



Notice of Proposed Amendment 2015-20

Review of the Aircrew Regulation in order to provide a system for private pilot training outside approved training organisations, and of the associated acceptable means of compliance and guidance material

RMT.0657— 18.12.2015

EXECUTIVE SUMMARY

This Notice of Proposed Amendment (NPA) aims to shift the General Aviation (GA) pilot training paradigm by introducing a proportionate risk-based approach to training in Regulation (EU) No 1178/2011 (hereinafter referred to as the ‘Aircrew Regulation’). The proposed requirements relate to training for Part-FCL non-commercial pilot licences, including the light aircraft pilot licence (LAPL), private pilot licence (PPL), sailplane pilot licence (SPL), and balloon pilot licence (BPL)), as well as for the associated ratings, certificates and privileges.

Upon completion of the transition work from JAR-FCL registered facilities (RFs) to full approved training organisation (ATO) status, many stakeholders repeatedly reported that a training system that consists only of ATOs is not the best and most proportionate way to deliver the full range of Part-FCL training for non-commercial pilot licences. In line with the strategic direction of the GA Safety Strategy adopted in 2012, the Agency put forward a proposal to the EASA Committee in October 2014 to develop a possibility for training outside ATOs in order to effectively adapt the requirements for training towards non-commercial pilot licences.

This proposal reflects the six GA strategic principles as follows:

- P1: One size does not fit all;
- P2: Philosophy of minimum necessary rules;
- P3: Adopt a risk-based approach;
- P4: Protect ‘grandfather rights’ unless there are demonstrable and statistically significant safety reasons for not doing so;
- P5: Apply EU smart regulation principles; and
- P6: Make best use of available resources/expertise.

In order to meet this general objective, this NPA introduces the concept of the basic training organisation (BTO) for providing a harmonised approach to non-commercial pilot training within Europe. This new concept is based on a performance-based regulation offering a less prescriptive approach than the existing ATO framework while maintaining the level of safety. It focuses on developing safety awareness within the training structure and keeping only the essential elements in the rule itself as far as organisational and authority requirements purposes are concerned. In particular, the proposed rules concerning oversight of a BTO also aim to ensure a harmonised and lighter form of oversight taking a more risk- and performance-based approach. The competent authority (CA) is therefore neither required nor expected to put in place a rigid and burdensome oversight programme, such as is the case with the current ATO requirements. The oversight activities should take into account factors such as safety performance, results of the hazard identification and risk assessments conducted by the BTO. It should also be noted that the present NPA does not address the technical content of the Part-FCL training itself, since this is addressed by other ongoing or future EASA’s rulemaking activities.

Applicability		Process map	
Affected regulations and decisions:	Commission Regulation (EU) No 1178/2011(the Aircrew Regulation); ED Decision 2011/016/R; ED Decision 2012/006/Directorate R	Concept paper:	No
Affected stakeholders:	Pilots; operators; ATOs; competent authorities	Terms of reference:	21.10.2015
Driver/origin:	Efficiency/proportionality	Rulemaking group:	No, only task force
Reference:	General Aviation Road Map	RIA type:	Light
		Technical consultation during NPA drafting:	N/A
		Duration of NPA consultation:	10.5 weeks
		Review group:	N/A
		Focused consultation:	Workshop
		Publication date of the opinion:	2016/Q2
		Publication date of the decision:	2017/Q3



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1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this NPA in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity is included in the Agency's Rulemaking Programme 2016–20 under RMT.0657.

The text of this NPA has been developed by the Agency with the support of a rulemaking task force (TF) consisting of experts from the French DGAC, the UK CAA and the GA community (European Gliding Union (EGU), European Balloon Federation (EBF) and Europe Air Sports (EAS)). It is hereby submitted for consultation of all interested parties³.

The process map on the title page contains the major milestones of this rulemaking activity to date and provides an outlook of the timescale of the next steps.

1.2. The structure of this NPA

Chapter 1 of this NPA contains the procedural information related to this task. Chapter 2 (Explanatory Note) explains the core technical content. Chapter 3 contains the proposed text for the new requirements.

1.3. How to comment on this NPA

Please submit your comments using the automated **comment-response tool (CRT)** available at <http://hub.easa.europa.eu/crt/>⁴.

The deadline for submission of comments is **29 February 2016**.

1.4. The next steps in the procedure

The Agency will publish the associated comment-response document (CRD) concurrently with the related opinion, which the Agency expects to publish in 2016/Q2.

Said Opinion, based on this NPA and the outcome of the consultation, will contain the proposed changes to the Aircrew Regulation⁵ (amendments to Part-FCL and Part-ARA, and introduction of a new annex (Part-BTO)) and will be addressed to the European Commission which shall use it as a technical basis in order to prepare an EU regulation amending the Aircrew Regulation. Following the adoption of this regulation, the Agency will issue a Decision containing the related AMC/GM.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board Decision 01-2012 of 13 March 2012 concerning the procedure to be applied by the Agency for the issuing of opinions, certification specifications and guidance material (Rulemaking Procedure).

³ In accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

⁴ In case of technical problems, please contact the CRT webmaster (crt@easa.europa.eu).

⁵ Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).



2. Explanatory Note

This rulemaking task concerns amendments to the Aircrew Regulation⁶ and aims to take a proportionate risk-based approach to allow for a shift in the paradigm of training for Part-FCL non-commercial pilot licences and associated ratings, certificates and privileges.

2.1. Overview of the issues to be addressed

The major goal of the Agency's General Aviation (GA) Road Map is to work towards simpler, lighter and better rules for GA. During the transition from registered facilities (RFs) to approved training organisation (ATO) status, many stakeholders repeatedly reported that a training system that consists only of ATOs is not the best and most proportionate way to deliver training towards the full range of non-commercial Part-FCL pilot licences.

In the current Regulation, for a new organisation aiming at providing training towards a Part-FCL licence, rating or certificate, the only option available is to apply for a training school approval. Requirements related to ATOs are included in Annex VII (Part-ORA) to the Aircrew Regulation. Subpart GEN of Part-ORA establishes the general requirements for training organisations and in particular defines the requirements for a management system. Subpart ATO of Part-ORA complements the general requirements with specific provisions for organisations providing training. ATOs providing only training for non-commercial pilot licences are by default considered non-complex organisations.

The GA community expressed major concerns about the burden, from an administrative and economic point of view, those requirements represent for the non-profit sector providing training mainly for Part-FCL non-commercial pilot licences. The current Regulation jeopardises the GA training activity mainly ran by volunteers. If private pilots are discouraged by the burden and complexity of the European system, some may elect to revert to other leisure activities, which in turn may affect the European business case.

Recognising the need to consider alternative rules for the training for private pilot licences, in October 2014 the Agency put forward a proposal to the EASA Committee to amend the Aircrew Regulation by introducing another option for the training for private pilot licences, which would be to train private pilots outside an ATO. The EASA Committee endorsed the Agency's proposal, and the European Commission, the European Union (EU) Member States (MS) and the Agency agreed (as already reflected in Commission Regulation (EU) 2015/445⁷) to allow MS to postpone until April 2018 the implementation of the rules for ATOs that provide only training for LAPL, PPL, SPL and BPL, as well as for the associated ratings and certificates. This derogation was proposed in order to provide sufficient time for the development, consultation and presentation of an opinion on this subject.

NPA 2014-28 (published in December 2014) was a first initiative launched by the Agency in order to simplify and improve the proportionality of the Part-ORA requirements for non-complex ATOs. The results of the consultation showed only limited support for the proposed amendments. The GA

⁶ Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).

⁷ Commission Regulation (EU) 2015/445 of 17 March 2015 amending Regulation (EU) No 1178/2011 as regards technical requirements and administrative procedures related to civil aviation aircrew (OJ L 74, 18.3.2015, p. 1).



expectations were not fully met. NPA 2014-28 did not meet the expectations of either non-complex ATOs providing LAPL/PPL training or GA non-commercial training organisations.

RMT.0657 has been launched with the aim of delivering a new concept to address this issue. The proposal contained in this NPA is the result of the work that has been performed by the Agency with the support of the rulemaking TF.

During the drafting process, the Agency and the rulemaking TF initially proposed the concept of registered training organisation (RTO) along the same lines as a registered training facility, but with more emphasis on risk management and standardisation. However, the proposed RTO concept was found not to be compliant with the existing Basic Regulation (Article 7(3)). According to the Basic Regulation, a pilot training organisation has to be 'approved' by definition. Article 7(3) would still apply even if the term 'facility' was used instead of 'organisation' as even 'facility' implies some level of organisation. Therefore, the Agency, following consultation with the rulemaking TF and the GA project team, decided to introduce the BTO concept. The BTO concept reverts to the approval concept; however, the approval in the context of a BTO is considered a 'light' approval, whilst still in compliance with the Basic Regulation.

The NPA hence aims to introduce this BTO concept. Instead of adding a new subpart to the current Part-ORA, a new Annex VIII (Part-BTO) describing the BTO requirements was introduced. The objective was to exclude BTO requirements from the ATO concept. All proposed BTO requirements are kept to the minimum in order to limit as much as possible the administrative and financial burdens.

2.2. Objectives

The overall objectives of the EASA system are defined in Article 2 of the Basic Regulation. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2 of this NPA.

The overall objective of this task is to develop more proportionate requirements for training towards non-commercial pilot licences and associated ratings and certificates.

The specific objectives of this task are to:

- investigate for which rules a more risk-based approach can be followed, focusing only on the minimum necessary elements for a training organisation;
- define precisely the scope of the training to be addressed. For each aircraft category, the type of training that may be performed outside an ATO has to be defined.

The following types of training need to be considered:

- theoretical knowledge training for non-commercial pilot licences (LAPL, PPL, SPL, and BPL);
- flight training for non-commercial pilot licences (LAPL, PPL, SPL, and BPL);
- training for non-high-performance single-engine piston class ratings (land and sea), for class (hot air, gas) and group for balloons, touring motor gliders (TMGs) and sailplanes; and
- training for additional ratings (FCL.800, FCL.805, FCL.810, FCL.815, and FCL.830).



Specifically in the case of helicopters, it should be considered whether additional type ratings are within the scope;

- review the existing requirements of the Aircrew Regulation (Annex I (Part-FCL) and Annex VI (Part-ARA)) as well as the associated AMC/GM for non-commercial pilot licences training; and
- consider the structure and balance between implementing rules (IRs) and AMC and GM regarding ATOs, and switch from prescriptive to performance-based rules, as appropriate.

2.3. Regulatory impact assessment (RIA)

2.3.1. Policy options

Table 1: Selected policy options

Option No	Short title	Description
0		Baseline option (no change in rules; risks remain as outlined in the issue analysis).
1		A registered training organisation (RTO), meaning an adapted ATO structure not requiring an approval but only a registration.
2		A basic training organisation (BTO), meaning an adapted ATO structure based on a 'light' approval.
3		No training structure at all; training completely out of any training organisation environment.

2.3.2. Analysis of impacts

2.3.2.1. Safety impact

Option 0	No impact: safety level is maintained
Option 1	No impact on safety; equivalent safety standard due to an adapted ATO structure making use of more risk-based oversight.
Option 2	
Option 3	Some negative impact on safety, as it will be more difficult to perform adequate oversight and standardisation of training



2.3.2.2. Social impact

Option 0	Disproportionate compliance requirements for establishing an ATO to provide training for private pilot licences and associated ratings and certificates. This may lead to existing national training organisations or former JAR RFs to cease activity because of the burden placed on these organisations through the current Regulation.
Option 1	More proportionate requirements through a more risk-based approach. This option allows for a balance between flexibility and quality of training. With a lower organisational burden to organisations managed by mainly volunteers, the cost for private pilot training will be reduced, enabling more prospective pilots to obtain a private pilot licence.
Option 2	
Option 3	No requirements at all. Any instructor may deliver training towards a non-commercial licence, certificate or rating without the need for a formal training structure. This may lead to existing national training organisations or former JAR RFs ceasing their activities, as they may no longer be needed. With no organisational burden, the cost for private pilot training will be reduced, enabling more prospective pilots to obtain a private pilot licence.

2.3.2.3. Economic impact

Option 0	Disproportionate cost impact. The existing compliance requirements for establishing an ATO pose a financial and resource burden, which may lead to existing national training organisations or former JAR RFs ceasing their activities.
Option 1	More proportionate cost impact, additional cost mainly attributed to the resources needed to establish an RTO. Some CA registration fees to be expected. Overall, there would be a cost reduction.
Option 2	More proportionate cost impact, additional cost mainly attributed to the resources needed to establish a BTO. Some CA certification fees to be expected. Overall, there would be a cost reduction. Nevertheless, formal approval oversight burden may vary from one CA to the other.
Option 3	Lower training cost for student pilots due to no training organisation overheads. Overall, there would be a cost reduction.



To enable a more detailed assessment of the economic impacts of Options 1 and 2 in comparison with Option 0, the Agency would like to pose the following questions to stakeholders:

1. **For existing approved training organisations (ATOs)** — How many working hours were needed to produce the required training documentations, such as the training manual or the SMS?
 - a. Please specify if you have already established an ATO in accordance with the Aircrew Regulation.
 - b. Workload (working hours) associated with the production of the first manuals.
 - c. Workload to annually revise the manuals.
2. **For national training organisations or former JAR RFs** — What is the estimated cost of being compliant with the existing ATO requirements (most MS opted out until 2018)?
 - a. costs including staff resources, consultation expert cost, etc.;
 - b. initial costs;
 - c. recurring costs;
 - d. fees costs.
3. **For CAs** — What are the main anticipated changes on the activities of the CA when implementing the BTO or RTO concepts instead of the ATO concept? Please provide quantified estimates to support your answer (change on staff resources, etc.).
4. **For all individual stakeholders** — What is the most significant administrative burden (in terms of change management, introduction of new course, feedback to competent authorities, etc.) linked to the ATO concept that is avoided by the BTO or RTO concept? Please provide also some estimated number of days with this alleviation and the potential drawback of such alleviation.
5. Additionally, stakeholders are kindly invited to provide data on administrative cost impacts introduced by this NPA and any other quantitative information they may find necessary to bring to the attention of the Agency and the rulemaking TF.

As a result, the relevant parts of the RIA might be adjusted on a case-by-case basis when republished with the Opinion.

2.3.2.4. General aviation and proportionality issues

Option 0	Will not lead to the changes as requested by the GA Road Map project team, the Commission and the EASA MS.
Option 1	Will achieve the requested changes by the GA Road Map project team, the Commission and the EASA MS, and as further explained in the Explanatory Note section 2.1.
Option 2	Will largely achieve the requested changes by the GA Road Map project team, the Commission and the EASA MS, and as further explained in the Explanatory Note section 2.1.
Option 3	Will achieve the requested changes by the GA Road Map project team, the Commission and the EASA MS. However, a negative effect on GA private pilot training is expected in terms of lack of standardisation and difficulty in the means to perform oversight. The reduced requirements could lead to more GA pilots not achieving the required competence in the skill test if the training is not provided within a minimum structured framework.



2.3.2.5. Impact on 'better regulation' and harmonisation

Option 0	Harmonisation is ensured. 'Better regulation' principles are not achieved as the current requirements are deemed too burdensome for the GA pilot community.
Option 1	<ul style="list-style-type: none"> — simplifies the existing rules for training organisations and introduces more risk-based regulation. — does not affect EASA MS' obligations towards ICAO. — is not compliant with the Basic Regulation (Article 7(3)). According to the Basic Regulation, a pilot training organisation requires an approval by definition. The proposed registration of an organisation does not comply with this current requirement. It should be highlighted that there are ongoing discussions between the Commission and the MS to insert an alleviation to this requirement in revised Basic Regulation. <p>Furthermore, legal implementation problems are expected.</p>
Option 2	<ul style="list-style-type: none"> — simplifies the existing rules for training organisations and will introduce more risk-based regulation. — does not have an impact on EASA MS' obligations towards ICAO. — is in compliance with the Basic Regulation. <p>No legal implementation problems are expected.</p>
Option 3	<ul style="list-style-type: none"> — will abolish the existing rules for pilot training within an organisation. — does not have an impact on EASA MS' obligations towards ICAO. — is in compliance with the Basic Regulation. <p>Furthermore, implementation problems are expected, due to the new training provision paradigm.</p>

2.3.3. Comparison and conclusion

Option 0 would have no impact on safety, but would maintain the existing ATO requirements for organisations wishing to provide training for private pilot licences and associated ratings, certificates and privileges. It would lead to high compliance cost for existing national and former JAR RFs, which may lead some of them to cease their activities and may serve as a barrier to entry for new organisations. Furthermore, selecting Option 0 would also be against the GA project team's aim of facilitating the possibility of having an option for providing training outside ATOs, as requested by the Commission and the EASA MS.

In contrast, Options 1 and 2 propose to adapt the existing ATO requirements, such that private pilot training may take place at an RTO or a BTO. Existing national and former JAR RFs should only require some restructuring to comply with the new requirements in order to ensure they can continue to provide standardised training, outside the existing ATO concept. The competent authorities would also be able to continue to perform some form of oversight, albeit lighter and based on a more risk- and performance-based approach. The CA is therefore neither required nor expected to put in place a rigid and burdensome oversight programme, such as is the case with the current ATO requirements.

Option 3 would have some negative impact on safety as training takes place without any form of structure and with difficulty in the means to perform oversight. It would likely lead to non-standard



training practices and would render oversight by competent authorities nearly impossible. Such a radical change may also mean that existing national training organisations or former JAR RFs may cease their activities, as there would be no more need for them. On the other hand, individual pilots may benefit in terms of lower training cost. However, the main risk with Option 3 is that there is a potential lack of standardisation of training and difficulty in the means to perform oversight, which may lead to pilots not achieving the required level of competence to succeed in the skill test to obtain the respective licence, certificate, rating or additional privileges.

Options 1 and 2 are hence recommended as the most appropriate options by the Agency and the rulemaking TF. However, as Option 1 is not in compliance with the Basic Regulation, Option 2 has been chosen by the Agency as the most appropriate option to pursue within the opt-out period where the BTO concept is likely to provide for a proportionate form of oversight.

2.4. Overview of the proposed amendments

The rulemaking proposal developed in the present NPA includes:

- a complete review of Annex I (Part-FCL) aiming at introducing the BTO concept in particular when addressing the framework of training courses for Part-FCL non-commercial pilot licences (LAPL, PPL, SPL, BPL) and associated ratings and certificates (class ratings, TMG extension, additional ratings, instructor certificates, etc.); and
- a complete review of Annex VI (Part-ARA) aiming at introducing the BTO concept in particular for the oversight obligations of the CA; and
- a new Annex VIII (Part-BTO) containing all the applicable requirements for a BTO and defining the scope of privileges for the training to be provided for each aircraft category.

2.4.1. Cover regulation

Article 10a Pilot training organisations

2.4.2. Part-FCL

FCL.025 Theoretical knowledge examinations for the issue of licences and ratings

FCL.115 LAPL — Training course

FCL.110.A LAPL(A) — Experience requirements and crediting

FCL.110.H LAPL(H) — Experience requirements and crediting

FCL.110.S LAPL(S) — Experience requirements and crediting

FCL.135.S LAPL(S) — Extension of privileges to TMG

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

FCL.135.B LAPL(B) — Extension of privileges to another balloon class

FCL.210 Training course

FCL.210.A PPL(A) — Experience requirements and crediting

FCL.210.H PPL(H) — Experience requirements and crediting



FCL.725 Requirements for the issue of class and type ratings
FCL.740 Validity and renewal of class and type ratings
FCL.800 Aerobatic rating
FCL.805 Sailplane towing and banner towing ratings
FCL.810 Night rating
FCL.815 Mountain rating
FCL.830 Sailplane cloud flying rating
FCL.930 Training course
FCL.910.FI FI — Restricted privileges
FCL.1015 Examiner standardisation
FCL.1025 Validity, revalidation and renewal of examiner certificates

2.4.3. Part-ARA

ARA.GEN.105 Definitions
ARA.GEN.220 Record-keeping
ARA.GEN.305 Oversight programme
ARA.GEN.310 Initial certification procedure — organisations
ARA.GEN.330 Changes — organisations
ARA.GEN.350 Findings and corrective actions – organisations

Subpart BTO (new)

ARA.BTO.100 Application process and certification
ARA.BTO.105 Changes
ARA.BTO.110 Assessment of BTO training programme(s)

2.4.4. Part-BTO (new)

BTO.GEN.100 — General
BTO.GEN.110 — Competent authority
BTO.GEN.120 — Scope
BTO.GEN.130 — Application process and certification
BTO.GEN.140 — Scope and privileges
BTO.GEN.150 — Access
BTO.GEN.160 — Findings
BTO.GEN.170 — Validity of approval
BTO.GEN.180 — Immediate reaction to a safety problem



BTO.GEN.190 — Tasks, responsibilities and procedures

BTO.GEN.200 — Personnel requirements

BTO.GEN.210 — Annual internal review

BTO.GEN.220 — Record-keeping

BTO.GEN.230 — BTO training programme

BTO.GEN.240 — Training aircraft and FSTDs

BTO.GEN.250 — Aerodromes and operating sites

BTO GEN 260 — Distance learning

2.4.5. AMC/GM to Part-FCL

AMC1 FCL.115; FCL.120 SYLLABUS OF THEORETICAL KNOWLEDGE FOR THE LAPL

AMC1 FCL.135.S; FCL.205.S(a) EXTENSION OF PRIVILEGES TO TMG: LAPL(S) AND SPL

AMC1 FCL.135.B; FCL.225.B THEORETICAL KNOWLEDGE INSTRUCTION FOR THE EXTENSION TO ANOTHER BALLOON CLASS LAPL(B) AND BPL

AMC1 FCL.210; FCL.215 SYLLABUS OF THEORETICAL KNOWLEDGE FOR PPL(A) AND PPL(H)

AMC1 FCL.740(b)(1) Validity and renewal of class and type ratings — RENEWAL OF CLASS AND TYPE RATINGS AT AN ATO: REFRESHER TRAINING

AMC2 FCL.740(b)(1) Validity and renewal of class and type rating — RENEWAL OF NON-HIGH-PERFORMANCE SINGLE-ENGINE PISTON CLASS RATINGS WHEN THE RATING HAS EXPIRED FOR LESS THAN THREE YEARS AT AN ATO, A BTO OR BY AN INSTRUCTOR: REFRESHER TRAINING

GM1 FCL.740(b)(1) Validity and renewal of class and type rating — RENEWAL OF NON-HIGH-PERFORMANCE SINGLE-ENGINE PISTON CLASS RATINGS WHEN THE RATING HAS EXPIRED FOR LESS THAN THREE YEARS AT AN ATO, A BTO OR BY AN INSTRUCTOR: REFRESHER TRAINING

AMC1 FCL.800 Aerobatic rating — THEORETICAL KNOWLEDGE AND FLYING TRAINING

AMC1 FCL.805 Sailplane towing and banner towing rating — THEORETICAL KNOWLEDGE AND FLYING TRAINING

AMC1 FCL.810(b) Night rating — PPL(H) NIGHT RATING COURSE

AMC2 FCL.930.FI FI Training course — FI(S) AND FI(B) TRAINING COURSE

AMC1 FCL.1015 Examiner standardisation

AMC2 FCL.1015 Examiner standardisation — STANDARDISATION ARRANGEMENTS FOR EXAMINERS

AMC2 FCL.1025 Validity, revalidation and renewal of examiners certificates — EXAMINER REFRESHER SEMIAR FI(S) AND FI(B)

2.4.6. AMC/GM to Part-ARA

AMC1 ARA.GEN.305(f) Oversight programme (new)

GM1 ARA.GEN.305(f) Oversight programme (new)



AMC1 ARA.BTO.100 Application process and certification (new)

2.4.7. AMC/GM to Part-BTO

AMC1 BTO.GEN.130 Application process and certification — BTO APPLICATION FORM

GM1 BTO.GEN.130 Application process and certification — INITIAL APPLICATION AND CHANGES TO THE BTO

AMC1 BTO.GEN.190 Tasks, responsibilities and procedures

GM1 BTO.GEN.190 Tasks, responsibilities and procedures – PROMOTION OF TRAINING STANDARDS: OPERATIONS MANUAL

GM2 BTO.GEN.190 Tasks, responsibilities and procedures — PROMOTION OF TRAINING STANDARDS: TRAININGS MANUAL, INCLUDING BTO TRAINING PROGRAMME

AMC1 BTO.GEN.200 Personnel requirements

GM1 BTO.GEN.200 Personnel requirements

GM2 BTO.GEN.200 Personnel requirements

AMC1 BTO.GEN.210 Annual internal review

AMC1 BTO.GEN.220 Record-keeping

AMC1 BTO.GEN.230 BTO training programme

2.5. Proposed amendments and new proposed BTO rules and provisions

2.5.1. Transitional provisions

Article 10a of the Aircrew Regulation has been reviewed in order to separate the BTO from the ATO requirements in a separate point (1a.).

In this context, the Agency invites stakeholders to provide further input on the most appropriate transitional provisions that would support an adequate transition from existing JAR RFs towards the BTO concept.

2.5.2. Proposed amendments to Part-FCL and to the associated AMC/GM

Annex I (Part-FCL) has been reviewed in order to introduce the BTO concept in the Aircrew Regulation. The proposed amendments aim to add the possibility to conduct training towards Part-FCL non-commercial pilot licences (LAPL, PPL, SPL and BPL) and associated ratings and certificates in BTOs.

The NPA proposes that theoretical instruction for LAPL, PPL, SPL, and BPL may be provided in a BTO. Consequently, FCL.025 is amended to allow BTOs to issue the recommendation, which is necessary for an applicant in order to take the theoretical knowledge examination. The validity period for the recommendation is extended to 24 months.

Subparts B and C have been reviewed to indicate that:

- the training course for LAPL and PPL/SPL/BPL may be conducted in a BTO (FCL.115 LAPL);



- the amount of credits for candidates may be determined by a BTO before taking the course (FCL.110.A LAPL(A), FCL.110.H LAPL(H) or FCL.110.S LAPL(S) and FCL.210.A PPL(A), FCL.210.H (PPL(H) or FCL.210.S (PPL(S)); and
- a training course for a LAPL extension is also possible in a BTO (TMG extension for a LAPL(S) (FCL.135.S LAPL(S)) or class extension for a LAPL(B) (FCL.135.B LAPL(B)).

The associated AMC/GM have been also reviewed for completeness and consistency.

Subpart H has been reviewed to introduce the possibility to conduct a training course towards the issue and renewal of non-high-performance single-engine piston class ratings (SEP(t)/SEP(sea) and TMG) in a BTO. Training towards these ratings is included in the BTO privileges. The associated AMC/GM have been also reviewed for completeness and consistency. In addition, the existing AMC1 FCL.740(b)(1) was replaced to correct editorials and align it with an altMoC received from one MS which better reflects the intent of the rule. Subsequently, the newly proposed AMC2 FCL.740(b)(1) was further amended to ensure consistency between both AMCs. A GM to FCL.740(b)(1) was also added to ensure further clarity on the intent of the rule.

Subpart I has been reviewed to introduce the possibility to conduct a training course towards the following additional ratings in a BTO: aerobatic rating, sailplane-towing rating, banner towing rating, night rating, mountain rating, and sailplane cloud flying rating.

Subpart J has been reviewed to introduce the possibility to conduct a training course towards flight instructor certificates for sailplane (FI(S)) and balloon (FI(B)) in a BTO. It should be noted that this possibility is offered only for sailplane and balloon taking into account the specificities of those two aircraft categories. Training for aeroplane and helicopter instructors remains in an ATO.

Subpart K has been reviewed to introduce the possibility to conduct a standardisation course towards flight examiner certificates for sailplane (FE(S)) and balloon (FE(B)) in a BTO. Such standardisation course needs to be approved by the CA. It should again be noted that this possibility is only for sailplane and balloon taking into account the specificities of those two aircraft categories. Standardisation towards aeroplane and helicopter examiners remains in an ATO.

2.5.3. Proposed amendments to Part-ARA and to the associated AMC/GM

Annex VI (Part-ARA) has been reviewed in order to introduce the BTO concept in the Aircrew Regulation. The proposed amendments aim to define the duties of the CA regarding BTOs.

- In ARA.GEN.105, the definitions of 'BTO training programme' and 'Part-BTO' are included.
- ARA.GEN.220(b) requires the CA to maintain a list of all BTOs that have been certified and the BTO training programmes it has assessed as compliant with the Part-FCL requirements.
- ARA.GEN.305(f) has been added. Paragraphs (b), (c), (ca) and (e) do not apply in the case of BTO oversight; instead the CA is required to take a proportionate and risk-based approach to the oversight of the BTO. Oversight may include unannounced inspections. AMC and GM have been developed to clarify how the oversight activities should be conducted. It should be emphasised that the requirement for a BTO oversight programme is merely an acknowledgement that some form of oversight is required and a commitment to develop and continually refine what the oversight requirement is for the BTO. The CA is not obliged to put in place a fixed programme,



especially considering the fact that the BTO oversight must be risk- and performance-based. This important point is also further elaborated in the AMC and GM to the rule.

- ARA.GEN.310(d) has been added. Paragraphs (a) to (c) do not apply in the case of BTO certification; instead, it requires the CA to refer to ARA.BTO.100, in the newly introduced Subpart-BTO, describing the initial application procedure.
- ARA.GEN.330(d) has been added. Paragraphs (b) and (c) do not apply in the case of changes to BTOs; instead, it requires the CA to refer to ARA.BTO.105, in the newly introduced Subpart-BTO, describing the changes procedure.
- ARA.GEN.350(da), paragraphs (a) to (d) do not apply in the case of BTO oversight findings; instead, it requires the CA to simply raise a finding, record it and communicate it in writing to the BTO and take any measures necessary until the BTO addresses the non-compliance identified. In addition, the requirements of paragraph (e) for the authority of an MS acting under the provisions of ARA.GEN.300(d) do not apply in the case of BTOs.

In the newly developed Subpart BTO:

- ARA.BTO.100 and ARA.BTO.105 describe the requirements for the CA on how to process a BTO application, and any changes to the application respectively. The AMC to ARA.BTO.100 describes that a simple acknowledgement of receipt may be considered as the BTO approval certificate.
- ARA.BTO.110 describes the assessment by the CA of the proposed BTO training programme against the applicable Part-FCL requirements.

2.5.4. Proposed Part-BTO and the associated AMC/GM BTO

The new Annex VIII (Part-BTO) includes a Subpart GEN establishing the general requirements for BTOs. Supporting AMC/GM have been also developed to further clarify the intent of the proposed rules.

- BTO.GEN.100 describes the intent of Annex VIII Part-BTO.
- BTO.GEN.110 defines the CA in the case of a BTO;
- BTO.GEN.120 defines the scope of training a BTO may provide in relation to aeroplane, helicopter, sailplane and balloon licences and associated ratings, certificates and privileges. It should be noted that for each aircraft category the privileges perimeter is different, taking in particular into account each category's specificities. All trainings towards ratings, certificates and privileges that are not mentioned in those subparts cannot be conducted in a BTO. This is in particular the case for multi-engine ratings (aeroplane and helicopter), type ratings (aeroplane and helicopter), single-engine turbines (SET), IR/EIR (notwithstanding the arrangements for CB IR and EIR partly conducted in an ATO and partly outside an ATO).
- BTO.GEN.130 describes the application and certification process. The intent of this rule is to provide clear instructions to the CA as to what must be done to approve a BTO. In short, the intent of the rule is to limit the verification obligation for the CA to review only the application form for completeness and determine whether the proposed BTO training programme complies with the applicable Part-FCL requirements. The rule also allows for the prospective BTO to already commence its proposed training activities whilst awaiting the approval certificate. To ensure that the CA provides this certificate within a reasonable time frame, the rule further



requires the CA to provide the certificate within two months of receiving the application. To further simplify the means by which the certificate is issued to the BTO, the acknowledgement of receipt of the application should be deemed to be the approval certificate. If there are changes to the content of the initial application, the BTO has the obligation to notify the CA accordingly. The associated AMC provides the format of the application form.

- BTO.GEN.140 describes that the delivery of training must be in accordance with the scope of the approval.
- BTO.GEN.150 requires the BTO to allow access to the CA to perform its oversight function.
- BTO.GEN.160 describes how a BTO needs to process findings.
- BTO.GEN.170 describes that the BTO approval remains valid for an unlimited duration unless the CA takes enforcement measures or the BTO surrenders the approval.
- BTO.GEN.180 describes how a BTO needs to react to a safety problem.
- BTO.GEN.190 describes the BTO's essential tasks to include the implementation of a safety awareness culture, and to determine that the training delivered is within the scope of its approval and in compliance with the Part-FCL requirements. The safety awareness culture ensures that the BTO is aware of risks associated with its activities. The way to achieve that needs to be defined in a safety policy statement. The safety policy statement should be basic and easy to use. It should be internal to the structure and adapted to local conditions. The GM to this rule also provides guidance on developing an operations manual, training manual and the BTO training programme. It should be emphasised that there is no requirement for an operations or training manual; however, both are highly recommended to support the promotion of safety and training standards respectively within a BTO.
- BTO.GEN.200 and its associated AMC identify BTO personnel. The rule requires the appointment of a representative acting as focal point for the CA. The BTO, through its legal representative, is responsible for the allocation of sufficient resources in order to ensure activities and essential functions. In addition, the AMC identifies a head of training responsible for ensuring compliance with the Part-FCL training requirements. The AMC also specifies that the legal representative is responsible for the safety awareness function and may be assisted by a designated safety adviser. Finally, it should be noted that GM1 BTO.GEN.200 allows combinations of the above functions in order to offer the maximum flexibility to adapt the BTO concept to small entities (including one-man entities).
- BTO.GEN.210. and its associated AMC require the BTO to conduct an annual internal review focusing on safety-related elements: analysis of in-service events, adequacy of mitigation measures, training practices, instructors standardisation, integration of new training devices, etc. The results of this annual review may be forwarded to the CA if requested. This annual review may help the CA in performing its oversight activities.
- BTO.GEN.220 describes the (training) records that should be kept by the BTO.
- BTO.GEN.230 requires a BTO to have a BTO training programme assessed by the CA. The task to determine compliance with the Part-FCL training requirements ensures that training is performed in accordance with the validated BTO training programmes, and that training standards are promoted within the BTO. A BTO may use a BTO training programme already



assessed as Part-FCL compliant by the CA, or the BTO may develop their own training programme using the guidance provided under GM2 to BTO.GEN.190 and submit the proposed BTO training programme to the CA for assessment with the initial BTO application.

- BTO.GEN.240 requires the BTO to have an adequate fleet of training aircraft or FSTDs appropriate for the training provided.
- BTO.GEN.250 describes what aerodrome and operating sites a BTO must use.
- BTO.GEN.260 describes how distance learning must be conducted.



3. Proposed amendments

The text of the amendment is arranged to show deleted text, new or amended text as shown below:

- (a) deleted text is marked with ~~strike through~~;
- (b) new or amended text is highlighted in grey;
- (c) an ellipsis (...) indicates that the remaining text is unchanged in front of or following the reflected amendment.

3.1. Draft Regulation (Draft EASA Opinion)

Amendment to the Aircrew Regulation

(1) Article 10a, on pilot training organisations, is amended as follows:

Article 10a Pilot training organisations

1. Pilot training organisations shall comply with the technical requirements and administrative procedures laid down in Annexes VI and VII and shall be certified.

1a. Notwithstanding paragraph 1, pilot training organisations providing training for light aircraft pilot licence (LAPL), private pilot licence (PPL), sailplane pilot licence (SPL), and balloon pilot licence (BPL) as well as for the associated ratings, certificates and privileges only, may comply with the technical requirements and administrative procedures laid down in Annexes VI and VIII.

2. Pilot training organisations holding JAR-compliant certificates issued or recognised by a Member State before this Regulation applies shall be deemed to hold a certificate issued in accordance with this Regulation.

In such case the privileges of these organisations shall be limited to the privileges included in the approval issued by the Member State.

Without prejudice to Article 2, pilot training organisations shall adapt their management system, training programs, procedures and manuals to be compliant with Annex VII by 8 April 2014 at the latest.

3. JAR-compliant training organisations shall be allowed to provide training for a Part-FCL private pilot licence (PPL), for the associated ratings included in the registration and for a light aircraft pilot licence (LAPL) until 8 April 2018 without complying with the provisions of Annex VI, VII and VIII provided that they were registered before 8 April 2015.

4. Member States shall replace the certificates referred to in the first subparagraph of paragraph 2 with certificates complying with the format laid down in Annex VI by 8 April 2017 at the latest.



Annex I (Part-FCL)

- (2) **FCL.025, on theoretical knowledge examinations for the issue of licences and ratings, is amended as follows:**

'FCL.025 Theoretical knowledge examinations for the issue of licences and ratings

- (a) Responsibilities of the applicant

[...]

- (2) Applicants shall only take the theoretical knowledge examination when recommended by the basic training organisation (BTO) or the approved training organisation (ATO) responsible for their training, once they have completed the appropriate elements of the training course of theoretical knowledge instruction to a satisfactory standard.
- (3) The recommendation by a BTO or an ATO shall be valid for 12 months except for theoretical knowledge examination for LAPL, PPL, SPL, and BPL for which the recommendation shall be valid for 24 months. If the applicant has failed to attempt at least one theoretical knowledge examination paper within this period of validity, the need for further training shall be determined by the BTO or the ATO, based on the needs of the applicant.

- (b) *Pass standards*

[...]

- (3) If an applicant 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/the applicant shall re-take the complete set of examination papers.

Before re-taking the theoretical knowledge examinations, the applicant shall undertake further training at a BTO or an ATO. The extent and scope of the training needed shall be determined by the BTO or the ATO, based on the needs of the applicant.'

- (3) **FCL.115 LAPL, on training course, is amended as follows:**

'FCL.115 LAPL — Training course

- (a) Applicants for an LAPL shall complete a training course within a BTO or an ATO.
- (b) The course shall include theoretical knowledge and flight instruction appropriate to the privileges given.
- (c) Theoretical knowledge instruction and flight instruction may be completed in a different BTO or ATO from the one where the applicant has started the training.'



(4) FCL.110.A LAPL(A), on experience requirements and crediting, is amended as follows:

‘FCL.110.A LAPL(A) — Experience requirements and crediting

[...]

- (c) Crediting. Applicants with prior experience as PIC may be credited towards the requirements in (a).

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

[...]

(5) FCL.110.H LAPL(H), on experience requirements and crediting, is amended as follows:

‘FCL.110.H LAPL(H) — Experience requirements and crediting

[...]

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

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

[...]

(6) FCL.110.S LAPL(S), on experience requirements and crediting, is amended as follows:

‘FCL.110.S LAPL(S) — Experience requirements and crediting

[...]

- (c) Crediting. Applicants with prior experience as PIC may be credited towards the requirements in (a).

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

[...]

(7) FCL.135.S LAPL(S), on extension of privileges to TMG, is amended as follows:

‘FCL.135.S LAPL(S) — Extension of privileges to TMG

The privileges of an LAPL(S) shall be extended to a TMG when the pilot has completed in a BTO or an ATO, at least:

[...]



(8) FCL.110.B LAPL(B), on experience requirements and crediting, is amended as follows:**'FCL.110.B LAPL(B) — Experience requirements and crediting**

[...]

- (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 BTO or the ATO where the pilot undergoes the training course, on the basis of a pre-entry flight test, but shall in any case:

[...]

(9) FCL.135.B LAPL(B), on extension of privileges to another balloon class, is amended as follows:**'FCL.135.B LAPL(B) — Extension of privileges to another balloon class**

The privileges of the LAPL(B) shall be limited to the class of balloons in which the skill test was taken. This limitation may be removed when the pilot has completed in the other class, at a BTO or an ATO, at least:

[...]

(10) FCL.210, on training course, is amended as follows:**'FCL.210 Training course**

- (a) Applicants for a BPL, SPL or PPL shall complete a training course at a BTO or an ATO.
- (b) The course shall include theoretical knowledge and flight instruction appropriate to the privileges given.
- (c) Theoretical knowledge instruction and flight instruction may be completed in a different BTO or ATO from the one where applicants commenced their training.'

(11) FCL.210.A PPL(A), on experience requirements and crediting, is amended as follows:**'FCL.210.A PPL(A) — Experience requirements and crediting**

[...]

- (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 a BTO or an ATO. This training course shall include at least 4 hours of supervised solo flight time, including at least 2 hours of solo cross-country flight time with 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.
- (c) Specific requirements for applicants holding an LAPL(S) or a SPL with a TMG extension. Applicants for a PPL(A) holding an LAPL(S) or a SPL with a TMG extension shall have completed:
- (1) at least 24 hours of flight time on TMG after the endorsement of the TMG extension; and



- (2) 15 hours of flight instruction in aeroplanes in a training course at a BTO or an ATO, including at least the requirements of (a)(2).

[...]

(12) FCL.210.H PPL(H), on experience requirements and crediting, is amended as follows:

'FCL.210.H PPL(H) — Experience requirements and crediting

[...]

- (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 a BTO or an ATO. This training course shall include at least 5 hours of dual flight instruction time and 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.

[...]

(13) FCL.725, on requirements for the issue of class and type ratings, is amended as follows:

'FCL.725 Requirements for the issue of class and type ratings

- (a) Training course. An applicant for a class or type rating shall complete a training course at an ATO or, in the case of non-high-performance single-engine piston class ratings, may complete the training course at a BTO. 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.
- (b) Theoretical knowledge examination. The applicant for a class or type rating shall pass a theoretical knowledge examination organised by the BTO or the ATO to demonstrate the level of theoretical knowledge required for the safe operation of the applicable aircraft class or type.

[...]

(14) FCL.740, on validity and renewal of class and type ratings, is amended as follows:

'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, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft, take refresher training at an ATO, or, in the case of non-high-performance single-engine piston class ratings expired for less than three years, may take refresher training at a BTO or with an instructor when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft; and~~
- (2) pass a proficiency check in accordance with Appendix 9 to this Part.'



(15) FCL.800, on aerobatic rating, is amended as follows:**'FCL.800 Aerobatic rating**

[...]

(b) Applicants for an aerobatic rating shall have completed:

- (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 a BTO or an ATO, including:

[...]

(16) FCL.805, on sailplane towing and banner towing ratings, is amended as follows:**'FCL.805 Sailplane towing and banner towing ratings**

[...]

(b) Applicants for a sailplane towing rating shall have completed:

- (1) at least 30 hours of flight time as PIC and 60 take-offs and landings in aeroplanes, if the activity is to be carried out in aeroplanes, or in TMGs, if the activity is to be carried out in TMGs, completed after the issue of the licence;
- (2) a training course at a BTO or an ATO including:

[...]

(c) Applicants for a banner towing rating shall have completed:

- (1) at least 100 hours of flight time and 200 take-offs and landings as PIC on aeroplanes or TMG, after the issue of the licence. At least 30 of these hours shall be in aeroplanes, if the activity is to be carried out in aeroplanes, or in TMG, if the activity is to be carried out in TMGs;
- (2) a training course at a BTO or an ATO including:

[...]

(17) FCL.810, on night rating, is amended as follows:**'FCL.810 Night rating****(a) Aeroplanes, TMGs, airships.**

- (1) If the privileges of an LAPL, an SPL or a PPL for aeroplanes, TMGs or airships are to be exercised in VFR conditions at night, applicants shall have completed a training course at a BTO or an ATO. The course shall comprise:

[...]

(b) Helicopters. If the privileges of a PPL for helicopters are to be exercised in VFR conditions at night, the applicant shall have:

- (1) completed at least 100 hours of flight time as pilot in helicopters after the issue of the licence, including at least 60 hours as PIC on helicopters and 20 hours of cross-country flight;
- (2) completed a training course at a BTO or an ATO. The course shall be completed within a period of 6 months and comprise:

[...]

(18) FCL.815, on mountain rating, is amended as follows:

'FCL.815 Mountain rating

[...]

- (b) Training course. Applicants for a mountain rating shall have completed, within a period of 24 months, a course of theoretical knowledge instruction and flight training at a BTO or an ATO. The content of the course shall be appropriate to the privileges sought.

[..]

(19) FCL.830, on sailplane cloud flying rating, is amended as follows:

'FCL.830 Sailplane cCloud fFlying rRating

[...]

(b)

[...]

- (2) a training course at a BTO or an ATO including:

[...]

[...]

(20) FCL.930, on training course, is amended as follows:

'FCL.930 Training course

- (a) Applicants for an instructor certificate shall have completed a course of theoretical knowledge and flight instruction at an ATO or, in the case of applicants for an instructor certificate for sailplanes and balloons, may have completed a course of theoretical knowledge and flight instruction at a BTO.
- (b) In addition to the specific elements prescribed in this Part for each category of instructor, the training course shall contain the elements required in FCL.920.'



(21) FCL.910.FI, on FI — Restricted privileges, is amended as follows:**'FCL.910.FI FI — Restricted privileges**

- (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 BTO or the ATO for this purpose, in the following cases:

[...]

(22) FCL.1015, on examiner standardisation, is amended as follows:**'FCL.1015 Examiner standardisation**

- (a) Applicants for an examiner certificate shall undertake a standardisation course provided by the competent authority or by an ATO, or in the case of sailplanes and balloons, may undertake a standardisation course provided by a BTO, and approved by the competent authority.

[...]

(23) FCL.1025, on validity, revalidation and renewal of examiner certificates, is amended as follows:**'FCL.1025 Validity, revalidation and renewal of examiner certificates**

[...]

- (b) Revalidation. An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate:

[...]

- (2) attended an examiner refresher seminar provided by the competent authority or by an ATO or, in the case of sailplanes and balloons, may have attended an examiner refresher seminar provided by a BTO, and approved by the competent authority, during the last year of the validity period.

[...]

Annex VI (Part-ARA)**(24) ARA.GEN.105, on definitions, is amended as follows:****ARA.GEN.105 Definitions**

For the purposes of this Part and of Part-ORA, the following definitions apply:

- 1 'Acceptable Means of Compliance (AMC)' are non-binding standards adopted by the Agency to illustrate means to establish compliance with the Basic Regulation and its Implementing Rules;
- 2 'Alternative means of compliance' are those that propose an alternative to an existing AMC or those that propose new means to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules for which no associated AMC have been adopted by the Agency;



3. 'Approved training organisation (ATO)' means an organisation qualified for the issue or continuation of an approval to provide training for pilot licences and associated ratings and certificates;
4. 'ARO.RAMP' means 'Subpart RAMP of Annex II to the Regulation on Air Operations';
- 45 'Basic instrument training device model (BITD model)' means a defined hardware and software combination, which has obtained a BITD qualification;
- 6 'BTO training programme' is a training programme which includes information for instructors and training standards to be applied and is assessed as Part-FCL compliant by the competent authority.
- 57 Certification specifications (CS)' are technical standards adopted by the Agency indicating means to show compliance with the Basic Regulation and its Implementing Rules and which can be used by organisation for the purpose of certification;
- 68 'Flight instructor (FI)' means an instructor with the privileges to provide training in an aircraft, in accordance with Part-FCL;
- 79 'Flight simulation training device (FSTD)' means a training device which is:
- (a) in the case of aeroplanes, a full flight simulator (FFS), a flight training device (FTD), a flight and navigation procedures trainer (FNPT), or a basic instrument training device (BITD);
 - (b) in the case of helicopters, a full flight simulator (FFS), a flight training device (FTD) or a flight and navigation procedures trainer (FNPT);
- 810 'FSTD qualification' means the level of technical ability of an FSTD as defined in the compliance document;
- 911 'FSTD user' means the organisation or person requesting training, checking or testing through the use of an FSTD to an ATO;
- 1012 'Grounding' means the formal prohibition of an aircraft to take-off and the taking of such steps as are necessary to detain it;
- 1113 'Guidance Material (GM)' means non-binding material developed by the Agency that helps to illustrate the meaning of a requirement or specification and is used to support the interpretation of the Basic Regulation, its Implementing Rules and AMC;
- 1214 ~~'ARO.RAMP' means the Subpart RAMP of Annex II to the Regulation on Air Operations. Organisations means~~
- 1315 'Other training device (OTD)' means an aid used for pilot training other than an FSTD that provides for training where a complete flight deck or cockpit environment is not necessary;
- 1416 'Part-ARA' means Annex VI to the Regulation on Civil Aviation Aircrew;
- 1517 ~~'Part-ORO' means Annex III to the Regulation on Air Operations;~~ 'Part-BTO' means 'Annex VIII to the Regulation on Civil Aviation Aircrew';
- 1618 ~~'Part-ARO' means 'Annex II to the Regulation on Air Operations';~~



- ~~16~~19 'Part-CC' means Annex V to the Regulation on Civil Aviation Aircrew;
- ~~17~~20 'Part-FCL' means Annex I to the Regulation on Civil Aviation Aircrew;
- 1821 'Part-MED' means Annex IV to the Regulation on Civil Aviation Aircrew;
- ~~19~~22 'Part-ORA' means Annex VII to the Regulation on Civil Aviation Aircrew;
- ~~20~~23 'Part-ORO' means 'Annex III to the Regulation on Air Operations';
- ~~20~~24 'Principal place of business' means the head office or registered office of the organisation within which the principal financial functions and operational control of the activities referred to in this Regulation are exercised;
- ~~21~~25 'Qualification test guide (QTG)' means a document designed to demonstrate that the performance and handling qualities of an FSTD represent those of the aircraft, class of aeroplane or type of helicopter, simulated within prescribed limits and that all applicable requirements have been met. The QTG includes both the data of the aircraft, class of aeroplane or type of helicopter and FSTD data used to support the validation.

(25) ARA.GEN.220, on record-keeping, is amended as follows:

'ARA.GEN.220 Record-keeping

[...]

- (b) The competent authority shall maintain a list of all organisation certificates, FSTD qualification certificates and personnel licences, certificates and attestations it issued, and the BTO training programmes it has assessed.'

[...]

(26) ARA.GEN.305 Oversight programme, is amended as follows:

'ARA.GEN.305 Oversight programme

[...]

- (f) Notwithstanding paragraphs (b), (c), (ca) and (e), the oversight programme of BTOs shall be proportionate and be developed taking into account the specific nature of the organisation, the complexity of its activities, the results of past certification or oversight activities and shall be based on the assessment of associated risks. The oversight may include inspections, including unannounced inspections, as appropriate.'

(27) ARA.GEN.310, on initial certification procedure – organisations, is amended as follows:

'ARA.GEN.310 Initial certification procedure – organisations

[...]

- (d) Notwithstanding paragraphs (a) to (c), the competent authority shall certify BTOs in accordance with ARA.BTO.100.'



(28) **ARA.GEN.330, on changes – organisations, is amended as follows:**

ARA.GEN.330 Changes – organisations

'[...]

(d) Notwithstanding paragraphs (b) and (c), in the case of changes to BTOs, the competent authority shall follow the requirements of ARA.BTO.105.'

(29) **ARA.GEN.350, on findings and corrective actions – organisations, is amended as follows:**

ARA.GEN.350 Findings and corrective actions – organisations

'[...]

(da) Notwithstanding paragraphs (a) to (d), in the case of BTOs, if, during oversight or by any other means, evidence is found by the competent authority that shows non-compliance with the applicable requirements, the competent authority shall raise a finding, record it and communicate it in writing to the BTO. The competent authority shall take any measures necessary until the BTO addresses the non-compliance identified including limiting, suspending or revoking the approval.

(e) Without prejudice to any additional enforcement measures, when the authority of a Member State acting under the provisions of ARA.GEN.300(d) identifies any non-compliance with the applicable requirements of Regulation (EC) No 216/2008 and its Implementing Rules by an organisation certified by the competent authority of another Member State or the Agency, it shall inform that competent authority and, except in the case of BTOs, provide an indication of the level of finding.'

(30) **The following new SUBPART BTO SPECIFIC REQUIREMENTS RELATING TO BASIC TRAINING ORGANISATION (BTO), is inserted following SUBPART MED:**

SUBPART BTO

SPECIFIC REQUIREMENTS RELATING TO BASIC TRAINING ORGANISATION (BTO)

(31) **The following new ARA.BTO.100, on application process and certification, and ARA.BTO.105, on changes, are developed:**

ARA.BTO.100 Application process and certification

(a) Upon receiving an application for the BTO certificate, the competent authority shall verify if the application contains the following information:

(1) Name of the BTO;

(2) Contact details of the BTO's principal place of activity, and if applicable, the contact details of any other operating sites of the BTO;

(3) Name of the representative of the BTO;

(4) The BTO training programme(s) used;



- (5) The type of training provided in accordance with BTO.GEN.120;
 - (6) The FSTDs to be used for the training, if applicable; and
 - (7) A declaration by the representative that the BTO has a safety policy and that the information provided above is in accordance with the applicable requirements.
- (b) If the application does not contain the required information in paragraph (a), the competent authority shall notify the BTO about the non-compliance and request the missing information.
- (c) The competent authority shall approve the BTO once it has established that the application complies with paragraph (a), and in any case within two months from the receipt of the application.

ARA.BTO.105 Changes

Upon receiving a notification of a change to the content of the initial application, the competent authority shall verify whether the information listed in the notification is in compliance with ARA.BTO.100(a). In case of any non-compliance, the competent authority shall notify the BTO about the non-compliance and request the missing information. If the non-compliance is confirmed, the competent authority shall take action as defined in ARA.GEN.350(da).

ARA.BTO.110 Assessment of BTO training programme(s)

The competent authority shall assess the proposed BTO training programme to verify its compliance with the applicable Part-FCL requirements. In case of any non-compliance, the competent authority shall notify the BTO about the non-compliance and request changes.

Annex VIII (Part-BTO) — new

(32) The following new Annex VIII (Part-BTO) is inserted:

Annex VIII

REQUIREMENTS FOR BASIC TRAINING ORGANISATIONS

[Part-BTO]

BTO.GEN.100 — General

This Annex establishes the requirements to be met by a basic training organisation (BTO) providing training towards light aircraft pilot licences (LAPL), private pilot licences (PPL), balloon pilot licences (BPL) or sailplane pilot licences (SPL) and associated ratings, certificates and privileges only.

BTO.GEN.110 — Competent authority

For the purpose of this Annex, the competent authority exercising oversight over a BTO shall be:

- (a) the authority designated by the Member State on which territory the BTO has its principal place of activity; or
- (b) the Agency when the principal place of activity is located in a third country.



BTO.GEN.120 — Scope

A BTO may provide the following training:

(a) For aeroplanes:

- (1) theoretical knowledge instruction to LAPL(A) and PPL(A);
- (2) flight instruction towards LAPL(A) and PPL(A);
- (3) training towards class rating for SEP(land), SEP(sea) and TMG; and
- (4) training towards additional ratings: night, aerobatics, mountain, sailplane and banner towing.

(b) For helicopters:

- (1) theoretical knowledge instruction to LAPL(H) and PPL(H);
- (2) flight instruction towards LAPL(H), PPL(H) and associated single engine piston type rating for which the maximal certified seat configuration does not exceed four seats; and
- (3) training towards night rating.

(c) For sailplanes:

- (1) theoretical knowledge instruction to LAPL(S) and SPL;
- (2) flight instruction towards LAPL(S) and SPL;
- (3) training towards extension of privileges to TMG in accordance with FCL.135.S;
- (4) training towards additional launch methods in accordance with in FCL.130.S;
- (5) training towards additional ratings: aerobatics, sailplane towing, sailplane cloud flying rating;
- (6) training towards flight instructor rating FI(S);
- (7) FI(S) refresher seminar;
- (8) standardisation course for FE(S) and FIE(S) examiner certificates; and
- (9) examiner refresher seminar.

(d) For balloons:

- (1) theoretical knowledge instruction to LAPL(B) and BPL;
- (2) flight instruction towards LAPL(B) and BPL;
- (3) training towards class extension in accordance with FCL.135.B;
- (4) training towards class or group extension in accordance with FCL.225.B;
- (5) training towards extension to tethered flight in accordance with FCL.130.B;
- (6) training towards night rating;
- (7) training towards flight instructor rating FI(B);
- (8) FI(B) refresher seminar;



- (9) standardisation course for FE(B) and FIE(B) examiner certificates; and
- (10) examiner refresher seminar.

BTO.GEN.130 — Application process and certification

- (a) Applicants for a BTO certificate shall apply to the competent authority for approval.
- (b) The application shall contain the following information:
 - (1) Name of the BTO;
 - (2) Contact details of the BTO's principal place of activity, and if applicable, the contact details of any other operating sites of the BTO;
 - (3) Name of the representative of the BTO;
 - (4) The BTO training programme used;
 - (5) The type of training provided in accordance with BTO.GEN.120;
 - (6) The FSTDs to be used for the training, if applicable; and
 - (7) A declaration by the representative that the BTO has a safety policy and that the information provided above is in accordance with the applicable requirements.
- (c) The application shall be made in a form and manner established by the competent authority, taking into account the applicable requirements of this Regulation.
- (d) The BTO may commence the training before having received the approval in accordance with ARA.BTO.100(c).
- (e) The BTO shall notify the competent authority of any changes to the information of the initial application in paragraph (b).

BTO.GEN.140 — Scope and privileges

A BTO shall provide training within the scope and privileges included in its approval.

BTO.GEN.150 — Access

For the purpose of determining if an acceptable level of safety is met in accordance with this Regulation, the BTO shall grant access to the competent authority to any facility, aircraft, document, records, data, procedures or any other material relevant to its activity.

BTO.GEN.160 — Findings

After receipt of notification of findings, the BTO shall take corrective action within a period agreed with the competent authority.

BTO.GEN.170 — Validity of approval

The BTO's approval shall remain valid for an unlimited duration unless:

- (a) the competent authority takes enforcement measures in accordance with ARA.GEN.350(da); or
- (b) the approval is surrendered by the BTO.



BTO.GEN.180 — Immediate reaction to a safety problem

The BTO shall implement any:

- (a) safety measures mandated by the competent authority in accordance with ARA.GEN.135(c); and
- (b) relevant mandatory safety information issued by the Agency, including airworthiness directives.

BTO.GEN.190 — Tasks, responsibilities and procedures

The BTO shall ensure that:

- (a) its activities comply with the scope and conditions of its approval, as established in its application and changes thereto;
- (b) a safety awareness culture is implemented in the BTO, and that a safety policy statement is developed, including a safety philosophy and principles; and
- (c) the training provided complies with the requirements of Part-FCL included in its application and changes thereto.

BTO.GEN.200 — Personnel requirements

The BTO shall:

- (a) designate a representative; and
- (b) ensure that sufficient resources are available for the tasks and responsibilities identified in BTO.GEN.190.

BTO.GEN.210 — Annual internal review

The BTO shall:

- (a) conduct an annual internal review of the tasks and responsibilities identified in BTO.GEN.200;
- (b) record the results of annual internal reviews; and
- (c) submit the annual internal review upon request by the competent authority.

BTO.GEN.220 — Record-keeping

The following records shall be kept by the BTO at least three years after the issuance of the applicable licence, rating or certificate:

- (a) details of training provided to students;
- (b) student progress reports;
- (c) the annual internal review; and
- (d) the BTO training programme(s).

BTO.GEN.230 — BTO training programme

The BTO shall have BTO training programme(s) to cover the scope of the training provided.



BTO.GEN.240 — Training aircraft and FSTDs

The BTO shall use an adequate fleet of training aircraft or FSTDs appropriate to the training provided.

BTO.GEN.250 — Aerodromes and operating sites

When providing flight training on an aircraft, the BTO shall use aerodromes or operating sites that have the appropriate facilities and characteristics to allow training of the relevant manoeuvres, taking into account the training provided and the category and type of aircraft used.

BTO.GEN.260 — Distance learning

- (a) The BTO may conduct theoretical knowledge instruction using distance learning.
- (b) An element of classroom or on-site instruction shall be included in all theoretical knowledge instruction.



3.2. Draft AMC and GM (Draft EASA Decision)

Amendment to ED Decision 2011/016/R

(1) **GM1 FCL.010 Abbreviations, is amended as follows:**

'GM1 FCL.010 Abbreviations

The following abbreviations apply to the Acceptable Means of Compliance and Guidance Material to Part-FCL:

[...]

BTO basic training organisation

[...]

(2) **AMC1 FCL.115; FCL.120, is amended as follows:**

'AMC1 FCL.115; FCL.120

SYLLABUS OF THEORETICAL KNOWLEDGE FOR THE LAPL

- (a) The training and examination should cover aspects related to non-technical skills in an integrated manner, taking into account the particular risks associated with the licence and the activity. ~~The theoretical knowledge instruction provided by the ATO should include a certain element of formal classroom work but may also include other methods of delivery for example interactive video, slide or tape presentation, computer based training and other media distance learning courses.~~ The training organisation **BTO** or the ATO responsible for the training has to check if all the appropriate elements of the training course of theoretical knowledge instruction have been completed to a satisfactory standard before recommending the applicant for the **theoretical** examination.

[...]

(3) **AMC1 FCL.135.S; FCL.205.S(a) is amended as follows:**

'AMC1 FCL.135.S; FCL.205.S(a)

EXTENSION OF PRIVILEGES TO TMG: LAPL(S) AND SPL

[...]

- (b) The **BTO** or the ATO should issue a certificate of satisfactory completion of the training.

[...]

(4) **AMC1 FCL.135.B; FCL.225.B is amended as follows:**

'AMC1 FCL.135.B; FCL.225.B

THEORETICAL KNOWLEDGE INSTRUCTION FOR THE EXTENSION TO ANOTHER BALLOON CLASS:
LAPL(B) AND BPL

[...]



- (c) The BTO or the ATO should issue a certificate of satisfactory completion of the instruction to licence endorsement.

[...]

(5) AMC1 FCL.210; FCL.215 is amended as follows:

'AMC1 FCL.210; FCL.215

SYLLABUS OF THEORETICAL KNOWLEDGE FOR THE PPL(A) AND PPL(H)

The following tables contain the syllabi for the courses of theoretical knowledge, as well as for the theoretical knowledge examinations for the PPL(A) and PPL(H). The training and examination should cover aspects related to non-technical skills in an integrated manner, taking into account the particular risks associated to the licence and the activity.

~~An approved course shall comprise at least 100 hours of theoretical knowledge instruction. This theoretical knowledge instruction provided by the ATO should include a certain element of formal classroom work but may include also such facilities as interactive video, slide or tape presentation, computer based training and other media distance learning courses.~~

The training organisation BTO or the ATO responsible for the training has to should check if all the appropriate elements of the training course of theoretical knowledge instruction have been completed to a satisfactory standard before recommending the applicant for the theoretical examination.

The applicable items for each licence are marked with 'x'. An 'x' on the main title of a subject means that all the sub-divisions are applicable.

[...]

(6) AMC1 FCL.740(b)(1) is replaced as follows:

'AMC1 FCL.740(b)(1) Validity and renewal of class and type ratings

RENEWAL OF CLASS AND TYPE RATINGS AT AN ATO: REFRESHER TRAINING

- (a) The objective of the refresher training at an ATO is to reach the level of proficiency necessary to safely operate the relevant type or class of aircraft. The amount of refresher training needed should be determined on a case-by-case basis by the ATO, taking into account the following factors:
- (1) the experience of the applicant;
 - (2) the amount of time elapsed since the privileges of the rating were last used;
 - (3) the complexity of the aircraft;
 - (4) whether the applicant has a current rating on another aircraft type or class; and
 - (5) where considered necessary, the performance of the applicant during a proficiency check for the rating in an FSTD or an aircraft of the relevant type or class.



It should be expected that the amount of training needed to reach the desired level of competence will increase with the time elapsed since the privileges of the rating were last used.

- (b) Once the ATO has determined the needs of the applicant, it should develop an individual training programme based on the ATO's approved course for the rating, focusing on the aspects where the applicant has shown the greatest needs. Theoretical knowledge instruction should be included as necessary; such as for type-specific system failures in complex aircraft. The performance of the applicant should be reviewed during the training and additional instruction provided where necessary to reach the standard required for the proficiency check.
- (c) After successful completion of the training, the ATO should provide a training completion certificate to the applicant, describing the training received. The training completion certificate should be presented to the examiner prior to the proficiency check. Following the successful renewal of the rating, the training completion certificate and examiner report form should be submitted to the competent authority.'

(7) The following new AMC2 FCL.740(b)(1), on validity and renewal of class and type ratings, is developed:

'AMC2 FCL.740(b)(1) Validity and renewal of class and type ratings

RENEWAL OF NON-HIGH-PERFORMANCE SINGLE-ENGINE PISTON CLASS RATINGS WHEN THE RATING HAS EXPIRED FOR LESS THAN THREE YEARS, AT AN ATO, A BTO OR BY AN INSTRUCTOR: REFRESHER TRAINING

- (a) The objective of the refresher training at an ATO, a BTO or by an instructor is to reach the level of proficiency necessary to safely operate the single-engine piston class rating, except high performance aeroplanes, when the rating has expired for less than three years. The amount of refresher training needed should be determined on a case-by-case basis by the ATO, the BTO or the instructor, taking into account the following factors:
 - (1) the experience of the applicant by evaluating the pilot's logbook;
 - (2) the amount of time elapsed since the privileges of the rating were last used;
 - (3) whether the applicant has a current rating on another aircraft type or class; and
 - (4) where considered necessary, the performance of the applicant during a proficiency check.

It should be expected that the amount of training needed to reach the desired level of competence will increase with the time elapsed since the privileges of the rating were last used.

- (b) Once the ATO, the BTO or the instructor has determined the needs of the applicant, it should develop an individual training programme that should be based on the initial training for the issue of the rating and focus on the aspects where the applicant has shown the greatest needs.



(c) After successful completion of the training, the ATO, the BTO or the instructor should issue a certificate, or other documental evidence to the applicant indicating that the training has been successfully achieved. The certificate or other documental evidence should be presented to the examiner prior to the proficiency check. Following the successful renewal of the rating, the certificate or other documental evidence, and the examiner report form should be submitted to the competent authority.'

- (8) The following new GM1 FCL.740(b)(1), on validity and renewal of class and type ratings, is developed:

'GM1 FCL.740(b)(1) Validity and renewal of class and type ratings

RENEWAL OF NON-HIGH-PERFORMANCE SINGLE-ENGINE PISTON CLASS RATINGS WHEN THE RATING HAS EXPIRED FOR LESS THAN THREE YEARS, AT AN ATO, A BTO OR BY AN INSTRUCTOR: REFRESHER TRAINING

In some cases, after evaluating the applicant, and when the time lapsed is limited (less than three months), the ATO, the BTO or the instructor may determine that no refresher training is needed. The following guidance may be considered during the evaluation:

- (a) expiry shorter than three months: no supplementary requirements;
- (b) expiry longer than three months but shorter than one year: a minimum of two training sessions;
- (c) expiry longer than one year but shorter than three years: a minimum of three training sessions in which the most important malfunctions in the available systems are covered.'

- (9) AMC1 FCL.800, on aerobatic rating, is amended as follows:

'AMC1 FCL.800 Aerobatic rating

THEORETICAL KNOWLEDGE AND FLYING TRAINING

[...]

- (b) The BTO or the ATO should issue a certificate of satisfactory completion of the instruction to licence endorsement.

[...]

- (10) AMC1 FCL.805, on sailplane towing and banner towing rating, is amended as follows:

'AMC1 FCL.805 Sailplane towing and banner towing rating

THEORETICAL KNOWLEDGE AND FLYING TRAINING

[...]

- (b) The BTO or the ATO should issue a certificate of satisfactory completion of the instruction that can be used for licence endorsement.

[...]



(11) AMC1 FCL.810(b), on night rating, is amended as follows:**'AMC1 FCL.810(b) Night rating**

PPL(H) NIGHT RATING COURSE

[...]

- (b) The BTO or the ATO should issue a certificate of satisfactory completion of the instruction that can be used for licence endorsement.

[...]

(12) AMC2 FCL.930.FI, on FI — Training course, is amended as follows:**'AMC2 FCL.930.FI FI — Training course**

FI(S) AND FI(B) TRAINING COURSE

GENERAL

- (a) The aim of the FI(S) and FI(B) training course at a BTO or an ATO is to train SPL and BPL holders to the level of competence defined in FCL.920 as instructor competencies.

[...]

(13) AMC1 FCL.1015, on examiner standardisation, is amended as follows:**'AMC1 FCL.1015 Examiner standardisation**

GENERAL

- (a) The competent authority may provide the course itself or through an arrangement with an ATO, or in the case of sailplanes and balloons, also by a BTO. This arrangement should clearly state that the ATO or the BTO is acting under the management system of the competent authority.

[...]

- (c) The competent authority, or the ATO or the BTO should determine any further training required before presenting the candidate for the examiner assessment of competence.

CONTENT

- (d) The training should comprise:

- (1) Theoretical training covering at least:

[...]

- (vii) except for sailplane and balloon examiner standardisation courses provided by ATOs or BTOs, the management system of ATOs;

[...]



(14) **AMC2 FCL.1015, on examiner standardisation, is amended as follows:**

'AMC2 FCL.1015 Examiner standardisation

STANDARDISATION ARRANGEMENTS FOR EXAMINERS

[...]

PURPOSE OF A TEST OR CHECK

[...]

- (d) Improve training and flight instruction in ATOs or BTOs by feedback of information from examiners about items or sections of tests or checks that are most frequently failed.

[...]

METHOD AND CONTENTS OF THE TEST OR CHECK

[...]

- (r) A test or check flight will be conducted within the limitations contained in the operations manual of an ATO or, when available, the operations manual of a BTO.'

(15) **The following new AMC2 FCL.1025, on validity, revalidation and renewal of examiner certificates, is introduced:**

'AMC2 FCL.1025 Validity, revalidation and renewal of examiner certificates

EXAMINER REFRESHER SEMINAR FOR FI(S) AND FI(B)

The examiner refresher seminar for FI(S) and FI(B) at a BTO or an ATO should follow the content of the examiner standardisation course included in AMC1 FCL.1015, and take into account specific contents as per the category of examiner affected.'

Amendment to ED Decision 2012/006/R

(16) **The following new AMC1 ARA.GEN.305(f), on oversight programme, is developed:**

'AMC1 ARA.GEN.305(f) Oversight programme

- (a) The competent authority should:
- (1) adapt the oversight activities to be proportionate to the BTO's ability to effectively manage safety risks;
 - (2) define the oversight activities based on the BTO's annual internal review; and
 - (3) include evaluations of the BTO's training programme.
- (b) The inspection(s) should take a risk-based approach to oversight, and may include sampling of any relevant training in its scope of activities.'



(17) The following new GM1 ARA.GEN.305(f), on oversight programme, is developed:

GM1 ARA.GEN.305(f) Oversight programme

The requirement for an oversight programme for a BTO is an acknowledgement that a given level of oversight is required. However, the competent authority is not required to put in place a rigid or complex oversight programme, as is the case for ATOs. The oversight programme of the BTO should be risk- and performance-based.

(18) The following new GM2 ARA.GEN.305(f), on oversight programme, is developed:

GM2 ARA.GEN.305(f) Oversight programme

An inspection may focus on safety-relevant items, such as:

- (a) the existence of a safety policy statement and its adequacy regarding the BTO activities;
- (b) the existence of safety data collection and adequacy of mitigation measures;
- (c) flight training in accordance with the BTO training programme;
- (d) training aircraft in use, including their registration, associated documents and maintenance records;
- (e) operating sites and associated facilities; and
- (f) information on flight instructors, validity of licences, certificates, ratings and logbooks.

Points (c) to (e) are only applicable if the inspection is performed at other main operating sites, other than the principal place of activity. The documentation described in points (c) to (e) should be available at each main operating site.'

(19) The following new AMC1 ARA.BTO.100, on application process and certification, is developed:

AMC1 ARA.BTO.100 Application process and certification

The acknowledgement of receipt of the application, in either paper or electronic format, should be considered as the BTO approval certificate.'



ED Decision 2016/xxx/R —new

(20) The following new AMC and GM to Annex VIII — REQUIREMENTS FOR BASIC TRAINING ORGANISATIONS (PART-BTO) are developed:

‘AMC1 BTO.GEN.130 Application process and certification

BTO APPLICATION

BTO APPLICATION FOR A BTO CERTIFICATE		
N°	Item	Supplementary information
1.	Name of the BTO	
2.	Contact details of the BTO’s principal place of activity, and if applicable, the contact details of any other operating sites of the BTO	Address, phone, fax, email, URL
3.	BTO training programme offered	‘BTO training programme’ reference or attach proposed new BTO training programme.
4.	The type of training provided in accordance with BTO.GEN.120	Theory or flight training
5.	Name of representative	
6.	Name of Head of Training, if applicable	
7.	Name of safety adviser, if applicable	
8.	Description of FSTDs to be used for the training, if applicable, including letter code ⁽¹⁾	FFS, FNPT I, II, and III, FTD 1, 2 and 3 and BITD
9.	Date of intended commencement of activities, if later than initial application date	(dd/mm/yyyy)
	Mandatory documents	Newly proposed BTO training programme, if applicable
	<p>I, (name of representative), on behalf of (name of BTO) certify that:</p> <ul style="list-style-type: none"> a. all the above-named persons are in compliance with the applicable requirements; b. all the above information provided is complete and correct; c. the training conducted is in accordance with the BTO training programme and safety policy; and d. changes to this application will be notified in accordance with BTO.GEN.130. <p>Date: (dd/mm/yyyy)</p> <p>Signature:</p>	

⁽¹⁾ as indicated on the qualification certificate



GM1 BTO.GEN.130 Application process and certification**INITIAL BTO APPLICATION AND CHANGES TO THE BTO**

- (a) The BTO should send the application for a BTO certificate and any attachment(s) in a paper or electronic format to the competent authority.
- (b) The competent authority should be informed in a paper or electronic format of changes regarding:
 - (1) the BTO; and
 - (2) the type of training identified in BTO.GEN.120.

AMC1 BTO.GEN.190 Tasks, responsibilities and procedures

- (a) The following three main tasks should be clearly identified and ensured within the BTO:
 - (1) Accountability: declaration of activities and adequacy of resources for the BTO's activities;
 - (2) Safety awareness culture: promotion of safety inside the BTO; and
 - (3) Compliance with Part-FCL requirements: promotion of training standards.
- (b) Developing the safety awareness culture should be the responsibility of the representative or any other person within the BTO designated for this purpose.
- (c) The safety policy statement should define, in relation to the BTO training programme, at least the means and methods used for:
 - (1) risk identification;
 - (2) risk assessment; and
 - (3) adequacy of the mitigation measures (issuance and enforcement).

GM1 BTO.GEN.190 Tasks, responsibilities and procedures**PROMOTION OF TRAINING STANDARDS: OPERATIONS MANUAL**

- (a) There is no requirement for a BTO to develop or use an operations manual; however, it is recommended to do so. The aim of an operations manual is to address risks, such as those related to local safety issues, to the efficient functioning of the BTO.
- (b) The operations manual may also be tailored to the size of the BTO as appropriate.
 - (1) In smaller BTOs, to ease the assimilation and adoption of information by the student pilot, the operations manual may be a simple document to complement the verbal instructions on safety or functional issues.
 - (2) In larger BTOs, the operations manual may enable personnel to deliver standardised information, methods and training to student pilots. It may also encourage personnel and student pilots to share common practices and to make the BTO more efficient and safe through standardised procedures.
- (c) The operations manual may include the following local topics of interest to student pilots, which are not addressed by the BTO training programme such as:



- (1) Ground operations: refuelling, parking aircraft to avoid clutter and damage, security of aircraft and premises;
 - (2) Air operations (solo flight): local weather limitations, management of diversion, management of fuel, incident reporting, specialised rules for first solo; and
 - (3) Local administrative environment: flight duty period and flight time limitations (instructor and student), flying programmes, reservation procedure, retention of documents.
- (d) The operations manual does not need to include many common safety issues or regulatory requirements, related to the training standards and skills of student pilots.
- (e) The content of the operations manual may, by necessity, vary between the different aircraft categories.
- (f) The following table lists items that may be used by a BTO to develop an operations manual taking into account its size, activities, organisation, or risk exposure:

OPERATIONS MANUAL	
(a) GENERAL	<ol style="list-style-type: none"> (1) Document control pages (List of effective pages, revision record, contents, etc.); (2) Administration, duties and responsibilities of personnel; (4) Items related to student discipline and disciplinary action (if required); (5) Approval or authorisation of flights and preparation of flying programme; (6) Command of aircraft and responsibilities of the PIC; (7) BTO rules governing number of persons on board in flying training; (8) Aircraft documentation to be carried; (9) Retention of documents; (10) Flight duty period and flight time limitations (instructors and students) plus minimum rest requirements (instructors and students); (11) Flight planning (general); (12) Safety (general): including briefings on safety equipment, radio listening watch, reporting of accidents and incidents, bird strike, etc.
(b) GROUND OPERATIONS	<ol style="list-style-type: none"> (1) Refuelling; (2) Parking aircraft to avoid clutter and damage; (3) Security of aircraft and premises.
(c) TECHNICAL	<ol style="list-style-type: none"> (1) Aircraft handling (including use of checklists, emergency procedures, limitations, maintenance and technical logs, in accordance with relevant requirements, etc.); (2) Allowable deficiencies (based on the master minimum equipment list (MMEL), if applicable) and process for deferring defects.
(d) ROUTE	<ol style="list-style-type: none"> (1) Performance (BTO should define how they wish their aircraft to be operated in accordance with the pilot operating handbook (POH) or aircraft flight manual (AFM) in consideration of any safety factors they wish to add, etc.); (2) Flight planning and minima relevant to the operation (e.g. including refuelling or oil policy, weather limitations, operating altitude, specific



	height requirements during flight exercises, etc.); (3) Training routes or areas as applicable.
(e) SOLO FLIGHT	(1) Local weather limitations; (2) Management of diversion; (3) Incident reporting; (4) Specialised rules for first solo.
(f) PERSONNEL TRAINING	(1) Procedures to ensure that BTO staff are familiar with BTO procedures, policies and standards; (2) Initial induction training of flight instructors; (3) Policy for ongoing/recurrent standardisation of instructors; (4) Upgrade training, if applicable;

GM2 BTO.GEN.190 Tasks, responsibilities and procedures

PROMOTION OF TRAINING STANDARDS: TRAINING MANUAL, INCLUDING BTO TRAINING PROGRAMME

(a) There is no requirement for a BTO to develop or use a training manual; however, it is recommended to do so. The training manual normally includes the BTO training programme.

(b) The following table lists items that may be used by a BTO to develop a training manual, including a BTO training programme.

TRAINING ELEMENTS	
(a) TRAINING PLAN	
(1) The aim of the course	A statement of what the student will achieve upon completion of the training.
(2) Pre-entry requirements	Minimum pre-entry requirements appropriate to the training.
(3) Training syllabi	The BTO should state the reference source of the training syllabus to be used. The reference may be to an external, commercially available or an already existing (validated by the competent authority) syllabus or material.
(4) Training records and personnel logbooks	(i) Rules for security of records and documents, if applicable; (ii) The training records to be kept; (iii) Persons responsible for checking records and students' logbooks; and (iv) Rules concerning logbook entries.



(5) Safety training appropriate to the course	(i) Essential exercises; (ii) Emergency drills (frequency); (iii) Requirement before first solo day, night or navigation, etc. if applicable.
(6) Examinations	Procedures for examination preparation and conduct.
(7) Progress monitoring	Detail the process for identifying and correcting non-satisfactory student progress and documentation of remedial action taken, including, if necessary, instructor changes.
(b) BRIEFING AND AIR EXERCISES	The level of detail should be at the discretion of the BTO, based upon (a)(3) above. This part (b) should only be detailed if for the training syllabus used there is no reference to an external, commercially available or an already existing (validated by the competent authority) syllabus or material.
(1) Air exercise reference list	A quick reference for daily use by instructors.
(2) Air exercise	A description of the primary objectives of each training exercise taking into account the relevant AMC.
(3) Course structure: phase of training	A statement of how the training will be structured. Indication of how the above-mentioned air exercises will be arranged to ensure that they are completed in the most suitable learning sequence and that essential (emergency) exercises are included. Furthermore, a statement of the syllabus hours dedicated for each exercise, and of when any progress tests will be conducted, if applicable.
(4) Course structure: integration of syllabus	The manner in which theoretical knowledge and flight training in an aircraft or an FSTD will be integrated so that as the flying training exercises are carried out, students will be able to apply the knowledge gained from the associated theoretical knowledge instruction and flight training.
(5) Instructional methods	The BTO requirements, particularly in respect of pre- and post-flying briefing, adherence to syllabi and training specifications, authorisation of solo flights, etc.
(6) Progress checks	The instructions given to training personnel in respect of the conduct and documentation of any progress checks, if applicable.
(c) FLIGHT TRAINING IN AN FSTD, IF APPLICABLE	Structure generally as for (b).



(d) THEORETICAL KNOWLEDGE INSTRUCTION	
(1) Structure of the theoretical knowledge instruction	A statement of the structure of the training, including the general sequence of the topics to be taught in each subject taking into account the relevant AMC.
(2) Student progress	A statement of the BTO to ensure that all the appropriate elements of the theoretical knowledge instruction have been completed to a satisfactory standard before recommending the applicant for the examinations.

AMC1 BTO.GEN.200 Personnel requirements

- (a) The BTO should identify the person(s) who fulfils (fulfil) the tasks identified in BTO.GEN.190.
- (b) The representative of the BTO may designate:
- (1) a person to act as a focal point for the competent authority. The scope of the associated responsibilities should be clearly defined and communicated to the competent authority;
 - (2) a safety adviser, who will be tasked with the development of safety awareness culture within the BTO in accordance with the safety policy statement; and
 - (3) a Head of Training (HT), who holds or has held an unrestricted flight instructor certificate.

GM1 BTO.GEN.200 Personnel requirements

- (a) The tasks identified in BTO.GEN.190 may be combined and carried out by one or more persons within the BTO.
- (b) The person designated for ensuring the safety awareness culture task should raise safety concerns within the BTO and may rely on the experience of instructors and other competent persons within the BTO for this purpose.

GM2 BTO.GEN.200 Personnel requirements**HEAD OF TRAINING (HT)**

The HT is responsible for:

- (a) the adequacy of the training carried out within the BTO;
- (b) monitoring the updates of the BTO training programmes;
- (c) ensuring that applicants have successfully completed the training in accordance with the BTO training programmes; and
- (d) monitoring the correct application of training standards by instructors in the BTO.



AMC1 BTO.GEN.210 Annual internal review

- (a) The representative, the HT or the safety adviser should attend the annual internal review meeting. Upon request of the BTO representative, other persons may also attend.
- (b) The annual internal review should cover the following:
- (1) Safety risk and performance that:
 - (i) analyse in-service events;
 - (ii) review the completeness of the initial BTO application;
 - (iii) assess the adequacy of improvements or mitigation measures taken (action plan); and
 - (iv) ensure the integration of new training devices (aircraft and FSTDs) within the BTO.
 - (2) Training adequacy that ensures that:
 - (i) training practices are in accordance with the validated BTO training programme(s);
 - (ii) flight instructor standardisation is performed; and
 - (iii) the BTO training programme is up to date.

AMC1 BTO.GEN.220 Record-keeping

The training records should be kept in a paper or electronic format by the BTO where the candidate(s) has (have) completed their training.

AMC1 BTO.GEN.230 BTO training programme

The BTO training programme should either be an existing BTO training programme already validated by the competent authority or a training programme newly developed by the BTO.



4. References

4.1. Affected regulations

- Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).

4.2. Affected CS, AMC and GM

- Decision 2012/006/R of the Executive Director of the Agency of 19th April 2012 on Acceptable Means of Compliance and Guidance Material to Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ('Acceptable Means of Compliance and Guidance Material to Part-ARA').
- Decision No 2011/016/R of the Executive Director of the European Aviation Safety Agency of 15 December 2011 on Acceptable Means of Compliance and Guidance Material to Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ('Acceptable Means of Compliance and Guidance Material to Part-FCL').

4.3. Reference documents

- Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).
- General Aviation Road Map (<http://easa.europa.eu/easa-and-you/general-aviation>)



5. Appendix

Article 7(3) of the Basic Regulation states:

‘3. The capability of pilot training organisations and of aero-medical centres to discharge the responsibilities associated with their privileges in relation to the issuance of licenses and medical certificates shall be recognised by the issuance of an approval.

Pilot training organisations or aero-medical centres shall be issued an approval when they comply with the rules established to ensure compliance with the relevant essential requirements as laid down in Annex III.

The privileges granted by the approvals shall be specified thereon.’

Essential requirements in Annex III to the Basic Regulation state:

‘3.a.1. A training organisation providing pilot training must meet the following requirements:

- (i) have all the means necessary for the scope of responsibilities associated with their activity. These means comprise, but are not limited to, the following: facilities, personnel, equipment, tools and material, documentation of tasks, responsibilities and procedures, access to relevant data and record-keeping;
- (ii) implement and maintain a management system relating to safety and the standard of training, and aim for continuous improvement of this system; and
- (iii) establish arrangements with other relevant organisations, as necessary, to ensure continuing compliance with the above requirements.’

The following table demonstrates that Option 2 complies with these Basic Regulation requirements.

Training organisation approval	BTO.GEN.130
Scope of responsibility associated with their activities	BTO.GEN.100 General BTO.GEN.120 Scope BTO.GEN.130 Application process and certification BTO.GEN.140 Scope and privileges BTO.GEN.190 Tasks, responsibilities and procedures
Facilities	BTO.GEN.250 Aerodromes and operating sites
Personnel	BTO.GEN.200 Personnel requirements
Equipment, tools, and material	BTO.GEN.240 Training aircraft and FSTDs
Access to data and record-keeping	BTO.GEN.150 Access BTO.GEN.220 Record-keeping BTO.GEN.230 BTO training programme
Documentation of tasks responsibility and procedures	BTO.GEN.190 Tasks, responsibilities and procedures BTO.GEN.230 Training programme BTO.GEN.260 Distance learning
Implementation and maintenance of a management system relating to safety and the standard of training and aim for continuous improvement of this system	BTO.GEN.160 Findings BTO.GEN.170 Validity of approval BTO.GEN.180 Immediate reaction to safety problem
Aim for continuous improvement of this system	BTO.GEN.210 Annual internal review

