditions. With the actual fidelity level criteria qualification level provided by CS FSTD, does it offered adequate specific levels of fidelity for testing and checking, in order to permit pragmatic pilot assessment with assurance that the observed behaviour will transfer to the aircraft? This means the use of FTD 2/3 (low fidelity representation - without motion) could be exposure the examiners to unfair or questionable testing



	<p>outcomes. For this reason FAA is much more restrictive concerning FSTD used for demonstrating of skill, it must be minimum qualified as FFS level C.</p> <p>3. We should recognize that there is a lack of consistency in the definition and usage of simulator device levels between NAAs. I should like to emphasise that it is essential to achieve international harmonisation in the regulation of FSTDs. With the adoption of ICAO Doc 9625, will be feasible to redress the imbalance between training and checking for each specific task as show up in "Training-to-Proficiency" requirement (TP).</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>728 comment by: IATA</p> <p>General comment: In the present Part FCL, there is an AMC1 to Appendix 9 on Training, skill test and proficiency check for MPL, ATPL, type and class ratings, and proficiency check for IRs -APPLICATION AND REPORT FORM. This form, carried over from JAA, does not have any explanation on how to fill it in. It has been the experience in Europe that TREs have very different ways to fill that form.</p> <p>We propose for the consideration of EASA, to have a standardized reference on how to fill in this form through the addition of some completion examples and guidelines.</p>
response	<p>Not accepted</p> <p>Thank you for your comment. Following your comment, we have verified the form in question and we have found that for the examiner there is only part 4 to be filled in. It contains only 8 items to be filled in. Regarding the first two ones, the examiner has to choose if it was a skill test or a proficiency check, and the last two ones are name and signature of the examiner, which we consider to be feasible. Also, the other fields such as take-off and landing time, total flight time, etc. seem to us self-explaining. Please be aware that every examiner standardisation course also contains a specific lesson on forms. For all these reasons, we do not consider the development of GM on how to fill in this form necessary.</p>
comment	<p>782 comment by: Finnish Transport Safety Agency</p> <p>Appendix 9 Chapter A. Point 17</p> <p>Finland fully supports the amendment to allow the flight training to be performed within an approved organisation holding an AOC issued in accordance with Part-ORO.</p>
response	<p>Noted</p> <p>EASA acknowledges your comment and thanks you for your feedback.</p>
comment	<p>812 comment by: OYONNAIR</p> <p>We agree with the French DGAC to say that the use of an FNPT 2 FTD2 MCC simulator should be represented for the training and practical test on HPA complex.</p>

As an Airline, we have some difficulty to find Full Flight Simulator available regarding the type of aircraft.

We would like to purchase some simulator for the training of our pilot.

The price of a full flight simulator is nearly twice the price of the aircraft, because of the motion, this is an issue for small Airline.

We believe a FNPT 2 FTD2 MCC simulator could be a great help for the training of the pilots on HPA and most exercise could be realised with it.

Section 1 :

1.1, 1.3, 1.4, 1.5 and 1.6 could be done with a FNPT 2 FTD 2 MCC.

Section 2 :

2.1, 2.2, 2.3, 2.4, 2.5, 2.5.2, 2.6 could be done with a FNPT 2 FTD 2 MCC. We believe the level of certification is high enough to represent the real conditions. The motion is a supplementary tool but not mandatory. As an example, the present text consider that steep turns (3.7) could be realised on FTD, we consider the motion is as important on steep turn than on take off and believe the FNPT 2 FTD 2 MCC simulator can be used.

Section 3 :

3.1, 3.2, 3.3, 3.4.0, 3.4.1, 3.4.2, 3.4.3, 3.4.4, 3.4.5, 3.4.6, 3.4.7, 3.4.8, 3.4.9, 3.4.10, 3.4.11, 3.4.12, 3.4.13, 3.4.14, 3.6, 3.6.1, 3.6.2, 3.6.3, 3.6.4, 3.6.5, 3.6.6, 3.6.7, 3.6.8, 3.6.9, 3.7, 3.8, 3.8.1, 3.9, 3.9.1, 3.9.2, 3.9.3, 3.9.3.1, 3.9.3.2, 3.9.3.3, 3.9.3.4, 3.9.4, 3.9.5. All can be realised with a FNPT 2 FTD 2 MCC simulator. We consider this is more a question of software and visuals that motion to do this type of exercise.

Section 4 :

4.1, 4.2, 4.3, 4.4 : Same as section 3.

Section 5 :

5.1, 5.2, 5.3, 5.4, 5.5, 5.6 : The FNPT 2 FTD 2 MCC is enough accurate to be used for this type of training.

Section 6 :

6.1, 6.2, 6.3, 6.4 : Same as section 5.

response

Not accepted

Thank you for your comment. Due to the fact that SP HP complex aeroplanes are so similar to MPA, when drafting Part-FCL, the decision taken was to group them with those aeroplanes for training, testing and checking. There is only a limited number of SP HP complex aeroplanes for which no simulators are available. For such rare cases, there are specific procedures foreseen in Article 14 of Regulation (EC) No 216/2008. The use of an FNPT II MCC FTD2 to replace an FFS is not envisaged so far.



comment	<p data-bbox="359 235 414 280">820</p> <p data-bbox="1133 235 1484 280">comment by: AOPA Sweden</p> <p data-bbox="359 291 1484 369">The protocol should also take into account RNAV approaches and possible failures where applicable.</p> <p data-bbox="359 403 406 436">I.e.</p> <p data-bbox="359 436 1484 548">Item 3B.4. An LPV approach to minima should also be sufficient for the Precision approach part of the PC. It is important that the applicants are allowed to fly modern approaches also during their regular proficiency checks.</p> <p data-bbox="359 548 845 582">replace ILS with "ILS or LPV" under 3B.4.</p> <p data-bbox="359 616 1484 694">Under item 3B.7, RNAV failure could be added, since the precision approach could also be flown as an LPV approach during a Proficiency Check (if our earlier suggestion is adopted)</p>
response	<p data-bbox="359 705 526 750">Not accepted</p> <p data-bbox="359 761 1484 873">Thank you for your comment. The Commission has adopted Regulation (EU) 2016/539 to reflect all PBN-related training, testing and checking requirements. Your concern is covered with that Regulation.</p>
comment	<p data-bbox="359 929 414 974">827</p> <p data-bbox="1252 929 1484 974">comment by: CAE</p> <p data-bbox="359 996 1484 1467">Since the introduction of the new Aircrew regulation, CAE has been advised by both EASA and our own ATO approving competent Authority – the UK CAA, that the aircraft (base) training element of a type rating must be conducted within an ATO in accordance with FCL.725. It is true to say that this had particular issues in the Business Aviation sector to start with, where practically all initial training is conducted in ATOs operating FFS only without aircraft. However, CAE representatives held many meetings with both EASA and UK CAA on this subject and subsequently made all the necessary efforts to ensure that CAE’s ATO is fully compliant against the new regulation with the overall objective of enhancing the safety environment within which base training is conducted on business aviation aircraft. We are therefore of the opinion that in the interests of safety, aircraft training must be conducted within an approved training environment (ATO) under the overall oversight of the ATO Head of Training, utilizing TRIs that are standardized between the simulator phase, skill test and aircraft training phases operating within an integrated safety management system.</p> <p data-bbox="359 1500 1484 1870">This new proposal is effectively a backwards step to historical practices and does not support the intention of the Aircrew regulation, and it does not ease the regulatory burden. In fact it can raise safety concerns, and make it more difficult for National Aviation Authorities to ensure pilots have undergone the required aircraft training. The Head of Training has no oversight capability over business aviation AOC holders which vary in size from very small to medium/large-sized operators, the vast majority of which are not ATOs. The Head of Training also has no oversight over the TRI, and is completely disconnected from how and when the aircraft training has been carried out. It is therefore not possible, both from the legal and regulatory perspective, for the ATO Head of Training to issue a course completion certificate on the basis of aircraft training carried out within an ‘approved organization’ holding an AOC.</p> <p data-bbox="359 1892 1484 2004">CAE is in agreement with the working group in that all type rating training must be kept within an ATO but does NOT support any exceptions. We propose the deletion of the NPA proposal under paragraph 17.</p>

response Not accepted

Thank you very much for your comment. We understand your constraints but as we have received other comments on this issue, we have modified the text to clarify the responsibilities when the base training is performed at an AOC holder.

**3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX II:
CONDITIONS FOR THE CONVERSION OF EXISTING NATIONAL LICENCES AND RATINGS FOR
AEROPLANES AND HELICOPTERS**

p. 237-246

comment 27

comment by: *Henk van den Berg*

A. AEROPLANES

1. Pilot licences

Table under (d)

Comment:

In row 4; collumns 4 and 5 reference is made to (c)(4) and (c)(5).

The reference is unclear.

Proposed solution:

Indicate where (c)(4) and (c)(5) may be found.

response

Noted

Thank you for your comment. Please be advised that the table was replaced with Commission Regulation (EU) 2015/445.

comment 93

comment by: *Estonian CAA*

ANNEX II

**CONDITIONS FOR THE CONVERSION OF EXISTING NATIONAL LICENCES
AND RATINGS FOR AEROPLANES AND HELICOPTERS**

A. AEROPLANES

1. Pilot licences: in para (d) the row f is missing

response

Noted

Thank you for your comment. Please be advised that the table was replaced with Commission Regulation (EU) 2015/445.

comment

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

Relevant Text: The table under (d)

Comment: The table lacks a (f) row, even though there are references in the table to that row.

Proposal: Rename the rows and ensure that the references are correct.



response Noted

Thank you for your comment. Please be advised that the table was replaced with Commission Regulation (EU) 2015/445.

comment 611

comment by: Danish Transport Authority

Relevant Text: The table under (d)

Comment: The table lacks a (f) row, even though there are references in the table to that row.

Proposal: Rename the rows and ensure that the references are correct.

response Noted

Thank you for your comment. Please be advised that the table was replaced with Commission Regulation (EU) 2015/445.

3. Proposed amendments — 3.1. Draft Regulation (Draft EASA Opinion) — ANNEX III: CONDITIONS FOR THE ACCEPTANCE OF LICENCES ISSUED BY OR ON BEHALF OF THIRD COUNTRIES

p. 247-251

comment 60

comment by: IAOPA (EUROPE)

Observation	Proposed new text
<p>IAOPA (Europe) considers that the requirements of Annex III are disproportionate for pilots holding ICAO-compliant pilot licences who wish to exercise private pilot privileges restricted to day VFR flying only.</p> <p>IAOPA (Europe) therefore recommends that a new paragraph 7 is included in Annex III as indicated.</p>	<p>Pilot licences for private activities restricted to day VFR only</p> <p>7. Notwithstanding the requirements of paras. 1 and 2 of this Annex, in the case of private pilot licences, or CPL and ATPL licences where the pilot intends only to exercise private pilot privileges by day in accordance with VFR, the holder's licence will be deemed valid for such operation provided that the holder complies with the following requirements:</p> <p>(a) demonstrate that he/she has acquired knowledge of Air Law and Human Performance;</p> <p>(b) hold at least a Class 2 medical certificate issued in accordance with Annex 1 to the Chicago Convention;</p>



	<p>(c) demonstrate that he/she has acquired language proficiency in accordance with FCL.055.</p> <p>The period of deemed validation of a licence used for the purposes of this paragraph shall be restricted to the validity period of such privileges for the same class or type of aircraft included in the basic licence.</p>
response	<p>Noted</p> <p>Thank you for your comment. Please be advised that the text was changed with Commission Regulation (EU) 2015/445.</p>
comment	<p>238 comment by: DGAC France</p> <p>Subject: Validation of Third Country licences in the framework of a dry lease contract to fly on EU registered aircrafts (Annex III)</p> <p>Content of comment: France considers that Annex III represents a major hurdle for European aircraft owners (airlines, manufacturers, etc) who want to dry lease, on a temporary basis, their aircraft (registered in Europe) for operations outside of Europe (e.g. dry lease of a F registered aircraft to a north American airline for operation outside of Europe) are facing major difficulties to comply with Annex III since the crews of the non European airline are not meeting Annex III requirement. Efforts required by Annex III implementation are creating an unbalanced situation in terms of competition with non European operators. The constraints associated are such as they are jeopardizing the leasing contracts in some cases. France considers that more flexible arrangements have to be developed in order to soften Annex III requirements to deal with operators which are dry-leasing outside of Europe their aircraft registered in Europe, provided that the “non EU operator” is not on the list of airlines banned within EU. Those validations issued for those specific operations shall exclude any chartering by any EU air transport or aerial work company, any joint operation with any EU air transport or aerial work company and any operation pertaining to traffic authorisation granted to any EU air transport or aerial work company. Such arrangement would allow non European operators to continue to operate European registered aircraft, compliant with Parts 21, 145, M and 66. France approached the Canadian authorities with a view to exploring the possibilities laid down by article 83 bis of the Chicago convention. France has proposed a partial application of the 83 bis agreement: the continuing airworthiness would remain under EU regulation when the crew licences and the airline operations oversight would be ensured by the third country competent authority. This approach was formalised in a letter dated 1 August 2014. Unfortunately the proposed approach is apparently facing major legal issues that are not easy to solve.</p>
response	<p>Noted</p>

Thank you for your comment. The Agency has already considered this issue and deals with it through a separate RMT (RMT.0587). The associated NPA 2016-16 was published on 30 November 2016.

comment 493

comment by: *Transport Malta***Pilot licences for non-commercial activities with an instrument rating**

Comment:

For the issue of a certificate of validation of a multi-pilot type rating for non-commercial activities, and these will be always with an instrument rating, the pilot has to take an initial instrument rating skill test, in accordance with Appendix 7.

The instrument rating skill has to be taken in the aircraft, and it includes a single engine landing. These single engine landings in the multi-pilot aircraft are not recommended and may reduce safety.

It is proposed that in such cases the pilot will be required to meet the same experience requirements as those for commercial air transport operations (1500 hours on multi-pilot aeroplanes) and that the requirement for the instrument rating skill test and the theoretical examinations be removed. The experience requirements will compensate for these.

It is proposed that the pilot will also have to pass a skill test in accordance with Appendix 9, including 1 route sector with the examiner.

response Accepted

Thank you for your comment. EASA agrees with your view and the text has been amended accordingly.

comment 638

comment by: *European Cockpit Association***Commented text:**

*Annex III
B and C*

ECA's Comments:

There is no mention if an IR is accepted, so it creates different procedures among different Member States.

response Noted

Thank you for your comment. For a better understanding, please be advised that the IR is not mentioned in Section B because there was no IR acceptance planned for this specific group of licences. Please refer to Appendix 6, Modular training courses for the IR, where in Aa (8) the conversion requirements for an IR issued by a third country in accordance with Annex 1 to the Chicago convention is regulated. In Section C, the IR is included in all MPA type ratings. For all other ratings, the same requirements as for Section B apply.



comment

700

comment by: UK CAA

Page No: 250

Paragraph No: Annex III, part A, paragraph 5(d)

Comment: There is a missing space between “Annex I” and “to”

Justification: Typing error.

Proposed Text: “.....with Annex I to the Chicago....”

response

Accepted

Thank you for your comment. The text has been amended accordingly.



3. Attachments

 [SUBPART K meeting mark up 4Mar15.pdf](#)

Attachment #1 to comment [#7](#)

 [SUBPART K meeting Clean copy 4Mar15.pdf](#)

Attachment #2 to comment [#7](#)

 [Subpart J meeting copy mark up 4Mar15.pdf](#)

Attachment #3 to comment [#7](#)

 [Subpart J meeting copy clean 4Mar15.pdf](#)

Attachment #4 to comment [#7](#)

 [NPA 2014.pdf](#)

Attachment #5 to comment [#710](#)

 [AMC1 FCL.710 \(c\).pdf](#)

Attachment #6 to comment [#182](#)

 [Issue of a TRI for the Dornier 228 aeroplane.pdf](#)

Attachment #7 to comment [#16](#)

 [Issue of a TRI for the Dornier 228 aeroplane.pdf](#)

Attachment #8 to comment [#17](#)

 [Article 14\(4\) notification letter.pdf](#)

Attachment #9 to comment [#703](#)

 [Annex to Article 14\(4\) notification letter.pdf](#)

Attachment #10 to comment [#703](#)

SINGLE-PILOT HIGH-PERFORMANCE COMPLEX AEROPLANES Manœuvres/Procédures	PRACTICAL TRAINING				Instructor initials when training completed.	Chkd in FSTD A	Examiner initials when test completed
	OTD	FTD	FFS	A			
2.5 Take-offs with simulated engine failure: 2.5.1* shortly after reaching V2 (In aeroplanes which are not certificated as transport category or commuter category aeroplanes, the engine failure shall not be simulated until reaching a minimum height of 500 ft above runway end. In aeroplanes having the same performance as a transport category aeroplane regarding take-off mass and density altitude, the instructor may simulate the engine failure shortly after reaching V2)			P----->	----->		M if 2.5.2 has not been completed	
2.5.2* between V1 and V2			P	X		M FFS only (if no FFS is available, item 2.5.1 has to be completed)	

Attachment #11 to comment [#236](#)

 [PICAM_HPA_Complex.pdf](#)

Attachment #12 to comment [#237](#)



4. Annex

Document reflecting the changes to the Aircrew Regulation

