



European Aviation Safety Agency  
**Comment-Response Document 2015-20**

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Appendix 1  
to Opinion No 11/2016

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# Comment-Response Document 2015-20

## Training outside approved training organisations

CRD TO NPA 2015-20 — RMT.0657— 18.11.2016

Related Opinion: No 11/2016

### EXECUTIVE SUMMARY

This Comment-Response Document (CRD) contains the comments received on Notice of Proposed Amendment (NPA) 2015-20 (published on 18.12.2015) and the responses provided thereto by EASA.

In order to address a proportionality issue identified by the General Aviation Road Map (GA Road Map), NPA 2015-20 proposed the establishment of a regulatory framework for ‘basic training organisations’ (BTOs), containing simplified requirements for a ‘light approval’, in order to allow general aviation (GA) training providers to establish training organisations without having to comply with the requirements of Annex VII (Part-ORA) to Regulation (EU) No 1178/2011.

Based on the comments and responses, Opinion No 11/2016 was developed and already published. The proposed draft regulatory framework was completely revised and it now proposes the introduction of a ‘declared training organisation’ (DTO) with no need to seek prior approval but to only declare its training activities to the competent authority.

For information purposes, EASA has published the draft acceptable means of compliance (AMC) and guidance material (GM) together with Opinion No 11/2016.

Applicability		Process map	
Affected regulations and decisions:	Commission Regulation (EU) No 1178/2011; ED Decision 2011/016/R; ED Decision 2012/006/R	Concept paper:	No
Affected stakeholders:	Pilots; operators; approved training organisations (ATOs); competent authorities	Terms of Reference:	13.10.2015
Driver/origin:	Efficiency/proportionality	Rulemaking group:	No, only task force
Reference:	<a href="#">General Aviation Road Map</a>	RIA type:	Light
		Technical consultation during NPA drafting:	N/A
		Publication date of the NPA:	18.12.2015
		Duration of NPA consultation:	2 months
		Review group:	No
		Focused consultation:	Workshop
		Publication date of the Opinion:	7.9.2016
		Publication date of the Decision:	2017/Q3



## 1. Procedural information

### 1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this CRD in line with Regulation (EC) No 216/2008<sup>1</sup> (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure<sup>2</sup>.

This rulemaking activity is included in the Agency's [Rulemaking Programme for 2016–2020](#), under RMT.0657. The scope and timescales of the task were defined in the related Terms of Reference (see the process map on p. 2).

The draft implementing rules (IRs) have been developed by the Agency based on the input of the task force<sup>3</sup> established for this rulemaking task (RMT). All interested parties were consulted through NPA 2015-20<sup>4</sup>, which was published on 18 December 2015. 1 209 comments were received from interested parties including industry, national aviation authorities and private individuals.

The text of this CRD has been developed by the Agency.

The process map on the title page contains the major milestones of this rulemaking activity.

### 1.2. The structure of this CRD and related documents

While a summary of the comments received is provided in Opinion No 11/2016<sup>5</sup>, this CRD provides the full set of individual comments (and the Agency responses thereto) received on NPA 2015-20. The resulting rule text is provided in Opinion No 11/2016.

### 1.3. The next steps in the procedure

Opinion No 11/2016, containing the proposed amendments to EU regulations, has been published and addressed already to the European Commission.

The related decision, containing AMC and GM, will be published by the Agency once the related IRs are adopted by the European Commission.

<sup>1</sup> 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).

<sup>2</sup> 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 and is referred to as the 'Rulemaking Procedure'. See Management Board Decision No 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).

<sup>3</sup> See Chapter 5 of ToR RMT.0657 Issue 1 (available at <https://www.easa.europa.eu/system/files/dfu/ToR%20RMT.0657%20Issue%201.pdf>).

<sup>4</sup> <https://www.easa.europa.eu/system/files/dfu/NPA%202015-20.pdf>

<sup>5</sup> <https://www.easa.europa.eu/system/files/dfu/Opinion%20No%2011-2016.pdf>



## 2. Summary of comments and responses

In total, 1 209 comments were received on NPA 2015-20 from stakeholders, such as flying clubs, aero clubs, national aviation authorities and private individuals. In particular, 998 comments were received from industry (aero clubs, training organisations and individuals), and 211 comments were received from authorities.

Following the 'Training outside ATO' workshop, which was held at the Agency on 19 May 2016, additional comments were received from the workshop participants on the presented new 'declared training organisation' (DTO) concept.

A summary of the essential comments received on the NPA, and their consideration in the resulting rule text, is provided in Opinion No 11/2016.

A summary of the essential comments received after the 'Training outside ATO' workshop, addressing new issues that weren't addressed in the comments to the NPA, is provided below:

### (a) Approval instead of declaration

One commenter was calling for reverting the concept to require prior approval of the training organisation and its training programmes, unless standard training programmes published by the competent authority are used.

The proposed regulatory framework was finally revised to propose a declaration instead of a prior approval because of the many respective comments on the NPA and an overall evaluation conducted by the Agency, taking into account the legal possibilities of the upcoming amendments to the Basic Regulation. In addition, it has to be highlighted that the declaration concept was supported by the vast majority of the workshop participants as it, unlike the basic training organisation (BTO) concept initially proposed in NPA 2015-20, really allows the establishment of a training organisation outside 'approved' organisations.

The Agency, when finalising the AMC/GM material for the new Annex VIII (Part-DTO), further decided to consider the development of GM for a standard training programme. In addition to that, examiner standardisation courses and refresher seminars within the DTO's training scope (sailplanes and balloons) as well as training programmes establishing alternative means of compliance will be subject to prior approval.

### (b) Cross-domain harmonisation of declaration process

One commenter recommended to harmonise as much as possible the general requirements on the declaration concept with the rules on declarations already laid down in Regulation (EU) No 965/2012<sup>6</sup>, in particular with regard to the initial declaration and the oversight process.

During a final revision of the DTO concept, the rule text regarding the initial declaration process as well as the continuing oversight provisions (including related AMC material) has been reworded to be consistent with the provisions of Regulation (EU) No 965/2012.

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<sup>6</sup> Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).



**(c) Findings: Root-cause analysis and feedback loop**

Following respective comments, DTO.GEN.150 (former BTO.GEN.160/DTO.GEN.160) on findings has been reworded to require DTOs also to conduct a root-cause analysis and inform the competent authority of corrective actions taken after having received a finding.

**(d) General prerequisites for representative and head of training**

Following a comment, DTO.GEN.210(c) establishes the general prerequisites for persons willing to take the position of a representative or head of training at a DTO in order to exclude individuals from taking such a position in specific cases. Please refer to the draft rule text for further information.

**(e) Limitation on main training sites and on the number of students**

As it can be seen from the comments received on the BTO concept contained in NPA 2015-20, some commenters again called for a limitation on main training sites in order to prevent the establishment of large umbrella organisations, which would constitute a rather complex organisation not being in line with the DTO concept being a simplified regulatory framework for GA training providers. Also limitations with regard to the number of students trained at the same time were requested. Please refer to Section 2.3.5.2 of Opinion No 11/2016<sup>7</sup> for further information.

**(f) Other issues**

Commenters have also identified inconsistencies or editorial errors within the revised text, which have been rectified.

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<sup>7</sup> Opinion No 11/2016 ‘Training outside approved training organisations’, available at <https://www.easa.europa.eu/system/files/dfu/Opinion%20No%2011-2016.pdf>.



### 3. Individual comments and responses

In responding to comments, a standard terminology has been applied to attest the Agency's position as follows:

- (a) **Accepted** — The Agency agrees with the comment and any proposed amendment is wholly transferred to the revised text.
- (b) **Partially accepted** — The Agency either agrees partially with the comment, or agrees with it but the proposed amendment is only partially transferred to the revised text.
- (c) **Noted** — The Agency acknowledges the comment but no change to the existing text is considered necessary.
- (d) **Not accepted** — The comment or proposed amendment is not shared by the Agency.

**Note:** As outlined in the Opinion's Explanatory Note, the proposed rule text contained in NPA 2015-20 has been revised on the basis of the new concept of declared training organisations (DTOs) instead of basic training organisations (BTOs). Unless specified otherwise, when responses to comments make reference to the final rule text, this is already done by referring either to DTO instead of BTO or to the renamed paragraphs (e.g. 'DTO.GEN...' instead of 'BTO.GEN...').

(General Comments)	-
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comment 6

comment by: Svein Olav Bjerkeset, Nedre Romerike Flyklubb

From what I can see, the proposed BTO will not be eligible to train pilots in the two new instrument ratings for private pilots, EIR and CB-IR. If so, it may result in significant reduction in schools offering these new ratings. The instrument-ratings aside, a BTO as proposed, would meet most demands from the point of a flying school in a flying club. The vast majority of non-profit flying schools will probably choose a BTO over an ATO. Only the most resourceful clubs would probably be able to apply for an ATO. On the other hand, ATOs primary dedicated to educate pilots aiming for a professional career (CPL/ATPL), will likely not show much interest in educating private pilots, or they will do it at a price that is not interesting for private pilots.

Given that both the proposed BTO and EIR and CB-IR are aimed at private pilots, please consider inclusion of education for EIR and CB-IR in a BTO.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

According to the overall concept, DTOs are intended to benefit from lighter organisational and oversight requirements sufficient for delivering training for non-commercial pilots and most of the elementary ratings relevant for general aviation in return for a reduced



training scope not requiring more complex organisational structures of the training provider. For this reason, it has been decided not to open the training scope to further ratings like the training courses for instrument ratings or further class and type ratings for the moment and to carefully monitor the implementation of this new concept of declared training organisations. It is envisaged to evaluate at a later stage whether the training scope of a DTO can be opened up for further ratings.

comment 19 comment by: Alex Bardett

I support this proposal for a basic training organisation (BTO). I believe that it is a measured approach that will reduce unnecessary costs

response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 24 comment by: Paul Drakes

I support this amendment which relieves Registered Training Organisations from the requirement to become Authorised Training Organisations'.

response Noted.  
Thank you for providing this positive feedback.

comment 25 comment by: trevor sexton

Hopefully the forthcoming BASIC IR will also be able to done at a BTO.

response Not accepted.  
Thank you for providing this comment.  
Please check the response provided to comment No 6.

comment 29 comment by: DAVID GATEHOUSE

*I support the amendment which relieves Registered Training Organisations from the requirement to become Authorised Training Organisations.*



response

Noted.  
Thank you for providing this positive feedback.

comment

35

comment by: *Harri Heikkilä*

Comments on NPA 2015-20.

Aviastar Flight Training Oy's response to questions raised in NPA 2015-20 chapter 2.3.2.3.

Aviastar Flight Training Oy is approved training organisation (FI.ATO.2018) carrying out training for the Pilatus PC-6 SET class rating. Aviastar Flight Training Oy was granted ATO approval early 2014.

While setting up the organisation and relevant documentation the total amount of work required was estimated to be around 20-30 hours which we consider reasonable. Annually the required working hours for revising and modifying manuals varies greatly. If no significant changes take place there's maybe no revision work at all. If we introduce a new training course it may take anything from couple of hours to 50-100 hours. However this work is largely not depending from any requirements or regulations and thus cannot be considered as a "cost" derivating only from the regulations or requirements.

Currently the biggest cost effect for ATO organisation are the fees collected by NAA for granting approval and the related inspection work.

Considering NPA 2015-20 as whole Aviastar Flight Training Oy would like to point out a few things we consider important:

- There are different kind of organisations providing flight training services. The form of the organisation (whether it is a company, some kind of a club or other organisation) should not be used as criteria to determine the level of applied requirements. This does not represent a proportionate risk-based approach. It should be noted that the current form NPA 2015-20 does not have this kind of issues and currently the companies, clubs and other organisations providing for example PPL or LAPL training would be treated in same manner. This is crucial to guarantee level playing field for all operators.

- Aviastar Flight Training Oy considers important that training aiming for class and type ratings other than non-high performance single engine piston class ratings remain under the ATO requirements.

response

Noted.  
Thank you for providing this comment and the positive feedback.  
As shown already in the NPA text, within the aeroplane domain only single-engine piston and TMG class rating will be part of the possible training scope of a DTO (former BTO).

comment

37

comment by: *Henlow Flying Club*

response *I support this amendment which relieves Registered Training Organisations from the requirement to become Authorised Training Organisations'.*

Noted.  
Thank you for providing this positive feedback.

comment 57 comment by: *Mr Keith Bennett*

As a GA pilot based in the UK I fully support a proposal which will reduce the administrative burden on those supplying training. There are many training organisations in the UK that are too small in scale to take on the administrative burden of becoming Approved Training Organisations and would not be continue to operate without a simpler regulatory framework. These organisations provide important services to private pilots which can not be so well provided for by larger flying schools by reason of speciality or location. They also help keep prices down for pilots and without them the number of GA pilots and the entire industry would decline.

I use such an organisation myself for refresher and renewal training and wish to continue to do so in future, I hope that EASA can put in place a sensible and proportionate system of regulation for non-commercial training.

response Noted.  
Thank you for providing this positive feedback.

comment 59 comment by: *George Knight*

[Attachment #1](#)

As a recreational pilot and instructor I generally welcome the proposed changes. My biggest fear is that there is too much discretion given to the 'Competent Authority' (in my case the UK CAA) to decide how much oversight to impose, how difficult to make that oversight for the BTO and the levels of charges to make for providing its services.

By way of example of excessive complication, EASA requires a form to be completed when a sailplane instructor completes a refresher training seminar as part of revalidating an FI(S) certificate. The document format laid down in GM1 FCL.940.FI(a)(2) FI — Revalidation and renewal; FI CERTIFICATE: REVALIDATION AND RENEWAL FORM; D. SAILPLANES INSTRUCTIONAL FLYING EXPERIENCE is one page long. The CAA has managed to translate that into 'Form SRG 1135 which has 9 pages (copy attached).

In terms of charges the CAA is proposing greatly increased charges in some areas because it is required to make a profit. For a glider pilot the charge for a display authorisation is increased to £298 (€392) and it is increasing its charges for air display approvals of 31 items from £2,695 to £20,390 (€3,548 to €26,844). That's right - an increase of over seven times.

I would be much happier with the NPA if ways could be found to limit the amount of expensive meddling a competent authority can impose on prospective and actual BTOs.



response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that competent authorities in general are entitled to establish the form and manner for applications to be sent (FCL.015 (a)) and that the GM referred to in this comment in this regard constitutes a non-binding guidance material. Additionally, legal requirements on fees and charges are not subject to the remits of the Agency according to Regulation (EC) No 216/2008. It is up to the Member States to decide about the amount of fees and charges connected to the issue of licences, ratings and certificates according to Regulation (EU) No 1178/2011. For this reason, the rules drafted by the Agency cannot cover such issues.

comment

188

comment by: *PBN-Abbenes*

GENERAL COMMENTS: The 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.

The initially suggested ATO training facilities for the GA especially Balloons and Gliders were far too expensive and burdensome. We want to keep the air-sports alive and do object to making it unnecessarily expensive and administratively burdensome. Most of the tasks at a training facility are carried out by volunteers and they have in most cases done the job for years and done it very well. There has to be a good reason to change the existing structure. Good reasons could be found if there were a lot of accidents and incidents. Fortunately most training facilities are professional in the way they perform their tasks. Pilot training is done satisfactorily and the examination of pilots is carried out in a professional manner.

In some countries the system has worked for decades sometimes evolved over a hundred years or more.

Improving a system is always good. Being critical is also often a good thing. It keeps you sharp.

The first point of criticism on the suggested BTO is the initial approval. The current system has been in place for many years and it is hard to ask an NAA who (with exceptions of some countries) do not have in depth knowledge of the ballooning or sailplane training systems to approve a training Organisation for which they have limited in depth knowledge. (again some countries excepted)

The starting point of the Taskforce RMT.0657 was to make sure the training of GA non-commercial pilots would be accessible for the general public and not be too complicated nor unnecessarily costly or administrative. The ATO was generally accepted as being too burdensome and too administrative and far too expensive. The initial approval was also too administrative and complex and the audits too frequent and administrative and therefore far too expensive. The countries that have introduced the ATO are now feeling the negative consequences.

The Task Force has discussed all the relevant documentation and has provided EASA with



a clear and at that moment acceptable proposal for the RTO (Registered Training Organisation) The Task Force was under the impression that legal issues would be dealt with by EASA in the appropriate manner.

One issue for debate was the initial approval or an initial declaration from the Flight School wanting to become RTO. The Task Force suggested an Declaration. This was initially acceptable for EASA. In the second stage EASA changed RTO to BTO and introduced the “simple” application for approval and certification.

Why was the declaration not acceptable? The system of the approval by means of a declaration was as stated by EASA not in conformity with the Basic Regulations. However proportionality was not considered at all. An in depth approval for complex and commercial training facilities could have some merit. But an extensive initial approval procedure for balloon and glider training seems rather unnecessary and far to administrative and expensive.

Please bear in mind that in many countries the procedures to change from a unregulated training to the initially suggested ATO was in full progress. After the opt out for the ATO introduction until April 2018 was accepted by most MS, a lot of volunteers started working on a simpler and more realistic training system. Syllabi were written or improved and simple management systems were and are being introduced.

It would be very hard to accept an approval system not reflecting the work that has already been done by a large group of volunteers. We are of the opinion that a declaration should be sufficient for the initial approval and certification. The NAA can during the audits improve the systems in place. This should be done in co-creation and not by simple governmental force. We should take a reasonable time to work our way from the current system to the RTO which the task force has suggested.

We feel that the currently suggested approval “light” will be a problem for many NAA’s. They will require more administration before they can approve and certify training facilities.

Therefore the BTO is not a good solution at all. The RTO is much better. We would suggest to change the Basic Regulations in such a way that by April 2018 all training facilities for the activities as mentioned in the RTO can continue their activity without any major involvement from the NAA’s. This would cause more unneeded administration and cost and less time for the volunteers to spend on safety and organisation of the flying club. Most of these volunteers are the FI’s and FE’s of the Aero clubs and they are overloaded with administration as it is. We have to stay realistic in how much work you can ask volunteers to carry out...

Furthermore we are of the opinion that the BR can be read as allowing the RTO to be put in place. See explanation at the end.

If changing the basic regulations as mentioned before is not possible we should not introduce a system that will disrupt the current training. Introducing the BTO is not a real option. It will have to be changed to an RTO as soon as the BR have changed. This change to a BTO is expensive and administratively burdensome and unnecessary. We would argue that EASA should do their utmost to introduce the RTO by April 2018 including the change of the BR if and when needed. We argue however that a change of the BR is not really needed at all. We do not support the introduction of the BTO with heavy administrative consequences for a large group of volunteers in many countries in Europe. We would also argue not to postpone the introduction of the RTO nor have a temporary system such as BTO in place. It would not be perceived as being the right solution.



Please bear in mind that EASA is seen by most Aero-clubs as a very bureaucratic and the bringer of inconsistent and constantly changing very complex and difficult to oversee new rules and regulations. First the ATO than the RTO and finally the BTO. As we need time to implement new systems we urgently need consistency and proportionality.

We also urge consideration again for consistency and accessibility of the combination of all the new rules and regulation disseminating on the pilots and Aero-clubs and training facilities. We advise EASA to make the information better accessible for the end users. One Ballooning book, one Glider book, one non-commercial LAPL H and A book. These books should contain ALL relevant information for that specific target group.

It is unrealistic to expect all pilots to find and read and fully understand and apply all the EASA documentation from Part M to Part FCL to Part Med to Part ARA to Part ORA to Part ORO to Part ARO Part OPS and SERA and all other paperwork relevant to the pilot FI and FE and volunteers. We need to make sure there is an acceptance of the work carried out by EASA.

We are pleased to help where we can but the rulemaking has to be realistic, proportioned and consistent.

There may be a possibility to interpret the BR in such a way that we need not introduce the BTO but could introduce the RTO as originally suggested as per April 2018 according to article 7(3) of the current basic regulation (EC) n°216/2008, a pilot training organisation shall be issued an approval.

Nevertheless article 7(6) paragraph (b) of the current basic regulation states also: "Article 7

[...]

6. The measures designed to amend non-essential elements of this Article by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 65(4). Those measures shall specify in particular:

[...]

(b) the conditions for issuing, maintaining, amending, limiting, suspending or revoking licences, ratings for licences, medical certificates, approvals and certificates referred to in paragraphs 2, 3, 4 and 5, and the conditions under which such certificates and approvals need not be requested;"

this clearly can be read as saying that certifying a pilot training organisation is considered as a non-essential element that can be amended by supplementing it (i.e. provide additional conditions that would allow a non-certification) through an implementing rule.

In others words the legislator when drafting the basic regulation specifically introduced a possibility to define, in regulation (EU) n°1178/2011 (implementing rule) and its Annexes, the conditions under which the certificate mentioned in article 7(3) for pilot training organisations would not be requested.

This is exactly what the TF has initially proposed with the concept of RTO. The conditions (limitations of privileges, annual review, safety policy...) under which a certificate could not be requested (and replaced by a declaration) where specified in the new Annex VIII and the amendments to Annex VI - Part ARA.



response

If from a legal perspective any doubt exists it should lead the Agency to keep in the final Opinion that the RTO that has been assessed (by the taskforce) as the most efficient for GA community and the most likely to be supported from a political perspective. European Balloon Federation support these views as does the European ballooning community.

Partially accepted.

Thank you for providing this comment.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

An overall revision of the requirements on sailplane and balloon licences is outside the terms of reference for this rulemaking task (RMT). However, having regard to your comments regarding 'one sailplane book' and "one ballooning book", the Agency would like to draw your attention to RMT.0701 ('Revision of sailplane licensing requirements') and RMT.0654 ('Revision of balloon licensing requirements'). For RMT.0654, the Terms of Reference (ToR) have been published on EASA's website (see the link below). For RMT.0701, the publication of the ToR is envisaged for the end of 2016.

Link to ToR RMT.0654: <http://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0654>

comment

353

comment by: DGAC France

**Subject:**

DGAC support for option 1 (RTO)

**Content:**

Agency considers the current basic regulation (EC) n°216/2008 (article 7(3)) requires pilot training organisations to be approved and does not authorise the concept of declaration/registration as it was proposed in the concept of RTO (identified in the RIA as option 1) (see page 5/49).

Nevertheless DGAC believes that the TF « Training outside ATO » aimed and continues to aim at proposing a genuine alternative to the concept of approved training organisation (ATO) as it stands today in the aircrew regulation (UE) n°1178/2011 (identified in the RIA as option 0).

Besides article 22 of the proposal for a new basic regulation (published on the 7th December 2015) provides the CE the possibility to adopt delegated acts that may exempt training organisations to be approved. Therefore the concept of declaration/registration (RTO) for pilot training organisation providing only training towards PPL, LAPL, SPL, BPL could be possible in a future amended aircrew regulation.

We are afraid that introducing now the concept of BTO (identified in the RIA as option 2) to be implemented without waiting for the amended basic regulation will again introduce



a very complex regulatory system and burden on the Member States, and this only for a short period of time.

We remain convinced that the concept of registered training organisation (RTO), identified in the RIA as option 1, fully meets the GA Agency roadmap and the EC objectives that were set during October 2014 EASA Committee. This confidence is reinforced by the fact that our GA users fully share and are fully involved in the RTO concept. Going back to a certification/approval process is not the way decided by the GA community.

It seems to us that the work of the TF « Training outside ATO » (RMT 0657) aims at defining a medium term solution and that the current legal constraints of the Basic Regulation should not lead to discard a new concept that should, in accordance with the orientation of the GA roadmap adopted by the Agency, be possible with the future basic regulation. A short term solution is not in favour of a stable regulatory framework and has to be avoided.

DGAC requests that the concept of declaration/registration (RTO) is kept in the Opinion to be published by the Agency, having in mind an implementation date compatible with the future Basic Regulation applicability.

response

Accepted.

Thank you for providing this comment.

As shown in the Explanatory Note to the Opinion, the overall concept has been revised and is now containing a proposal to introduce a “declared training organisation” (DTO) not requiring prior approval. This revised concept, being assessed as ‘Option 4’ in a complemented Regulatory Impact Assessment and considering also the legal possibilities in the upcoming changes to the Basic Regulation, was identified to be the best solution to grant the relief requested for the general aviation training domain while still keeping a necessary minimum of organisational requirements as well as sufficient oversight provisions for competent authorities. Please refer to the Explanatory Note to the Opinion for further information and reasoning.

comment

357

comment by: DGAC France

**Subject:**

Extension of opt-out period for JAR FCL Registered Facilities and organisation providing training only for a national licence that is eligible for conversion into Part FCL LAPL, SPL, BPL.

**Content:**

In addition to the first general comment, DGAC requests an extension of the present opt out for applying Part ORA and Part ARA provisions for JAR FCL RF (cf. article 10bis 3) regulation (EU) n°1178/2011) and training organisation providing training only for a national licence that is eligible for conversion into Part FCL LAPL, SPL, BPL (cf. article 3 3) regulation (EU) n°445/2014).



	<p>This extension of the opt-out period aims at waiting for the amended basic regulation (in particular article 22) that would allow pilot training organisations to be declared and thus implementation of option 1 (RTO).</p> <p>This extension of the opt-out would allow existing JAR FCL RF (registered before the 8<sup>th</sup> April 2015) to provide training included in their registration. Likewise sailplane and balloon training organisations would continue to be allowed to provide training for national licences (licence equivalent to LAPL and sailplane, balloon licences).</p> <p>For consistency the opt-out period for applying provisions related to pilot sailplanes and balloons licences and provisions related to LAPL (Annex I -Subpart B) will have to be extended in the same manner. For the time being those provisions have been postponed to the 8th April 2018 (cf. article 12 2bis a)).</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response provided to your comment No 353. As the overall concept has been revised to propose a 'declared training organisation', the proposal to extend the opt-out for registered facilities according to JAR-FCL to allow the implementation of the postulated RTO concept has to be considered as obsolete.</p>

comment	<p>359 <span style="float: right;">comment by: DGAC France</span></p> <p><b><u>Subject:</u></b></p> <p>Discrepancies and inconsistencies in BTO certification process</p> <p><b><u>Content:</u></b></p> <p><b>Statement</b></p> <p>Option 2 (BTO) is a bad concept in between a declaration system and a certification system. The BTO concept, as described in the rulemaking proposal, has been developed having in mind a declaration and not a certification. It brings a flexibility that is not compatible with a certification system and in particular it introduces some harmful inconsistencies for the legal compliance both for Authority, users and organisms.</p> <p>The <b>following inconsistencies</b> have been identified:</p> <p><b>1) Conditions for BTO certificate issuance</b></p> <p>The rulemaking proposal consists in certifying a declaration form instead of certifying an organisation in the sense of a certification as defined in the basic regulation (EC n°216/2008. As a matter of fact the Authority issues a certificate on the sole basis of information provided through an application form (cf. AMC1 BTO.GEN.130). The elements provided are not sufficient to properly assessed the organism capability to provide training.</p> <p>The BTO is not required to provide concrete elements on the basis of which the Authority may conduct a sound analysis before issuing the certificate. In particular it should be</p>
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noted that use of training and operations manuals are not mandatory but only recommended (cf. GM1/GM2 BTO.GEN.190). Besides the application form does not include information about the aircraft fleet to be used for training.

By essence a certification has to rely on a clear frame of reference and on checking concrete elements. The lack of such framework will surely create legal issues. The sole tangible element is the assessment of training programs to be attached to the application form (cf. ARA.BTO.110).

### **2) Acknowledgement of receipt and BTO certificate**

Moreover the AMC1-ARA.BTO.100 indicates that the acknowledgement of receipt could be considered as the BTO approval certificate. This approach, totally understandable in a declaration process (option 1 RTO), is inadequate in the case of certification process.

### **3) Commencement of BTO activities**

Besides the rulemaking proposal allows a BTO to start its activities before having received its certificate (cf. BTO.GEN.130 (d)). This flexibility, totally understandable in a declaration process (option 1 RTO) is not compatible with a certification and could be a source of legal issues.

### **4) Safety relevance**

Finally it seems that, as defined in the rulemaking proposal, the issuance of a certificate by the authority does not bring any added value or guarantee in terms of safety. Its introduction only aims at complying with article 7(3) of the current basic regulation. But in any case the BTO certificate, as described in the rulemaking proposal, cannot be considered as a result of a certification process as defined in the basic regulation (EC) n°216/2008.

### **Conclusion**

Given all the elements above DGAC requests the withdrawal of the BTO concept based on a light approval (option 2). One hand it does not offer a proper framework for certification and on the other hand it does not offer the simplification that was looked for through the declaration.

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Additionally, the Agency would like to highlight that the legal issues stressed in this



comment do no longer apply to the revised DTO concept. Finally, DTO.GEN.115 (former BTO.GEN.130) will also require information regarding the aircraft fleet to be part of the declaration to the competent authority.

comment 412

comment by: *Isg erbsloeh*

Die Anforderungen an eine BTO können auch von einzelnen Fluglehrern erfüllt werden. Durch Rückgriff auf bewährtes Kursmaterial und mehr Freiheiten in der Dokumentaion lässt sich eine einfache BTO für einen bestimmten Zweck/Kurs innerhalb von nur wenigen Stunden errichten und in Betrieb nehmen.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Making it easier to set up a training organisation is the overall goal of this rulemaking project.

comment 458

comment by: *FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS*

"Conseil National des Fédérations Aéronautiques et Sportives" (CNFAS), represents 120.000+ General Aviation users.

CNFAS reminds the Agency that Registered Facilities (RF) exist in France (1.000+ RF) for more than 80 years and deliver an appropriate safety level for student pilots.

CNFAS believes that the Task Force « Training Outside ATO » aimed at proposing a genuine alternative to the concept of Approved Training Organisation (ATO) as it stands today in the Aircrew regulation n°1178/2011 (as identified in the option 0 of the Rulemaking Impact Assessment).

CNFAS has been working together with the DGAC France to establish the project RTO (Registered Training Organisation) as defined in the option 1 of the RIA. This concept, based on a declaration principle for training organizations toward LAPL, SPL and associate ratings, fully met the expectation of General Aviation after the Rome conference held in October 2014.

CNFAS is fully aware that the current Basic Regulation (BR, n°216/2008) does not allow the declaration for training organization. However, the new project of BR (already in consultation phase) clearly allows the declaration for these organizations.

If the Agency persist to continue with option 2 (BTO, certification with administrative burdens and associated fees), then the new BR will come to force and the certification will no longer be required. As a result, and supposing that the BR will be adopted in 2020, we will lose at least 3 years again with administrative burdens and high fees.

CNFAS would really appreciate that the Agency chooses option 1 after this NPA in order to



	anticipate the new BR. This will avoid any changes in the future and avoid any misinterpretation from end users and National Aviation Authorities
response	Accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment	493 <span style="float: right;">comment by: <i>Stefan Krämer</i></span>
	It seems that option 2 is the right way to proceed. Complete deregulation will lead to a lot of local regulation.
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment	494 <span style="float: right;">comment by: <i>The Norwegian Air Sports Federation</i></span>
	<p>The Norwegian Air Sports Federation (NLF – Norges Luftsportforbund) would like to thank the Agency for this NPA, which is a major step towards proportionate regulation of aviation training in Europe.</p> <p>NLF appreciates the work of the Task Force (TF), which has resulted in a concept that is fairly close to how JAR Registered Facilities (RFs) have been organised and handled in various European countries until now. To the extent that the suggested BTO concept represents a more stringent level of regulation than the current RFs, we understand that this is a mere product of the perceived limitations in the legal framework of the current basic regulation.</p> <p>The legal framework of the basic regulation set aside, NLF would strongly prefer an RTO concept, which conserves more of the benefits of the RFs than the suggested BTO concept. Our understanding is that this view is shared by a large number of our sister organisations in Europe. Of this reason, NLF would like to suggest three options for the way forward:</p> <p><b>1) Make a new, independent legal evaluation</b> of the compatibility of an RTO concept with the current basic regulation.</p> <p><b>2) Defer the entire rulemaking task</b> until the new basic regulation has been established and entered into force, while extending the opt-out period for JAR RFs as well as sailplane and ballooning schools (plus licensing) from April 8<sup>th</sup> 2018 to April 8<sup>th</sup> 2019 or 2020, depending on the timescale of the implementation of the new basic regulation.</p> <p><b>3) Proceed with the BTO concept</b> as suggested – with some adjustments/improvements – while</p>



working towards an RTO concept as an added mechanism, once/if compatible with the future basic regulation. This would also necessitate an extension of the opt-out period for JAR RFs as well as sailplane and ballooning schools (plus licensing) from April 8<sup>th</sup> 2018 to April 8<sup>th</sup> 2019 or 2020, depending on the timescale of the implementation of the new basic regulation. The opt-out will enable the simplest of RF organisations to stay in the current domain, instead of converting into a BTO (or ATO).

Please find below a more thorough explanation of the three options:

**Option 1 – Independent legal evaluation of the implications of the current basic regulation**

NLF would like to question whether the current basic regulation really prohibits an RTO concept as such. To quote the wording of the cover regulation:

*(7) Aeronautical products, parts and appliances, operators involved in commercial air transport, as well as pilots and persons, products and organisations involved in their training and medical examination, should be **certified or licensed** once they have been found to comply with essential requirements to be laid down by the Community in line with standards and recommended practices set by the Chicago Convention.*

The terms “certified or licensed” have a number of different meanings as applied throughout common European aviation regulation, and the current trend within a number of areas include self-declarations. For instance, products and parts used for repair of light aircraft may be used without certification on the condition of a self-declaration made by the owner. Please refer to EASA Certification Memorandum CM-21.A-K-001 “Installation of new parts and appliances without an EASA Form 1 in European Light Aircraft” – for details.

[http://easa.europa.eu/system/files/dfu/certification-docs-certification-memorandum-'final'-EASA-CM-21-A-K-001-Issue-01\\_Installation-of-new-parts-and-appliances-without-EASA-Form-1-in-ELA\\_PUBL.pdf](http://easa.europa.eu/system/files/dfu/certification-docs-certification-memorandum-'final'-EASA-CM-21-A-K-001-Issue-01_Installation-of-new-parts-and-appliances-without-EASA-Form-1-in-ELA_PUBL.pdf)

Another example is that general practitioners examining LAPL holders may do so based on a mere notification to the authorities, as per CAA UK’s published practice:

<http://publicapps.caa.co.uk/docs/33/CAP%201127%20GP%20LAPL%20Quick%20Guide%20for%20GPs.pdf>

If the wording “certified or licensed” in the basic regulation had such a narrow meaning as assumed by EASA Legal Services in their assessment of the RTO concept, one could argue that these two examples would be incompatible with the basic regulation, too.

We would also like to point to the Article 7 of the basic regulation:

Article 7 (3) states:

*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.*



...

Article 7 (6) states:

*The measures designed to amend non-essential elements of this Article by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 65(4). Those measures shall specify in particular:*

...

*(b) the conditions for issuing, maintaining, amending, limiting, suspending or revoking licences, ratings for licences, medical certificates, approvals and certificates referred to in paragraphs 2, 3, 4 and 5, **and the conditions under which such certificates and approvals need not be requested;***

(Our emphasis in bold.)

As far as we understand, this means that there ought to be sufficient legal leeway in the basic regulation to allow an RTO concept.

In NLF's view, it is a risk that EASA Legal Services are working within a paradigm and set of interpretations – i.e., within “a legal culture” – that has not absorbed the implications of the interpretations of the wording used elsewhere in common European aviation legislation. Interpretations of law should not be done as an independent or isolated exercise – the law must be viewed in the appropriate context, taking into account due proportionality.

Therefore, the topic could benefit from an independent legal analysis, to see if an RTO concept could be considered compliant with the current basic regulation after all.

#### **Option 2 – Deferral of the NPA**

This option would address “the RTO problem” by assuming a future change of the basic regulation. By extending the current opt-out period for RFs and national training organisations for gliding and ballooning, a new rulemaking task could take into account the future rather than the current basic regulation. Since the EU Commission has indeed drafted a new basic regulation opening the door for an “RTO like” approach (pending appropriate implementing rules), going forward with the current NPA may be putting the cart before the horse.

That being said, current RF organisations are struggling with a “freeze mode” since they can't extend their privileges to other licenses or ratings than those they are already licensed to train to (with the exception of the addition of LAPL). This is particularly problematic, since Part-FCL has transposed what was previously seen as endorsements in some countries into ratings (such as the aerobatic endorsement in Norway, which is now a rating). A deferral of this rulemaking task will hit such RFs further, since the ATO concept is unrealistic for most of them.

Also, flying clubs wishing to start new flight schools are unable to do so, since the RF must have been established prior to April 8<sup>th</sup> 2014.

To address the above, a deferral would require compensating measures.

#### **Option 3 – Two-step approach, BTO and RTO**

A third option could be a two-step approach, going forward with the BTO concept as suggested in this NPA, as well as preparing for a potential RTO concept in the future.



Indeed, NLF believes a binary approach (ATO on one side, BTO or RTO on the other), could be less proportionate than desired. The recreational flying community encompasses such a diverse and varied set of activities that having more than two tools in the tool-box may offer significant benefits. Some European flying clubs may wish to train to the en-route instrument rating and to the multi-engine piston class rating, while other flying clubs are simply interested in training to LAPL(A) – or LAPL(S)/(B) with no additional ratings. The RTO concept is clearly suitable for the latter, while a BTO may be more appropriate for the first.

While the BTO has been suggested as an alternative to an RTO of legal reasons, perhaps the BTO could be bridging the gap between the current ATO and a future RTO concept.

Going forward with the BTO now also has the benefit of resolving the problems, which the more ambitious RFs are currently having (please see Option 2 above for details).

If EASA and the Commission would consider this “third way”, it is important that the current opt-out period for RFs is extended for a year or two, so that the simplest RF organisations can await a more proportionate future regime.

The response from NLF to the specific paragraphs in the NPA is based on the premise that the BTO concept is implemented now, either as a stand-alone solution or as a complement to a future RTO concept.

response

Partially accepted.  
 Thank you for providing this comment.  
 Please check the response provided to comment No 353.  
 Additionally, the Agency would like to highlight that due to the overall revision of the concept and the final DTO proposal, the proposals in this comment to defer this rulemaking task (RMT) or to take a “two-step approach” can be considered as obsolete.

comment

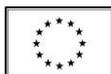
512 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*  
 General: Swedish Transport Agency supports this proposal about BTO.

response

Noted.  
 Thank you for providing this positive feedback.  
 The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

514 comment by: *Romanian CAA*  
 This proposal creates a huge pressure on the national authorities to oversight individuals



FIs carrying out training for private pilots. Considering ARA.ATO.105, NAAs will be forced to increase the number of inspectors to ensure the oversight of individual FIs.

Also, we do not believe this approach will increase safety. On the contrary, as the individual FIs do not have a compliance monitoring function, i.e. an independent monitoring, the quality of training will depend on the human factor of individual FIs and also of the oversight programme of the competent authority.

Therefore, a good solution could be to leave to the individual competent authorities the choice to accept or not such training (see ARA.FCL.200 (c)). In this case, special conditions have to be developed for approval of individual FIs wishing to train private pilots.

response

Not accepted.

Thank you for providing this comment.

Leaving it up to individual competent authorities whether or not to accept training outside any kind of organisation would not be in line with the overall principle to seek for common European standards in the provision of flight training. Additionally, after carefully evaluating the different options, it has been decided not to allow individual instructors to provide full training courses outside of any organisational environment (please refer to the Opinion's Explanatory Note, Chapter 2.4 'Summary of the Regulatory Impact Assessment' and the explanations referring to 'Option 3' for further information).

comment

657

comment by: BGA

The British Gliding Association represents 84 gliding clubs, which are all not for profit, volunteer run organisations that include glider pilot training among their club activities.

Our experience and that of our equivalents in France and Germany has identified that the ATO requirements are disproportionate, burdensome and will damage the sport of gliding. We note that in Germany, which has opted into the regulation, damage caused by ATO requirements is already occurring at hundreds of gliding clubs. We have repeatedly made the BGA position clear through the UK CAA and through the European Gliding Union and Europe Air Sports.

Sailplane pilot training is fundamentally a not for profit, volunteer resourced activity that has historically resulted in appropriate output standards. Training organisation approval is not necessary. A requirement for approval results in regulator prescription, significant bureaucratic burdens and high costs on the end user. The requirement also results in unnecessary work on regulators who should be focussed on commercial activity and protecting the public rather than getting involved with an activity that represents almost no risk to third parties.

We welcome the BTO amendments identified in this NPA as a significant improvement over the ATO requirements.

However, it is clear that unless an appropriate interpretation of the existing Basic Regulation can be made (see our earlier comment re 2.1), the Basic Regulation will need to be amended to remove the requirement for approved training.



response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

702

comment by: *Luftfahrt-Bundesamt*

We highly appreciate the idea of a separate Annex VIII, Part-BTO, as this goes hand in hand with developments in Air Ops and Continuing Airworthiness domain.

However we worry that approved ATO will struggle to keep the “BTO-parts” of their approval in their certificate as the ATO has to follow other rules with higher expenses. The side effects on these ATOs should be reasonably considered. Therefore the NPA should (amongst others) be based on EU-wide valid answers to questions 1 and 2 on page 8. Unfortunately the NPA came first.

In summary this NPA based on a „light approval“ and considering the “last minute changes” appears not to be mature enough; the processes of initial “approval”, oversight and change of “approval” are not carefully thought-out. On the one hand it does not offer a proper framework for certification by the authority and on the other hand it does not offer the simplification that was looked for GA training organisations.

Please note that our following comments do only reflect some basis concerns, as we don’t want to go in specific details at this stage.

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

This revised concept was identified to grant the relief requested for the general aviation training domain while still keeping a necessary minimum of organisational requirements while. Please refer to the Explanatory Note to the Opinion for further information.

Additionally, the Agency would like to highlight that due to a new paragraph 3a in Article 10a of Regulation (EU) 1178/2011, it will be possible for existing ATOs to continue the respective part of their training activity under the new DTO requirements. In general, every training provider for licences within the DTO training scope will have the freedom of choice whether to establish an ATO or a DTO.

comment

712

comment by: *Klaus Egger*

*Instead of taking the control away from the ATOs, the aim should be to reduce the seemingly endless regulations and administrative tasks. The burden of the “paper flood” in administration and training specifications take not only the focus away from the student but also the capacity of the instructor who is more occupied with filling out papers and following guidelines than teaching the student actual flying. You find the validation in recent airline accidents which show a massive decrease in actual flying abilities.*



*Training is the key factor to a safe aviation, it should be in the hands of ATOs. Meaningful and responsible regulation are the way to go and not knocking off numbers of schools through an overload of regulations and then giving it unregulated in the hands of volunteers in GA!*

response

Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the ‘paperwork’ for a DTO is significantly decreased compared to an ATO, as a DTO is neither required to have written management documentation including fully developed safety management and compliance monitoring systems nor to have a full training manual in place.

comment

790

comment by: *European Ballooning Federation*

GENERAL COMMENTS: The 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.

The initially suggested ATO training facilities for the GA especially Balloons and Gliders were far too expensive and burdensome. We want to keep the air-sports alive and do object to making it unnecessarily expensive and administratively burdensome. Most of the tasks at a training facility are carried out by volunteers and they have in most cases done the job for years and done it very well. There has to be a good reason to change the existing structure. Good reasons could be found if there were a lot of accidents and incidents. Fortunately most training facilities are professional in the way they perform their tasks. Pilot training



is done satisfactorily and the examination of pilots is carried out in a professional manner.

In some countries the system has worked for decades sometimes evolved over a hundred years or more.

Improving a system is always good. Being critical is also often a good thing. It keeps you sharp.

The first point of criticism on the suggested BTO is the initial approval. The current system has been in place for many years and it is hard to ask an NAA who (with exceptions of some countries) do not have in depth knowledge of the ballooning or sailplane training systems to approve a training Organisation for which they have limited in depth knowledge. (again some countries excepted)

The starting point of the Taskforce RMT.0657 was to make sure the training of GA non-commercial pilots would be accessible for the general public and not be too complicated nor unnecessarily costly or administrative. The ATO was generally accepted as being too burdensome and too administrative and far too expensive. The initial approval was also too administrative and complex and the audits too frequent and administrative and therefore far too expensive. The countries that have introduced the ATO are now feeling the negative consequences.

The Task Force has discussed all the relevant documentation and has provided EASA with a clear and at that moment acceptable



proposal for the RTO (Registered Training Organisation) The Task Force was under the impression that legal issues would be dealt with by EASA in the appropriate manner.

One issue for debate was the initial approval or an initial declaration from the Flight School wanting to become RTO. The Task Force suggested an Declaration. This was initially acceptable for EASA. In the second stage EASA changed RTO to BTO and introduced the “simple” application for approval and certification.

Why was the declaration not acceptable? The system of the approval by means of a declaration was as stated by EASA not in conformity with the Basic Regulations. However proportionality was not considered at all. An in depth approval for complex and commercial training facilities could have some merit. But an extensive initial approval procedure for balloon and glider training seems rather unnecessary and far to administrative and expensive.

Please bear in mind that in many countries the procedures to change from a unregulated training to the initially suggested ATO was in full progress. After the opt out for the ATO introduction until April 2018 was accepted by most MS, a lot of volunteers started working on a simpler and more realistic training system. Syllabi were written or improved and simple management systems were and are being introduced. It would be very hard to accept an approval system not reflecting the



work that has already been done by a large group of volunteers. We are of the opinion that a declaration should be sufficient for the initial approval and certification. The NAA can during the audits improve the systems in place. This should be done in co-creation and not by simple governmental force. We should take a reasonable time to work our way from the current system to the RTO which the task force has suggested.

We feel that the currently suggested approval “light” will be a problem for many NAA’s. They will require more administration before they can approve and certify training facilities. Therefore the BTO is not a good solution at all. The RTO is much better. We would suggest to change the Basic Regulations in such a way that by April 2018 all training facilities for the activities as mentioned in the RTO can continue their activity without any major involvement from the NAA’s. This would cause more unneeded administration and cost and less time for the volunteers to spend on safety and organisation of the flying club. Most of these volunteers are the FI’s and FE’s of the Aero clubs and they are overloaded with administration as it is. We have to stay realistic in how much work you can ask volunteers to carry out...

Furthermore we are of the opinion that the BR can be read as allowing the RTO to be put in place. See explanation at the end.

If changing the basic regulations as mentioned before is not possible we should not introduce



a system that will disrupt the current training. Introducing the BTO is not a real option. It will have to be changed to an RTO as soon as the BR have changed. This change to a BTO is expensive and administratively burdensome and unnecessary. We would argue that EASA should do their utmost to introduce the RTO by April 2018 including the change of the BR if and when needed. We argue however that a change of the BR is not really needed at all. We do not support the introduction of the BTO with heavy administrative consequences for a large group of volunteers in many countries in Europe. We would also argue not to postpone the introduction of the RTO nor have a temporary system such as BTO in place. It would not be perceived as being the right solution.

Please bear in mind that EASA is seen by most Aero-clubs as a very bureaucratic and the bringer of inconsistent and constantly changing very complex and difficult to oversee new rules and regulations. First the ATO than the RTO and finally the BTO. As we need time to implement new systems we urgently need consistency and proportionality.

We also urge consideration again for consistency and accessibility of the combination of all the new rules and regulation disseminating on the pilots and Aero-clubs and training facilities. We advise EASA to make the information better accessible for the end users. One Ballooning book, one Glider book, one non-commercial LAPL H and A book. These books should contain ALL



relevant information for that specific target group.

It is unrealistic to expect all pilots to find and read and fully understand and apply all the EASA documentation from Part M to Part FCL to Part Med to Part ARA to Part ORA to Part ORO to Part ARO Part OPS and SERA and all other paperwork relevant to the pilot FI and FE and volunteers. We need to make sure there is an acceptance of the work carried out by EASA.

We are pleased to help where we can but the rulemaking has to be realistic, proportioned and consistent.

There may be a possibility to interpret the BR in such a way that we need not introduce the BTO but could introduce the RTO as originally suggested as per April 2018 according to article 7(3) of the current basic regulation (EC) n°216/2008, a pilot training organisation shall be issued an approval.

Nevertheless article 7(6) paragraph (b) of the current basic regulation states also:

*“Article 7*

*[...]*

*6. The measures designed to amend non-essential elements of this Article by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 65(4). Those measures shall specify in particular:*

*[...]*

*(b) the conditions for issuing, maintaining, amending, limiting, suspending or revoking licences,*



*ratings for licences, medical certificates, approvals and certificates referred to in paragraphs 2, 3, 4 and 5, and the conditions under which such certificates and approvals need not be requested;”*

this clearly can be read as saying that certifying a pilot training organisation is considered as a non-essential element that can be amended by supplementing it (i.e. provide additional conditions that would allow a non-certification) through an implementing rule.

In others words the legislator when drafting the basic regulation specifically introduced a possibility to define, in regulation (EU) n°1178/2011 (implementing rule) and its Annexes, the conditions under which the certificate mentioned in article 7(3) for pilot training organisations would not be requested.

This is exactly what the TF has initially proposed with the concept of RTO. The conditions (limitations of privileges, annual review, safety policy...) under which a certificate could not be requested (and replaced by a declaration) where specified in the new Annex VIII and the amendments to Annex VI - Part ARA.

If from a legal perspective any doubt exists it should lead the Agency to keep in the final Opinion that the RTO that has been assessed (by the taskforce) as the most efficient for GA community and the most likely to be supported from a political perspective.



European Balloon Federation support these views as does the European ballooning community.		
189	3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.260 — Distance learning	33 Distance learning should also apply for the FI training. There should be a possibility to have a one day training course at which the FI should be physically present and in addition distance learning. Adding up to a two day course. Two days is just too much for a volunteer FI for a non commercial operation.
Page viewed on 2016-02-27 08:10:09 GMT Copyright © 2005-2016 <a href="#">EASA</a>		

response

Partially accepted.  
 Thank you for providing this comment.  
 Please check the response provided to comment No 188, as the text in this comment equals the text in comment 188.  
 With regard to the additional comment on distance learning for FIs, the Agency would like to highlight that DTO.GEN.260 (former BTO.GEN.260) does not restrict distance learning to particular training courses within the DTO training scope. For this reason, when providing training courses for the FI(S) and FI(B), distance learning methods could be used.

comment

867 comment by: *Aero-Club of Switzerland*

The following comments are the result of combined efforts of the presidency of European Powered Flying Union (EPFU), of the "Motorflugverband der Schweiz" (MFVS) and the "Segelflugverband der Schweiz" (SFVS), member federations of the Aero-Club of Switzerland of Switzerland (AeCS) present their thanks to the Agency for preparing and publishing NPA 2015-10 named "Training outside ATO".

Today we think the Task Force did a good job, considered our remarks on experiences made with creating many ATO's, thinking of the hundreds of working hours and thousands of Euro's or Swiss Francs spent.

Unfortunately, all this was blocked by the Agency's Legal Services, with arguments we do not agree to. What is presented to us is not "Training outside ATO" as it was intended to be proposed by the Task Force, it only is a slightly slimmed-down version of the ATO leaving extremely much room for interpretation to competent authorities. As Regulations are translated, contrary to AMC and GM, there is a great risk that we never will benefit from risk-based, adequate, appropriate rules for sports and recreational aviation



activities.

Furthermore, we studied recital (7), art. 7 point 3 and 7 point 6 (b) of Regulation (EC) No 216/2008 in different languages. In our view it very clear that today's Basic Regulation 216/2008 allows what we consider the best possible solution, the "Registered Training Organisation" (RTO). Option 1 hererfore is our favourite.

One very important aspect already here: When competent authorities wish to insist e.g. on the elements proposed by e.g. GM1 BTO.GEN.190 on the Operations Manual, GM2 BTO.GEN.190 Tasks, responsibilities and procedures, AMC1 BTO.GEN Annual internal review, not willing to accept what is written e.g. in (a) of GM1 BTO.GEN.190 that not Operations Manual, no Training Manual respectively, is needed, we again will be the losers not getting what we need to maintain a strong base for all aviation activities.

The best thing to do in our view is asking for prolongation of the opt-out period in place today by 2 or event three years. The rationale for this: Parallel to this NPA a new Basic Regulation is discussed. Of course we are not prophets, but it is highly resonable to believe that many provisions will change. As most of us work for not for profit organisations and are not remunerated for all the task fulfilled up to now and to be fulfilled in future, nobody wishes to to the same work twice. We are convinced of the appropriateness of RTO concept, we do not need the persisting complexity of the proposed BTO. We are, however, fully aware of the risks this idea implies.

We comment today on the NPA with mixed feelings: Not commenting would not send the intended signal to the Agency, on the other hand, comments on something we are not convinced of might be misunderstood. For this reason we repeat our conclusion: The RTO concept is appropriate, risk-based, in-line with Regulation (EC) 216/2008, it permits Implementing Rules as proposed in NPA 2015-20 proposing conditions in which an approval is not required by a pilot training organisation.

response

Partially accepted.

Thank you for providing this comment.

Please check the response provided to comment No 353. As the overall concept has been revised to propose a 'declared training organisation', the proposal to extend the opt-out for registered facilities according to JAR-FCL to allow the implementation of the postulated RTO concept has to be considered as obsolete.

comment

873

comment by: *Aero-Club of Switzerland*

General comment by EPFU/AeCS/MFVS/SFVS:

Confusion is created today by the many different terms related to "privileges": We read and write of

Approval

Approval Certificate



	<p>Attestation                  Authorisation                  Certificate                  Licence                  Rating</p> <p>but not all of them are duly defined, at least not in today's Basic Regulation. We think this should be changed.</p>
<p>response</p>	<p>Not accepted.                  Thank you for providing this comment.                  The Agency would like to highlight that a revision of the lists of definitions contained so far in Regulation (EU) 1178/2011 is outside the terms of reference for this rulemaking task (RMT). However, your comment will be taken into consideration for further rulemaking activities.</p>

<p>comment</p>	<p>926 <span style="float: right;">comment by: <i>Head of Aeroclub</i></span></p>
	<p><b><u>ATO consultation.</u></b></p> <p><b>Tyrannical          oppression,          abuse          of          power          and          YOU:</b></p> <p>If <i>they</i> take the A off the front of ATO and replace it with a B that <i>could</i> be ok BUT to still make the existence of a BTO subject to inspection, assessment and subject to revocation, then it is subject to <b>approval</b>, then <b>it is still an ATO!</b>                  EASA has charged a Rule Making Task Group to deliver Private Training outside the requirement for Approval, the <b>bureaucrats are trying to trick us out of that.</b></p> <p>The essence of this objection goes to the very heart of liberty of private individuals. The State in the UK has faith that private individuals can indeed choose how to do things, without the imposition from the state of how to do them. These principles take their roots in the Magna Carta, the Toll Puddle Martyrs, Henry 8, Elizabeth 1, in Cromwell, The French Revolution <span style="float: right;">etc</span></p> <p>It is of course very hard for somebody in an Aviation Authority to understand that their terribly elegant structure and methodology could be other than 'the best'. To look with disdain upon the talented populous and decree that methods of the great unwashed are not as good as the Centrally Dictated, Imposed Methods. Methods devised by self congratulating bureaucrats, in committees of others who congratulate themselves for sitting at the committee table where 'how people MUST do things' is decided.</p> <p>The clearest way to understand the objection is to look directly at the principle of where ultimate state power resides; with the state or the individuals within that state? Socialists, whether of the left or right persuasion, believe that the State knows what is best, it does not trust it's people, it lays down centrally how something shall be done (In principle with honorable <span style="float: right;">motives).</span></p>



The previous war in Europe was a fight between a system that was fundamentally Socialist (of the extreme right persuasion). In France and in Britain (and others) the peoples wanted to preserve the common characteristic for the people to be free. Marital Petain (the French hero of WW1) surrendered his country to spare it against violence, but I don't believe the French intend to surrender their principles over *this* matter. We fought nearly to our nation's death, along side many Free French, we made the ultimate sacrifices to preserve this freedom, and now are we to have that torn from us whilst we sleep walk?

In the short term the moral fiber of the (faceless) individuals (Cliff Whittaker, Andy Hain, Tony Rapson, Patrick Ky) is subject to the ultimate test. The ultimate test is whether (when presented with the chance to award yourself greater powers over people and bigger more important jobs where you can be the one who chooses for the State how it must be done) you can resist this corruption of power?

Can you find the modesty to recognize that your theories on whatever subject are most likely to be other than the best. And anyway why must a private activity be forced to follow (presumed) 'best practice', it might have other reasons why it might not want to. Are we to have the freedom to chose our 'best practice' denied us?

The central State proposes to impose a methodology that, evolved through consultation and committee, might very well be wrong. It is well known - indeed known and taught in 'Human Factors' that the characteristics of 'committee derived decisions' are not the best - and if you are a person trying to be the best then your freedom to do that has just been trampled and your freedom has gone and the state owns you and you are no more a free individual, the state can remove your business with no just grounds, you are subject to tyranny, you are nothing but a slave who must obey with no escape, subject to arbitrary governing micro-rules that are laws that apply to you and wherever in the world you chose to reside there is no escape, because they attach to you wherever you live.

So yes it is **very very clever to replace the A for a B** and still preserve the sovereignty of the State over the individual but ultimately you will have sold out the freedoms that 30million of OUR(?) recent ancestors suffered and died for, they paid the ultimate price and now a generation later the 'collaborators' (?) are in charge ... it makes me sick.

The bottom line is if you (NAAs) want to extract resources from this industry (that can't really afford it, despite looking like it can), then **please don't dress it up as a useful task**. It is just a tax, and tax isn't always a bad thing it's certainly a cheaper and more efficient way to move resources from free individuals to State functionaries than to make up pretend functions for people to regulate and oversee and to ultimately allow the fundamental identity of the free individual die in the process.

Europe should not sully itself by allowing it's institutions to be **corrupt** in pursuing **bureaucrats own self interest and aggrandizement**. It should resist it, it should prevent it. It undermines the people's belief in 'Europe'.

and

Europe should not allow EASA to take a political side in the Socialist-Sovereign Individual spectrum.



This is bureaucrats voting to award themselves more powers and more money, bigger jobs, more pay, index linked final salary pensions. It is CORRUPT.

If YOU Mr Whittaker were not corrupt you would insist that the rule (Basic Regulation), that you say would need to be changed to permit what **3 consultations have demanded, is changed.**

The fact that a rule would need to be changed really can't negate the conclusion that 3 consultations have reached. Private Training outside the Approval requirement.

**If the rule needs to be changed then it needs to be changed.**

Quite frankly it is **BLACKMAIL** to suggest that we must accept the 'B' version of Approved Training Organisations just because it **might not be possible to change the rule in time.** It is evident that it is determined **willful trickery**, to propose a BTO that still requires Approval to continue (rather than to start) and **to try and hoodwink the consulted** into believing their concerns have been addressed is cheap.

As the argument goes the Basic Regulation (BR) requires all Training Organisations to be 'Approved' that BR is not being changed, de-facto then BTOs ARE ATOs. In which case why and how on Earth is it acceptable that the 'Authorities' propose a BTO with such gross limitations, trying to prevent Instructor Courses to be performed at BTOs and trying to prevent Type Ratings and Aerobatic Ratings and Private Instrument Ratings to be performed at BTOs. **Since the BTO is an ATO complying with the requirements of the BR then it is obvious that the current requirements for ATOs GROSSLY EXCEED THE REGULATION. These excessive requirements evolved because there are NOT SUFFICIENT SAFEGUARDS against self serving bureaucracy. Europe's Problem.**

General Aviation needs PROTECTION from these corrupt forces, it needs the European Union to curb these tyrannical powers, it needs honesty from bureaucrats, it needs genuine efforts.

Is the corruption within the NAAs? Is the corruption within EASA? Is the corruption in the EU?

Where ever it is, you know who you are, you should know that you have gone too far, stop now, repent and you will be able to hold your head high in clear conscience. You don't really want to be tricking, cheating and manipulating do you?

## EUROPE

The consideration as to whether the UK remains in the EU is current with the UK Prime Minister having negotiated and offering a national referendum as to whether the UK remains in the EU. Is th UKCAA running against the Prime Minister?

It doesn't matter which side you are on.

**Prior to the introduction of European Rules (initially under the trick of JAR) the UK and**



France did **not require training for PPL, Type Ratings or Instructor Ratings to be conducted within Approved Training Organisations.**

The **UK does not require it yet**, and neither did they in much of Europe, it hasn't changed yet, **SO IT CANNOT BE TOO LATE.**

With the advent of JAR, Type Ratings were required to be in TRTOs, the JAR framework was established as a European Requirement. How did that happen? Was the JAR framework truly a European requirement? No it was the bureaucrats using the prospect of European Competency under EASA to push through the changes that they wanted to force EASA to have to implement arrangements that would suit the NAAs. ECAC/Cyprus Ha! Corrupt.

It exceeds the consent of the governed. It is the very trap of excessive regulation that drives the desire to leave Europe.

**If you want to stay** in the EU then you must agree that the EU should take into account the will of the people, can we make Europe bend our way, just a little? What type of Europe do we want to be part of?

**If you want to leave** make clear that this is the sort of reason that drives people away from Europe.

It is highly current now.

In response to a task mandated to "deliver Private Training outside ATO" is it really acceptable for 'them' to say it's **too hard to change the rules in time** so we'll change the letter A to B and still require Approval?

Backed up by the threat that if this doesn't work we'll be stuck with the ludicrous ATO requirements in place now. **You might think it's not too much trouble to be in an ATO, well that's all very well while 'they' are 'on their best behavior'**. Just wait and see the mess it is to administer this is 5 years time, when the need to appear friendly wears off.

**If you are an ATO you should aim to keep some part of your Organisation free from State ownership. You should still want Private Training outside ATO (even if it is called BTO).**

If arbitrary low level individuals can close your business for the flimsiest of reasons, then you do not own your Organisation, the State does.

This has been tried in Russia, it didn't work. Is it right that there should be more freedom in Russia and America than in the EU?

When you let the bureaucrats construct a system that suits them you get rules called Decisions and Opinions:

Like:

ED

Decision

2015/004/R

or

helpful

titles

like:



Amendments to AMC/GM to Annex VII (Part-NCO) RELATED NPA/CRD2009-02—OPINION  
 NO 02/2012—RMT.0289(OPS.001) 24.04.2014

You get a **broken regulatory system that practically no one understands it doesn't work, and it makes us uncompetitive and unproductive.**

-----  
 Men fight for freedom, then they begin to accumulate laws to take it away from themselves.

**Author Unknown**

Nations grown corrupt  
 Love bondage more than liberty;  
 Bondage with ease than strenuous liberty.  
**John Milton**

Liberty has never come from the government.  
 Liberty has always come from the subjects of it.  
 The history of liberty is a history of resistance.

**Woodrow Wilson**

Free people should not have to escape to 'the land of the free', they should stand firm and keep Europe free.

**Anon**

**If a BTO is to be FORCED upon us then at least call it an ATO and allow it to actually do what an ATO can do (Instructor Ratings, Type Ratings and more Complex aircraft ratings, IR, EIR, FE, Aerobatic etc etc)**

response

Noted.  
 Thank you for providing this comment.

comment

936 comment by: *Aeroklub Polski*

The general idea is good.  
 Care should be taken not to give CAs too many freedom of movement and interpretation.  
 The CAs need to be limited in options by the regulation.

response

Noted.  
 Thank you for providing this comment.  
 The Agency would like to highlight that the revised rule text drafted for the Opinion provides a clarified picture of the declaration process. Additionally, AMC is intended to be developed for providing further guidelines for competent authorities when conducting oversight with regard to DTO.

comment

937 comment by: *Hermann Spring*



**MOTORFLUGGRUPPE PILATUS, JAR-FCL CH-RF 110142, Hermann SPRING, HoT, CH.FCL-16 799**

### General Feedback to NPA 2015-20

#### Scope

This document is a general feedback to the Notice of Proposed Amendment (NPA) 2015-20 which addresses Private Pilot Training outside of an ATO.

The given feedback is based on > 6000 hrs flight experience as flight instructor on SEP, TMG and about 150 hrs GLI-Pilot, which were collected outside of the 45 years' full time employment in aircraft maintenance, development and certification of new aircraft. > 25 years Head of Training of a JAR-RF and previous flight school.

#### Summary

I see the NPA 2015-20 is a quantum leap of EASA in the right direction, but on the other side overloaded with **not** necessary deviations from the existing system called JAR-Registered Facility (JAR-RF).

The requirements given in this NPA are more concentrating on the facilities than on organisation,

I strongly recommend to **use the name Basic Training Facility (BTF)** than Basic Training Organisation BTO.

It is similar as for fishing or Golf playing, that require facilities not organisations.

**An organisation is required when tasks get distributed to several persons. In a BTO is often a single instructor providing the complete training for student from introduction to skill test.**

**Only divided tasks may need an organisation!**

It has also to be considered, that the PPL training has to be provided to a wide variety of people form age of 15 to 75 years, as well as with a very different background & education level.

Is it therefor mission impossible to control such requirements with a rigid and in detail defined organisation.

A performance based approach adapted to the capability of each trainee is required.

A class room for theoretical training for single person is less efficient, than a convenient place selected or provided by the student. In such a case do an organisation and an exhaustive administration not support.

However, the training requirements have to be achieved finally in all criteria, but sometimes or in some areas with multiple effort than defined as minimum requirements.

It remains the responsibility of the instructor, to check and to sign off the completion of the training that all criteria are achieved, prior to the application for the exam.

The examiner of the authority does check that the performance is achieved above the minimum level.

Pilots training requires, that the facilities such as aircraft, airfield and logistics are available, including training material for the theoretical part.

Certified instructors assure proper level of training, prior to the skill test.

**Concluding above means that the change from ATO to an EASA BTO (BTF) is very welcome.**

**Short- comings and observations with JAR-Registered are not listed, I do not know one.**

**This leads into the requirement of rework of the definition of the BTO/BTF, with the aim to shrink it to less than two (better to one) page only.**



Use as input the definitions of JAR-RF and add only the absolute minimum. The definition for LAPL & PPL etc. are existing in FCL, do not repeat them in BTO document. A lifetime support with improvements shall be foreseen.

### **DISCUSSION**

#### **Judgement of the NPA 2015-20**

My proposal was, to use exact same definition as JAR used for the Registered Facilities (JAR-RF), which is less than half a page.

To define again an organisation is not required, as the experience with the JAR-RF was not creating any problem, which would have been solved with an organisation as proposed.

#### **Please consider to call it Basic Training Facility BTF.**

Our training is provided by certified Flight Instructors, which learned the Teaching and Learning. They need to demonstrate it initially to pass the competence check for revalidation always again.

The only additional things they need to train pilots is a facility providing aircraft and training material with the associated logistics.

The is an organisation only required for the commercial part, but this is not an EASA task!

A focus point with a person acting as Head of Training is more than adequate for coordination of the individual flight instructors and also for the authority having single point of contact.

PPL pilots are flying without an organisation, they are allowed to operate based on their licence.

Why we need an organisation for the flight instructors to perform flight training accordingly?

Finally has every trainee to pass the exam, where poor training would be discovered & recorded immediately.

This concludes, that no organisation is required for PPL training, a facility (BTF) is adequate.

### **LAYOUT AND READABILITY OF NPA 2015-20**

The NPA-2015-20 is in much better layout than most previous NPA's I have seen.

Already on the first page does the executive summary quite well explain, the aim of this NPA and what shall be achieved with a BTO (BTF).

Unfortunately, was the following structure not kept in a **readable sequence**.

It should be structured as follows:

#### **Part I, SCOPE**

Page 1 **EXECUTIVE SUMMARY** is very good and easy to understand, but its promises are not kept.

Page 2, table of content is welcome.

Page 3 **Procedural Information** is o.k.

Page 4 **Explanatory Note**

This part should stop after the chapter 2.3 (half of page 10)

#### **Part II, DEFINITION OF THE BTO (BTF)**

**SPECIFIC REQUIREMENTS RELATING TO BASIC TRAINING ORGANISATIONS BTO /BTF)**

For the content of page 29 to 33

**APPLICATION FOR BASIC TRAINING ORGANISATIONS (BTO /BTF)**



For the content of page 41 to 49

### **Part III, IMPACT OF BASIC TRAINING ORGANISATION (BTO/BTF) TO OTHER REGULATIONS**

**Impact of Basic Training Organisation (BTO) to EASA rules, such as FCL, ARA, ORO etc.**

After someone has understood the previous content so far, he could be able to understand the content of the rest. This content (pages 10 to 29 & 34 to 40) should be under this headliner.

**Overall is the proposal still an overkill in defining details for a BTO/ BTF.**

**Many of the details should be standard practice.**

**Some elements are written for 3<sup>rd</sup> world countries, not using the language of qualified flight instructors!**

**EASA simpler lighter better fully applied would result in fraction of the writing for a BTO.**

**Ideal would be one page only**

### **DEFINITIONS**

In the Summary is *Training Requirements* used, but in the BTO is again the wording *Training Plan* or *Programme* used.

The wording **plan or programme** means **defining time related** sequences and **how to** achieve the aim.

**Requirements defining the aim.** An appropriate dividing in sub elements is welcome.

The **requirement of hours** in sub elements of training **are not useful values.**

I observe performance of the various trainees with at least a 1:5 ratios for single elements, this in theoretical and in practical training lessons.

Having more than 100 Pilots trained who passed successful the skill test.

I could never use the same schedule or programme in detail. performance of the student, weather, traffic etc. required adaptations.

Finally, all of them, when they reached the required level of skill, I signed off the check-list and the application for the skill test.

### **HUMAN PERFORMANCE AND SOCIAL ASPECTS**

In the area of the PPL training are the soft factors and the social elements key factors, with which the overall flight safety in the General Aviation can be improved and maintained.

A good relation and constant dialog between authorities and the organisations, such as Aero-Clubs; AOPA; Experimental and Light Sport Aircraft Clubs etc. shall be maintained and improved.

A cooperative approach combined with an open dialog will support the safety enhancement in the most efficient way.

Simple solutions with minimum administration would minimize frustration, but increase the interest to contribute for a safe behaviour.

The principles of the BTO / BTF are supporting this approach in a positive manner.

However, the way it is written is much to expanded. One page should be enough, that is double of JAR-RF.

EASA and local authorities shall establish a point of contact for this issues and regular workshops for continues development and updating similar as the aircraft needs the



*Instructions for Continued Airworthiness.*

**A continuous updating and development of the BTO / BTF (and others) shall become a standard process within ESA and local authorities as well.**

**CONCLUSION**

Definition of BTO/ BTF must be simplified to minimize administration.

**The aim shall be about one page only.**

Not mainly as part of the BTO/BTF is **Support** required **how we could further improve**, that the pilots reduce their attitude to risk.

Additionally, also how we motivate them for achieving and maintaining a good skill level, to recognize critical situation in advance.

**A constant and cooperative dialog between authorities, flight instructors and pilots** shall motivate all parties at occasion to contribute for simpler, lighter and better solutions.

**Minimum level is NOT cool, STEADY IMPROVEMENT to a safe operation shall always be our AIM**

response

Noted

Thank you for providing this comment and the feedback regarding the BTO concept in general.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

977

comment by: *Helge Hald*

On behalf of Danish Soaring Association (DSvU):

DSvU highly appreciate the effort put into this NPA, and we fully support the proposal of a Basic Training Organisation (BTO) for training GA pilots in non commercial environments. Thank you very much.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

1001

comment by: *AESA*

According to NPA proposal the selected option is the number 2: *A basic training*



organisation (BTO), meaning an adapted ATO structure based on a 'light' approval. The main reason given for this selection, and the only one difference with Option 1, is the fulfilment of the basic Regulation.

This is an important issue, but is also necessary, or at least convenient, to consider the proposal for a new basic regulation. According to the proposal of new regulation, published on 7th December 2015, changes expected would permit the establishment of these organizations otherwise.

The proposal of this NPA effectively covers the interests manifested in the GA road map, but not quite the national licensing authorities. **AESA prefer a declarative process, including requirements compliance, and driving at a registration of these organizations, as described in Option 1.**

If the BTO system is set as proposed in NPA, still means a big burden for States. Moreover, AESA believe that with its proposal are best met the interests of stakeholders, mainly in the field of GA.

On the other hand, to introduce this Regulation 1178/2011 modification without waiting for the amendment of the basic regulation is the same as setting a demanding regulation for a minimum period of time.

response

Accepted.  
Thank you for providing this comment.  
Please check the response provided to comment No 353.

comment

1027

comment by: *Ivonne Schlesinger, HMWEVL, Germany*

- Die Einführung einer BTO wird grundsätzlich begrüßt.
- Der Ansatz, die ATO-Anforderungen für "kleine", nicht komplexe Flugschulen einfacher zu gestalten, ist sachgerecht und entspricht auch dem Ansatz der "GA-Roadmap".
- Aktuell sind zwar alle Flugschulen in Hessen vollumfänglich als ATO genehmigt, jedoch zum Teil mit relativ hohem Aufwand. Diese teilweise sehr kleinen Ausbildungsbetriebe würden dementsprechend unter eine neue Regelung fallen, was deutlich verhältnismäßiger wäre. Das vorherige Registered Facilities-Modell hat sich lange als sehr sicher bewährt.
- Der auch aufgeführte, mögliche Wegfall der Managementsysteme/Safetymanagement wäre im Prinzip wieder ein Schritt auf die Registered Facilities. Dabei müsste jedoch exakt in den Details geprüft werden, wie das Umstellungsverfahren aussehen könnte. Das Lehrpersonal sowie die Luftfahrzeuge sollten z.B. erst nach Prüfung durch die Behörde in den Ausbildungsbetrieb aufgenommen werden. Die Stufe stellt einen direkten Qualitätsprüfungsprozess dar und darf nicht durch Flugschulen eigenständig erfolgen.
- Im Übrigen wird die Kommentierung des Luftfahrt-Bundesamtes vollumfänglich zugestimmt und zum Gegenstand dieser Stellungnahme gemacht. Die Texte der NPA und der geänderten AMC gehen vielfach nicht zusammen bzw. sind sie nicht schlüssig. Zum Beispiel: Soll die BTO wahrhaftig bereits nach der Anzeige und vor der Genehmigung ausbilden können? Wie steht es um die Widersprüche zur Art und Weise der Genehmigung (Urkunde)? u.a.m.



- Der französischen Stellungnahme kann ebenso fachlich zugestimmt werden. Der Vorschlag würde die Arbeit deutlich vereinfachen, ohne dass eine verringerte "Safety" zu befürchten wäre. Die frühe Anerkennung der registrierten Ausbildungseinrichtungen hat jedenfalls bei den "kleinen Flugschulen" nicht zu Safety-Problemen geführt.

- Ebenfalls richtig scheinen die Verweise auf die Möglichkeiten der geänderten Art. 22 und Art. 25 des Entwurfs der Verordnung (EG) Nr. 216/2008 zu sein. Danach könnte eine künftige Durchführungsverordnung (Art. 25) den Genehmigungsvorbehalt in Art. 22 entsprechend modifizieren. Die Ausführung der EASA in Ziff. 2.1 der NPA, vorletzter Absatz, Satz 2, wären dann hinfällig. Wenn der zeitliche Ablauf der Änderungen sich so darstellt, wie von der französischen Behörde vorgetragen, könnte tatsächlich überlegt werden, die NPA zur Änderung der Durchführungsverordnung solange zurückzustellen, bis die Änderung der Verordnung (EG) Nr. 216/2008 erfolgt ist.

- Die Frage auf Seite 8, Nr. 3 kann derzeit nicht beantwortet werden, da die Bedingungen/Anforderungen an eine BTO nicht klar definiert sind. Eine Einschätzung des Aufwands und der erforderlichen Bearbeitungsqualität ist aktuell noch nicht repräsentativ.

response

Partially accepted.  
Thank you for providing this comment.  
Please check the response provided to comment No 353. As part of redrafting the proposed rules with regard to the new concept, different legal ambiguities (e.g. starting the training prior to the issue of an approval certificate) have been eliminated.  
Bearing in mind the definition of the term 'declaration' in the draft for a new Basic Regulation, the Agency would like to highlight that prior checking of aircraft and instructors would not be in line with the overall concept of a declared activity. Verifying compliance of all DTO activities will be subject to respective continuing oversight conducted by the competent authority.

comment

1029

comment by: UK CAA

The UK CAA has been made aware that there is doubt in some quarters that there is a need for such organisations to be Approved under the Basic Regulation. If it is determined that this is, indeed, the case the UK would support work to develop an unapproved system.

response

Accepted.  
Thank you for providing this comment.  
Please check the response provided to comment No 353.

comment

1051

comment by: Austro Control

Attachments [#2](#) [#3](#) [#4](#) [#5](#) [#6](#) [#7](#)

Dear all,



please find below the comments of Austria.

best regards

Franz Graser

Member of TAG FCL/OPS

#### A General Comments

- At the moment, rulemaking activities taking place in several areas at the same time. We are missing the “Horizontal View” to the different projects as well as the overall “Big Picture” in the whole rulemaking process.
- In the light of the comment made in the first bullet point Austria strongly recommends taking into account the discussion going on at the EASA RAG/MAB regarding establishing an adequate process identifying all possible cross domains effects of proposed rule changes to all other IRs:

RAG 1-2016 “IP-04” specifies the following:

The Agency fosters more and more a project management approach to horizontal issues.

The overall approach should support:

□□□□the development of harmonized rules;

□□□□a standardized implementation of European Rules;

□□□□the introduction of Risk/Performance Based Oversight;

□□□□the standardization activities by EASA;

□□□□the efficient use of resources, including for the production of regulatory material;

□□□□the promotion of European rules globally;

This NPA proposes changes to ARs and ORs where the same requirements are part of the Aircrew regulation. In addition to that EASA has started with “cross domain” standardisation inspections, which only make sense when common cross domain ARs/ORs (including AIR, etc.) are in place. (Different SMS requirements throughout the system are another example ...).

- The Policy and Strategic Plan on the Implementation of Performance Based Regulations as specified in WP02 of RAG 1-2016 should be taken into account as well. The Summary strategic plan identified there consists of the following elements:
  - The objective of PBR is to better focus on critical safety outcomes and to increase regulatory efficiency.



- Priority candidates (Implementing Rules) for the PBR approach should be:
  - Identified as part of the Rulemaking Programming process
  - confirmed through Impact Assessment or Ex-Post evaluation of Rules
  - discussed and agreed with stakeholders on that basis
  - formalised in the Rulemaking Programme
  
- The introduction of Performance Based Regulations shall be supported by:
  - common oversight methodologies ensuring harmonised implementation
  - a promotion programme for NAAs and industry on the performance based approach (SSP/EASP & SMS)
  - a review of the current training and qualification plans of staff within the NAAs (inspectors) and EASA (inspectors and Rulemaking Officers).
  
- To supplement the idea of PBR the following is also part of this paper:
  - Combinations of prescriptive and performance based elements should be determined depending on context and domain.
  - Inclusion of prescriptive elements should be balanced with the need to ensure resilience of the Implementing Rules, provide flexibility, and enhance safety management and efficiency.
  - Inclusion of performance based elements shall consider :
    - Safety criticality of non-compliance
    - impact on international harmonisation
    - impact on oversight capabilities
    - proportionality & flexibility
    - risk management capability of regulated entities

**Attachments:**

RAG 1-2016 "IP-04" on horizontal issues + presentation

RAG 1-2016 "WP02" on performance based rulemaking + presentation

**Detailed Comments:**

1. **Page:** 18/49
2. **Paragraph No:** Art 10a § 1a
3. **Comment/Justification:** This paragraph refers to LAPL, PPL etc. and associated ratings and certificates, which would include instructor certificates that can be obtained as a PPL holder. Nevertheless, FI (A) and (H) further down in the NPA are excluded from the BTO training scope. This is in conflict with the mentioned rule in § 1a.
4. **Proposal:** Clarification needed. In addition to that we fully support that FI (A) and (H) are excluded from the BTO training scope. This may be addressed in this article.

**Page 19/49**



**Paragraph No:** FCL.025 (a)(3)

**Comment:** The proposal that the theoretical knowledge examination recommendations for LAPL, PPL... shall be valid for 24 months is not supported.

**Justification:** Due to the permanent changing process of the learning objectives and the associated exam questions, it should be compulsory to send student pilots to the required examinations as soon as possible after the training. We consider it of interest for the student pilots, training schools as well as competent authorities that the completion of the training of pilots is done in an adequate period of time.

**Proposal:** The validity of the recommendation should be also 12 months (as it has been so far).

1. **Page:** 22/49

2. **Paragraph No:** FCL.740 (b) (1)

3. **Comment:** The wording leaves the intention of the rule maker unclear and omits the TMG class rating.

4. **Justification:** The TMG class rating is no single-engine-piston class rating. In case of single-engine-piston class ratings expired for less than three years, the applicant "may" take refresher training at a BTO. Does the use of the word "may" in this context mean that in such cases the applicant has the freedom of choice between ATO and BTO or is it intended to give them the freedom of choosing whether to do the renewal training at all?

5. **Proposal:** Change the wording in the following manner: ...take refresher training at an ATO. In the case of non-high-performance single-engine piston or TMG class ratings expired for less than three years, shall take refresher training at an ATO, BTO or with an instructor.

1. **Page:** 26/49

2. **Paragraph No:** ARA.GEN.105 Definitions

3. **Comment/Justification:** The definition of the BTO is missing. In addition to that the meaning of the word "basic" in "basic training organisation" remains unclear as well as it implies that an ATO is a training organisation for other-than-basic trainings. We also strongly recommend that the BTO shall be limited to a maximum size and complexity ensuring that no complex procedures or a safety management system is needed. The following limitations may be considered as being adequate:

- limited to one group (balloon, sailplanes, aeroplanes, helicopter)
- location, not more than 2 locations
- students, not more than 10 at same time
- no pilot training for complex aircraft
- no FI training (A), (H)

Furthermore we recommend to not allowing the development of one BTO within a single organisation, providing training all over a large area with several locations and flight instructors not directly under the control of the BTO itself. We are of the opinion that large and complex organisations are better regulated under the requirements for ATOs.

**Proposal:** A definition of the BTO as well as the understanding of the word "basic" should be included into this section. Additionally we recommend adding a separate paragraph to the BTO regulation specifying the size and remits of such BTOs (as specified above)

1. **Page:** 28/49

2. **Paragraph No:** ARA.BTO.100 (a)



3. **Comment:** The rule concerning the requirement of information for the application is redundant.
4. **Justification:** The requirement of information is also mentioned in a list published in BTO.GEN.130 (b).
5. **Proposal:** For simplifying the rules and for minimizing the risk of gaps when changing the rules in the future, this list should be replaced by a reference to BTO.GEN.130 (b).

**1. Page: 29/49**

2. **Paragraph No:** ARA.BTO.100 (c)
3. **Comment:** The rule is misleading.
4. **Justification:** The wording of this new paragraph seems to require the competent authority to approve the BTO "in any case" after a period of two months from the receipt of the application. This cannot be the case, taking into account that there might be cases where an application within the period of two months cannot be established to be in compliance with the rules. Furthermore, in some states the competent authorities is given a longer period by their national administrative law (mostly 6 months) to verify the application. It is to be emphasized that only two months for this issue is a too short period for the authority to verify the compliance with the rule by the BTO.
5. **Proposal:** It would be better to amend the text in a way that within six months the competent authority shall either approve the BTO or reject the approval with a formal letter. In other words: Within these six months the competent authority should decide about the application either way. See also the comment to BTO.GEN.130 (d) as mentioned below.

**1. Page: 29/49**

2. **Paragraph No:** ARA.BTO.110
3. **Comment:** The request for changes, as proposed, is not strict enough.
4. **Justification:** If no means in regard to enforcement of such changes are established, the compliance to the rule cannot be maintained by the authority.
5. **Proposal:** In case of detection of non-compliances, the competent authority should not only be entitled to request changes but also to proceed with respective enforcement measures (ARA.GEN.350 (da); see reference to this paragraph also in ARA.BTO.105) in case the BTO does not apply those changes to be in compliance with Part-FCL. In fact, the competent authority in such cases would be entitled to apply enforcement measures in accordance with ARA.GEN.350 (da) anyway, but an explicit reference would make sense since ARA.BTO.105 also contains such a reference.

**1. Page: 29/49**

2. **Paragraph No:** BTO.GEN.100
3. **Comment:** This new paragraph describes the possible training scope of a BTO in a way which is, with respect to the intention of the rule change, not clear enough. Additionally it also talks about PPL and associated ratings without specifying what exactly is meant.
4. **Justification:** A multi-engine piston rating could be associated with a PPL as well as an A380 type rating.
5. **Proposal:** For clarification a reference to BTO.GEN.120 should be inserted.

**1. Page: 31/49**

2. **Paragraph No:** BTO.GEN.130 (b) (3)



3. **Comment/Justification:** No requirement for a head of training is proposed.
4. **Proposal:** It is highly recommended to establish the requirement for a BTO to nominate a head of training, not only a (not further defined) "representative" (see also below the comment to BTO.GEN.200, AMC1 BTO.GEN.200, GM1 BTO.200)

**1. Page 31/49**

2. **Paragraph No:** BTO.GEN.130 (d)
3. **Comment:** BTO.GEN.130 (d) proposed allowing BTOs to commence training activities before having received the approval from the competent authority. This is considered a very critical situation.
4. **Justification:** It is not specified that the BTOs must have submitted an application before commencing training activities! AMC1 ARA.BTO.100 defines that the acknowledgement of the application for BTO approval by the competent authority shall be deemed as approval certificate. Following this, the competent authority should at least communicate in writing to the applying BTO that it has received the application, and this would be deemed as the approval certificate. If this acknowledgement by the competent authority is already deemed to be the approval certificate, why is it then necessary to issue "another" approval certificate two months later at the latest? And why must it be issued after two months only? There is no more time pressure, the BTO is already deemed to be approved.
5. **Proposal:** This should be reflected and changed accordingly in the rule. Finally, with regard to the comments already made above to ARA.BTO.100 (c), it is not recommended to allow BTOs to start with training activities just after delivering the application form. In cases where the approval process following the delivery of the application reveals non-compliances with the regulation and the BTOs application is rejected, questions arise what to do with trainings already undertaken by the BTO. As the competent authority has to decide within two months, already full training courses could have taken place then, carried out by an organisation which was not in compliance with the rules all the time and therefore got the approval rejected. This has a huge impact on the student pilots having attended a non-approved training course which cannot be considered for issuing a licence. (legal uncertainty, possible processes at the court,...) In addition, it remains unclear which document will be considered to be the real approval certificate after all: the acknowledgement of the application or the afterwards issued approval certificate?

**1. Page 32/49**

2. **Paragraph No:** BTO.GEN.200, AMC1 BTO.GEN.200, GM1 BTO.200
3. **Comment:** No requirement for a head of training is proposed.
4. **Justification:** With reference to the comment to BTO.GEN.130 (b) (3) above, we strongly recommend having a mandatory requirement to nominate a head of training and in place instead having a "representative of the BTO" who "may" nominate a head of training. Even registered facilities under JAR-FCL had to have a head of training. In a BTO the responsibility for the training should lie in the hands of the HT (the same as in an ATO). It should also be the HTs decision how to react on student pilots' improvement of abilities. As a minimum requirement the HT should hold an instructor license and should have the experience of 500 hours as a flight instructor. (This may be considered for the ATOs as well)
5. **Proposal:** The requirement of a head of training should be mandatory. The importance of this position is also evident due to the fact that there dedicated Guidance



Material proposed. (GM1 BTO.GEN.200) for the head of training. The paragraph should therefore be changed to the following text:

AMC1 BTO.GEN.200 Personnel requirements

(b)

(3) a Head of Training (HT), who holds an flight instructor certificate and has the experience of 500 hours as a flight instructor.

1. **Page: 32/49**

2. **Paragraph No:** BTO.GEN...

3. **Comment:** No requirement is proposed requiring BTOS to regularly report their activity to competent authorities

4. **Justification/Proposal:** A BTO shall be required to regularly report its activity to the CA in a standardized form. Such information is needed allowing competent authorities performing an adequate and effective safety oversight. The activity reporting by the BTO to the authority should be established in a standardized form, should occur once per year, including the required annual internal review.

1. **Page: 32/49**

2. **Paragraph No:** BTO.GEN.210

3. **Comment:** We strongly recommend including a requirement for the minimum content of the annual review.

4. **Justification / Proposal:** The BTO annual internal review should have minimum standard content which includes safety issues such as occurrences during training and actions taken to prevent them in the future. A standardized form could be introduced via an AMC.

1. **Page: 32/49**

2. **Paragraph No:** BTO.GEN....

3. **Comment:** We recommend introducing provisions into the rule allowing cooperation between BTOS in a standardised way.

4. **Justification / Proposal:** Cooperation between individual BTO's shall be made possible by the rule. The reasoning for this could be for example, that a theoretical training course would make economically no sense for a small single BTO but in co-operation with another BTO (or ATO), providing the practical training it could be (economically) sinful. This may establish a benefit for pilots as well as BTOS providing better quality of training, regarding the content and way of delivery. (Creating more flexibility).

1. **Page 33/49**

2. **Paragraph No:** BTO.GEN.260 (a)(b)

3. **Comment:** The two paragraphs are misleading

4. **Justification:** Both, an ATO and a BTO, should conduct theoretical knowledge instruction using distance learning following the same requirements and scope.

5. **Proposal:** we recommend adding the following new paragraphs:

**BTO.GEN.260 - Distance learning**

The BTO may be approved to conduct modular course programmes using distance learning in the following cases:



- (a) modular courses of theoretical knowledge instruction;
- (b) courses of additional theoretical knowledge for a class or type rating;  
Classroom instruction
- (c) An element of classroom instruction shall be included in all subjects of modular distance learning courses.
- (d) The amount of time spent in actual classroom instruction shall not be less than 10 % of the total duration of the course.
- (e) To this effect, classroom accommodation shall be available either at the principal place of business of the BTO or within a suitable facility at another acceptable place.

1. **Page 34/49** and **35/49**
2. **Paragraph No:** AMC1 FCL.115; FCL120 and AMC1 FCL.210; FCL.215
3. **Comment:** The part of the sentence "...should include a certain element of classroom work..." should not be deleted.
4. **Justification:** The feedback from flight schools shows, that it is not possible to train students to a certain level of knowledge without formal classroom training. There is a definitive need to have a certain amount of classroom training containing certain elements of each topic, especially at the level of LAPL und PPL.
5. **Proposal:** as specified in the comment: The part of the sentence "...should include a certain element of classroom work..." should not be deleted.

1. **Page 34/49**
2. **Paragraph No:** Draft AMC and GM
3. **Comment:** There is no reference to a training program in the AMC.
4. **Justification / Proposal:** The minimum training program and operation manual should be part of the AMC. Standardization is important ensuring a level playing field. The training program and the operation manual contain the basic principles how a BTO has to work. A standardized program and manual will reduce the workload for the organization as well as for the authority in respect to the required safety oversight.

1. **Page 36/49** and **37/49**
2. **Paragraph No:** AMC2 FCL.740(b)(1) and GM1 FCL.740(b)(1)
3. **Comment:** Austro Control has developed an AltMoC to this Paragraph and offers it for further Agency use
4. **Justification:** -
5. **Proposal:** see attached files

**Attachments:**

\_AltMOC notification and Civil Aircrew Notice

1. **Page 42/49** and **44/49**
2. **Paragraph No:** GM1 BTO.GEN.190 (a), GM2 BTO.GEN.190 (a)
3. **Comment:** We have doubts if such a recommendation will be followed ever
4. **Justification:** Experience showed that the main drivers for small training organisation are costs and resources. Even if the benefits are explained for smaller and larger BTOs (which raises the question where to draw the line between smaller and larger BTOs? This is currently not explained in this NPA) the manuals most probably would not be developed due to the fact that it simply costs money. Secondly, in many cases the capability to develop these manuals is not existent. As long as the development of manuals is optional,



there is no need for the BTOs to develop them.

5. **Proposal:** OM and TMs should be required for BTOs. Simple OM and TM templates (according GM1 and GM2 BTO.GEN.190) that could be used by BTOs should be published, but it should still be possible for BTOs to develop their own manuals (according GM1 and GM2 BTO.GEN.190). These templates should be developed by EASA (as an AMC) to support a standardised application or rules throughout Europe.

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your detailed comments, the Agency would like to highlight as follows:

- DTO.GEN.110 (former BTO.GEN.120) will clarify in detail the possible training scope of a DTO.
- The recommendation from a training organisation to take the theoretical knowledge examination will remain valid for 12 months. It has been decided not to introduce the extension to 24 months.
- FCL.740 (b) (1) has been reworded to provide more clarification.
- A definition of the DTO has been added to ARA.GEN.105. It has also been decided to limit DTOs for aeroplanes and helicopters to use not more than two base aerodromes (DTO.GEN.250 (b)) in order to avoid the establishment on complex organisations for aeroplanes and helicopters having lots of satellite aerodromes. With regard to a maximum on students at the same time, it has been decided not to put such a limitation to the rule but to give a maximum ratio for students per one instructor in AMC (as it is the case in AMC1 ORA.ATO.210 (e) and (f)). Finally, a DTO will be entitled to deliver training for more than one category of aircraft, however, in this case, AMC will clarify that deputy HTs would need to be put in place (as it is also the case in AMC1 ORA.ATO.110 (b)).
- ARA.BTO.100 has been reworded to refer to the information required by Part-DTO, the detailed list has been deleted in order to avoid duplication of text. Together with the overall revision of the concept, the issues identified with ARA.BTO.100 (c) (as shown in the NPA) have been eliminated.
- ARA.BTO.110 has been reworded to allow competent authorities to take enforcement measures in case of non-complaint changes to training programmes.
- DTO.GEN.100 (former BTO.GEN.100) has been reworded to contain a reference to DTO.GEN.110 (former BTO.GEN.120).



- DTO.GEN.210 (former BTO.GEN.190) now requires a DTO to nominate a head of training. AMC will specify minimum experience requirements.
- As the overall concept has changed to a declaration instead of a prior approval, the legal issues identified with BTO.GEN.130 (d) (as shown in the NPA) have been eliminated. Please refer to the Explanatory Note of the Opinion for more information.
- DTO.GEN.270 (former BTO.GEN.210) has been amended to also require DTOs to submit an annual activity report.
- It has been decided that AMC will be the appropriate level to define the details of both annual internal review and annual activity report.
- It has been decided that due to the simple organisational structure DTOs should not be allowed to subcontract activities. However, involving more than one DTO in the training of one individual student is possible (FCL.115 (c), FCL.210 (c), as shown in the NPA).
- Bearing in mind the overall concept of making simpler, lighter and better rules for general aviation, it has been decided to provide more flexibility for providing theoretical knowledge instruction for non-commercial licences. Therefore, DTO.GEN.260 on theoretical knowledge instruction and distance learning was designed to be less demanding than corresponding provisions in Part-ORA for the training towards commercial licences.
- As part of the lighter structure compared to ATOs, DTOs will not be required to have operations or training manuals in place. The recommendation to have such documentation has been deleted from GM4 DTO.GEN.210 (former GM1 and GM2 BTO.GEN.190). However, a reference to Part-ORA AMC as guidance is kept for DTOs who voluntarily wish to develop manuals. For the training programme required, AMC will be developed – a draft AMC1 DTO.GEN.230 can already be found in the Opinion.

comment

1055

comment by: *GIPAG France (French General Aviation Operators Professional Union)***Introduction**

- The Commission Regulation (EU) N°1178/2011,
- The Decision 2011/016/R
- The Decision 2012/006/DR

The comments hereafter shall be considered as an identification of some of the major issues GIPAG asks EASA to discuss with third-parties before any publication of the proposed regulation. In consequence, the following comments shall not be considered:

- As a recognition of the third-parties consultation process carried out by the European Parliament and of the Council;
- As an acceptance or an acknowledgement of the proposed regulation, as a whole or of any part of it;
- As exhaustive: the fact that some articles (or any part of them) are not commented does not mean GIPAG has (or may have) no comments about them, neither GIPAG accepts or acknowledges them. All the following comments are thus limited to our understanding of the effectively published proposed regulation, notwithstanding their consistency with any other pieces of regulation.



**General Comment**

Generally speaking, GIPAG supports the initiative of EASA to provide a system for private pilot training outside approved training organisations **if the scope is not modified**. These changes could have a beneficial effect on the safety level by pushing national training organisations (Aeroclub without ATO for instance in France) to structure themselves at the European level.

However, GIPAG would like to remind EASA that if this new concept is implemented without waiting for the amended Basic Regulation, it will again introduce a very complex regulatory system.

response

Noted.  
Thank you for providing this comment.  
Please check the response provided to comment No 353.

comment

1090

comment by: *The Finnish Aeronautical Association*

The Finnish Aeronautical Association (FIAA) , on behalf of all its member organisations (Finnish sports aviation clubs) and their members, thanks the Agency for preparing this NPA 2015-20.

We endorse the comments of the European Gliding Union and wish additionally to place a few own comments as detailed below.

The FIAA applauds the decision of EASA to review the Aircrew Regulation and opportunity to counter the damage threatened by imposition of ATO requirements on sporting aviation and similarly appreciates the work done by the Task Force in preparation for this NPA.

It is unfortunate that legal opinion precluded development of the Task Force's RTO proposals.

The FIAA supports appropriate oversight of training, but challenges the assumption, expressed, for example, throughout the regulatory impact assessment, that the only bodies capable of carrying out this oversight are National Aviation Authorities. FIAA has experience of NAA intervention being heavy handed and expensive, without commensurate safety benefits.

response

Noted.  
Thank you for providing this comment.  
Please check the response provided to comment No 353.

comment

1097

comment by: *The Finnish Aeronautical Association*

response	<p>We repeat our request that <b>a seaplane rating shall be made available for LAPL(A) licence holders</b>. A BTO shall have the authority to train towards this rating.</p> <p>Rationale: The Nordic countries offer great seaplane flying opportunities. There is no good reason to limit seaplane ratings to PPL holders. LAPL seaplane rating holders would continue to be limited by the LAPL constraints, limiting the risk level appropriately compared to the PPL risk levels.</p> <p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The introduction of a seaplane rating for the LAPL(A) is outside the Terms of Reference for this rulemaking task (RMT). However, the ongoing RMT.0678 ('Simpler, lighter and better Part-FCL requirements for general aviation') is taking on board this issue.</p>
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comment	<p>1100 <span style="float: right;">comment by: <i>René Meier, Europe Air Sports</i></span></p> <p><a href="#">Attachment #8</a></p> <p>Europe Air Sports thanks the Agency for offering the opportunity to comment on NPA 2015-20 on “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”.</p> <p>Europe Air Sports was closely involved, via the GA sub-SSCC, in identifying the need for the task and contributing to it via the task force. We would make the following general points:</p> <p>1) We believe that option 1, the “registered training organisation (RTO)”, is the best option. The task force did most of its work on the assumption that the framework would be one of RTOs.</p> <p>2) On a point of principle, it is the approval process of the BTO (option 2), however ‘light’, that is disproportionate for SMEs and non-profit organisations. There is no rational reason for requiring competent authority approval of arrangements for compliance with such a simple set of requirements – it is a waste of resource. The BTO concept, while a creative idea to circumvent a perceived legal issue, is contrived and unnecessarily complex.</p> <p>3) Prior to the task force’s work, Europe Air Sports set out a view that training without any organisational structure (option 3) would be suitable. However, we recognise that the technical requirements of an RTO/BTO correspond to little more than the Essential Requirements in Annex III of the BR combined with good practice. We support, for example, the concept of an Annual Internal Review. There is nothing in the technical requirements that it would be unreasonable to expect of an individual instructor, and nothing to preclude such an individual instructor registering as an RTO.</p> <p>4) We dispute the Agency’s assertion that the RTO concept is not compliant with the Basic</p>
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	<p>Regulation. We believe that the RTO concept is compliant. We attach our analysis as an Appendix.</p> <p>5) We propose, therefore, that the amending regulation be revised as required for consistency with the RTO concept (option 1).</p> <p>We would like to add that precise transition procedures and dates must be defined, also for changes from ATO to the new RTO and clarification is needed as regards syllabi, training programmes, training manuals and operations manuals.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>1102 <span style="float: right;">comment by: HQ Aviation</span></p> <p>Whilst it is very pleasing that an effort is continuing to be made to lighten the burden of regulation on the General Aviation sector, I unfortunately feel that work is still to be done and that the proposed BTO/RTO solution is too restrictive and does not really fit the needs of the smaller non commercial flight training establishment.</p> <p>What is frustrating and seems obvious is that through all of these working consultations by various parties or task forces etc, is the conclusion and simple? solution would be to amend some of the basic regulation rather than force the industry to be burdened by this unnecessary task of having to fit in to a commercially unfriendly framework that is not necessarily safer. Which is proposed by people who possibly have no actual involvement or direct contact with the leisure and pleasure flight training sector.</p> <p>Why must the industry be forced to change for the sake of over regulation and bureaucracy?</p> <p>The BTO is a watered down version of the ATO. It is so limited and restrictive in its scope of training permissible, for example the limits imposed on being able to conduct initial type ratings, refresher training and PPL training on to non complex SET helicopters, such as the R66 which is already proving to be a popular aircraft for the PPL holder within the GA sector.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>In addition, the Agency would like to highlight that the possible training scope of a DTO for</p>



helicopters has been opened for certain SET helicopters, as it had been identified that limiting the scope to single-engine piston helicopters would be too restrictive, taking into account those helicopter types commonly used in general aviation. Please refer to the revised DTO.GEN.110 (b) (3) (former BTO.GEN.120 (b) (2)) and the Explanatory Note of the Opinion for further information.

comment

1132

comment by: EUROCONTROL

The EUROCONTROL Agency does not make any comment on NPA 2015-20.

response

Noted.  
Thank you for providing this comment.

comment

1153

comment by: ATO Aeroklub Szczeciński

As we have built an ATO from scratch, we believe that BTO or any similar concept is strongly required and we fully support the need of creation such legislation. Regarding SPL/LAPL(S) and PPL training, the current ATO approval process is disproportionate to the resources available in local training organisations. Giving CA's too many freedom of movement and interpretation should be avoided.

response

Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

1158

comment by: Deutscher Aero Club Landesverband Niedersachsen

In general the goal of the task force to implement a less stringent concept of training within the EASA countries can be supported by the members of Deutscher Aero Club Landesverband Niedersachsen (LVN). Such concept, based on a declaration principle for training organizations toward LAPL(S), SPL, PPL and BPL and associate ratings, fully met the expectation of General Aviation after the Rome conference held in October 2014. Following the project of EASA to develop more proportionate and easier and better rules this is now not fully got in this task concerning training for the lower end of aviation represented by LVN. As a new Basic Regulation is in consultation phase and a first version has been published on the 2<sup>nd</sup> of December 2015 the intermediate concept of a BTO might be an additional time period with unnecessary burden for these groups.

It is important to mention that any approval, even "light", which has clear problems by definition is without clear value and improvement in the leisure aviation. The leisure organizations such as federations or aero clubs are fully entitled, through near to 70 years



	<p>of experience, to put in place safety initiative in declared training organizations. The intrinsic interest and social interaction within club organisations supports such activities as people are interested to protect their friends, colleagues, children and neighbours and their club or selfowned aircraft. Such groups are prepared to take over such responsibilities.</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>

comment	<p>1165 <span style="float: right;">comment by: MFVS</span></p>
	<p>The Motorflug Verband der Schweiz MFVS (Swiss Powered Plying Association) represents the interests of some 5000 Pilots and some 100 Flying Schools</p> <p>Switzerland has some 120 flying schools ranging from one man operations to large companies covering airplane, baloon, helicopter and sailplanes with the whole spectrum from private pilot licences (LAPL, PPL) to airline pilots licences (ATPL).</p> <p>The 20 largest schools, earlier FTO's have been certified as ATO's by the FOCA according to EASA. This proved to be a very time consuming exercise costing the organisations many tens of thousands of francs per school. The remaining 100 schools, former RF's have had the deadline extended till April 2018. For most of these an exercise such as that required at the time of the certification of the earlier FTO's is simply not possible and would have meant that many of these would have ceased to operate. A school with one man operation or a school integrated in a flying club with freelance staff simply does not have the resources to put together all the paperwork that had to be furnished by the former FTO's for the certification as an ATO.</p> <p>In this sense we very much appreciate the amendments made in this NPA with the introduction of the BTO's.</p> <p>It is very important to adhere to the principles of EASA "<b>Simpler, lighter, better</b>".</p> <p>By having the best books on surgery in his bookcase does not make a person a surgeon. Likewise all the stipulated documentation OM, OMM, SMS, TM, etc. does not make a good flying school nor a good flying instructor. In order to become a good instructor one needs good schooling / instruction followed by practical experience. Just as important is the exchange of experience amongst instructors in periodical refreshers - if possible from a mix of different schools. Likewise nobody can learn to fly just by reading books. For this purpose an experienced motivated instructor is required. In the end the quality of the instruction (instructor and flying school) is guarantied by the exam taken by an examiner (FOCA official). This examiner verifies the quality of the instruction the trainee has received and can compare / benchmark the various instructors / flying schools and it is the responsibility of these officials to take corrective action where necessary.</p>



In order to assure an equal standard of instruction the authorities must issue a syllabus in which the topics which must be included in the instruction are listed and described. EASA has done this. The FOCA has adapted this to the Swiss environment (e.g. inclusion of topic flying in mountainous terrain). The MFVS in cooperation with the FOCA has issued a training program which is provided to all the schools free of charge. This training program based on the FOCA syllabus lists a flight instruction program. For each lesson a goal is given and the details of the lesson are given in detail. This training program has become standard in all our schools. It ensures, that a trainee receives the same instruction independent of the school and it is also possible to change from one school / one instructor to another at any time without loss. This is greatly appreciated by all.

From the information I have similar practices are adhered to in the neighbouring countries of the EU (Austria, France, Germany). It is in this sense that we can support our aviation schools to provide and maintain a high standard of instruction and education. The smaller schools must be supported by means of the optional amount of simple standard documentation necessary to operate well. This necessary documentation must be provided centrally by organisations such as the AeCS or MFVS in cooperation with the competent authority (FOCA). The flying schools must be given the greatest support possible in order to be able to provide good high quality instruction and not be obstructed by requiring them to generate a large amount of documentation which neither contributes to the quality of instruction nor the improvement of safety but binds resources and cost a lot of money.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

As shown in the NPA, a DTO will not be required to have manuals in place. For the required training programme (DTO.GEN.230), AMC will be developed to illustrate the minimum content. A draft AMC1 DTO.GEN.230 can be found in the Opinion.

comment

1218

comment by: *Quality Manager Easy Balloons Ltd*Attachment [#9](#)

Comments submitted on behalf of Mr Chris Dunkley

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Having regard to the specific contents of your comment (attached document):

- A full review of Part-FCL, as described in the NPA, was undertaken mainly to add



references to the new training organisation, as necessary. A full review of the technical content of Part-FCL is outside the remit of this rulemaking task (RMT). In this regard, the Agency would like to draw your attentions to other ongoing RMTs (RMT.0188, RMT.0678, RMT.0654, RMT.0701 – please check EASA’s website (<http://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions>) for further information - for RMT.0701, the publication of the ToR is envisaged for the end of 2016.

- In the new DTO.GEN.260 (former BTO.GEN.260), the requirement for at least one formal classroom element has been deleted.
- With regard to your comment on BTO.GEN.240, please refer to the response to comment No 48 for further information.
- With regard to your comment on BTO.GEN.250, please refer to the response to comment No 49 for further information.
- With regard to your comment on instructor and examiner courses at BTOs (now DTOs), please refer to the response to comment No 178 for further information.
- With regard to your comment on BTO.GEN.120, please refer to the response to comment No 83 for further information.
- With regard to your comment on ARA.GEN.305 and ARA.GEN.350, please refer to the responses to comments No 51 and 85 for further information.
- With regard to your comment on ARA.BTO.100 and BTO.GEN.190, please refer to the response to comment No 88 for further information.
- With regard to your comment on BTO.GEN.150, please refer to the response to comment No 51 for further information.
- With regard to your comment on BTO.GEN.230, please refer to the response to comment No 168 for further information.
- With regard to your comment on ‘GMC’ – correct: AMC2 ARA.GEN.305(f), please refer to the response to comment No 38, 48 and 49 for further information.

comment

1219

comment by: CAA-NL

Attachment [#10](#)

CAA NL comments

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Having regard to the specific contents of your comment (attached document):

- DTO.GEN.230 (former BTO.GEN.230) cannot be changed to read ‘approved training programme’, as neither the training organisation (DTO) nor its training programme is subject to prior approval.
- DTO.GEN.240 (former BTO.GEN.240) is not changed to read ‘approved FSTD’ in order to be consistent with ORA.ATO.100 and ORA.ATO.135.
- With regard to your comments on ARA.GEN.310, ARA.BTO.100, ARA.BTO.105, BTO.GEN.130 and related AMC, please refer to the response to comment No 14



for further information.

- ARA.BTO.100 has been reworded to refer to the information required by Part-DTO, the detailed list has been deleted in order to avoid duplication of text. In the new DTO.GEN.115 (former BTO.GEN.130), a head of training is required. The position of safety advisers has been deleted from the text.
- AMC will be developed to provide measures to ensure that a change of the training organisation by a student during training will be administered appropriately (see draft AMC1 FCL.115(c), AMC1 FCL.210(c), AMC1 DTO.GEN.230 as published together with Opinion 11/2016.
- According to DTO.GEN.110 (former BTO.GEN.120), a DTO is allowed to provide examiner refresher seminars. However, a competent authority according to FCL.1025 may still decide to provide such seminars by itself. Please also check the response to comment No 178 for further information with regard to examiner standardisation at DTOs.
- DTO.GEN.150 (former BTO.GEN.160) has been reworded to include also a requirement for a DTO to analyse the root cause of a finding.
- DTO.GEN.220 (former BTO.GEN.220) has been completely reworded to address some ambiguities – please refer to the draft rule text as published with Opinion 11/2016.
- AMC1 FCL.115; FCL.120 (a) as well as AMC1 FCL.210; FCL.215 have been revised for consistency reasons, taking into consideration that the provision of theoretical knowledge instruction at DTOs is now also regulated by the new DTO.GEN.260, offering the same flexibility.
- In the AMCs to FCL.740, the term ‘proficiency check’ has been replaced by the term ‘simulated proficiency check’.
- The text proposed for GM2 ARA.GEN.305 (f) has been moved to AMC2 ARA.GEN.305(f). When doing so, the last sentence exempting the principle place of activity from parts of an inspection was deleted. In general, the term ‘principle place of activity’ has been replaced by the term ‘principle place of business’ in DTO.GEN.105 (former BTO.GEN.110).
- In line with the change to the new DTO concept, AMC1 ARA.BTO.100 (now AMC1 ARA.DTO.100(a)) has been reworded to only state that the receipt of the declaration should be acknowledged by the competent authority in writing to the DTO.
- The text proposed in AMC1 BTO.GEN.190 has been moved to the new AMC1 DTO.GEN.210 and now only contains means of compliance with regard to the safety policy. The rest of the text has been deleted as the new DTO.GEN.210 now clearly defines the responsibilities of the roles of the representative and the head of training. In this context, the representative is responsible for ensuring compliance with ‘the applicable requirements’ which includes both Part-FCL and Part-DTO requirements.



## Notice of Proposed Amendment 2015-20

p. 1

comment

21

comment by: *stuart PAUL*

I would like to submit that i am supporting the 'proposed amendment NPA 2015-20 Private Pilot Training Outside of an ATO'.

My support is specific in this instance with reference to Folwmere Airfield in the United Kingdom designated EGMA.

I have been a member of this airfield for over ten years and in my experience the professional operation of the training at this airfield has always been of a very high standard and exemplary.

Stuart Paul

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

23

comment by: *Reichel*Attachment [#11](#)

Guten Tag,

Ich will einen Kommentar zur NPA 2015-20 geben.

Zur Sachlage:

Wir die Reichel UG (haftungsbeschränkt), Flugschule Coburg, ist eine ATO BY 212.

Mein Problem ist der PART M.A.201. i.

Ich nutze die Vereinsmaschinen des Aero Club Coburg – Mitglied des LVB und somit auch in der ATO des LVB (VEREIN???)

Ich bin auch dort als Lehrer gemeldet und bilde auch innerhalb der ATO des LVB aus.

Ich bin aber auch Lehrer meiner ATO (REICHEL UG, Flugschule Coburg ATO.BY.212 ) und bilde dort ebenfalls aus, auf den gleichen Flugzeugen und mit weiteren Fluglehrern in der ATO 212. Wir bilden Nichtgewerbliche Piloten aus.

ALSO – ich fliege mit Flugzeugen im Verein, die keine CAMO brauchen und ich fliege in meiner Flugschule, die eine CAMO brauchen?!!

Der Verein will **keine CAMO** machen, sagt, lt. LBA und LVB, dass er keine braucht, und ich

bin nicht der Halter der Flugzeuge. Ich fliege mit einem Nutzungsvertrag.

Was kann ich tun um weiter mit den Vereinsflugzeugen zu fliegen und zu schulen?

Ich laste die Flugzeuge des Vereines sehr aus (ca. 300 Std im Jahr– wenn das nicht mehr möglich ist, dann wird der Verein auf ca.- 2-3 Flugzeuge verzichten (verkaufen) müssen. Das kann nicht Gesetzeswille sein!!

Ich verstehe nicht, weshalb Vereinsausbildung (auch ATO über LVB) keine CAMO Vertrag nach MG. braucht –

im **M.A.201 i)** steht: (Wenn ein Betreiber von einem Mitgliedsstaat dazu aufgefordert wird ... eine Genehmigung zuführen, bedarf es... 1. 2. 3. Auch einer CAMO.  
(wir sind vom Luftamt Nordbayern aufgefordert worden einen CAMO-Vertrag oder CAMO-Vereinbarung vorzulegen.)

Ich kann nicht verstehen, warum es in Deutschland 2 ATO`s gibt!!  
In Österreich, gibt es nur eine ATO und alle brauchen eine CAMO oder nur einen Vertrag zur Durchführung der Lufttüchtigkeit (ARC).

**Sie haben jetzt die Möglichkeit mit der neuen BTO dies genauer zu regeln – dass der M.A. 201 i. nur für Ausbildung von „Gewerblichen Pilotenlizenzen“ und nicht für die „gewerbsmäßige Betriebstätigkeit“ gilt.**

Vielen Dank für Ihre Aufmerksamkeit und ich würde mich freuen, wenn Sie diese Anregung mit verwenden können.

Bitte bestätigen Sie den Eingang meines Kommentares -- DANKE

Gruss  
Norbert Reichel  
HT in ATO.BY.212.  
[hallo@flugschule-Coburg.de](mailto:hallo@flugschule-Coburg.de)  
0049 172 8429533

**REICHEL Flugschule Coburg, [www.flugschule-coburg.de](http://www.flugschule-coburg.de)** oder [www.flugschulecoburg.de](http://www.flugschulecoburg.de), Zur Brandensteinsebene EDQC, Coburg, EDQK Kulmbach, Zell am See,  
Zugelassen für Ausbildung Motorflug, Hubschrauber, Segelflug, Ultraleicht, PPL A; LAPL A, SPL, LAPL S, TMG, von LAPL zum PPL; Nachtflug,

response

Noted.

Thank you for providing this feedback.

Establishing rules on the continuing airworthiness of training aircraft is outside the Terms of Reference of this rulemaking task (RMT). For particular requests the Agency kindly advises you to contact your national competent authority. Additionally, the Agency may also direct your attention to the published Opinion 05/2016 which proposes to introduce a so-called 'Part-M light' for smaller aircraft.



comment	<p>28 <span style="float: right;">comment by: <i>Dean Turley</i></span></p> <p>Having read the proposal, I would like to state my support for the amendment.</p>
response	<p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>30 <span style="float: right;">comment by: <i>DAVID GATEHOUSE</i></span></p> <p><i>I support the amendment which relieves Registered Training Organisations from the requirement to become Authorised Training Organisations.</i></p>
response	<p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>459 <span style="float: right;">comment by: <i>FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS</i></span></p> <p>CNFAS reminds the Agency that option 2 (BTO) is NOT AT ALL in accordance with GA roadmap and EASA Roma’s conference. CNFAS invites the Agency to apply the principle edicted by the GA roadmap and the EASA director. In this case : “to develop a possibility for training outside ATOs”, in others terms : without approval!</p> <p>RF is equivalent with Option 1 (RTO) Bureaucratic approval doesn’t improve safety figures in TO.</p> <p>Moving from registration paradigm to approval paradigm for TO is imposed without demonstration that it will reduce supposed excessive remaining risks in training flights.</p>
response	<p>Accepted. Thank you for providing this comment. Please check the response provided to comment No 353.</p>
comment	<p>768 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>TITLE: “.. in order to provide a system for private training outside approved training organisations..”</p> <p>YES please do that.</p>



response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment **1141** comment by: *Carlisle Flight Training*

We think the existing situation of being registered with the CAA works perfectly well for small non complex flying schools teaching in SE aircraft for the PPI/LAPL/NPPL and associated ratings.  
We believe having to become an ATO will add undue cost and administrative work for no safety benefit, this may even force us to close as we are a small organisation. The best outcome would be option 1, stay as we are, but could probably cope with becoming a BTO option 2 if we had to.  
The whole transition to EASA regulation has been an utter disaster. Totally ill conceived, not thought out, badly communicated and detrimental to the lighter end of GA in almost every way.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

### Applicability — Process map

p. 1

comment **684** comment by: *CAA Norway*

The decision is scheduled for Q3 2017 and all RFs should be BTOs by April 2018. This is a very short time to have all organisations approved. It does not give any room for delays if the decision is not issued in Q3. Due to the short timeframe it could be a risk of rushing to get the the BTO concept approved even if it is not fully ready. CAA Norway support DGAC in their suggestion that the deadline for implementation is set to April 2020.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
The latest time plan foresees to allow a respective amending regulation to enter into force by April 2017, allowing for a one-year transitional period for RFs registered in accordance with JAR-FCL. Subject to the further progress of this rulemaking task (RMT), your comment will be taken into consideration for evaluating whether further opt-out periods are



necessary.

**EXECUTIVE SUMMARY**

p. 1

comment 20

comment by: *Martin PETTITT*

I am a recreational pilot who has been flying in the UK for nearly 20 years.

The implication of flying within an environment comprising only ATOs would be to impose a totally disproportionate overhead on smaller training organisations. This would then make the cost of flying, to people like myself, virtually unaffordable, with the consequence that the ATO would cease to be a viable business and disappear.

I would also like to reinforce the proposal for 'Grandfather Rights' - the protection of existing certification and qualifications.

I am therefore fully supportive of the 'Proposed Amendment NPA 2015-20 - Private Pilot Training Outside of an ATO'.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 31

comment by: *Reichel*

Hallo,

I have a comment to and proposal for NPA 2015-20

I assume that the intention of the new BTO is to separate the instruction/training of commercial and non-commercial pilot licenses.

Would it then not be logical and consistent to also integrate non-commercial IFR training (EIT and CB-IR) into the new BTO?

This could be achieved very well at the existing flight schools, which already now have well-trained instructors and suitable aircraft.

The reduced requirements for EIR and CB-IR would certainly support such a proposal.

I do ask you to include my comment and proposal into your considerations.

Thank you



	<p>Norbert Reichel ATO.BY.212 REICHEL UG Flugschule Coburg hallo@flugschule-coburg.de</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 6 for more information.</p>
comment	<p>34 <span style="float: right;">comment by: <i>Tom Dunn</i></span></p> <p>I am the Chairman of Aeros Flight Training and we are the UK's leading modular flight training group with five ATO's delivering approximately 40,000 movements annually. We train from PPL to frozen ATPL including MCC/JOC and have recently achieved approval to deliver PPL H at all five academies. We also have two Part 145 and Part M sub part G and I approved engineering facilities.</p> <p>In 2008 we were a very small registered facility at Wellesbourne airfield (EGBW). With many years of experience of European legislation in the Automotive industry, we set out to build a national chain of fully approved ATO's in readiness for your April 2014 legislation launch. Having invested in time, premises, people, manuals etc obviously we were extremely disappointed when the UK enacted a derogation allowing RTF's to remain until April 2018.</p> <p>We have just entered 2016 and you are now talking about allowing registered facilities to continue in perpetuity against regulation requirements, or at the very least some sort of approval fudge. I am writing this the day after Labour leader Jeremy Corbyn said that he would vote to keep the Trident submarines but would not allow the "warheads".</p> <p>FUDGES very rarely make sense.</p> <p>I understand that the NPA warns that full approval implementation would mean that some registered facilities would close. Over 40 years of introducing change that has not been my experience - yes people may moan and complain but in the final analysis they up their game and improve their standards of customer service. However, should a small number close, that would be preferable to the current registered position where the market is over-fished, fragmented, poorly managed, loss making and badly remunerated. There is no doubt in my mind that the Government is being deprived of millions of pounds of VAT, corporation and income tax on an annual basis.</p> <p>The CAA cannot imply that registered facilities are "approved" when they do not meet minimum EASA standards. There must be a certain level of investment and procedures required before they are allowed to operate.</p> <p>"YOU CAN'T SHRINK AN ORGANISATION TO GREATNESS"</p> <p>I understand that you wish to widen the consultation amongst flight training organisations.</p>



I and my colleague Paul Freestone would be pleased to become more involved in this process.

I am a successful entrepreneur with more than thirty years of business experience. I have also been both a fixed wing and helicopter pilot for over fifteen years and owned Aeros for eight years.

Captain Paul Freestone has been Head of Training for Aeros Flight Training for the past three years and has overseen the implementation of all the Company's approvals and manuals during the transition to EASA. Prior to that appointment he ran multi-Crew Cooperation courses for Atlantic Flight Training and also ran the first Multi Pilot Licence course at CAE Oxford. Paul's flying career has encompassed working for three different airlines as a Training Captain flying short haul routes throughout Europe, whilst still maintaining a close association with the training industry. During that time he continued to teach Flying Instructor courses, examine for the CAA CPL and conduct airline assessments on behalf of training organisations.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

36

comment by: *Eamonn Lyons*

I would like to register my support for this amendment. Aviation training should not be geared solely towards commercial pilot training and there should be recognition that flying is a hobby enjoyed by many people. The proposal to amend the regulations to relieve Registered Training Organisations from the requirement to become Authorised Training Organisations would be a positive step to keeping aviation open and accessible to a broad range of people.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

281

comment by: *Jeremy Hinton*

This overview, particularly the six GA strategic principles, appears sound and



response	<p>supportable. A positive start!</p> <p>A serious risk is that any increased costs drive people away from ballooning, so that the costs for those remaining become unsupportable.</p> <p>Onerous regulation could inadvertently bring an end to ballooning.</p> <p>Proportionate regulation is welcome.</p> <p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>345 <span style="float: right;">comment by: <i>KSAK - Swedish Royal Aero Club</i></span></p> <p>We welcome this initiative since the regulatory burden that comes with an ATO is not necessary for this kind of flight training. We are happy to see that EASA listens to the community and invite us to consult these rule making tasks.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>504 <span style="float: right;">comment by: <i>Edward Voorham</i></span></p> <p>Dear sir, <span style="float: right;">date February 18<sup>th</sup> 2016</span></p> <p>I would like to contribute on the possibility to comment the NPA 2015-20.</p> <p>I was very pleased to read your sustainable and professional proposal to reverse the new EASA regulations which harm the "small" General Aviation. You managed to separate the good and the damaging parts of the EASA regulations. Much of the new regulation will strangle part of the General Aviation, more in particular those aviators for whom flying is their hobby.</p> <p>This part of aviation was for many years the birth ground of successful aviators.</p> <p>The new EASA rules are a threat for many pilots who exercise the aviation as a dear hobby.</p> <p>Would you be so kind to accept my comment in particular on strategic principle 4 the so called "Grandfathers Rights"</p> <p>After 40 years of experience and many hours as national flight instructor and flight examiner the new rules turn out to be a major obstacle in obtaining the status of European Flight Instructor.</p>



I paid and invested now 6.000 Euro in order to convert my authorization as a national instructor into an European Instructor for LAPL only. After obtaining the new European Authorization I will be authorized to train pilots for a LAPL. This license can also be obtained by paying 75 Euro to the Dutch government to change the RPL (national pilot licence) into LAPL. In the past I was allowed to train students for the RPL license which can easily be converted into a LAPL. However in the new situation I am not allowed to train students direct for a LAPL.

I think this is not fair because the many years of experience as an instructor apparently do not count for a conversion from RFI to FI (LAPL only). However the conversion from RPL to LAPL can be done without any problem. I do not understand the difference in treatment. The Dutch government (IL&T) and the professional senior flight examiners are not willing to help and stimulate the Recreational Flight Instructors in obtaining the FI(LAPL only). We are stigmatized as unprofessional and an economic threat for the FI.

I would like to ask you politely not to forget the passionate group of Recreational Flight Instructor. In your NPA you already mention this group as P4, but I could not discover in the text a plead for this group not to lose the papers. A more realistic conversion which is based upon experience would be very welcome.

For myself I can speak that I went all the way for the conversion, paid a big amount of money and experience and it is hardly not possible to get released for a full swing examination.

It looks like that the examination serves as an instrument to cut down in the competitive group of national instructors. Rumors are that only 15% is allowed to eventually obtain the correct papers to continue what we are supposed to do, teaching students how to fly and experience a nice hobby. With our hobby we make it possible to teach people how to fly for an affordable amount of money hence making aviation accessible for larger group of people.

I am available for more information and advice in this respect.

Hoping to hear good news and a successful reversal of the present uncomfortable situation for may flying clubs.

Edward Voorham  
Head of Flight Training  
ATO-229 Aero Club Valkenburg

Mobile +31615150334  
Maalsteenkreek 7  
2241MV Wassenaar  
The Netherlands.

response

Not accepted.

Thank you for providing this comment.

This RMT is not related to the conversion of national licences and instructor certificates which according to Article 4 (3) of Regulation (EU) 1178/2011 has to be done based on a conversion report established by each Member State in consultation with the Agency.

Please refer to your competent authority for more information. If you are not satisfied with the current legal situation, you are invited to send a rulemaking proposal. Please



follow the link provided below for more information.

Link: <http://www.easa.europa.eu/document-library/rulemaking-programmes/rulemaking-proposal>

comment

682

comment by: CAA Norway

CAA Norway have read the French DGAC reply to this NPA. We share their concern that the BTO concept is a solution in between a registration (RTO) and an approval (BTO) that is not giving the GA sector what it really needs; simpler, better rules. In our opinion the BTO concept seems a bit hasty when a better solution is not that far away.

We share DGACs opinion that the RTO concept is the best as long as the Basic regulation is updated accordingly.

response

Accepted.

Thank you for providing this comment.

Please check the response provided to comment No 353.

comment

767

comment by: Flying Club President

"The Agency put forward a proposal to the EASA Committee ... to develop a possibility for training organisations outside ATO"

Great that is what the people want.

Why is this RMT not complying with the RMT TORs?

Why is it trying to pressure through ATOs under a different name?

Deliverables: "An NPA to review the Aircrew Regulation in order to provide a system for private pilot training outside ATOs;"

Please do that – please stop cheating and blackmailing us.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the ToR defined as one of the objectives of this rulemaking task (RMT) to provide a new way of training 'outside an ATO', so to speak outside a training organisation approved in accordance with Part-ORA, and not outside any kind of approved organisation at all. However, the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

769

comment by: Flying Club President



	<p>The six GA strategic principles:</p> <p><b>P2 "... minimum necessary rules.":</b></p> <p>If the proposed BTO is compliant with the Basic Regulation then clearly the ATO exceeds this principle and is therefore excessive regulation. Excessive to comply with the BR.</p> <p><b>P3 "..risk based approach..":</b> We can't afford the risk increase of tick box inspectorate driven frameworks designed as revenue gathering mechanisms. Charge the fee but don't pretend to do something useful that has contrary results, at the expense of time.</p> <p><b>P4 "Protect 'Grandfather Rights' unless there are demonstrable and significant safety reasons for not doing so"</b></p> <p>WELL? IS THERE A <b>SIGNIFICANT</b> SAFETY REASON? NO! So you <b>must</b> allow RFs to continue. The only reason not to is the self serving nature of regulators.</p> <p>ALL THESE THREE PRINCIPLES ARE BEING INGNORED – WHY? Under who's authority?</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>

	<p>770 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>"The competent authority (CA) is therefore neither required nor expected to put in place a rigid and burdensome oversight programme ... "</p> <p>The CAs can't be trusted not to get carried away, since there is practically no occasion on which they have not exceeded the requirements.</p> <p>The GA training community needs PROTECTING from the CAs by prohibiting CAs from putting "in place a rigid and burdensome oversight programme .." (as they say they did with the ATOs)</p> <p>CAs cannot be expected to restrain themselves. Active protection measures for GA and RFs need to be put in place.</p> <p>Historic precedent is clear.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the revised concept as shown in the Opinion contains a minimum set of oversight requirements to ensure appropriate oversight with regard to non-commercial training providers and, at the same time, providing flexibility to address the different challenges in oversight activities existing throughout the Member States. Please refer to the Explanatory Note of the Opinion for more information.</p>



comment

916

comment by: *European Gliding Union*

The European Gliding Union is the association of European Gliding Federations or Gliding Sections of National Aero Clubs.

It represents the interests of glider pilots in Europe with respect to regulatory affairs and currently counts 18 full members, representing more than 80,000 glider pilots.

Self regulated processes for sailplane training served these 80,000 pilots well for many decades, as frequent representations to the Agency have demonstrated, and been accepted.

Sailplane training is not broken: it does not need fixing.

The EGU applauds the decision of EASA to review the Aircrew Regulation and opportunity to counter the damage threatened by imposition of ATO requirements on sporting aviation and similarly appreciates the work done by the Task Force in preparation for this NPA.

It is unfortunate that legal interpretation of the Basic Regulation, designed only for Commercial Air Transport, precluded development of the Task Force's RTO proposals.

The EGU supports proportionate oversight of training, but rejects the assumption, throughout this NPA, that the only bodies capable of carrying out oversight are National Aviation Authorities.

NAA's have neither the experience, resources nor mind set to oversee sport aviation training. The processes involved in oversight of training for commercial aviation are not appropriate for the volunteer world of gliding.

EGU member associations do, however, have experience of NAA intervention being inappropriate, heavy handed and expensive, without commensurate safety benefits. NAA's have been seen to add nothing but costs and difficulties for un-paid, part time sporting instructors.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

938

comment by: *Hermann Spring*

**This is the best summary I have seen in an EASA NPA, congratulation.**

I propose 8 years ago already to place a Summary on the first page of an NPA and since 2013 were the NPA's prepared accordingly.

**Manny thank to all, who are supporting, that the ATO does not fit as replacement of the JAR-RF.**



**The effort made, goes in the right direction but it is not yet simple enough.**

Unfortunately, is the analysis missing, what was running wrong with the JAR-Registered Facilities.

Except the change of the word JAR to EASA was no reason to change all the terms of the requirements.

**The Summary promises more simplification than the NPA2015-20 in the subsequent pages reflects.**

This fact shows that the intention is very positive.

**GA strategic principals in total****P1: One size does not fit all**

Super, NPA 2015-20 confirms that in total

**P2: Philosophy of minimum necessary rules**

JAR-Registered Facility which is defines with 140 words same as the BTO definition in NPA 2015-20. Factor of more than 10 is an overkill. To many standard practices are unnecessary defined

**P3: Adopt a risk-based approach**

The skill tests are in the hand of the authority. This gives an excellent and deep information about the performance of an BTO/BTF.

This concludes, that the BTO / BTF has not a core function, that are the qualified flight instructors.

**P4: Protect 'grandfather rights' unless there are demonstrable and statistically significant safety reasons for not doing so;**

NPA 2015-20 this would require, that the JAR-RF shall be in 1:1 comparison to the BTO reviewed. Every deviation shall be explained, for its reason, aim and the expected improvement.

**P5: Apply EU smart regulation principles; and**

BTO/BTF is proportional for PPL-Training. Following simpler, lighter and better require to shrink the BTO/BTF proposal.

**P6: Make best use of available resources/expertise**

The flight instructors shall provide best possible flight instruction. Avoid unnecessary administration with organization and expanded reporting's etc.

Authorities oversight activities are given with the theoretical exams and skill tests.

FCL is not questioned here.

Use the word **Training Requirements** instead of programme, plan or syllabus.

The authority shall define the aim or minimum level, but not the how-to achieve it.

**NPA 2015-20 is a quantum leap into the right direction. It is therefore normal, that it could not be perfect already.**



	<p><b>With the feedback and some workshops should an initial and SIMPLIFIED version be defined soon.</b></p> <p><b>A continuous dialog will support the constant improvement.</b></p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. As your comment could also be understood to support the concept of giving full training privileges to individual instructors outside of any kind of training organisation, please also check the response to comment 514.</p>
comment	<p>1065 <span style="float: right;">comment by: <i>KSAK - Swedish Royal Aero Club</i></span></p> <p>It is of outmost importance that the Agency speeds up the process of getting the Single Engine Piston <u>Sea Rating</u> available for LAPL holders. As described in this NPA, it is an important part of the BTO scope and should of course be available for LAPL holders as soon as possible.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 1097.</p>
comment	<p>1131 <span style="float: right;">comment by: <i>Deutscher Aero Club Landesverband Niedersachsen</i></span></p> <p>DAeC Landesverband Niedersachsen (LVN) represents as a state association in Germany covering about 5000 members mostly sailplane and motor powered pilots. Within the organisation 82 clubs are member and in 62 clubs sailplane training is performed within an umbrella organisation organized already as ATO under European law. Most of the remaining clubs perform training for motor powered aircraft under national or European law also in that case under ATO conditions. The evaluation of the agency concerning the problems of the ATO regime within the ATO construct is in most part correct in our opinion. Within the voluntary world of air sport with the respective organisational situations the construction of ATO requirements demanded by law is much too restrictive and at the end will not induce safety as the proportionality between rules, related bureaucracy and effort for fulfilling of the framework compared to practical flying is not given and balanced. LVN agrees to and highly appreciate the effort done by the agency to review the law concerning training organisations and to find a manageable tofind easier and more appropriate way for training organisations.</p> <p>In depth experience with ATO within gliding clubs and also the heavy load and disappointment within the clubs organizing training for motorplanes over the foregoing year show a loss of motivation as well as loss of people willingly to perform the work. Within sport aviation every work which has to be done are direct and indirect cost also by voluntarily done work which is not available for direct flight training and then lost for the most important part of training. In every structure which has to be found this fact has to</p>



be in mind.

A discussion about the question how much and in which manner NAA shall perform oversight about the activities in small flying and what is really needed is in our opinion not really responded within the NPA. Competences to evaluate such oversight has to be ensured also within the authorities which might not be the case overall Europe.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

## Table of contents

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comment

1140

comment by: *Carlisle Flight Training*

We think the existing situation of being registered with the CAA works perfectly well for small non complex flying schools teaching in SE aircraft for the PPI/LAPL/NPPL and associated ratings.

We believe having to become an ATO will add undue cost and administrative work for no safety benefit, this may even force us to close as we are a small organisation. The best outcome would be option 1, stay as we are, but could probably cope with becoming a BTO option 2 if we had to.

The whole transition to EASA regulation has been an utter disaster. Totally ill conceived, not thought out, badly communicated and detrimental to the lighter end of GA in almost every way.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

## 1. Procedural information

p. 3

comment

868

comment by: *Aero-Club of Switzerland*

Page 3/49, by EPFU/AeCS/MFVS/SFVS:

1.1. The rule development procedure

To say it again: The Task Force did a good job, RMT.0657 is a vital task when it comes do developing General Aviation.



response Noted.  
Thank you for providing this positive feedback.

comment 869 comment by: *Aero-Club of Switzerland*

Page 3/49 by EPFU/AeCS/MFVS/SFVS:

1.4. The next steps in the procedure

The steps are ok, but the name chosen for the organisation is misleading.

Rationale:

NPA 2015-20 does not propose "training outside ATO", it proposes "training within a new form of ATO giving considerable power to competent authorities as to how they wish interpret what "basic" means.

The name chosen is doubly wrong because this new organisation does not deliver "basic training", it only is based on rules, AMC and GM which offer a more adequate framework, if the offer is accepted by the competent authorities.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

## 2. Explanatory Note — 2.1. Overview of the issues to be addressed

p. 4-5

comment 190 comment by: *IAOPA (EUROPE)*

NPA 2014-28 did not fully meet expectations, but should have been considered further.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 266 comment by: *ANPI (National Flight Instructors Association)*

It is clear that any training organisation shall provide pilots with the necessary knowledge and training to ensure safety. All options from 0 to 3 are requested to obtain the desired



pilot's performances level and pass equally the same proficiency check. Therefore corresponding organizations defined with consideration of these objectives, may have be structured differently without being imposed predefined internal rules resulting from big structures experience.

Satisfaction of results requires to implement simple but well defined functions, mainly :

- ∅ Cleary defined objectives
- ∅ Standardized program and traceability
- ∅ Measurement of Pilots' performance results
- ∅ Incident / anomaly treatment
- ∅ Feedback loop, treatment and corrective actions

Having defined an organization in terms of functions provides the required flexibility permitting to take care of the size and specific character of the various organizations.

CAAs role has to be kept up. It has to ensure harmonization of methods, training level monitoring, advice for corrective actions, providing guidance material and tools (e.g. pedagogic + updates). Feed back from the field is necessary for CAAs to keep up their skills and situation awareness at Nation's wide level.

Defining CAAs role require also to defining what is meant by Certification, or supervision. Certification practices have to be defined with consideration of the above mentioned objectives (results), not in terms of lists of papers to be produced traditionally for other certification cases, that very often, lead to create unnecessary, counterproductive procedures.

In that sense audits performed presently by DGAC in the frame of "JAA Declared Organisations" are close to satisfy above objectives. They verify that key organization functions are well implemented and provide good results.

As a consequence of the above, the NPA consultation logic should not be to choose between predefined packages of concepts, but to focus on objectives and obtained results. This logic would lead to adopt a mixture of proposed options, taking care of simplification and flexibility objectives.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

323

comment by: *bBAC*

I would like to support the British Balloon and Airship Club training system that has been in operation for over thirty years.

response

Noted.

Thank you for providing this comment.

It is not possible to answer the comment as no information on the 'British Balloon and Airship training system' is provided. However, the Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.



comment

346

comment by: KSAK - Swedish Royal Aero Club

There has been a discussion about making amendments to the Basic Regulation. It should be thoroughly investigated if not changes can be made to adhere to the original intentions of the RMT. It would be a lot better if the approval process was dropped and replaced by a notification to the authorities that this organisation/facility/instructor conducts flight training for these licenses.

We need to change the Basic Regulation for the better while we can!

response

Accepted.

Thank you for providing this comment.

Please check the response provided to comment No 353.

comment

457

comment by: DGAC France

**Subject:**

Non-compliance of RTO concept with article 7(3) regulation (EC) n°216/2008 and exemption of certificate provided by article 7(6) (b)

**Content:**

DGAC notes that, according to article 7(3) of the current basic regulation (EC) n°216/2008, a pilot training organisation shall be issued an approval.

Nevertheless article 7(6) paragraph (b) of the current basic regulation states also:

**“Article 7**

[...]

**6. The measures designed to amend non-essential elements of this Article by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 65(4). Those measures shall specify in particular:**

[...]

**(b) the conditions for issuing, maintaining, amending, limiting, suspending or revoking licences, ratings for licences, medical certificates, approvals and certificates referred to in paragraphs 2, 3, 4 and 5, and the conditions under which such certificates and approvals need not be requested;”**

Whatever was the intention of the legislator while writing article 7(6) paragraph (b), this clearly means that certifying a pilot training organisation is considered as a non-essential element that can be amended by supplementing it (i.e. provide additional conditions that would allow a non-certification) through an implementing rule.

In others words the legislator when drafting the basic regulation specifically introduced a possibility to define, in regulation (EU) n°1178/2011 (implementing rule) and its Annexes,



the conditions under which the certificate mentioned in article 7(3) for pilot training organisations could **not be** requested.

This is exactly what the TF has initially proposed with the concept of RTO (option 1). The conditions (limitations of privileges, annual review, safety policy...) under which a certificate could not be requested (and replaced by a declaration) were specified in the new Annex VIII and the amendments to Annex VI - Part ARA.

DGAC believes that this article 7(6) paragraph (b) creates a legal uncertainty that calls into question the Agency statement included in the explanatory note (page 5/49):

*“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.”*

If from a legal perspective a doubt exists it should lead the Agency to keep in the final Opinion the option 1 (RTO) that has been assessed as the most efficient for GA community and the most likely to be supported from a political perspective.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

460

comment by: *FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS*

Conseil National des Fédérations Aéronautiques et Sportives (CNFAS) note that the sentence written here "the BTO concept reverts to the approval concept" is not in line with the strategic direction of the GA Safety Strategy adopted in 2012 and with EASA Roma's conference.

Option 2 (BTO) doesn't propose formation "outside ATO".

BTO propose, so called, a "light" approval which is never defined neither in BR nor in ORA GEN 300+.

This lead to legal uncertainty. Some authorities can run legacy approval methods, heavy one (just like for ATO's).

CNFAS notices that removing excessive requirements from BR is under discussion, in particular new article 22...

CNFAS note that BTO is not in line with the strategic direction of the GA Safety Strategy adopted in 2012 and EASA Roma's conference.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the



response to comment No 353 for more information.

comment

484

comment by: *Michael Noyce*

I support the BTO rather than an expensive ATO

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

572

comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

VVMV (Vereniging Vlaamse MotorVliegclubs / Association of Flemish MotorFlying clubs) represents Flemish motorflying clubs and pilots, thus very much focused on the recreational aspect of flying. Through its 18 Flemish non-profit member aeroclubs, 6 associated Walloon non-profit aeroclubs, and 9 commercial training organisations, VVMV effectively represents all Belgian non-profit motorflying aeroclubs and so well more than 2,500 Belgian pilots.

Our comments to this NPA are based on our ATO workgroup's experience working with aeroclubs wishing to meet EASA's requirements in order to continue to provide affordable flight training. Whilst a number of our member aeroclubs are well on their way to meeting EASA's non-complex organisational requirements, others are likely to struggle, e.g. clubs with only few students. Whilst we believe that indeed there may be merit in a more structured approach to safety management, attempts for this to be achieved through an all too rigid, overkill structure, thus more difficult access to flight training, risks a net detrimental effect on pilot proficiency and safety at our member flying clubs.

We also believe that an ATO largely modeled along former FTO lines, which in turn was designed to deal with organisational complexities of delivering the many training objectives of the ATPL in an economically efficient way, should never have been the only possible model for greater safety to be achieved. In fact, we cannot recall ever having seen EASA's reasoning or any of its risk-based evidence for banning the Registered Training Facility (RTF).

The re-introduction of the RTF in its new "approved" BTO format we agree would go some way towards resolving some of the GA community's concerns about the burden placed on the non-profit flight training sector, the significant efforts so far by our member clubs does also leave us with mixed feelings about EASA's decision-making process. We can only hope that this is a step towards a real safety performance based regulatory approach.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of



‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

656

comment by: BGA

Regarding the Basic Regulation requirement for approval, has the agency considered Article 7 paragraph 6 (b) as a legal means through which to remove the requirement for approval for training organisations within the scope of BTO?

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

711

comment by: Klaus Egger

The reason for this NPA seems to be an overload of regulations. Creating a new part or Annex to circumnavigate the ATOs cannot be a solution. Apply the philosophy of minimum necessary rules! ATOs are necessary to ensure the indispensable knowledge. The PPL is the first contact of the student with risk management and the foundation for a sound airmanship. The only non-complex aspect of the PPL is the aircraft!

response

Not accepted.

Thank you for providing this comment.

For simplification and easy readability, it is deemed to be the better solution to group all requirements applicable to this new category of training organisation designed for general aviation in one single Annex than placing those requirements in a lot of subparagraphs in Part-ORA.

comment

729

comment by: FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS

**Subject:**

Non-compliance of RTO concept with article 7(3) regulation (EC) n°216/2008 and exemption of certificate provided by article 7(6) (b)

**Content:**

CNFAS notes that, according to article 7(3) of the current basic regulation (EC) n°216/2008, a pilot training organisation shall be issued an approval.

Nevertheless article 7(6) paragraph (b) of the current basic regulation states also:

“Article

7

[...]

6. The measures designed to amend non-essential elements of this Article by supplementing it, shall be adopted in accordance with the regulatory procedure with



scrutiny referred to in Article 65(4). Those measures shall specify in particular:  
[...]

(b) the conditions for issuing, maintaining, amending, limiting, suspending or revoking licences, ratings for licences, medical certificates, approvals and certificates referred to in paragraphs 2, 3, 4 and 5, and the conditions under which such certificates and approvals need not be requested;”

Whatever was the intention of the legislator while writing article 7(6) paragraph (b), this clearly means that certifying a pilot training organisation is considered as a non-essential element that can be amended by supplementing it (i.e. provide additional conditions that would allow a non-certification) through an implementing rule.

In others words the legislator when drafting the basic regulation specifically introduced a possibility to define, in regulation (EU) n°1178/2011 (implementing rule) and its Annexes, the conditions under which the certificate mentioned in article 7(3) for pilot training organisations could not be requested.

This is exactly what the TF has initially proposed with the concept of RTO (option 1). The conditions (limitations of privileges, annual review, safety policy...) under which a certificate could not be requested (and replaced by a declaration) where specified in the new Annex VIII and the amendments to Annex VI - Part ARA.

CNFAS believes that this article 7(6) paragraph (b) creates a legal uncertainty that calls into question the Agency statement included in the explanatory note (page 5/49): *“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.”*

If from a legal perspective a doubt exists it should lead the Agency to keep in the final Opinion the option 1 (RTO) that has been assessed as the most efficient for GA community and the most likely to be supported from a political perspective.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

771

comment by: *Flying Club President*

" 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 licenses. 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.

Recognizing the need to consider alternative rules for the training for private pilot



response	<p>licenses, 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 licenses, 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 "</p> <p>Welcomed</p> <p>but</p> <p>" derogation was proposed in order to provide sufficient time for the development, consultation and presentation of an opinion on this subject. "</p> <p>If derogation to April 2018 does not provide sufficient time (as the NPA suggests) to change the BR, if that is what is required, then the derogation time limit is not sufficient.</p> <p>A bad choice can't be justified on the basis of insufficient time to do the right thing. Can it?</p> <p>Noted. Thank you for providing this comment. Please check the response to comment No 684.</p>
comment	<p>772 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>"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"</p> <p>These reasons for rejecting the suggestion of the Agency are absurd: it appears that the choice of the term RTO is deliberately chosen to cause a Article 7(3) to apply. a Registered Facility does not get caught by this rule.</p> <p>"even 'facility' implies some level of organisation." Well the BR doesn't apply to Facilities that "<i>imply some level of organisation</i>". It applies to organisations.</p> <p>This is a transparent stitch-up to try and create a fee charging structure.</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>



comment

870

comment by: *Aero-Club of Switzerland*

Page 4/49 by EPFU/AeCS/MFVS/SFVS:

2.1. Overview of the issues to be addressed

"...to work towards simpler, lighter and better rules for GA" is the agency's goal. That is highly welcome. Looking, however, what is proposed under BTO.GEN.190, AMC and GM included, we believe to be far away from this goal.

Rationale:

What is proposed there is pure ATO material, not based on what is appropriate to smaller organisations.

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that BTO.GEN.190 and relating AMC/GM has been revised to clarify and simplify the requirements regarding safety management and personnel structure. Please refer to the draft text for rule and AMC, as shown in the Opinion, for further information.

comment

917

comment by: *European Gliding Union*

*..... However, the proposed RTO concept was found not to be compliant with the existing Basic Regulation (Article 7(3)) .....*

*..... Therefore, the Agency, following consultation with the rulemaking TF and the GA project team, decided to introduce the BTO concept.*

The EGU does not accept that it is necessary to impose the extra burdens associated with the BTO concept.

The Agency does not seem to have considered the provisions of Article 7, para 6(b) of the Basic Regulation which specifies conditions for measures under which approvals need not be requested.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

939

comment by: *Hermann Spring*

**Training is main element of human's life.**

More than 90 % of the required skills to pilot an aircraft are not learned in the aviation environment.



Many of them not in a school, but within first 3 to 4 year of their life.  
 The way how to learn is very wide field and also different for the various individuals.  
 How to learn is not a task for the authority.  
 Therefor shall the regulation not define the how-to.  
 The definition shall be limited to the training requirements and to their skills level only.

**An approval is required for the skill test and NOT for how to get there.  
 This is part FCL and in the responsibility of the authority.**

**We need no organisation!**

This due to the fact, that a single flight instructor can provide a complete training for a PPL.

**Organisation may be required for tasks splitting to several persons.**

**It was not required for the JAR-RF, there is no need.**

**A good service history was demonstrated based on 15 years with JAR-RF an > 50 years before!**

**Basic Training Facility (BTF) or similar is the proportional solution**

**Keep the last sentence in mind, for all BTO requirements!!!**

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that even under JAR registered facilities were required to have a minimum of organisational structure in place. With regard to your comment on giving full training privileges to individual instructors outside of any kind of organisation please check the response given to comment No 514. In general, it has to be highlighted that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

1098

comment by: *The Finnish Aeronautical Association*

The FIAA concurs with EGU:

The EGU does not accept that it is necessary to impose the extra burdens associated with the BTO concept. The Agency does not seem to have considered the provisions of Article 7, para 6(b) of the Basic Regulation



response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 1116 comment by: HQ Aviation

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 organisatio**

Why must the industry be forced to make costly and tedious adjustments to be "approved" and fit this particular aspect of the basic regulation?

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 1135 comment by: Deutscher Aero Club Landesverband Niedersachsen

LVN agrees and support to a concept a RTF regime for training organisation for air sport disciplines as LAPL, SPL, LAPL(A), PPL or BPL licences. This would assist within the air sport communities the performance and organisation of training focussing on the elementary needs oif club orientated air sport. The statement that the basic regulation does not allow such regime is a disappointing one and shows again the unproportionate structure of the current law structured and adapted to the needs of the commercial aviation.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.



comment	10	comment by: <i>Ruben</i>
	<p>About "the types of training need to be considered"          For consistency of global regulation, I think we must also think of other rating adequate for PPLs, for example, EIR, CBIR and MEP class rating.</p>	
response	<p>Not accepted.          Thank you for providing this comment.          Please check the response to comment No 6 for more information. The reasoning provided in the response to that comment applies also to the decision not to open up the DTO training scope for further class and type rating.</p>	

comment	58	comment by: <i>Neil DAY</i>
	<p>In the case of helicopters, I think additional type ratings should only be provided by an ATO.</p>	
response	<p>Not accepted.          Thank you for providing this comment.          It is difficult to answer this comment as no reasoning for the statement contained is provided. However, the Agency would like to highlight that finally no reason could be seen not to allow a DTO to provide additional type training for small non-complex helicopters mainly used in general aviation. Please refer to the rule text and the Explanatory Note of the Opinion for further information.</p>	

comment	191	comment by: <i>IAOPA (EUROPE)</i>
	<p>Consideration must also be given to Basic IR (BIR) training being within the BTO scope of activities. UK experience of essentially similar IR(R) training at RFs indicates that this is a reasonable expectation.</p>	
response	<p>Not accepted.          Thank you for providing this comment.          Please check the response to comment No 6 for more information.</p>	

comment	347	comment by: <i>KSAK - Swedish Royal Aero Club</i>
	<p>The Instrument Rating(IR) enhances flight safety and there are currently RMTs to develop better rules for an instrument rating with higher availability. It is of outmost importande</p>	



	<p>that a BTO can train pilots for the instrument rating. The competency based IR should also be considered for this scope. The instrument rating is not a commercial rating and should be made available for this kind of organisation/facility.</p> <p>Helicopter type ratings should be available within the scope of a BTO, at least for piston and SET helicopters.</p> <p>Training for High Performance non-CMPA should be allowed within the BTO.</p>
response	<p>Partially accepted. Thank you for providing this comment. With regard to the proposal to add the IR training course and training courses for high-performance aircraft to the training scope of a DTO, please check the response to comment No 6 and the information and reasoning contained therein. With regard to the proposal to add helicopter type ratings to the training scope of a DTO, please check the response to comment No 1102.</p>
comment	<p>599 <span style="float: right;">comment by: <i>Vereniging Vlaamse MotorVliegclubs (VMMV)</i></span></p> <p>Statement "investigate for which rules a more risk-based approach can be followed" what does this mean? What methods of investigation are being used? Does this relate in any way to the SMS?</p> <p>With regard to types of training at a BTO we note EASA's new Enroute (EIR) and Competency-Based Instrument Ratings (CBIR) have been kept out of the scope. Arguably both a more accessible Instrument Rating being one of EASA's key achievements to date that should hopefully go some way in increasing private pilot competency and thus safety (based on evidence in the form of US vs European safety statistics), care should be taken that this is not offset by making the incremental administrative burden put on BTO's wishing to extend their offering. Indeed, under that scenario the BTO would see its burden increase on all of its other training courses as well, as it would need to transition to an ATO structure. Whilst we can see the point of a training manual and an operations manual for an instrument rating course, an alternative approach would have been to make both manuals compulsory for only the instrument rating course.</p> <p>Whilst regulatory change aimed at making the instrument rating more accessible in Europe has been great, in practice it remains one of the most 'gold-plated' pilot ratings ever. Culture remains one of European instrument-rated pilots priding themselves how hard they made it, with few asking themselves the question what would be the right standard in order to maximise the safety benefit. GA safety statistics appear to indicate that the FAA Instrument Rating is the more successful one in terms of its safety benefits across the GA pilot population. Consequently a real risk-based approach should focus on greater penetration of the EIR and CBIR amongst private pilots; if the EIR and the CBIR are to become the 'normal' extensions of the PPL as the FAA Instrument Rating in the US, then we think that European pilots should be able to continue their training in the same non-profit environment that they did their LAPL and PPL. Consequently we disagree that they should be outside of the scope for a BTO.</p>



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information.

comment 602 comment by: *Voldemars J Uplejs*

\* training for non-high performance single-engine **and multi-engine** piston class ratings

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information. The reasoning provided in the response to that comment applies also to the decision not to open up the DTO training scope for further class and type rating.

comment 773 comment by: *Flying Club President*

"

1. The following types of training need to be considered:

...

...

· training for additional ratings (FCL.800, FCL.805, FCL.810, FCL.815, and FCL.830).

"

There is no doubt that the broadest range of additional qualifications needs to be included in any proposed 'sensible approach'.

Even if it is to maintain Registered Facilities they should certainly be allowed to perform Type Ratings, Instructor Ratings, Night Ratings and Examiner Training. SINCE THERE IS NO SAFETY CASE TO PREVENT THIS

response Not accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the additional ratings listed in this comment, namely

- FCL.800 – aerobatic rating;
- FCL.805 – sailplane towing and banner towing rating;
- FCL.810 – night rating;
- FCL.815 – mountain rating; and
- FCL.830 – sailplane cloud flying rating,

were already included in the NPA (BTO.GEN.120 (a) (4), (b) (4), (c) (5) and (d) (6); now DTO.GEN.110 with the same subparagraphs).

Additionally, courses towards instructor and examiner certificates related to sailplanes and balloons were already included in BTO.GEN.120 as shown in the NPA (BTO.GEN.120



(c) (6) to (8) and (d) (7) to (10); now DTO.GEN.110 with the same subparagraphs.

With respect to the broader scope of privileges, it was decided to exclude further instructor or examiner certificates for aeroplanes and helicopters from the DTO training scope as

According to the overall concept, DTOs are intended to benefit from lighter organisational and oversight requirements sufficient for delivering training for non-commercial pilots and most of the elementary ratings relevant for general aviation in return for a reduced training scope not requiring more complex organisational structures of the training provider. For this reason, it has been decided not to open the training scope to further ratings like the IR or the EIR for the moment and to carefully monitor the implementation of this new concept of declared training organisations. It is envisaged to evaluate at a later stage whether the training scope of a DTO can be opened up for further ratings.

comment 874

comment by: *Aero-Club of Switzerland*

Page 5/49 by EPFU/AeCS/MFVS/SFVS:

2.2. Objectives

It is positive to have the additional rating included, we also promote the seaplane rating, and, what we miss most, training for the instrument ratings, outside a training organisation.

Rationale:

Training for the instrument ratings does not necessarily require the structure of a "training organisation", it much more a pilot, a duly rated flight instructor, a suitable aircraft.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the 'seaplane rating' (SEP (sea)) was already included in the BTO training scope (BTO.GEN.120(a)(3), as shown in the NPA), now being included in the DTO training scope (DTO.GEN.110(a)(3)).

With regard to the proposal to add the IR training course and training courses for high-performance aircraft to the training scope of a DTO, please check the response to comment No 6 and the information and reasoning contained therein.

comment 940

comment by: *Hermann Spring*

EASA Safety Conference in 2014 showed that 75 % of fatal accidents are related to pilot's attitude to risk.

**Where is in NPA 2015 an improvement compare to JAR-RF defined?**

I could not find one!



response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the revised draft now proposing a 'declared training organisation' is aiming at keeping a light organisational structure while requiring training organisations to have a minimum of safety management structure (safety policy) in place. The latter was not required under JAR-FCL. Additionally, according to Part-FCL a good pilot's attitudes ('airmanship', see definition in FCL.010) has to be part of any training or checking event. Educating student pilots to develop good attitudes and a good airmanship is not directly linked to the type of training organisation.

**2. Explanatory Note — 2.3. Regulatory impact assessment (RIA)**

p. 6-10

comment

9

comment by: *Ruben*

Page 8. in response to your questions...

How many working hours were needed to produce the required training documentations, such as the training manual or the SMS?

A lot of hours. The realization of this documentation resulted from scratch, lacking any reference. In addition, this work ultimately led to neglect any RF activity, which implies a worse quality of teaching.

a. Please specify if you have already established an ATO in accordance with the Aircrew Regulation. YES

b. Workload associated with the production of the first manuals. More than 200 hours.

c. Workload to annually revise the manuals. With the number of records, we have no ability to take workload to review the manuals

response

Noted.

Thank you for providing this comment and the information contained therein.

comment

32

comment by: *Dr. Bert F. Smits*

It is insufficiently argued why "Option 3", that is, allowing flight training outside a specific organisation would lead to

- a) non-standard training practices; or  
 b) the near impossibility of oversight by competent authorities.



The United States have, for a very long time, operated a system that allows for the concurrent existence of both training by individual instructors and by training organisations. This has not lead to insufficient oversight or specific safety issues that would require a preference for the "flight school" structure.

The Agency incorrectly states that insufficient oversight would lead to pilots not achieving the required level of competence to succeed a skill test. While the Agency adds "deniability" of this phrase by making liberal use of the word "potential" or "could be", it states no reasons or any scientific evidence in support.

The lack of standardization is just as common in ATOs (or RFs) as it is with individual instructors. Certainly, some record keeping might have been similar, but having followed flight training at both UK and Belgian RFs, I can testify that standardisation is conspicuous for its absense, both within an RF as between different RFs. It is therefore an illusion to believe that having flight training organised by ATOs (or RFs) would lead to a safety enhancing form of standardisation.

The benefits of option 3 to the student pilot are clear. There is overall better availability of competent flight instructors and it is obvious that the cost of flight training would significantly decrease.

I believe the Agency, if it is serious about its objectives of better and proportionate regulation, should favour the possibility of individual flight instructors and should not let itself be influenced by lobbying groups from flight training organisations that usually cater to the airline transport applicants but want to increase their revenues at the expense of private student pilots.

It should be underlined that increased participation by citizens to the general aviation community is essential to optimize the use of regional airport infrastructure.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

As described in Chapter 2.4 of the Opinion (Summary of the Regulatory Impact Assessment), all Options have been carefully evaluated for their impact on different areas. The final result of the updated Regulatory Impact Assessment completed during the development of the Opinion showed that the new DTO concept is the best option.

Within the EU regulatory framework, the core activities in aviation (design of aircraft, maintenance of aircraft, commercial operation of aircraft and also training of air crew involved in the operation of aircraft) takes place within a so-called 'controlled environment' of organisations holding respective approvals. This principle contributes to achieving the goals of establishing and maintaining a high level of safety and standardisation in Europe.

The intention of this rulemaking task is now to alleviate as much as possible the requirements for general aviation (GA) training providers while still holding up to the aforementioned principle. GA training providers wishing to establish a DTO will still need to comply with a minimum set of organisational requirements and will still be subject oversight activities by competent authorities, but they will not need prior approval any



longer, starting to provide training courses on their own responsibility. Additionally, the required positions of the representative and the head of training will be possible to be combined and filled by one single person (DTO.GEN.210(b)); in other words: one single person (flight instructor) can run a DTO. Eventually, the DTO concept is very well capable of providing the benefits mentioned in your comment (availability of competent flight instructors, decrease in costs for training).

comment 39

comment by: *David COURT*

The most time consuming (and therefore expensive) part of operating an ATO is the requirement for full records of every flight all the way through every student's training. This would mean every Instructor sending a report to the ATO which the ATO would then analyse and file.  
This is fine when based at a single airfield but not for balloons which are flying from many different sites.  
The BTO only needs records of every student at the end of their training. This reduces the administration load and costs significantly.

response

Noted.  
Thank you for providing this comment.  
With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment 60

comment by: *massimo*

I think option 2 is the best. There is a sort of "light" control of the school by light requirements, and in the same time they hopefully are not so expensive to deny the chance to open a school.

response

Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 61

comment by: *massimo*

I think that for basic level of teaching ( PPL level) bureaucracy has to be kept at minimum, thus savings school to have expensive organizations to keep up for records.

An easy and light bureaucracy, and thus light costs of licences, would allow a lot of people to the schools, generating possibly a market also for more complex schools since for example



response	<p>a PPL pilot aiming to get higher licences would go to more complex schools.</p> <p>Noted. Thank you for providing this comment.</p>
comment	<p>68 <span style="float: right;">comment by: <i>Geoffrey Walton</i></span></p> <p>Option 2 would appear to be a suitable solution to ensure training is standardised yet it is not onerous to implement nor does it place unnecessary burdens and cost on the trainee.</p> <p>I do not believe option 0 or 1 would make the sport safer.</p> <p>The solution once adopted should not be changed unless there would be a significant improvement in safety.</p>
response	<p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>69 <span style="float: right;">comment by: <i>David Tofton</i></span></p> <p>2.3.2.2. Social impact.</p> <p>Option 2 BTO is the best realistic opinion in my opinion, there has been a very good training scheme in the united Kingdom for many years provided by the BBAC, it has trained many of the best pilots in the world.</p> <p>A Simple light regulated training organisation is needed long term with no risk of further change to the basic regulations so we can plan for the future and keep ballooning a fun light sport.</p>
response	<p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>70 <span style="float: right;">comment by: <i>David Tofton</i></span></p> <p>4 For all individual stakeholders -</p> <p>Ballooning is mostly taken up by people wanting to have fun which sometimes leads them into the commercial world of ballooning, if the costs of an ATO were high then this would</p>



	<p>impact on all the Non profit pilots. ATO - High Cost - High Administration - <b>Prohibitive</b> to new pilots - BTO - RTO- Lower Costs, Les Administration - better for encouraging new pilots to take up ballooning.</p> <p>I support BTO - RTO as the reduced cost will help our sport attract and keep pilots for the future</p>
response	<p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>

comment	<p>71 <span style="float: right;">comment by: <i>Tony Jay</i></span></p> <p>0 - an ATO increases the paperwork to a burdensome level. The records are aviable after training in the logbook, i.e. balloon instructor etc. Registering the balloon with the ATO is just creating work that requires paid staff</p> <ol style="list-style-type: none"> <li>1. no comment</li> <li>2. This seems the best compromise</li> <li>3. It is not clear any one would want this, seems to be put here just to make the others look ok. No one would suggest no trianing organisation, we have had one for the last 50 years wun by the BBAC.</li> </ol> <p>So I support 2, but want a plan that restricts costs and paperwork to a minum and does not gold plate The solution may be compliant with any changes to the Basic regulations</p>
response	<p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>

comment	<p>72 <span style="float: right;">comment by: <i>Tony Jay</i></span></p> <p>ATO places a burden to have up to date information on training/balloons / instructors/launchsite</p> <p>This means submitting information regularly to the ATO and it being processed.</p> <p>This means lots of work for ATO and instructor that could be done in one batch when applying for a license etc - all this information is recored in a training logbook.</p>
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response	<p>The additional costs of external auditing this information in ATO is removed if using BTO and RTO</p> <p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. With regard to your comment on up-to-date records on training, the Agency would like to highlight that the text proposed in NPA 2015-20 (BTO.GEN.220) equals the text in the already existing provision of ORA.ATO.120 which is to be understood in such way that records have to be created and kept by the ATO throughout the training course (NB: ‘progress reports’) in order to accurately illustrate the course of the training. The same principles need to apply for record-keeping in a DTO. The new DTO.GEN.220 has been reworded in order to provide more clarification in this point, and, for the same reason, also ORA.ATO.120 is proposed to be reworded respectively. Finally, the Agency will also consider to develop AMC similar to AMC1 ORA.ATO.120(a);(b), allowing the administrative procedures for record-keeping to be kept at a reasonable level. In this regard, please also check the comments and responses to BTO.GEN.220. With regard to your comment on external auditing, please check the responses to comments No 51 and 85 for further information.</p>
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comment	<p>120 <span style="float: right;">comment by: Gary MADELIN</span></p> <p>2.3.1 Option 2.</p> <p>I support the notion of a BTO, basic Training Organisation, with "light touch" approval of the NAA. ballooning is a simple sport, and we have always operated safely being lightly regulated. We need a permanent solution that will not change over time and is simple and economical to run.</p>
response	<p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>

comment	<p>121 <span style="float: right;">comment by: Gary MADELIN</span></p> <p>For Individual Stakeholders like myself, I rely on the lower costs associated with a BTO rather than face the high costs associated with a full ATO. This, ballooning, is my hobby, and I have to undertake it on a budget. We need less form filling.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>



The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 128

comment by: *Peter MEECHAM*

Training should be done with the minimum of cost and regulation through a BTO, which for balloons is sufficient.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 132

comment by: *Barry Bower*

A BTO is the best solution for ballooning. The present system has worked well in the past and we need a final solution which is not affected by any future changes to the basic regulations.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 133

comment by: *Barry Bower*

The oversight of balloons by the BBAC is done mainly by volunteers together with a minimal membership fee. Any increased administration required by an ATO would push up costs and fees. A BTO or RTO has reduced costs.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 134

comment by: *Barry Bower*

The real time information required to be recorded by an ATO requires extra staff to record and analyse the information. This increases costs unnecessarily. A BTO or RTO requires



	that records be collected at the end of the training. This is how it has been done successfully in the past and costs much less. An ATO will increase costs unnecessarily and will not offer any improvement in safety levels.
response	Noted. Thank you for providing this comment. With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment	141 <span style="float: right;">comment by: <i>Rich Benham</i></span>
	Surely, for all parties involved, Option 2 is the best option - the Basic Training Org is indeed the most realistic option - it would give a base level of regulated training, whilst at the same time being relatively simple for a ballooning organisation. To avoid further changes and enhancements in the future, we should agree and implement a simple solution, implemented once (one that is roughly right rather than precisely wrong) even if any of the regulations change in the future.
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment	142 <span style="float: right;">comment by: <i>Rich Benham</i></span>
	Answer to Question 4:  If we are to keep ballooning as an active and non-elitist sport/hobby, we HAVE to have reduced administration The ATO needed to have real-time information (regarding the places we launch from, balloons, details on instructors, info on current students, and all training requirements). In a small organisation, this put large burden of time/cost/resource to gather, review and systemise (file) Therefore, any RTO or BTO in the future could perhaps gather all training data once all training is complete - with the amount of training required, spread over a longer time period (2yrs), then the administration time/resource is a lot less, thus reducing the burden on the organisation.  ATO required external audits - again incurring significant costs to the organisation for both preparation and holding the audits. In comparison, RTO/BTO would only require smaller, less impactful internal audits.
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of



‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

With regard to your comment on external auditing, please check the responses to comments No 51 and 85 for further information.

comment

149

comment by: *jeffrey Lawton*

2.3.1

I support option 2 as being the most realistic as it appears to provide the simplest and most lightly regulated environment which is not too different to the training system we already have in the UK. The delays and changes are currently having an impact in the number of new people entering the sport and for this reason so I want a clear solution that will not be further amended if regulations change in the future.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

150

comment by: *jeffrey Lawton*

question 4 For all individual stakeholders

The ATO adds a whole raft of administration which is totally unrealistic to the way the sport operates. Most training is carried out in private balloons and the likelihood is that a high proportion of current instructors will retire from instructing if the level of administration and admin proposed by the ATO is implemented. It is not good for the sport and will do nothing to enhance the quality of training.

I support the BTO as this is similar to our current training regime and will only require records to be collated at the end of training at a vastly reduced admin cost and burden

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

179

comment by: *Schmaus*

Answers from stakeholder:

HT of ATO of "Baden-Württembergischer Luftfahrtverband" DEBWATO101:



Question 1:

a) DEBWATO101 was approved on 31 July 2014 for all classes of LAPL, for SPL,PPL(B), PPL(A), associated ratings, FI(S), FI(A) and CRI

b) workload for preparation and improvement of manuals: 400 hours for operations- and training-manuals plus 300 hours for detailed license-, class- and instructor-training manuals. About 150 hours for information of local instructors in 6 groups of about 70 persons each. Production and distribution of manuals see answer 4a

c) about 150 hours for revision and collecting data for annual training report to CA

Question 2:

total of about 25000 euros

a) and b) preparation of manuals: meetings = 4000 €, production and distribution of initial manuals = 5000 €, training of club presidents and local HT = 5000 €; new homepage = 8000 €;

c) annual meetings + revision of training manuals via homepage = 5000 €

d) 500 €

Question 4:

Re-production of all 17 different manuals, all in combination with upgrade in information will be about 200 hours.

Alleviation cannot be put in numbers, at present.

Question 5:

Print and reading in English, plus finding comments in English = 14 hours for one person

response

Noted.

Thank you for providing this comment and the information contained therein.

comment

192

comment by: IAOPA (EUROPE)

Option 3 would have some negative impact on safety. It would also jeopardise the livelihoods of existing RFs, although this doesn't appear to have been considered in 2.3.2.3. Option 3 should not be considered as a viable option.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

193

comment by: IAOPA (EUROPE)



	Agree that, for reasons of regulatory compliance, Option 2 is the most appropriate <u>provided that CA oversight is strictly proportionate.</u>
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.
comment	209 <span style="float: right;">comment by: <i>Innes WORSMAN</i></span>
	Support Option 2
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.
comment	210 <span style="float: right;">comment by: <i>Innes WORSMAN</i></span>
	Support option 2
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.
comment	211 <span style="float: right;">comment by: <i>Innes WORSMAN</i></span>
	Having to employ staff to man an ATO in much more difficult to a BTO or RTO. External auditing and constant record generating are road blocks towards completing tasks efficiently.
response	Noted. Thank you for providing this comment.
comment	212 <span style="float: right;">comment by: <i>Innes WORSMAN</i></span>
	^ For Question 4.
response	Noted.



comment 239 comment by: JED DRYDEN

Comment on 2.3.2.2

I would support Option 2 , the basic training organisation (BTO) which is similar to the UK training system we have at the moment. It would be the simplest option for regulated balloon training and should hold fast with no amendments if the Basic Regulations change in te future.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 240

comment by: JED DRYDEN

Comment on Q4 For all individual stakeholders.

Using the ATO for vast ammounts of unnessesary paperwork to be recorded for EVERY single flight would involve high administration costs and would have an effect on me being an instructor, making the fun and thrill of teaching/training a nightmare.

I support the BTO 100% with records collected at the end of training, a well proven structure and less cost

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment 267

comment by: ANPI (National Flight Instructors Association)

1. Considerations placed in comment 266 §2.1 exclude option 3 not able to ensure expected results (Nation wide Pilot's performances, CAAs necessary involvements [obligation towards ICAO, feed-back from the field, guidance]

2. Impact assessment and comparison between options depends on Instructors' skills requirements. The simplest structure based on a single instructor may satisfy all functional safety criteria with properly trained instructors. Some existing clubs are already working perfectly like that.

We may take care of that point in upgrading Instructors standardisation and provide them with more or improved guidance material and tools.



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 32 for further information.

comment 270 comment by: *Medical Officer BBAC*

I agree that Option 0 is disproportionate and would make training for a balloon licence so difficult that it would deter most people from starting. Balloon training is carried out on a one to one basis in remote locations (grass fields) with no office or classroom facilities. Option 2 is favoured as it allows training to be carried out much as it has done in the UK which has a proven track record and evidence base as a safe process without significant numbers of accidents or incidents occurring in newly trained pilots and certainly no fatalities within the first 2 years of pilots obtaining their licence.

response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 271 comment by: *Medical Officer BBAC*

Question 4  
The most significant administrative burden linked to the ATO concept is the requirement for real time information on all training, students, instructors, balloons and launch sites. This would require an immense administrative burden as all training takes place in remote locations without access to files and documents or even internet. The only reason for real time information is if it is analysed at that time and concerns fed back. This would again mean the cost of constant analysis. The main use would be for audit or root cause analysis of incidents/accidents and is not required real time. As the purpose of training is to produce a competent and safe pilot the gold standard of assessment is the examination and not the training process. External audits of the training process adds nothing to that process.

response Noted.  
Thank you for providing this comment.  
With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment 282 comment by: *BBAC 6824*

2.3.1  
0 - ATO is overkill, not necessary, duplicates workload with no advantage, is expensive without needing to be.  
  
2 - Agree - preferred option. Light approval has been satisfactory in the past. Most



response	<p>appropriate and realistic option for balloon pilot training. This definitive solution will stand up whatever changes in Basic Regulations occur.</p> <p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>283 <span style="float: right;">comment by: <i>BBAC 6824</i></span></p> <p><b>Question 4 (Page 8 of 49)</b> <b>For all individual stakeholders</b> — What is the most significant administrative burden (in terms of change management, introduction of new courses, feedback to competent authorities, etc.) linked to the ATO concept that is avoided by the BTO or RTO concept?</p> <p>- I would support a BTO (and, less, an RTO) over an ATO as time and information required to be submitted and recorded in the training students, instructors, balloons themselves, launch sites, etc etc, would be onerous, expensive and unnecessary for each individual training flight - with no advantage. Relevant information as a summary at the end of the trainee training, as currently occurs, is fine.</p> <p>The external audits that are required for an ATO are, again, not necessary when a perfectly strict and appropriate internal audit system within a BTO is in place, as with current balloon pilot / instructor training.</p>
response	<p>Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information. With regard to your comment on external auditing, please check the responses to comments No 51 and 85 for further information.</p>
comment	<p>298 <span style="float: right;">comment by: <i>Jeremy Hinton</i></span></p> <p>This 'analysis of impacts' suggests that Option 0 is onerous, expensive, and has negligible if any safety improvement over Options 1 and 2.</p> <p>[In fact, Option 0 could prove far safer since it would inevitably lead to fewer pilots, less flying, and possibly the end of ballooning (as an <b>unintended consequence</b>).]</p> <p>Ballooning is already in a fragile state, so "minimum necessary rules" is the appropriate approach. <b>Option 2</b>, BTO, seems most appropriate.</p>



response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 310 comment by: *Jeremy Hinton*

There is a real risk that a consequence of increased cost and effort in balloon training and licencing will effectively end the practicality of ballooning in parts of Europe.

I am heartened by the approach in this CRT which envisages minimum necessary rules.

The requirements of the original ATO are over-onerous on the Pu/t, the Instructor, and the ATO in terms of work and cost, and the requirements do not lead to improved training, supervision, or oversight.

Thank you for countenancing options to this micro-managing threat to ballooning.

Only **Option 2** can be supported.

response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 328 comment by: *Michael Noyce*

I would favour a BTO which will give an equivalent safety standard with a lightly regulated training organisation for ballooning.  
I want a solution which will not risk further changes if the basic regulations change

response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 329 comment by: *Richard Turnbull*

The BTO is the best option here [option 2] . This solution should be sought which will not be changed if the basic regulations do so.



response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

330

comment by: *Richard Turnbull*

Again here, I feel the BTO and RTO are the way forward, An ATO will be too costly for all concerned.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

348

comment by: *KSAK - Swedish Royal Aero Club*

Swedish Royal Aero Club hope that the agency and the working group will take a closer look at **option no 2(if 1 not available) for general non-complex flight training and option no 3 for additional ratings**. Additional ratings are often brief and the students are already at an acceptable level of experience. The current regulations are to some extent standing in the way of easy access to additional ratings that will increase flight safety. They also do not require a flight test with an examiner which already is a statement to the fact that the risk is very low.

Go for the option no 2 structure for the licenses and then option no 3 for the additional ratings. Make it possible for the additional ratings to be completed outside of training organisations. It would greatly increase the availability which increases flight safety as more pilots acquires those ratings. The same requirements on freelance instructors when doing the CBIR should be set for the additional ratings.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment proposing to go for Option No 3 (training privileges to individual instructors) for providing training for additional ratings, please check the response to comment No 32 for more information.

comment

350

comment by: *KSAK - Swedish Royal Aero Club*

Questions to stake holders

**2 - RFs:**

It is difficult to estimate the cost of a transition from Registered Facility to an ATO but this is an example.

There is a need to develop three new extensive manuals, OM, TM and SMS. The Swedish CAA charge us about 150 euros/hr(!) for reading and commenting the manuals. At least half of that should be considered as an hourly cost for the head of training or consultant.

a-b:

Writing the manuals(incl rewriting after CAA review): 100 hrs á 75 euros = 7500 euros

Review of manuals by CAA: 16 hrs á 150 euros = 2400 euros

Audit by CAA: Should be included in the above

Issue of approval: 1500 euros

**TOTAL: 11 400 euros**

c-d:

Recurring costs are about **1500 euros**. Not including fees for renewal of instructor licenses.

**4 - Individuals:**

The reduction of paperwork and oversight required is the main factor. This reduces the cost for all parties involved. The training programme can be developed in a few days instead of weeks and if the CAA feel less obliged to do auditing it would also reduce their costs.

We cannot see any drawbacks with RTO or BTO in this aspect.

**5 - Administrative cost impact:**

We cannot see any negative cost impacts with this proposals. The training programme as the only required paperwork is most likely already a part of the current training manual. Now we just want to make sure that the additional ratings can be covered outside of training organisations.

response

Noted.

Thank you for providing this comment and the information contained therein.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

353 ❖

comment by: *DGAC France*

**Subject:**

DGAC support for option 1 (RTO)

**Content:**



Agency considers the current basic regulation (EC) n°216/2008 (article 7(3)) requires pilot training organisations to be approved and does not authorise the concept of declaration/registration as it was proposed in the concept of RTO (identified in the RIA as option 1) (see page 5/49).

Nevertheless DGAC believes that the TF « Training outside ATO » aimed and continues to aim at proposing a genuine alternative to the concept of approved training organisation (ATO) as it stands today in the aircrew regulation (UE) n°1178/2011 (identified in the RIA as option 0).

Besides article 22 of the proposal for a new basic regulation (published on the 7th December 2015) provides the CE the possibility to adopt delegated acts that may exempt training organisations to be approved. Therefore the concept of declaration/registration (RTO) for pilot training organisation providing only training towards PPL, LAPL, SPL, BPL could be possible in a future amended aircrew regulation.

We are afraid that introducing now the concept of BTO (identified in the RIA as option 2) to be implemented without waiting for the amended basic regulation will again introduce a very complex regulatory system and burden on the Member States, and this only for a short period of time.

We remain convinced that the concept of registered training organisation (RTO), identified in the RIA as option 1, fully meets the GA Agency roadmap and the EC objectives that were set during October 2014 EASA Committee. This confidence is reinforced by the fact that our GA users fully share and are fully involved in the RTO concept. Going back to a certification/approval process is not the way decided by the GA community.

It seems to us that the work of the TF « Training outside ATO » (RMT 0657) aims at defining a medium term solution and that the current legal constraints of the Basic Regulation should not lead to discard a new concept that should, in accordance with the orientation of the GA roadmap adopted by the Agency, be possible with the future basic regulation. A short term solution is not in favour of a stable regulatory framework and has to be avoided.

DGAC requests that the concept of declaration/registration (RTO) is kept in the Opinion to be published by the Agency, having in mind an implementation date compatible with the future Basic Regulation applicability.

response

Accepted.

Thank you for providing this comment.

As shown in the Explanatory Note to the Opinion, the overall concept has been revised and is now containing a proposal to introduce a “declared training organisation” (DTO) not requiring prior approval. This revised concept, being assessed as ‘Option 4’ in a complemented Regulatory Impact Assessment and considering also the legal possibilities in the upcoming changes to the Regulation, was identified to be the best solution to grant the relief requested for the general aviation training domain while still keeping a necessary minimum of organisational requirements as well as sufficient oversight provisions for competent authorities. Please refer to the Explanatory Note to the Opinion for further information and reasoning.



comment	385	comment by: <i>Pete Forster</i>
	I would support option 2. A simple and lightly regulated training organisation is adequate for the ballooning training environment. It should further be impervious to any future changes in the Basic Regulations.	
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.	

comment	386	comment by: <i>Pete Forster</i>
	Re: 4. I support the lesser administrative burden of operating a BTO vs an ATO. The burden of operating an ATO would be unnecessarily costly and burdensome and therefore likely to lead to a reduction of training candidates and ballooning in general.	
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.	

comment	392	comment by: <i>DGAC France</i>
	<p><b>Subject:</b> §2.3.2.4 and GA expectations</p> <p><b>Content:</b> DGAC does not agree about the fact that option 2 BTO largely achieve the changes requested by general aviation. The objective was to find a solution outside certification. Option 1 RTO on the contrary fully meets the objective.</p>	
response	Accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.	

comment	416	comment by: <i>Andy Walker</i>
	As an individual hot air balloon instructor I support option 2 as the best balance between cost and benefit. The problem with a proposal such as 0 with a large and diverse instructor	



population operating at a huge variety of locations is that collecting, chasing, collating and completing the data will be a huge administrative burden, far in excess of any potential benefit. It is quite different from a typical PPL set-up with a relatively small number of mostly fulltime instructors at a small number of locations.

response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 417 comment by: *Andy Walker*

As an individual unpaid instructor I am happy to debrief and write up my student's performance. The additional burden of writing a second version of the report is unwelcome - this would require to be done not in a warm office at an airfield with a photocopier and computer to hand, but perhaps in a damp field with dark approaching and no mobile phone signal. If it is not immediately done, the effort for the ATO in chasing any missing data will be significant. Again this is not a matter of a small number of instructors at a few known locations, but a large number of instructors in diverse locations, with non-standard data. Collecting and collating only those reports relevant to licensing reduces the load and eliminates the need for duplication as only the original pilot copy needs analysis and no second version needs to be produced.

response Noted.  
Thank you for providing this comment.  
With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment 425 comment by: *Ann Rich*

I support option 2, the BTO, as the most appropriate option for ballooning.  
We need a stable training solution that will not be further changed should the Basic Regulations change.  
The BTO would offer this, and also provide a lightly regulated training environment that is suited to the ballooning community.

response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 426 comment by: *Ann Rich*



	<p>Q4. I support the reduced administrative load associated with a BTO (or RTO), which is best suited to the balloon community, and is the system in operation now (in the UK). The requirement to collect records only at the end of training is a much lighter administrative load than the real time information of every flight required for an ATO. The significant additional administrative load required of the ATO, to gather, analyse and file the data cannot be justified for balloon training.</p> <p>Furthermore the BTO would not be subject to the expense of external audits, requiring preparation and the cost of oversight by an external body, but would be subject only to the more cost effective internal audit.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.</p>
comment	<p>461 comment by: <i>FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS</i></p> <p><b><u>2.3.2.4 General aviation and proportionality issues</u></b></p> <p>Option 1 will LARGELY achieved. Option 1 is totally in phase with the "real life".</p> <p>CNFAS note that BTO is not in line with the strategic direction of the GA Safety Strategy adopted in 2012, because BTO has a "light" approval. It's not in line with EASA Roma's conference.</p> <p>Option 2 doesn't achieved the requested changes by the GA Roadmap</p> <p>Option 2 doesn't develop a possibility for training outside ATOs due to the "light" approval expectation.</p> <p><b><u>2.3.2.5. Impact on "better regulation" and harmonisation</u></b></p> <p>Option 1 will be in compliance with BR when discussions will be achieved (2017). In that case, as soon as the BR will be modified, Option 1 will be in compliance and the Agency will be in accordance with GA Roadmap objectives.</p> <p>Option 2 in in accordance with the actual BR but the ongoing discussions between the Commission and Member states to insert an alleviation to the approval requirement in revised Basic Regulation.</p> <p><b><u>2.3.3. Comparison and conclusion</u></b></p> <p>Option 2 is not the most appropriate option due to the light approval required for BTO. CNFAS reminds the Agency that the aim of this NPA is to develop a possibility for training outside ATOs. In other terms, without approval.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>



comment

495

comment by: *The Norwegian Air Sports Federation*

NLF would like to highlight our conclusions in the General Comments section. We would encourage EASA to consider the three different paths, all aiming to provide an RTO solution instead of – or as a complement to – the suggested BTO concept.

One of the main reasons why we believe a BTO-only solution is not ideal, is that the various NAAs in Europe are likely to apply different methods of oversight, leading to different regulatory burdens from state to state. This is also recognised by EASA TF in the NPA (please see 2.3.2.3 Economic impact). A stringent oversight approach may also lead to higher user fees than necessary, which could force some small training organisations to go out of business.

Indeed, NLF would argue that three models could work well in parallel: ATO, BTO and RTO.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment on having ATO, BTO and RTO in parallel, the Agency would like to highlight that it should be avoided to establish too many different types of training organisations with – most probably – overlapping training privileges. With the current proposal to have ATOs as general type of training organisation in place and, for general aviation training purposes solely, in addition the DTO not requiring prior approval and receiving benefits from lighter requirements, we strongly believe that the needs of all different training providers will be met by the regulatory framework.

comment

513

comment by: *The Norwegian Air Sports Federation*

The vast majority of flying schools operated by NLF's member clubs are still organised as individual national training organisations and JAR RFs. A couple of individual schools have, however, converted – or have started to convert – to an ATO. The questions are answered on this background.

1 a: Yes.

1 b: Approximately 400 hrs

1 c: Estimated to 40 hrs

2 a: The cost is estimated to be in the region of EUR 500.000 for sailplane, ballooning and



motor flying schools in total.  
 2 b: The initial cost can be found above.  
 2 c: In addition, a recurring cost of approximately EUR 150.000 per year can be estimated, based on a central ATO, to which the local flying schools can be attached.

3: N/A

4: There is a significant difference between the ATO on one side and the BTO/RTO on the other with regard to how much documentation is needed. These flying schools operate safely and economically as of today, and any new administrative exercise (from preparing manuals to implementing safety systems) will add an administrative layer, for which there are currently no resources available. This means that the flying training will become more expensive to cover the cost for an administrative burden, which has no safety case supporting it. The way we understand the BTO concept on the contrary, the flying schools can continue to use their existing training programmes, albeit with some minor modifications to the extent there are gaps between them and the requirements of the EASA regulation. There is no need for an SMS per se, which on a recreational activity is entirely disproportionate in the first place.

5: The BTO concept could have almost zero economical impact compared to the current RF structure, if – and only if – the interpretation culprits discussed in this response are avoided. We see a huge risk that NAAs will approach a BTO from the background of an ATO methodology, hence goldplating a rather minimalistic BTO approach, increasing the costs substantially. The wording of the regulation has to be much more precise to counteract this, and the RTO path should be explored further, since its legal basis is clearer.

response

Noted.  
 Thank you for providing this comment and the information contained therein.  
 The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

515

comment by: Will

General comments: The ATO is too complicated & more expensive .  
 I support option 2 -  
 BTO with light approval as this is the most appropriate for ballooning.  
 I would prefer a settled situation that stay in place even if the regulations change.

response

Noted.  
 Thank you for providing this positive feedback.  
 The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.



comment

516

comment by: *Will*

Question 4 , page 8 : The RTO has a more manageable level of data recording , recording all information after each flight is too much work and would need extra staff and therefore extra expense.

The ATO also requires external audit which is more expensive and time consuming.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment

523

comment by: *Will*

response

Noted.

The Agency thanks you for your silent consent.

comment

524

comment by: *Will*

response

Noted.

The Agency thanks you for your silent consent.

comment

527

comment by: *Peter Dalby*

I would like to support Option 2 (BTO). This is the most proportionate option for ballooning with regards to producing well trained students at an affordable cost, both to the student pilot and the training organisation. This type of training has taken place in the UK for many years with an excellent safety record.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.



comment

529

comment by: *Peter Dalby*

Para 2.3.2.3. The BTO/RTO options place much less of an administrative cost burden on the training organisation. Real time recording of every training flight/training balloon/training location/training pilot would require employment of staff in an organisation which prides itself on running an efficient and safe training regime run essentially by volunteers.

The ATO option requires an expensive external audit which is expensive and burdensome to the National Aviation Authority. An internally audited BTO/RTO is cheaper and more appropriate.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment

532

comment by: *GailG*

P7, general comment on the 4 options -

I support option 2 as the most suitable option for balloon flight training.

The detailed flight by flight information required for the ATO would be a disproportionate administrative burden and expense.

The BTO with light approval gives us a simpler solution which would also offer some stability even if the basic regulations change.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment

536

comment by: *GailG*

P8 (4) ... what is the most significant administrative burden ..?

The recording of detailed information at the time of each flight adds a significant amount of data to be entered analysed and checked and would need extra personnel to manage the data, and hence more expense for what seems to be little added value for balloon flight training. The BTO recording of data at the end of training would incur less



administrative cost and overhead.

It seems an ATO would also require external rather than internal audit which would add further expense and the additional data held by the ATO would make it more time consuming.

response

Noted.

Thank you for providing this comment.

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment

546

comment by: *Nick Bettin*

I comment on behalf of myself and my wife: Sarah Bettin - also a commercially qualified balloon pilot.

We support the option (no.2) for a BTO as the most realistic solution for a simple and lightly regulated training organisation for ballooning. We need to encourage new people into the sport in order to sustain the industries built up around this form of aviation. If it is too heavily regulated and thus too expensive it will simply disappear. We therefore want a solution once and for all which does not risk further changes if the Basic Regulations change.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

549

comment by: *Nick Bettin*

The system proposed is both overly cumbersome and an unnecessary burden to anyone or organisation trying to promote the beauty and simplicity of ballooning. The detail and records required are simply a nonsense for this form of aviation....and possibly others too.

The ATO would require real time information on all training, students, instructors, balloons and launch sites which meant employing staff to carry out the administration work recording every single training flight. All this information needs to be analysed and filed. At what cost and to who I ask?

The BTO or RTO would only require records to be collected at the end of the training so this is a much lighter admin cost.

Also external audits required for an ATO lead to expensive oversight fees from NAAs plus the administration cost of preparing for audits. The BTO and RTO only require internal audits which are less expensive.

So we vehemently oppose the ATO, and support the alternate BTO/RTO.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of



‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment 573 comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

For ballooning, we need the lightest possible regulation. I have been in contact with instructors in Germany, who tell me how absurdly bureaucratic and expensive their ATOs are. It seems the RTO was preferable but due to issues with the BR at present, it can not be implemented yet and for sure we can't wait with many more years of uncertainty. The next least worst option is the BTO, provided the NAAs act proportionately with their approval process. I therefore support the simplest possible BTO with the minimum supervision and the lightest approval process.

response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 574 comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

The RTO (or appropriately lightly regulated BTO) for ballooning should be much lower costs for students and for instructors. Under RTO/BTO rather than ATO, record keeping at the TO is much less, there are no external audits and no (for balloons) unnecessary keeping of aircraft records. Adopting the RTO/BTO rather than the heavy ATO is critical for the continuation of sport ballooning.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
With regard to your comment on record-keeping, please check the responses to comment No 38 and 48 for further information.

comment 600 comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

Option 2 appears a reasonable option, as it appears to allow a small well organised small scale training organisation requiring minimal resource to operate safely. A 'light' approval will allow the organisation to again focus on its training activities instead of complex ATO approval procedures and administrative burden.



response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 601 comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

The more proportionate cost impact of option 2 is the key reason why VVMV would welcome the initiative. However it has to be said that it should have been introduced earlier, or rather the RTF should never have been abandoned without good reason. The economic impact, time wasted and period of uncertainty by the aeroclubs cannot be reversed. This has not been EASA's finest moment.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 606 comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

Question 1; in Belgium three ATO template manuals were developed by VVMV, at an estimated cost of approximately 200 hours per manual. We did not get any cost estimate of the few aeroclubs that recently managed to convert to the ATO structure using our manuals. It remains too early for any annual revision cost estimate.

Question 2; feedback from RTFs that budgeted for conversion to ATO was in the order of EUR 3-5,000. This includes the fee payable to the Belgian CAA and an allowance for manpower, legal advice, and cost of changing the association's by laws. Recurring costs are estimated EUR 1-2,000 per annum.

Question 4; key burdens linked to the ATO concept to date have been:

- Filling the various postholder functions; for smaller aeroclubs with few students and few instructors this has proved to be difficult.
- Writing the ATO manuals; it appears that there has been a significant amount of "reinventing the wheel" by individual training organisations, associations and national authorities alike, each drafting their own versions of what should have been very similar sets of manuals, all of which requiring line-by-line review by the national authority thus adding further cost. In our opinion too much of EASA regulation was left to local interpretation.

In Belgium, VVMV has cooperated extensively with the Belgian CAA in the production of its template manuals, significantly lowering the cost for its member aeroclubs.

- It remains to be seen what will be the ongoing cost of continued compliance and keeping the manuals up-to-date. Efforts thus far have been focused on writing manuals.



response	Noted. Thank you for providing this comment and the information contained therein.
comment	609 <span style="float: right;">comment by: <i>Allie Dunnington</i></span>  An ATO would be very expensive due to the huge amount of extra paperwork and administration involved for no benefit to safety, better training or advantages to the student. It would only cause more bureaucracy and costs as the instructor would have to send in documentation of every training flight done.
response	Noted. Thank you for providing this comment. With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.
comment	610 <span style="float: right;">comment by: <i>Allie Dunnington</i></span>  this comment applies to point 1:  Whilst an RTO has lighter regulations and allows records to be collected after the training is finished, I understand that EASA has issues with RTO conflicting with 'basic regulations'
response	Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.
comment	611 <span style="float: right;">comment by: <i>Allie Dunnington</i></span>  no 2:  BTO: EASA seems to approve with this proposal which only requires 'light' approval by the National Aviation Authority. This system would be my preferred option.
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.



comment	<p>612 <span style="float: right;">comment by: <i>Allie Dunnington</i></span></p> <p>option no 3: no training system at all. I don't agree with that option as it makes the training too liable for weakening a perfectly safe and valuable system that the BBAC has created over years in conjunction with its CAA. Having no training would seriously diminish the high and world-wide recognised standards of British Balloon training and its licences whether on a PPL or CPL level.</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>613 <span style="float: right;">comment by: <i>Kevin Meehan</i></span></p> <p>I support the establishment of a BTO as described in Option 2 . My reason for this requesting this option for ballooning is that it will give a more proportionate solution for the training of balloon pilots provided that the implementation is simple and straightforward. However, it is important that once adopted the requirements for a BTO are not changed if and when the basic regulations are changed.</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>614 <span style="float: right;">comment by: <i>Kevin Meehan</i></span></p> <p><b>question 4                      What is the most significant administrative burden ---</b></p> <p>The proposals for a BTO / RTO will reduce the level of administration for balloon training when compared to the proposed requirements of an ATO for balloon training.</p> <p>Balloon training in the UK is mainly carried out by volunteers and not at fixed bases. Training records are maintained and submitted at the end of the training for analysis to see where improvements can be made.</p> <p>The requirements for an ATO to record a comprehensive list of training information in real time would add a considerable financial burden without any safety improvements. This would add considerably to the cost of training for students.</p> <p>In addition, the requirement for external audits by NAA's of an ATO would also add additional costs, whereas the the BTO with internal audits would reduce the financial costs</p>



response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment

637

comment by: FAA

Regarding 2.3.2.1 Safety Impact- Option 3: Some negative impact on safety, as it will be more difficult to perform adequate oversight and standardisation of training.

Comments:

The FAA acknowledges the difficulties associated with the oversight and standardization of flight training conducted outside of an ATO environment. However, experience has demonstrated that an acceptable level of standardization, and with it safety, may be achieved even with a reduced level of direct oversight. These results may be achieved in a number of ways.

First, even while teaching outside of an ATO environment, individual instructors and their students may continue to be tested to performance standards that are equal (or perhaps identical) to those mandated for use by ATO's. A common testing standard will ensure the standardization of training methods, and with them, a common level of competency among all applicants who pursue a new license or rating.

Next, EASA may issue guidance to aid independent instructors with the development of their own instructional materials. Individual aviation authorities may also publish approved instructional syllabi (or guidance for the development of such) to aid instructors and promote standardization outside of an ATO environment.

Finally, while continuous oversight of instructors teaching outside of an ATO environment may be difficult, national authorities may instead chose to conduct periodic audits to help ensure a requisite performance standard. For example, authorities may choose to monitor the pass-fail rates for applicants taught by independent instructors. Those instructors whose students have a pass rate below acceptable standards may be subject to additional oversight, required to take additional training, or have their privileges suspended or revoked.

In regards to the safety implications of training conducted outside of an ATO-type of environment, a strong case can be made that such training can be conducted while



response

maintaining a requisite level of safety. In 2013, the FAA completed a study titled *Effects of Training School Type and Examiner Type on General Aviation Flight Safety*. This study addressed the question “Do training school type and certifying examiner type affect a general aviation pilot’s subsequent aviation safety record?” The results indicated that school type (part 61 versus part 141) does not affect subsequent accident rates. For U.S. GA pilots receiving their private pilot certificates from 1995-2007 and for whom data could be obtained, part 61 graduates’ subsequent accident rate appeared on a par with part 141 graduates.

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your support for Option 3 of the Regulatory Impact Assessment, please check the response to comment No 32 for further information.

In addition to that, the Agency would like to point out that the revised DTO concept contains elements for a reduced set of rules which will

- grant major relief to general aviation (GA) training providers with regard to building up and maintain a training organisation including the required documentation
- still allow competent authorities to conduct risk- and performance – based oversight; and
- allow individuals holding an instructor certificate to establish the required minimum of organisational structure in a much more easier way than establishing an ATO structure.

Additionally, the competent authorities of the Member States will be entitled to publish standard training programmes (see new ARA.DTO.115). DTOs could make use of these standard programmes instead of being obliged to develop their own documents. This will also constitute an alleviation for GA training providers. To promote a high level of standardisation, the Agency will also consider to develop additional AMC or GM on such standard training programmes.

comment

638

comment by: FAA

Regarding 2.3.2.2 Social Impact- 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.

Comments:

With this option, the overall demand for flight training is unlikely to decrease. In fact, the lower costs mentioned may result in an increased number of private pilot applicants. As a result, these new private pilots may choose to continue their training and earn advanced licenses or ratings. In turn, this would drive some additional demand for ATO services, offsetting some of the losses in private pilot applicants.



response	<p>Moreover, while the training organizations themselves may get smaller, the instructors who staff those organizations may find other teaching opportunities outside of the ATO. This may also create new entrepreneurial opportunities for instructors who do not wish to teach in an ATO environment, or simply cannot because such an organization is unavailable to them.</p> <p>Noted. Thank you for providing this comment. Please check the response to comment No 637 (your comment).</p>
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comment	<p>639 <span style="float: right;">comment by: FAA</span></p> <p>Regarding 2.3.2.4 General Aviation and Proportionality Issues- 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.</p> <p>Comments:</p> <p>As noted in previous comments, standardization may be achieved through the use of common syllabi, practical test standards, and testing methods. The performance of applicants recommended by each instructor may also be monitored. Those instructors whose students have a pass rate below acceptable standards may be subject to additional oversight, required to take additional training, or have their privileges suspended or revoked.</p> <p>The FAA also notes that in its studies, the accident rate of those training in an ATO-type of environment, versus those trained outside of such an environment, are similar. This suggests that the skill and competency of those trained in a non-ATO environment is comparable to pilots trained in an ATO-type of facility.</p>
response	<p>Noted. Thank you for providing this comment. Please check the response to comment No 637 (your comment).</p>

comment	<p>640 <span style="float: right;">comment by: FAA</span></p> <p>Regarding 2.3.3, Comparison and Conclusion, the page 10 text that includes: 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.</p> <p>Comments:</p>
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	<p>As noted in previous comments, standardization may be achieved through the use of common syllabi, practical test standards, and testing methods. The performance of applicants recommended by each instructor may also be monitored.</p> <p>The FAA also notes that in its studies, the accident rate of those training in an ATO-type of environment, versus those trained outside of such an environment, are similar. This suggests that the skill and competency of those trained in a non-ATO environment is comparable to pilots trained in an ATO-type of facility.</p>
response	<p>Noted. Thank you for providing this comment. Please check the response to comment No 637 (your comment).</p>

comment	<p>646 <span style="float: right;">comment by: <i>Allie Dunnington</i></span></p> <p>This refers to page 8 of 49 or question 4:</p> <p>I strongly support the proposed BTO and RTO due to their much more efficient way of administration and handling. An ATO would require endless documentation, paperwork, administration and extra cost for each and every training flight. Those costs would have to be passed down to the training student and would make the costs of training exorbitant for most young people who already struggle to afford ballooning under the current more simple system. The additional administration work required could also mean that many current instructors would give up their post as even they could not afford the time and effort required under the bureaucratic ATO system.</p> <p>In addition to monitoring and documenting every single training flight and ATO will also require external audits which will also lead to much higher costs for both the instructor and the students. Both BTO and RTO will only require internal audits which can be much easier facilitated and would not incur huge extra costs.</p> <p>The actual training and quality would not be reduced by using the simpler BTO and RTO system.</p>
response	<p>Noted. Thank you for providing this comment. With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.</p>

comment	<p>659 <span style="float: right;">comment by: <i>Tonny Henriksen</i></span></p> <p>NPA Page 7: The Danish Ballooning Association supports the idea of Basic Training Organisations.</p>
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	<p>NPA Page 8, question 4: The Danish Ballooning Association DBU supports the reduced administration associated with BTU and especially the fact that ongoing administrative follow-up is replaced by a totalisation at the end of training. Furthermore, we support that external audits is to be replaced by annual internal audits.</p> <p>NPA page 10 Section 2.4: The Danish Ballooning Association DBU: It mentions a full review of Part FCL must be carried out in connection with BTO. When can we expect this?</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.</p> <p>With regard to your question on the 'complete review of Part-FCL aiming at introducing the BTO concept' (NPA 2015-20, Chapter 2.4), please be informed that this point was referring to a review of Part-FCL for the purpose of identifying all paragraphs of Part-FCL that contain a reference to 'ATO' and, if necessary, amend these paragraphs to also refer to 'BTO' (now: 'DTO'). This review has already been done as part of this rulemaking task.</p>
comment	<p>713 <span style="float: right;">comment by: <i>Ian Wadey</i></span></p> <p>I consider 'Option 2 - BTO with light approval' is the most realistic option to keep a simple and lightly regulated training organisation for ballooning. This will give continuity to a well established UK training regime that ballooning has had for many years and any future solution needs to be final and not put at risk from any future changes even if the basic regulations change.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>714 <span style="float: right;">comment by: <i>Ian Wadey</i></span></p> <p>I must support the low administration costs associated with either a Basic (or even a Registered) Training Organisation and it's lower administration costs.</p> <p>An Approved Training Organisation requires real time training information which needs to be analysed, filed and audited. The cost would be disproportionate to the benefits and the limited number of balloonists to support it.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the</p>



response to comment No 353 for more information.  
With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

comment

774

comment by: *Flying Club President*

The options provided are typical of the reason there is no trust remaining in the Agency (RMT):

Option 1 Appears to be an RF equivalent, but not only is the O word used to try and include it in Article7(3) but also the classically slipper language is used (incase this option is chosen):

" adapted ATO structure "

*adapted* - how? like the BTO i suppose?

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

775

comment by: *Flying Club President*

Option 3 is what they have in the USA

It meets the objectives of the road map and it doesn't conflict with the Bilateral Agreement process.

There is no increased risk in the USA and therefore we have the evidence that there is no Safety Case to do more. I think we'll do very well continuing with this current state of play.

If EASA were to make 'recommendations' I think you would find most people would be compliant, because they are naturally conformative anyway. A situation that should not be abused.

This must sound horrific to regulators who must believe things work *because* of them, that is not why things work.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 32 for further information.

comment

776

comment by: *Flying Club President*

	<p>RISK</p> <p>Option 0 There is some evidence that the current level of safety is unsatisfactory, with a tickbox approach and skills being lost. Evidence shows higher accident levels in ATOs than in RFs. Maintaining this poor level of safety would not be best.</p> <p>Option1 If it were a true RF rather than a RTO BTO 'adapted ATO', then there is a big safety premium since Facilities will focus on their safety since it is so important for their continuing success.</p> <p>Option2 Has some negative safety impact because some 'operators' of BTOs might in good faith believe that their compliance activities will actually help their safety performance. Therefore their actual risk will increase. The oversight envisioned is really justification of fee income for CAs, with some negative impact on safety.</p> <p>Option3 This is what happens in the USA and there is no evidence of any negative safety impact. There is no evidence that "to perform adequate oversight and standardisation of training" is of any benefit other than to sound like someone is doing something</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>With regard to your support for Option 3, please check the response to comment No 32.</p>

comment	<p>777 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>Social Impact:</p> <p>Option0 Accepted. The negative impact of disproportionate compliance requirements is extremely damaging to GA</p> <p>Putting Option1 and Option2 together is not helpful.</p> <p>Option1 If a true RF would be proportionate</p> <p>Option2 Still has huge compliance issues and unchecked irrational oversight, exposure to abuse of power, too much power for the regulator, that they have historically abused.</p> <p>Option3</p>
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	<p>"the cost for private pilot training will be reduced, enabling more prospective pilots to obtain a private pilot license" accepted, very good. As for National TOs and RFs going out of business because of the exposure to competition; it would be healthy and will cause them to increase the market proposition they provide. Giving a better service, delivering a better product.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. With regard to your support for Option 3, please check the response to comment No 32.</p>

comment	<p>778 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>Economic Impact</p> <p>Option0 Agree, totally unacceptable economic consequences.</p> <p>Option1 RFs; fees to the CA would be welcome, especially if it meant the CA didn't have to 'make up' pointless functions to charge for.</p> <p>Option2 Too much exposure to random standards from CAs, could be expensive in terms of time wasted doing counter productive activities. The flexibility to adapt to immediate market requirements reduces the economic performance of the TO.</p> <p>Option3 Leads to increase in this 'high value' sector leading to more viable aerodromes, more engineers and more economic activity in the GA support sectors.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. With regard to your support for Option 3, please check the response to comment No 32.</p>

comment	<p>779 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>Cost questionnaire:</p> <p>This is slightly naughty</p>
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	<p>1 ATOs                  Many ATOs have all the manuals required, but hey did not write them and the could not have written them. They have purchased them, they don't actually use them, they merely go through the motions for the purpose of giving the impression of compliance. A huge amount of time and effort is spent unproductively within the ATO.                  Costs 50% admin time.</p> <p>2                  a 10% of internal admin time                  b negligible                  c negligible                  d negligible, but would be happy to pay a straight fee if efficiently imposed.</p> <p>3                  For CAs                  Retaining the RF or will lead to a larger industry (than with ATO and BTO) and ultimately will leave an industry to regulate. Whereas if there is no industry there will be a large surplus of inspectorate who will have to feed from progressively fewer TOs. Quick decisions will prevent the CAs over employing staff that would be required to administer inappropriate functions.</p> <p>4 The cost in the ATO is not only the admin time but the amount of useful activity that doesn't get done. ATO cost 800 man days (50%). Not to mention the cost in accidents.</p> <p>5 The combination of fiendishly complex regulations and inflexibility to service customer demand already renders small GA outfits unviable even without any ATO, RF, RTO BTO requirements.                  Even with the RF there are requirements that lose business unnecessarily for RFs.</p>
<p>response</p>	<p>Noted.                  Thank you for providing this comment and the information contained therein.                  The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>

<p>comment</p>	<p>780 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>2.3.2.4 Proportionality                  Option0                  Agree – disaster, already excessive and should be reformed.</p> <p>Option1                  Yes Agree, "will achieve" an RF would achieve the proportionately issues, unless a sneaky back door burden is added to it.</p> <p>Option2</p>
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	<p>"will largely achieve" Don't agree, the proposer underestimates the damage their inspectors and particularly constraints impose.</p> <p>Option3 Yes will achieve the objectives. These limited and fairly unimportant negatives are not substantial; they are mostly a problem of 'window dressing'. Examiners guard the standard, no evidence that quality might slip.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. With regard to your support for Option 3, please check the response to comment No 32.</p>

comment	<p>781 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>Better regulation Option0 Agree – this is not good regulation.</p> <p>Option1 Yes agree it's a good solution, If the BR needs to be changed then it needs to be changed and it should have been done before it cost the sector 5 wasted years. If it's a bit late now then hurry up please, alleviate for as long a necessary to remove this punitive requirement to be "Approved". The RMT must be given the time to develop what the Commission, Agency etc have required of it.</p> <p>Option2 Since this is compliant with Basic Regulation then it would be a good framework to consider for schools teaching CPL courses. It would have an enormously stimulating effect on the sector. There is no reason why this framework proposed should be limited in any way in the training it might deliver. THIS is the Better regulation version of what the ATO requirements could be.</p> <p>Option3 Sounds good, no conflict with ICAO, FAA, or the free market. "problems are expected, due to the new training provision paradigm." what problems? WHAT "NEW PARADIGM"!!!? (there's not another layer around the corner is there?)</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. With regard to your support for Option 3, please check the response to comment No 32. Additionally, with regard to the question at the end of your comment, the Agency would</p>



like to clarify that giving training privileges to individual instructors without any organisational requirements would not have been in line with the overall philosophy within the EU regulatory framework to let aviation core activities to take place within a so-called controlled environment - please check the response to comment No 32 for more information). Deviating from this philosophy would have constituted a 'new training provision paradigm'.

comment

782

comment by: *Flying Club President*

#### Conclusion

Agree Option0 is SO bad that it should be scrapped for all TOs, Current ATOs should not be required to comply.

#### Option 1 and 2

There's less Air between these 2 options now. They are different. It smells of the thing that causes trust breakdown in CAs. The RF seems to have become a BTO, which is really still an ATO with a different name.

#### Option 3

Yes this would be very good on many levels. Including that it is compatible with ICAO and the FAA, good for the economics. The assumption is not accepted that lack of standardisation is a bad thing. When a whole population is standardised to some incorrect principal, then it is less safe. (note the negative safety impact from heavier emphasis on automation, which is now seen as responsible for a large increase in accidents and incidents, Some high profile ones (Airfrance, Sumburgh etc)

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your support for Option 3, please check the response to comment No 32.

comment

783

comment by: *Flying Club President*

"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."

WHAT !!

I knew there was a reason to try and make 1 and 2 sound similar....

NO ! If Option 1 needs rule change then do it – yesterday!



response	<p>Option 1 Does not need rule change anyway because if there is a rule saying that EASA approves RFs then they are ATOs</p> <p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>784 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>Any Option Chosen should be called an ATO anyway</p> <p>if the Rf if accepted then it is Approved if the BTO is accepted then it is an ATO also</p> <p>if ‘no organisation’ is accepted (which was requested of this RMTg) then that would also be an ATO...</p> <p>Then there are a lot of other rules that don't need to be re-written.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. Additionally, the Agency would like to point out that the former registered facilities according to JAR-FCL did not require prior approval, they were ‘just’ registered. Also the future DTO is not approved, it just declares its activity to the competent authority. A pure declaration or registration process has to be clearly distinguished from an approval process; only the latter ends with the issue of an approval. Therefore, it would be inconsistent to call RFs or DTOs ‘approved training organisations’.</p>
comment	<p>835 <span style="float: right;">comment by: <i>Slowfly</i></span></p> <p>Question n.4 Training documentation should be collected at end of training course and not real time after every section, reducing bureaucracy and time consuming work. We should also have a system of internal auditing and not external so to reduce costs of training organization.</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. Additionally, the Agency would like to highlight that Part-DTO does not foresee external</p>



audits, just inspections by the competent authority (new ARA.GEN.305 (f)), in addition to an annual internal review to be completed by the DTO itself (DTO.GEN.270 – former BTO.GEN.210).

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

With regard to your comment on external auditing, please check the responses to comments No 51 and 85 for further information.

comment 861 comment by: Robert Cross - BBAC

We support option 2. An ATO is too expensive. BTO is sensible as it more lightly regulated.

response Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 862 comment by: Robert Cross - BBAC

I support reduced admin of BTO/RTO. Records can be sent at end of training.

ATO requires more admin and additional staff/resources. ATO requires costly external audits.

response Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.

With regard to your comment on external auditing, please check the responses to comments No 51 and 85 for further information.

comment 875 comment by: Aero-Club of Switzerland

Page 8/49 by AeCS/MFVS/SFVS:

You ask for figures. It was, of course, not easy to get reliable facts, but here are some figures:

To your question 1: Between 250 and 450 working hours had to be invested, depending on the size of the entity involvend and of the spectrum of services offered.

To 1. a.: There are several ATO's in our country.



	<p>To 1. b.: We got figures varying between 250 and 450 working hours for the first manuals, main difficulty: the lack of templates, changes asked for after completion of the work. Some CHF 40'000.00 had to be invested, all activities/side effects, meetings ect. included, but the figures vary greatly, depending on the location of the newly created ATO.</p> <p>To 1. c.: Also here, the annual figures vary greatly, we assume 40 to 50 hours per year, one working week, have to be invested in order to have updated manuals.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment and the information contained therein.</p>

comment	<p>876</p> <p>comment by: <i>Aero-Club of Switzerland</i></p> <p>Page 8/49 by EPFU/AeCS/MFVS/SFVS: Your question 5: We are not in position to answer this question because we do not know how e.g. BTO.GEN.190 will be implemented, how related AMC/GM will be accepted. The figures may be somewhere between 0 and the one's we presented when answering question 1, 1. a, 1. b, 1. c.</p> <p>Rationale: Up to now all significant changes put a significant financial burden on us.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment and the information contained therein.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The introduction of the DTO concept is expected to lower the administrative burden for general aviation training providers.</p>

comment	<p>877</p> <p>comment by: <i>Aero-Club of Switzerland</i></p> <p>Page 8/49 by EPFU/AeCS/MFVS/SFVS: 2.3.2.4. General aviation and proportionality issues We support Option 1, because it will achieve the requested changes.</p> <p>Rationale: Option 2 "will only largely achieve the requested changes by GA Road Map". "Largely" is not enough today. We have been suffering from disproportionate provisions for more than a decade. It is now the moment to take all reasonable measures to change the unsatisfactory conditions we have been experiencing.</p>
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response Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 878 comment by: *Aero-Club of Switzerland*

Page 10/49 by EPFU/AeCS/MFVS/SFVS:

2.3.3. Comparison and conclusion

"Option 3...some negative impact on safety as training takes place without any form of structure..." We disagree!

Rationale:

For sure there will be structures, plans, syllabi, because not the most simple action in aviation training is possible without structures, plans, syllabi.

"Option 3...non-standard training practices..." We disagree!

Rationale:

All follow Part-FCL.

"Option 3...lack of standardisation..." We disagree!

Rationale:

All follow Part-FCL.

response Not accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
With regard to your support for Option 3 of the Regulatory Impact Assessment, please check the response to comment No 32 for further information.

comment 905 comment by: *Peter JAMES*

In supporting the Option 2 BTO the need to provide a clear strategy for the future, not subject to continual change, is profound. Ballooning, by nature of its unpredictabilities needs a simply and lightly regulated training strategy.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.



comment	<p>906</p> <p style="text-align: right;">comment by: <i>Peter JAMES</i></p> <p>Due to the natural unpredictabilities of balloon flight, real time recording within the ATO structure will place an overwhelming administrative burden. The BTO or RTO strategies represent a better balanced option.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.</p>

comment	<p>918</p> <p style="text-align: right;">comment by: <i>European Gliding Union</i></p> <p><i>Option 3 (no training structure at all)</i>  <i>Some negative impact on safety, as it will be more difficult to perform adequate oversight and standardisation of training.</i></p> <p>The EGU challenges the concept of placing NAA's in an active role as overseers of gliding training.  We know of no other sport that needs intervention into training by a National Authority.</p> <p>As a sport, confined to NCO, within a community of self-motivated participants, gliding has operated successfully worldwide, with satisfactory, self-maintained safety processes specific to the sport and a safety record that remains unchallenged.  This open safety record, over many decades, has been publically available and open to oversight or scrutiny by Authorities. Regulation does not, can not, add anything but cost and bureaucracy.</p> <p>Soaring training is many faceted. Techniques evolve in this complex sport, with many being entirely particular to gliding and soaring. Local variations in weather, airspace and terrain can require calibrated local variations of broad based rules, well beyond the judgement of a national authority. Such variations are peer reviewed by practised experts and appropriately communicated within normal sporting networks.</p> <p>Among our subscribing nations (18), EGU is unaware of any NAA who are equipped, either in remit or functional organisation, to carry out this oversight, nor is there any justifiable need for its formation.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The new DTO concept allows general aviation (GA) training providers to conduct training without prior approval and under their own responsibility, subject to reduced oversight activities to be conducted by the competent authorities.</p> <p>With regard to your support for Option 3, please check the response to comment No 32. Additionally, the Agency would like to point out that even for private activities (such as gliding) a minimum amount of oversight by competent authorities is required to ensure a</p>



standardised application of the rules which is in the interest of the overall European aviation community with regard to safety and a level playing field. Having no oversight at all would also not be in line with the provisions of Regulation (EC) No 216/2008 ('Basic Regulation').

comment

919

comment by: *European Gliding Union*

*Option 3 (no training structure at all)*

.....

*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.*

The EGU challenges the assumption that lack of NAA oversight could lead to reduced competence in gliding skill tests: we know of no supporting evidence.

Should such reduction occur, news of skill test failures would quickly spread within the all-volunteer, not for profit, networked world of gliding training. Corrections can swiftly be applied, but not if the heavy hand of authority regulation is involved.

No NAA action is either necessary or justified.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 918 (your comment).

comment

941

comment by: *Hermann Spring*

**We had in Switzerland option 3 until JAR-RF introduction.**  
No problems could be shown to me by our authority about this provision.

What is the difference between car driving schools and flight schools?  
Car driving schools do not need a certification. Only the instructors need one.  
Cars killing 10 time more people per year in Switzerland

**Option 1 would be a killer for our flight school.**

Annual flying hours are 270.

Theoretical instructor-hours in a combined course with another flight schools are about 180 hours in a classroom and additional 80 hours face to face instruction in 2015

If the EASA proposal of the BTO or even better BTF optimized as proposed would allow to



continue as before, with rewording of the existing documents, and to file the application.  
**This shall be the aim, not more!**

**Option 3**

Switzerland many thousands persons in the Delta, Para& Paraglider community outside complicated EASA ATO airborne.

The accident rate was reduced, after authority transferred the responsibility to the clubs. They have today well established cooperation, we could do a similar approach with the BTF!

Flight instructors have got their licence based on demonstrated competence. Why should qualified flight instructors not be capable to provide the proper training? A self-declaration of the flight instructor and signed also by the student that training comply with the FCL training requirements is on a better level than a signature of HoT of ATO who has never seen the student. Every student has to pass the skill test, he would only pass, with proper training

**By saying the standards would no more be maintained are the authorities and their skill tests disqualified.**

If an examiner is not capable to qualify, what the applicants' capability is, he should immediately be removed from this job!

Furthermore, are the results of the individual instructors recorded and traceable. A bad behaviour would be immediately discovered.

In questionable cases is an additional check by the authority always possible.

**Option 3 is feasible and safe, if the authority is competent!**

response

Not accepted.  
 Thank you for providing this comment.  
 Please check the response to Comment No 32 for further information.

comment

958

comment by: *K J Utting*

Broadly in support of option 2 - this provides a practical way forward within the existing regulations.

response

Noted.  
 Thank you for providing this positive feedback.  
 The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

1018

comment by: *Guenter W. FORNECK*

There are many burdens resting on the shoulders of the stakeholders. These include:



It is sometimes very hard to find the CORRECT document, it is not seldom that amendments are made via new commission regulations that are not implemented into the initial document. As an example: using CR 1178, it was amended by CR 290/2012, CR 70/2014 CR 245/2014 CR 445/2015 Once such an amendment is implemented, then the original document MUST be amended and published soonest.

It is time consuming, inefficient and not least confusing having to keep crossreferencing various (LONG!) legal documents and then hope to come to a successful and correct answer to a question. Please help us to make fewer mistakes!

Another issue are translation or more precise interpretation errors. The legal documents are "produced" in English and then translated into the various required languages. Usually. One major exception is the AMC and GM to Part FCL.

Have YOU tried to explain an English document to, in my case, a German authority? Do not even try, it is a waste of time and breath. Simple things like the meaning (context and literal) of the word "or" is, simply put, not possible.

If you are not willing (able?) to provide local language copies of your documents, then please use an English that only uses simple structures and leaves out ANY kind of ambiguity. These (and other issues!) are causing resentment, are causing student pilots to become unsure (up to and including even demoralising them). Many FI's who are currently instructing in clubs (WITHOUT remuneration!) feel that this overhead of ballast, this continuing fight against authorities that refuse to accept the MEANING of the CR and other documents, is simply too much and we are in serious fear that our number of FI will be soon reduced so much that many clubs will lose their right to exist.

response

Not accepted.  
Thank you for providing this comment.  
The Agency considers your comment not to contain any input with regard to the technical content of the NPA. However, with regard to your comment, the Agency would like to highlight that a consolidated version (a document reflecting all amendments) of Regulation (EU) No 1178/2011 can be downloaded from 'EUR-Lex', the EU's website for access to the European Union law (link also provided below) to which a link is provided on



EASA's website (see below).

Links:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1433488330039&uri=CELEX:02011R1178-20150408>

comment

1036

comment by: *Kevin Meehan*

**Question for Stakeholder**                      **2.3.2.3. Economic impact ( PAGE 8)**

**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.;

The BBAC ( British Balloon and Airship Club) estimate that the staff operating costs for running an ATO will be approximately €15,000 - €20,000 per year.

In addition, it is estimated that the cost of expert consultation and internal audits will add an additional €1500 per year.

b.            initial costs

The BBAC estimate that it has incurred costs of €10,000 – €15,000 ( approximately 500 man hours) in writing and printing training and operations manuals including the Ops Manual, SMS system and all the forms required for the ATO application.

c.            recurring costs

The BBAC estimates that the cost for running training courses for pilots/ instructors / examiners as required by an ATO will be €8000 per year and the annual costs for updating and reviewing all documents will be € 2500

d.            fees costs

The initial fee from NAA was €750 for the ATO application ( which has not yet been activated) with an estimated annual renewal fee of €300 plus the cost of any external audits required by the NAA.

response

Noted.

Thank you for providing this comment and the information contained therein.

comment

1045

comment by: *Finnish Transport Safety Agency*



Answers to separate questions:

**Question 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.).**

Answer:

In implementing BTO/RTO there would be no certification, approving of manuals or mandatory oversight. However, the influence on Trafi would not be significant as the JAR PPL training organisations in Finland are already certified; they have simple quality system, and they are overseen by Trafi.

Trafi has estimated that one ATO approval for PPL training only, requires 15 working hours from the approving authority. The approval of national PPL training school takes approximately 7 working hours or less.

response

Noted.

Thank you for providing this comment and the information contained therein.

comment

1058

comment by: *Ossi KORHONEN*

This NPA 2015-20 is greatly wellcomed by the GA community and is a step to right direction, where pleasure and professional flight training are separated more clearly. As long career seaplane flight instructor and examiner as well seaplane owner practically in one man organisation, I however little doubt the amount of paperwork proposed to BTO when looking AMC/GM BTO GEN 130-230. For BTO's having enough manpower resources it may be OK. But for one man's entity it feels heavy. I see evident theoretical syllabus, flight training programme and records concerning all training and examinations leading to the class rating. But to start to develop "SMS" like culture manuals feels heavy to one man entity. Thats why I would also include RTO besides BTO in the new regulation. Or if we change the name RTO to "CTO" (class training organisation) requiring "mimumum approval" from authority, it would also be fitting better for one man entities. The approval generally by the authority should be based more on training organisations experience and history, not mainly on applicants paperwork.

Have a nice CRD, Thank You !

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comment, the Agency would like to point out that, when revising and adapting the AMC/GM text proposals as shown in the NPA towards the new DTO concept, these requirements and standards have been further clarified or even simplified.

comment

1059

comment by: *Phil Dunnington*



	The best option is #2 which allows simple but reasonable regulation for balloon training. An interim solution pending further BR changes is not ideal.
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>

comment	<p>1060 <span style="float: right;">comment by: <i>Phil Dunnington</i></span></p> <p>Detailed real-time records of all training are both unreasonable and unrealistic for ballooning and would lead to increased cost of administration for no benefit in safety. Post-hoc records should be sufficient</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.</p>

comment	<p>1099 <span style="float: right;">comment by: <i>The Finnish Aeronautical Association</i></span></p> <p>The FIAA concurs with EGU:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p><b>p6 2.3.2.1 Safety Impact</b></p> <p><i>Option 3 (no training structure at all)</i></p> <p><i>Some negative impact on safety, as it will be more difficult to perform adequate oversight and standardisation of training.</i></p> </div> <p>The EGU challenges the concept of placing NAA's in an active role as overseers of gliding training. As a sport, confined to NCO, within a community of self-motivated participants, gliding has operated successfully worldwide, with a satisfactory, self-maintained safety processes specific to the sport and an open safety record that remains unchallenged. Among our subscribing nations (18), EGU is unaware of any NAA who are equipped, either in remit or functional organisation, to carry out this oversight, nor is there any justifiable need for its formation.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to Comment No 918 for further information.</p>



comment

1101

comment by: *The Finnish Aeronautical Association*

The FIAA concurs with EGU:

**p8 2.3.2.4 General aviation and proportionality issue**

*Option 3 (no training structure at all)*

.....

*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.*

The EGU challenges the assumption that lack of NAA oversight could lead to reduced competence in gliding skill tests: we know of no supporting evidence. Should such reduction occur, news of skill test failures would quickly spread within the all-volunteer, not for profit, world of gliding training and corrections would swiftly be applied. No NAA action is either necessary or justified.

response

Not accepted.

Thank you for providing this comment.

Please check the response to Comment No 918 for further information.

comment

1127

comment by: *HQ Aviation*

Option 1 sounds like the most reasonable option.

The only issue I see is it's non compliance with basic regulation (Artical 7(3)). I very much welcome the discussions between the commission and MS in an attempt to alleviate this requirement in a revised Basic Regulation.

It would be extremely frustrating to think that a revision would not be possible on the grounds of potential legal implementation problems. My point again would be that It is the bureaucrats and lawyers that have had a hand in making the regulatory frame work a mine field of technical jargon that is so hard to wade through, why should industry have to change a perfectly healthy way of operating, can the regulation not be more harmonised to how operations such as RTF's are currently operating?

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.



comment

1136

comment by: *Deutscher Aero Club Landesverband Niedersachsen*

LVN states:

The number of hours for establishment of the ATO for an umbrella organisation are difficult to define as they were done within a voluntary surrounding.

1.a: Yes, umbrella organisation for gliding, several club based organisations for PPL A and LAPL A.

1.b: See above, at least about 400 hours, major problem was the only in english available AMC and GM. A lot of hours had to be spend to allow all supporting people to understand the respective material

1.c: As the first annually review of the manuals is not in place up to now, no expectations can be given

4. Hand book changes due to the impact to explain the respective to the competent authority 10 days per year. Routinely and often performed audits by the authority 5 days per year. 30 days are needed per year for auditing by volunteer personnel. Within the organisation additional work is to be performed in addition with about 15 additional working days. These numbers are conservative calculated also due to the fact that the ATO is within the first of action, increasing numbers are expected. In our opinion this amount of work is for a simple activity as gliding much to burdensome.

response

Noted.

Thank you for providing this comment and the information contained therein.

comment

1147

comment by: *Aeroklub Polski*

Question 1:

a) yes

b) approx 300 hours

c) 40 hours

Question 2:

a-d: direct costs and fees were/are acceptable, but the associated workload is not.

Time lost on maintaining useless documentation and SMS system is time not spent with the student!

There is no benefit of the ATO system to small organistions training for private licenses.

Question 4:

The benefit is significant but still not big enough. The organisations shall be trusted to be able to do a good job. This is shall be done with other means than complying to hundreds of detaild requirements and production of paperwork.

Basicaly any FI knows how to deliver proper training, paperwork burdens do not help.

Question 5:

Since Poland already has teh ATO system, any alleviation would mean a cost benefit. Mainly throught the reduction on administrative workload. The time gained would be beneficial to the flight students.



response

Noted.

Thank you for providing this comment and the information contained therein.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

1159

comment by: *ATO Aeroklub Szczeciński*

Page 8

1.

- a) Yes - ATO Aeroklub Szczeciński, Poland
- b) More than 200 hours
- c) More than 35 hours

2.

It is not possible to calculate costs as all of the work has been done by volunteers (club members).

3.

N/A

4.

Simply - paperwork. Instead of focusing on the proper and safe training, FI's have to gather and document all kinds of informations to maintain the compliance. BTO seem to resolve this problem partially but we believe that more adequate regulations can be made.

response

Noted.

Thank you for providing this comment and the information contained therein.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

1160

comment by: *Richard ALLEN*

2.3.1. I support option 2. This would give a sensible "light" option for ballooning while still maintaining standards.

response

Noted.

Thank you for providing this positive feedback.



The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 1162

comment by: *Richard ALLEN*

4. Individual stakeholders: To implement and maintain a full ATO for ballooning would be very expensive, especially when one considers numbers of student pilots. A BTO or RTO would be better. Also, reduced administration for a BTO or RTO would help to reduce costs. Larger costs will lead to a reduction in people taking up ballooning, and therefore it would eventually cease to exist.

response Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 1187

comment by: *Sandra WECHSELBERGER*

First of all, sincere thanks are given to the agency for the will and the work dedicated to change the existing rules towards a lighter frame for ATOs (future BTOs?).

Concerning the agency's questions in 2.3.2.3 i would like to give some answers, based on my previous personal work experience as CMM/QM/SM and ATO consultant:

**1 (FTO/RF > ATO), practical example on the basis of previous experience:**

In the role of the CMM/SM (former QM) of a major FTO in our country, I was the person responsible for the development of manuals and a management system that would satisfy the needs of Part-ORA/ARA upon the rule change in 2014.

The cost were about €4000 for attending courses/seminars to gain a better understanding of the EU regulative framework and specific rules and about 300-400 hours of workforce were dedicated solely to the creation of manuals, associated internal forms, training programs and the internal promulgation of the new set of rules (external and internal).

The workload to annually revise the manuals is relatively low, e.g. 10-20 hours of workforce.

The asking price for a set of ATO manuals (covering the former FTO scope) would have been about €5000 - €7500 (excl. VAT).

The transformation of an FTO approval into ATO approval came with approval fees of about €10.000 (excl. VAT).

If the FTO had decided to reduce the scope towards the „ATO Section II“ level, the cost/work structure would have looked approximately like this:

Workforce: approx. 150-200 hours (manuals, training programs, forms, promulgation)

If the manuals would have been bought from an external source: starting from €3500 (excl. VAT)



Approval fees of approximately €3000-5000 (excl. VAT).

**2 (RF > ATO), cost overview for RF/ATO transformation, nowadays:**

As CEO of a company providing expert advice / consultancy services, also for ATOs, I am able to provide an exact overview over the actual cost for RF/ATO transformation (based on fees and regulations within Austria).

We, as a consultancy firm do offer reduced pricing for ATOs within the „Section II“ scope, because although RFs and FTOs are now called ATOs, there is still a large gap in terms of complexity, applicable rules, standards, etc.

All staff members of our company are dedicated members general aviation community who want to support the community with our work.

Consultation expert cost for establishing a Section II ATO within the former RF scope:

Operations and Training Manuals, ERP, Safety Management Procedures and Internal Review Procedures, basic forms for documentation -> available from € 1.700

Expert cost for advice (typically 2 days), at a rate of €600-800 (depending on complexity, etc.)

Recurring cost: we do offer the conduct of an „internal review“ of the organisation, performed by an experienced external auditor, at a rate of €550-750 (depending on complexity, etc.), but this task could easily be conducted by the organisations themselves.

The fees for the RF/ATO transformation were reduced to a level of approximately €1500-2500 by introduction of a new, more specific fee item within the regulation. Remark: those cost will most likely not be lowered by introduction of the BTO.

**3 – no comment**

**4. The most significant burden**

The obvious „most significant“ burden for any Organisation is often the creation of manuals, forms and training programs.

Retrospectively, I would like to add that a major burden was the gathering of all the necessary information and competence to establish an ATO. Many ATOs try to do all the work on their own which can be very frustrating and time consuming. EU regulations and even AMCs/GM are often written in a very „open“ wording which leaves much space for interpretation and of course – error. Sometimes national supplemental regulations apply, sometimes not.

One of the greatest burdens is to gather all relevant information and to get informed about all applicable legal requirements, including accepted ways how to fulfill these requirements.

„Best practice“ examples – provided by the agency – would help to interpret applicable rules.

**5. (Administrative) cost impact by the NPA 2015-20 / BTO**

*In general, I would like to add that the existing framework of the „Section II ATO“ has already provided all necessary flexibility procedures and margins of discretion for the competent authorities to approve an organisation, which complies with the BTO standards out of NPA 2015-20 as a „Section II ATO“ (except the lower qualification of the HT).*

Therefore, the cost of establishing a BTO (in terms of expert advice, manuals, etc.) would



	<p>most likely not be significantly lower than the cost of establishing a Section II ATO (probably manuals -15%, since TMs are the largest part and still in force)</p>
response	<p>Noted (with regard to the figures provided). Thank you for providing this comment and the information contained therein.</p> <p>Not accepted (with regard to point 5 of your comment). Thank you for providing this comment. The Agency would like to highlight that a “Section II ATO” is an ATO approved to provide training for CPL, MPL and ATPL in accordance with Part-ORA Subpart ATO Section II. The provisions of Part-ORA including this Subpart as well as the related AMC require such an ATO in any case to run a management system including compliance monitoring and safety management as well as to establish and maintain detailed documentation of the organisations and its activities (operations and training manual). These requirements were the reasons for the General Aviation Road Map to identify Part-ORA requirements to be too burdensome for general aviation training providers. Your comment according to which the requirements for a “Section II ATO” would have already provided the flexibility needed to approve an organisation comparable with a BTO (as proposed in the NPA) can therefore not be supported.</p>

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

p. 10-13

comment 40

comment by: *David COURT*

It says there has been a complete review of Part-FCL but this is far from the finished article.

Some parts have been crossed out and new text added.

The term ATO is still used where it should say BTO or ATO/BTO.

Will we have an opportunity to review the final version of Part-FCL and comment as the version in Annex I is far from complete or correct.

For example 2.4.5 says that a BPL will include the privileges of a LAPL(B) but this is not then included in the privileges of the BPL.

For Example FCL.025 still says ATO where it should say ATO/BTO

For example FCL.115 should say BTO not ATO.

Also the text on vested interests 2.4.13 has been altered without consultaion with stakeholders. The text has been changed to say an Examiner cannot examine a student they have given a single lesson to.

We have previously agreed that an Examiner could carry out up to 25% of the required training. Why has this been changed?

We encourage Examiners to instruct but students will not want lessons with Examiners as that would be one less Examiner available to examine them.



response

A final version of Part-FCL is required very soon for comment and publication if we are to be ready for training in 2018.

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Additionally, the Agency would like to point out as follows:

- A complete review of Part-FCL, as stated in NPA 2015-20, had been undertaken with the purpose of amending those provisions which for the time being contain a reference to 'ATO' in such a way that they will also contain a reference to 'DTO', where necessary.
- Your references to points 2.4.5 and 2.4.13 obviously refer not to NPA 2015-20 but to NPA 2014-29(A) which is not subject to this consultation.
- FCL.025 in the amended version as proposed with NPA 2015-20 contains references to 'ATO' and 'BTO' (in the Opinion now 'ATO' and 'DTO').
- FCL.115 still has to refer also to 'ATO' as training for an LAPL in future can be provided either by a DTO or by an ATO.

comment

62

comment by: *massimo*

I think this has to be completely updated and reviewed to simplify procedures and medical requirements for basic licences

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that for this rulemaking task (RMT) and the development of NPA 2015-20 Part-FCL was mainly revised with the purpose of amending those provisions which for the time being contain a reference to 'ATO' in such a way that they will also contain a reference to 'DTO', where necessary. A full review of the technical requirements of Part-FCL (as undertaken by RMT.0188 – NPA 2014-29) or even Part-MED is outside the scope of this rulemaking task.

comment

73

comment by: *Tony Jay*

It is not clear that this is correct, it states there has been a complete review of part-FCL, but that has been halted which is weird as it is intertwined with these regulations - i.e., the medical requirements on balloons need revisiting.



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 122 comment by: Gary MADELIN

2.4.

We need the FCL reviaew process to be recommenced, and this should include a review of medical requirements for balloon licences.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 135 comment by: Barry Bower

It states that there has been a complete review of Part-FCL. We have not been given the option to comment on an amended version of Part-FCL. When will we be able to make a comment? Can the Part-FCL review process include a review of the medical requirements for balloon licences?

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 143 comment by: Rich Benham

Part FCL comment:  
If the Part FCL has indeed been properly updated, when will organisations and individuals get the option/time/period to review and provide comments/feedback?

My understanding is that that Part FCL review process has come to a grinding halt within EASA (makes no sense at all - linked regulations and licensing go hand-in-hand). My request would be that a this FCL Review Process be kicked-off again, but with the inclusion specifically of challenging medical requirements for hot air balloon licences.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.



comment	<p>151 <span style="float: right;">comment by: <i>jeffrey Lawton</i></span></p> <p>2.4 overview of proposed amendments</p> <p>My current understanding is that the part FCL review process has been halted . As licencing is part of linked regulation this is wrong.The Part FCL review should be restarted and include a review of balloon licence medicals.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 62 for more information.</p>

comment	<p>213 <span style="float: right;">comment by: <i>Innes WORMAN</i></span></p> <p>Part - FCL Please restart part -FCL review process, also to include requirements of medical reviewsfor balloon licences.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 62 for more information.</p>

comment	<p>241 <span style="float: right;">comment by: <i>JED DRYDEN</i></span></p> <p>2.4 Overview of the proposed amendments</p> <p>After stating that there has been a complete review of Part-FCL, it now appears this process has been halted by EASA, why?, it MUST be restarted, surely licensing is part of these linked regulations which should include a review of medicals needed for each 'step' of balloon licences</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 62 for more information.</p>

comment	<p>272 <span style="float: right;">comment by: <i>Medical Officer BBAC</i></span></p> <p>2.4 Overview of the proposed amendments This states a complete review of Annex 1 (Part-FCL) aimed at introducing the BTO concept. I would welcome a complete review of Annex 1 (Part-FCL) altogether as much of it is disproportionate concerning licencing for private balloon licences. In particular the review of medical requirements appears to have stalled.</p>
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response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 284 comment by: *BBAC 6824*

2.4 The Part-FCL needs some input from outside - particularly on medical requirements (and there may be other issues). The review process regarding LAPLs BPLs etc should continue to allow proper consultation with stakeholders.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 311 comment by: *Jeremy Hinton*

The detail of changes here are not entirely clear.  
However, if there is the opportunity, I would like to suggest that the BPL which requires a Class 2 medical simply becomes a LAPL if the Class 2 medical is not in force (but a suitable medical for the LAPL remains in force).  
This would reduce the burden on pilot's frequency of taking an expensive and unnecessary) medical, although reducing their licence privileges to the LAPL.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 324 comment by: *bBAC*

WHEN will the Part FCL be available for comment

response Noted.  
Thank you for providing this comment.  
Part-FCL had been revised by the rulemaking tasks RMT.0188 and 0189 (NPA 2014-29).  
Please also check the response to comment No 62.

comment 331 comment by: *Richard Turnbull*



	If there has been a 'complete review' when may we see this? Also, I feel the Part FCL review process needs to be restarted to include a review of medical requirements for balloon licences.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 62 for more information.

comment	351 <span style="float: right;">comment by: KSAK - Swedish Royal Aero Club</span>  The instrument rating should be made available for BTO/RTO. A higher availability increases the number of ratings which increases flight safety.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 6 for more information.

comment	393 <span style="float: right;">comment by: Pete Forster</span>  I gather that the review process is not yet complete. When will it be ready for comment? In particular, what will be the medical requirements for each license type?
response	Noted. Thank you for providing this comment. Part-FCL had been revised by the rulemaking tasks RMT.0188 and 0189 (NPA 2014-29). Please also check the response to comment No 62.

comment	418 <span style="float: right;">comment by: Andy Walker</span>  If the whole system is being re-written why is this being left for later review? Why is all this detail, with all the associated courses, medicals and ratings not being sorted out now along with everything else when the greatest number of people have the opportunity and interest in reviewing it?
response	Noted. Thank you for providing this comment. Part-FCL had been revised by the rulemaking tasks RMT.0188 and 0189 (NPA 2014-29). Please also check the response to comment No 62.

comment	427 <span style="float: right;">comment by: Ann Rich</span>
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	<p>I am not aware that there has been the opportunity to comment on a fully amended version of part-FCL: the review process seems to have stalled.          Could the review process please be restarted as licensing is part of linked regulations.          When the review does proceed, please could medical requirements for ballon licences be included in the review.</p>
response	<p>Not accepted.          Thank you for providing this comment.          Please check the response to comment No 62 for more information.</p>

comment	<p>472 <span style="float: right;">comment by: <i>Michael Noyce</i></span></p> <p>Please may I ask for the review process of the Part FCL be restarted and to include a review of the medical requirements for balloon licences.</p>
response	<p>Not accepted.          Thank you for providing this comment.          Please check the response to comment No 62 for more information.</p>

comment	<p>517 <span style="float: right;">comment by: <i>Will</i></span></p> <p>Page 10 , 2.4 :          I would like to know when I will be able to coment on the updated version of Part-FCL.</p> <p>The review process for Part-FCL should be continued. Please include medical requirments for balloonists .</p>
response	<p>Not accepted.          Thank you for providing this comment.          Please check the response to comment No 62 for more information.</p>

comment	<p>525 <span style="float: right;">comment by: <i>Will</i></span></p>
response	<p>Noted.          The Agency thanks you for your silent consent.</p>

comment	<p>530 <span style="float: right;">comment by: <i>Peter Dalby</i></span></p> <p>Para 2.4 We need to see the results of the review of Annex 1 (Part FCL) and be given the opportunity to comment on this. As this process seems to have been halted, could we</p>
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	have an indication of when it will be re-started. This would also be a good opportunity to review the medical requirements for balloon licences.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 62 for more information.

comment	535 <span style="float: right;">comment by: <i>GailG</i></span>
	P10, 2.4.2: It appears that the review of PART-FCL has stopped. It should be continued and medical criteria for balloon licences should be included in the review. We need an opportunity to comment on the latest Part-FCL with all the amendments included - when will this be available?
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 62 for more information.

comment	551 <span style="float: right;">comment by: <i>Nick Bettin</i></span>
	Permit us to say the following: The Part FCL review process seems to have been halted by EASA. Why? Surely this is illogical since licensing is part of linked regulations. We demand that the Part FCL review process is restarted and includes a review of medical requirements for balloon licences.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 62 for more information.

comment	575 <span style="float: right;">comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></span>
	Why has the Part FCL review process at EASA been halted?? This is critical work and without changes to Part FCL and Part MED, the work on ballooning can not be finished. Please listen, Mr Ky. There was a promise to cover all areas for ballooning. However someone in EASA cancelled Part FCL review !!!
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 62 for more information.



comment

615

comment by: *Kevin Meehan***2.4 Overview of Proposed amendmendments**

this states that there has been a complete review of Part FCL but I understand that PART FCL is not currently being reviewed.

Until PART FCL is available for comment, it is difficult to see how the proposed regulations for a BTO can be established without knowing what the requirements are for PART FCL.

I know that there is a proposal for a PART BALLOONS and I would request that PART FCL for balloons should be incorporated into this as soon as possible and to include a review of the Medical requirements.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 62 for more information.

comment

647

comment by: *Allie Dunnington*

Part FCL  
points 2.4. page 10

As I am in strong favour of keeping the internationally highly respected and valued CPL but the Part FCL review process seems to have been halted by EASA. Can I kindly request for the Part FCL process to be restarted and to include the review also of medical requirements for balloon licences?

Thank you!

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 62 for more information.

comment

683

comment by: *Regierung von Oberbayern - Luftamt Südbayern*

zu 2.5.1:

Die Bundesrepublik Deutschland hat von der Möglichkeit nach Art. 3 (3) der VO (EU) Nr. 2015/445 ein opt out zu beschließen keinen Gebrauch gemacht. Flugschulen, die zu LAPL, SPL oder BPL ausbilden müssen daher bereits als ATO im Sinne der VO (EU) Nr. 1178/2011 zugelassen sein. Es steht zu erwarten, dass im Falle des Inkrafttretens der vorgeschlagenen Regelungen des NPA 2015-20 einige ATOs den Übergang zu einer BTO wünschen würden.



Es sollte daher auch an einen Übergang von der ATO zur BTO gedacht werden. Ein solcher könnte beispielsweise in einem einfachen Informationsschreiben der ATO an die zuständige Behörde bestehen, in dem der beabsichtigte Umfang der künftigen Ausbildung mitgeteilt wird. Aus rechtlicher Sicht sollte der Übergang in dieser Richtung keine besonderen Probleme aufwerfen, da die Anforderungen, welche die Ausbildungseinrichtung bereits als ATO erfüllen muss, höher sind die der BTO.

response

Accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
The Agency will propose to add transitional provisions to Art 10a of Regulation (EU) No 1178/2011 in order to simplify the transition for existing training organisations wishing to convert their organisation from an ATO to a DTO. In particular, it is proposed that ATOs wishing to continue as DTOs will need to surrender their ATO certificate and send a declaration in accordance with Part-DTO to the competent authority, whereat a reference to the approved training manuals used so far under the ATO approval will substitute the submission of training programmes.

comment

715

comment by: *Ian Wadey*

Has there been a complete review of 'Part-FCL' and has there been an opportunity to comment on a properly amended version? The review process needs to be finished including a review of the medical requirements for balloon licenses with attention to licensing being part of linked regulations.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment

836

comment by: *Slowfly*

Easa has stopped the review process of the Part-FCL, when will it be available for consultation again? can the Part-Medical for Balloon Licenses be included?

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment

863

comment by: *Robert Cross - BBAC*

response We can we comment on amended version of Part-FCL? Please restart the review process.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 907 comment by: *Peter JAMES*

As the Part FCL review seems to have stalled, it is necessary to request sight and comment on the completed review and a publication date is requested.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 1046 comment by: *Finnish Transport Safety Agency*

Finnish Transport Safety Agency Trafi supports the BTO concept.

From the point of view of approving authority we do not see major difference between the BTO and RTO concepts.

response Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment 1061 comment by: *Phil Dunnington*

Part FCL review has not taken place for some internal EASA reason. It is quite unreasonable and illogical to proceed with amendments to the training system without such a review of Part FCL.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 1062 comment by: *Phil Dunnington*

Part MED should be included in any review of Part FCL.



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

comment 1163 comment by: *Richard ALLEN*

Part FCL - when will there be the opportunity to comment on an amended version of Part FCL? It would be good to continue this review process, and to include medical requirements review for balloon licensing.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 62 for more information.

**2. Explanatory Note — 2.5. Proposed amendments and new proposed BTO rules and provisions**

p. 13-17

comment 7 comment by: *ATF - Awareness Training Fakoussa*

Subpart J - it might be worthwhile to add the possibility to train unusual situations incl. unintentional bad weather entry and recovery from unusual attitudes  
Subpart K – standardization in which area? For technical standardization the text is fine. For HF and HPL standardization it makes no sense. Especially this field of balloons, sailplanes and small airplanes is lacking completely any knowledge of HF. The introduction of HF in commercial aviation did have some positive results.

response Not accepted.  
Thank you for providing this comment.  
The purpose of this rulemaking task (RMT) is to introduce a regulatory framework to allow the conduct of training for non-commercial licences outside of approved training organisations (ATOs). Consequently, the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
Subpart J and K were only reviewed to add respective references to the new DTO. A revision of the technical content of these subpart is outside the scope of this RMT and will be subject to RMT.0596 ('Review of provisions for examiners and instructors (Subpart J and K of Part-FCL') for which the Terms of Reference (ToR) can be downloaded from EASA's website under the link provided below.

Link:

<http://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0596>



comment

129

comment by: *Peter MEECHAM*

BTO.GEN 240. The BTO should not be required to have training Balloons as these can be and are normally supplied bt the trainee.

BTO.GEN 250. An airodrome is not required as a balloon can launch/fly out of any suitable field.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to your comments, the Agency would like to point out as follows:

- DTO.GEN.240 (former BTO.GEN.240) is worded as the already existing ORA.ATO.135. Both provisions do not require a training organisation to actually 'own' training aircraft – they just shall make 'use' of an adequate fleet of aircraft. Additional Guidance Material (GM) will be developed to provide clarification in this regard.
- DTO.GEN.250 (former BTO.GEN.250) requires a DTO to use aerodromes or operating sites. As it will be necessary in most cases for balloons, training can be conducted outside of aerodromes at operating sites, as long as these sites have the facilities appropriate to the training conducted. AMC has been developed to provide further clarification on this subject matter. As it is the case for ATOs in Part-ORA (see AMC1 ORA.ATO.140 (c)), for balloon training a take-off site allowing a normal take-off and clearing of all obstacles in the take-off path by at least 50 ft will be suitable without any further requirements (see draft AMC1 DTO.GEN.250 (c), as published with Opinion 11/2016).

comment

178

comment by: *Schmaus*

Page 14 2.5.2

add listing:

- extension/upgrading of LAPL(A) to PPL(A)

Page 14 line 8:

doe you really mean "SEP(t)..." ?? Or Should it be "SEP(Land).." ?

Changes in Subpart J:

What is the reason for keeping training for a FI PPL(A) in an ATO?

- all training can now be done in an ATO, same as training for FI(S) and FI(B)
- There is and there will be no change to present content of training syllabi
- only difference is necessity to hold CPL... or theoretical knowledge of CPL.



- Why not switch possibilities:
  - training for "FI(A) for VFR PPL-training" can be transformed to BTO
  - training for "CRI for VFR-PPL-training" can be transformed to BTO
  - training for "FI(A)" with higher classification (CPL or IR) needs training at ATO, same as upgrade from lower to higher FI-qualification
  - training for "CRI" with higher classification (CPL or IR) or for TRI needs training at ATO, same as upgrade from lower to higher CRI-qualification (CPL or IR)

If ever training for FI(A) cannot be implemented into BTO activities, why not (re-) create LAFI, an instructor license for LAPL(A) training.

For this rating, implementation into a BTO would be much easier.

... and aeroclubs could "produce" their instructors by their own at allowable costs, that do not produce an upcoming lack of instructors.

In the years 2013, 2014 and 2015, since introduction of EASA-rules into PPL(A) flight-training in Germany, only three new FI(A) started flight-training in an overall 38 aeroclubs offering flight training for PPL(A) in DEBWATO 101, whereas almost 30 FI(A)/CRI terminated activities, mostly due to age.

Total number of FI and CRI was reduced from 334 end of 2012 to 314, as activity-reports state at present.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

As already explained in the NPA (Chapter 2.5.2., last two paragraphs), training for instructor and examiner certificates for sailplanes and balloons will be within the scope of a DTO, taking into account the specificities of these two aircraft categories. By doing so, a DTO will be allowed to offer the full scope of training according to Part-FCL related to sailplanes and balloons, and it will not be necessary to establish an ATO for the sole purpose of providing training for instructors or examiners for sailplanes and balloons.

On the other hand, having regard to the broader scope of instructor and examiner certificates for aeroplanes and helicopters and also to the specificities of these aircraft categories, it was decided to keep training related to these certificates at an ATO only.

With regard to your further comments, the Agency would like to clarify that

- Training for LAPL(A) holders to obtain a PPL(A) does not need to be explicitly listed in the DTO training scope, as the training course referred to in FCL.210.A (b) is considered to be a PPL training course, albeit with reduced content taking into account the LAPL(A) experience. As PPL(A) training courses are within the scope of a DTO, also training according to FCL.210.A (b) can be conducted at a DTO.
- The term 'SEP(t)' on page 14 was obviously a typo and should have read 'SEP(land)', as you suppose. Thank you for providing this advice.
- Considering to introduce a 'light aircraft flight instructor – LAFI' will be part of the ongoing rulemaking task (RMT) RMT.0678.



comment	194	comment by: IAOPA (EUROPE)
	The description and specific purpose of the 'BTO training programme' requires clarification.	
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>With regard to your comment, the Agency would like to clarify as follows:</p> <ul style="list-style-type: none"> <li>- The DTO training programme is a document that shall illustrate in detail the content and the sequence of all training conducted in order to provide the DTO personnel and also flight students with information needed to perform their duties and to comply with training requirements. At the same time, these documents are verified for their compliance with Part-FCL by the competent authority as part of the continuing oversight process.</li> <li>- The Agency will develop AMC to outline the minimum content of a DTO training programme and, additionally, will consider to develop AMC/GM containing standard training programmes.</li> </ul>	

comment	352	comment by: KSAK - Swedish Royal Aero Club
	<b>Transition from RF to BTO/RTO:</b>	
	The Agency and NAAs should automatically give BTO/RTO approval to all Registered Facilities that are current on the date of entry into force. The previously approved Training Manual shall act as an approved Training Programme for the new BTO.	
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The Agency will propose to amend Regulation (EU) No 1178/2011 to regulate a smooth and manageable transition from JAR-registered facilities to DTOs as follows:</p> <ul style="list-style-type: none"> <li>- The new Part-DTO should enter into force on 8 April 2017.</li> <li>- From 8 April 2017 until 8 April 2018, already existing JAR-registered facilities can still continue with their training activities without any adaptation (Art 10a paragraph 3 of Regulation (EU) 1178/2011 in its current version). In this one year time, JAR-registered facilities shall adapt their organisation to be in compliance with either Part-ORA or Part-DTO.</li> <li>- By 8 April 2018 at the latest, JAR-registered facilities should send a declaration according to Part-DTO to the competent authority.</li> <li>- As already today JAR-registered facilities should use training programmes complying with Part-FCL, no major changes to these programmes should be necessary before sending them to the competent authority together with the declaration.</li> </ul>	



comment

358

comment by: KSAK - Swedish Royal Aero Club

**BTO.GEN.120** - Instrument ratings, IR and EIR, should be within the scope of a BTO.

**BTO.GEN.130** - Very good and risk based approach!

**BTO.GEN.150** - Recurring oversight should be limited. This in order to reduce the burden for the CAA.

**BTO.GEN.170** - Great!

**BTO.GEN.190** - There should be extensive GM to the developing of a safety polict statement if that is something the CAA needs to review.

**BTO.GEN.200** - The BTO should not need to keep records of all instructors. The Head of Training should be the only one that need to be identified by name and position.

**BTO.GEN.210** - Do not make it annual. Every three years should be enough. This also needs extensive GM to help the BTOs.

**BTO.GEN.240** - The aircraft registrations and type of aircraft should not need to disclosed and approved by the CAA. Only a notification to the CAA should be enough. Private aircraft will operate under the same maintenance requirements as aircraft used for flight training.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight as follows:

- Training towards instrument ratings will not be part of the DTO training scope. Please check the response to comment No 6 for more information.
- A minimum amount of oversight conducted by the competent authority has to be put in place; however, the amount of oversight is reduced compared to the one established for approved training organisations (ATOs).
- Although a DTO will not be required to maintain personnel files related to each instructor, it will be necessary to keep a list of all flight instructors to establish the annual activity report. However, individual flight instructors do not have to be listed in the declaration, and changes related to the 'pool of instructors' used by a DTO do not have to be notified to the competent authority immediately. This is done via the annual activity report.
- Instead of running a highly-sophisticated compliance monitoring system, a DTO will only be required to complete an internal review which shall be done at least once per year in order to ensure a regular review of the DTO's activities.
- A DTO declaration will need to contain at least a list of all aircraft models used for the training (example: Piper PA 18, Cessna 152, Diamond DV 20; or: Robinson R22, Robinson R44) to allow competent authorities to take the characteristics of these particular aircraft models into account when assessing the DTO training programmes and when preparing for an inspection of the DTO. A list of all training



aircraft including registration should be part of the annual activity report in accordance with DTO.GEN.270. Please check Appendix 1 to Part-DTO (as shown in the Opinion; template for DTO declaration, point 5).

comment 380

comment by: DGAC France

**Subject:**

Transitional provisions towards a BTO

**Content:**

The NPA invites to propose transitional provisions towards the BTO concept.

**If despite DGAC opposition (see general comments)** the Agency decides to proceed and publish an Opinion based on option 2 (BTO), DGAC requests that the transitional provisions should be defined in such way that until the 8/4/2020 :

- 1) existing pilot training organisations holding an ATO certificate compliant with Part ORA (ATO section 1) issued before Part BTO applies shall, upon their request, be deemed to comply with Part BTO without having to apply for a BTO certificate (no (or limited number) BTO certificate to be issued by the Authority until the end of the transition)
- 2) existing JAR FCL RF (registered before the 8th April 2015) are allowed to continue to provide training limited to the privileges that were included in their registration without having to apply for a BTO certificate (no BTO certificate to be issued by the Authority until the end of the transition)
- 3) national training organisation are allowed to providing training only for a national licence (and associated ratings) that is eligible for conversion into Part FCL LAPL, SPL, BPL (no BTO certificate to be issued by the Authority until the end of the transition)

The deadline of 8/4/2020 will give sufficient time for the amended basic regulation (in particular article 22) to be published allowing pilot training organisations to be declared and thus implementation of option 1 (RTO).

In more details the transitional provisions should be as followed :

**1) Transitional provisions for ATO section 1**

Pilot training organisations holding an ATO certificate compliant with Part ORA (ATO section 1) issued before Part BTO applies shall be deemed to comply with Part BTO. Those ATO should, upon a simple request, be authorised to apply Part BTO provisions and Authority oversight to be conducted according to Part ARA provisions applicable to BTO. This approach will facilitate the transition for organisation that have complied to Part ORA before the entry into force of BTO. This is in particular the case for JAR FCL RF that became ATO before the end of the current opt-out period (cf. article 10bis 3)).



A limitation of the organisation privileges could be necessary as the BTO training privileges are more limited than the ATO training privileges (cf. BTO.GEN.120) (ex : an ATO section 1 providing training for PPL and IR will be limited to PPL when deciding to switch to a BTO form of organisation).

## 2) Transitional provisions for JAR FCL RF

JAR-compliant training organisations that they were registered before 8 April 2015 shall be deemed to comply with Part BTO.

Their privileges shall be limited to the ones that were included in their registration (ex : A JAR FCL RF providing training for PPL and night rating shall be deemed to comply with Part BTO with the same privileges).

It should be noted that JAR FCL RF possible privileges are included in the BTO privileges (cf. BTO.GEN.120). No limitation of privileges will be necessary.

A JAR FCL RF wanting to provide training for a licence or rating that was not included in its declaration or that was not regulated under JAR FCL (ex : aerobatic, towing...) will be required to apply for a BTO certificate.

## 3) Delay for Part BTO compliance

ATO having requested to benefit from BTO system (cf. 1)) and JAR FCL RF (cf. 2)) shall adapt their training programs and procedures to be compliant with Part BTO and have a BTO certificate (issued by the Authority) by the 8th April 2020 at the latest.

The BTO certificate will be issued by the Authority by 8th April 2020 at the latest.

## 4) Transitional provisions for sailplane and balloon national training organisations

National training organisation providing training only for a national licence (and associated ratings) that is eligible for conversion into Part FCL LAPL(S)/(B), SPL, BPL (cf. article 3 3) regulation (EU) n°445/2014) should be allowed to continue to provide training for such licence (and associated ratings) until 8th April 2020.

Those organisations will only be allowed to provide training for national (non Part FCL) licences and ratings.

From 8th April 2020 those organisations will have to comply with Part BTO and therefore hold a Part BTO certificate to continue training activities.

It will give sufficient time both for sailplane and balloon organisations to smoothly implement the BTO concept or finally the RTO concept when allowed by amended basic regulation.

For consistency the opt-out period for applying provisions related to pilot sailplanes and balloons licences will have to be extended in the same manner. For the time being those provisions have been postponed to the 8th April 2018 (cf. article 12 2bis a)).

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

For more information on the transitional provisions proposed for JAR-registered facilities and ATOs who wish to continue their training activities as DTOs, please check the responses to comment No 683 and 352.

Sailplane and balloon training organisations still benefit from the 'opt-out' – provision in Art 3 of Regulation (EU) No 445/2015 and are allowed to continue their training activities without complying with Part-ARA and Part-ORA (or, in future, the new Part-DTO) until 8



April 2018. After that day, these training organisations shall have sent a declaration according to Part-DTO to the competent authority in order to continue with their activity.

comment

462

comment by: *FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS*

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

**BTO GEN 130 :**

Some NAA consider that checking completeness of documentation is sufficient to register a applicant, but not sufficient to issue a certificate.

Because, in case of issuance of certificate their responsibility is higher than in case of issuance of acknowledgment of receipt.

**BTO GEN 190 :**

Please remove HIGHLY. Recommended is sufficient.

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The already drafted GM to BTO.GEN.190 will not 'highly recommend' the establishment of manuals but just provide advice for DTOs wishing to have manuals on a voluntary basis.

comment

496

comment by: *The Norwegian Air Sports Federation*

In NLF's view, the list of ratings that a BTO can train towards is too restricted, and it is not consistent across the various types of aircraft. The BTO can train towards flight instructor certificates for glider and balloon pilot licenses, but not for aeroplane or helicopter licenses. What is the logic behind this, and which risk assessment has been done?

A similar question can be asked with regard to the en-route instrument rating (EIR) and competency based instrument rating (CB-IR): While a portion of the training can take place outside an ATO, a minimum of 10 hours of each rating (20 hrs in total, if a pilot does the CB-IR via the EIR route) must be done in an ATO. At the same time, training for the cloud flying rating for glider pilots can be done in a BTO. This is a significant lack of consistency, and it is very hard to understand the safety case for such a distinction. Taking into account the flight training system in the US, where such training can be done by independent instructors, a BTO should be perfectly suited for similar training in Europe.

NLF further believes that the multi-engine piston class rating (MEP) should be included in the BTO concept. Please keep in mind that twin-engine aircraft covered by the MEP class rating may be simpler than some SEP-aircraft. Another factor is that future recreational



aircraft are more likely to be operated with more than one engine than the case is now: Airbus E-fan is propelled by two electric motors, and it is probably going to be significantly simpler to operate than a combustion-engine powered aircraft with a variable pitch propeller.

Finally, the class rating for single-engine turbines (SET) should be included in the potential scope of a BTO. An aircraft with a turbine is not by default more complex/complicated than one with a piston engine.

As a side-note, NLF would again like to request that LAPL should be extended to include seaplanes. This has been on the agenda for a number of years, but the rulemaking task has been delayed more than once. NLF cannot understand why such a simple extension is bundled with more complicated matters, leading to repeated delays. We would like to stress that seaplanes have a particular importance for the Scandinavian countries due to our topography and sparse population.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to the proposal to add courses for further instructor certificates to the training scope of a DTO, please check the response to comment No 178 for more information.

With regard to the proposal to add courses for the instrument ratings and for further class and type ratings for aeroplanes to the training scope of a DTO, please check the response to comment No 6 and the information and reasoning contained therein.

Opening up the LAPL for the class rating SEP(sea) is outside the scope of this rulemaking task (RMT) and will be taken up by the ongoing RMT.0678.

comment

641

comment by: FAA

Regarding 2.5.4 Proposed Part-BTO and the Associated AMC/GM BTO- BTO.GEN.120:

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).

Comments:

While an ATO may be better equipped to manage the inherent complexity of type and turbine-powered aircraft training; the case that such organizations are necessary for training toward a multi-engine rating may be far less compelling.

The risk-based approach EASA is likely to use in the "light" approval process could be adapted to address any concerns regarding multi-engine (non-type rating) training. A BTO capable of providing ab initio training for private pilot applicants (with single-engine privileges) could easily have in place the staff, equipment, and safety mechanisms needed



	<p>to provide multi-engine training for applicants at the private pilot level. Also, it would impose little additional burden to authorities already involved in the BTO approval/oversight process.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. With regard to the proposal to add courses for instrument ratings or further class and type ratings for aeroplanes to the training scope of a DTO, please check the response to comment No 6 and the information and reasoning contained therein. With regard to the proposal to add further helicopter type ratings to the training scope of a DTO, please check the response to comment No 1102. However, it has been decided not to further open up the DTO training scope for other helicopter type ratings. Please check the response to comment No 6 for more information, as the reasoning provided in the response to that comment applies also in this case.</p>

comment	642	comment by: FAA
	<p>Regarding 2.5.4 Proposed Part-BTO and the Associated AMC/GM BTO- BTO.GEN.190: 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.</p> <p>Comments:</p> <p>Absent this requirement, it seems that the BTO option offers little in the way of advantages over training conducted outside of an ATO environment. Many of the advantages (safety, standardization, etc.) offered by an approval process would likely come from the use of standardized operations and training materials.</p> <p>This would seem to offer a compelling case that training outside of an ATO could be used as an effective model for instruction and certification at the private pilot level. As noted in previous comments, this could be achieved through the use of common syllabi, practical test standards, and testing methods.</p>	
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. Neither there will be a requirement for a DTO to have operations or training manuals in place, nor will the related Guidance Material (GM) to be developed ‘highly’ recommend to have manuals in place. It will be up to a DTO do develop manuals on a voluntary basis. However, with regard to the required DTO training programmes, the Agency will consider</p>	



to develop GM on standard training programmes which may be published by the competent authorities (ARA.DTO.115) to assist DTOs in developing such documents and to promote training standards.

comment 643

comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

Since a BTO is very similar to an RTF, VVMV strongly suggest that existing RTF may be converted to the BTO structure without further requirements, except the RTF providing the name of the contact person to the local CAA.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to the proposal for transitional provisions for JAR-registered facilities, please check the response to comment No 352 and the information contained therein.

In order to oversee the transition from JAR-registered facilities to DTOs and to establish a respective oversight programme related to DTOs, a competent authority needs to receive more information than just the name of a contact person.

comment 644

comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

With regard to BTO.GEN.120 please refer to our comments above re the CB-IR/EIR not being included in the scope of a BTO. It appears that a viable alternative would have been to make operations and training manuals compulsory for CB-IR/EIR conducted at a BTO rather than requiring the BTO to convert to an ATO for all of its training courses. It appears that European pilot culture of "gold-plating" the IR is perpetuated, arguably at the expense of potential safety benefits from the rating becoming a logical next step for private pilots to develop their competency. This would appear a missed opportunity.

Moreover we agree that the use of a training manual should be highly recommended for other training courses as well, but this on the basis that training organisations should be able to purchase standardised EASA-approved training manuals at their local bookstore of pilot shop if they choose to do so. This would avoid a lot of "re-inventing the wheel" and associated costs.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to the proposal to add the training courses for instrument ratings to the DTO training scope, please check the response to comment No 6 and the information and



reasoning contained therein.

With regard to the proposal to have standard training manuals, please check the response to comment No 642. It has to be highlighted in this context that EASA is not the competent authority for training organisations having their principal place in a Member State and therefore cannot approve training manuals for these training organisations.

comment

645

comment by: *Vereniging Vlaamse MotorVliegclubs (VMMV)*

With regard to BTO.GEN.190 VMMV welcomes more proportionate safety and compliance policies, that focus on policy instead of complicated procedures. However, whilst we understand there not being a requirement for an operations or a training manual, but if both are highly recommended then we would argue that EASA needs to consider options for both manuals to be provided to the BTO.

In particular the Training Manual, VMMV feels that the provision of PPL training without any form of a training manual appears such a great idea. This does not mean that we think that every individual ATO, BTO, or indeed local CAA should spend their time developing, and reviewing, their own set of manuals from scratch. Instead we argue that a far more effective way of achieving European-wide standardisation would be if the ATO or BTO could purchase its EASA-approved training manual in its local bookstore or pilot shop.

It appears that different interpretation of EASA's bullet-point guidance material gets in the way of the emergence of a European market for training material, such as publication of any EASA-approved training manual. Such approval still only goes as far as its national border.

response

Noted.

Thank you for providing this comment.

With regard to the proposal to have standard training manuals, please check the response to comment No 642. It has to be highlighted in this context that EASA is not the competent authority for training organisations having their principal place in a Member State and therefore cannot approve training manuals for these training organisations.

comment

785

comment by: *Flying Club President*

transition:

Since rule 10a can be made

then Rule 10b could also be made accepting RFs as ATOs - job done.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

With regard to the proposal for transitional provisions for JAR-registered facilities, please check the response to comment No 352 and the information contained therein.



comment	<p>786 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>Limitations on BTO          If we are to be saddled with the heavily regulated and inspected BTO concept, which is FULLY COMPLIANT with the BR THEN there is <b>absolutely no justification to limit the activities of a BTO.</b>          FI for A and H should certainly be allowed as well as Night, Type, IR, ME.          (and <b>don't even think about messing around</b> trying to limit all the trivia as well (recommended training required for renewals, etc etc etc etc)          There is absolutely no justification to limit it.          If we are to be forced into the BTO then at least allow it to have some 'power'.          (it's still all "Approved" anyway)</p>
response	<p>Not accepted.          Thank you for providing this comment.          The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.          With regard to your comment, please check the response to comments No 6 and 178 for more information. Additionally, the Agency would like to highlight that the night rating for the different categories of aircraft has been part of the training scope of the BTO in NPA 2015-20 and is now foreseen to be part of the training scope of the DTO.</p>
comment	<p>787 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>1. "Standardisation towards aeroplane and helicopter examiners remains in an ATO"          There's no proper justification for that.          Give the BTO proposal some power and people might back it.</p>
response	<p>Not accepted.          Thank you for providing this comment.          With regard to the proposal to add courses for further examiner certificates to the training scope of a DTO, please check the response to comment No 178 for more information.</p>
comment	<p>788 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <ul style="list-style-type: none"> <li>• "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</li> </ul>



	<p>Part-FCL requirements."</p> <p>Yup - but the Basic Regulation doesn't and its like this through this whole proposal. almost every line contains an unnecessary or pointless requirement.</p> <p>Please clean it up. There's no need to make operations just for inspectors to perform.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>In order to discharge their responsibilities with regard to oversight and enforcement of the EU regulatory framework (Art 10 Regulation (EC) No 216/2008 – 'Basic Regulation'), Member States need to record data about the activities subject to the Basic Regulation and its Implementing Rules and taking place within their territory. Therefore, ARA.GEN.220 needs to include respective record-keeping with regard to DTOs.</p>

comment	<p>789 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <ul style="list-style-type: none"> <li>"Oversight may include unannounced inspections"</li> </ul> <p>The same as being in PRISON THEN ?</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p>

comment	<p>791 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <ul style="list-style-type: none"> <li>"All trainings towards ratings, certificates and privileges that are not mentioned in those subparts cannot be conducted in a BTO"</li> </ul> <p>That's not very nice ... what if the staff are qualified and expert in that field. Just turn away the business pointlessly I suppose?</p> <p>This is PART OF THE COST you have to factor in when you do these arms length assessments.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>With regard to your comment, please check the response to comments No 6 and 178 for</p>



more information.

comment

792

comment by: *Flying Club President*

1. Subpart J
  1. Training for aeroplane and helicopter instructors remains in an ATO.
  - 2.

Really?

- 2.
3. No need for this restriction.
- 4.
5. Allow it !

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 178 for more information.

comment

793

comment by: *Flying Club President*

1. Subpart K
  2.
    1. Standardisation towards aeroplane and helicopter examiners remains in an ATO.
    - 2.
    3. No need for this restriction.
    - 4.
    5. Allow it !

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 178 for more information.

comment

880

comment by: *Aero-Club of Switzerland*

Page 13/49 by EPFU/AeCS/MFVS/SFVS:  
2.5.2. Proposed amendments to Part-FCL...  
Quite many terms we have today in Part-FCL



	<p>Pilots Licences Examiner Certificates School Approvals and Approval Certificates Cabin Crew Attestations Ratings Authorisations</p> <p>Question: Would not "licence" cover everything? Complexity, misunderstandings and difficult translations could so be reduced.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that an overall revision of the terminology of Part-FCL is outside the terms of reference for this rulemaking task (RMT). Moreover, with regard to your comment, the Agency would like to highlight that already the Regulation (EC) No 216/2008 ('Basic Regulation') defines the umbrella term 'certificate' (Article 3 (g)) and, in subsequent Articles, uses further terminology ('licence', 'rating'). The use of different terms is necessary to provide the appropriate differentiation of numerous scenarios (personal licence, specific rating for a particular aircraft type or a specific type of operation like towing or aerobatic flight, organisation approval certificate etc.).</p>
comment	<p>881 <span style="float: right;">comment by: <i>Aero-Club of Switzerland</i></span></p> <p>Page 14/49 by EPFU/AeCS/MFVS/SFVS: 2.5.2 Proposed amendments... Subpart I: What is mentioned here supports our opinion that "Basic Training Organisation" is not the appropriate designation for the organisation you propose.</p> <p>Rationale: The activities indicated are by far not "basic training activities".</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>882 <span style="float: right;">comment by: <i>Aero-Club of Switzerland</i></span></p> <p>Page 15/49 by EPFU/AeCS/MFVS/SFVS: 2.5.4. Proposed Part-BTO... - BTO.GEN.120: Why, for instance, training for SET or IR may not be offered by a BTO?</p>



	<p>Rationale:</p> <p>From the engine handling point of view a modern turbine is easier to handle than the mid-50 super-charged piston engines.</p> <p>From the flight operations point of view IFR flights are often easier to undertake than VFR flights.</p> <p>The number of engines of an aircraft is in no way related to the designation and/or to the structure of the training organisation.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>With regard to your comment, please check the response to comment No 6 and the information and reasoning contained therein.</p>

comment	<p>883 <span style="float: right;">comment by: <i>Aero-Club of Switzerland</i></span></p> <p>Page 16/49 by EPFU/AeCS/MFVS/SFVS: 2.5.4. Proposed Part-BTO... - BTO.GEN.190 with related AMC/GM</p> <p>The application of the presented formula by competent authorities is our greatest concern!</p> <p>Rationale: General Aviation Road Map, BTO.GEN.190 rules and AMC/GM do not fit: You ask for "safety awareness culture", for a "defined safety policy statement", the latter being basic and easy to understand. Who in the end will define what is "easy to understand"?</p> <p>Then: GM1 BTO.GEN.190 Tasks, responsibilities and procedures (a) says that there is no requirement for a BTO to develop or use an operations manual... We do not understand your position...</p> <p>Rationale: ...particularly not because your next statement is "it is recommended to so."</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>In the respectively revised rule text, the new DTO.GEN.210 (a) (1) (ii) addresses a DTO's need to have a simple safety policy in place. The term 'safety awareness culture' has been deleted.</p> <p>Finally, GM related to these new provisions will not contain a recommendation to have</p>



manuals in place.

comment

915

comment by: *Southern Cross International BV*

This NPA proposes the possibility for a BTO to conduct a training course for LAPL/PPL/BPL/SPL, a training course towards the issue and renewal of non-high-performance SEP class ratings (SEP and TMG), as well as the following ratings: aerobatic rating, sailplane-towing rating, banner towing rating, night rating, mountain rating and sailplane cloud flying rating.

Many PPL-holders want to extend their privileges in due time with an EIR, IR or MEP rating. Since these ratings can only be exercised during non-commercial flights, in order to keep the required training proportionate, it is proposed that BTOs may also conduct the training courses for EIR, IR and MEP rating of PPL-holders. These ratings shall be restricted to non-commercial flights only.

Note: It may be expected that, due to the development of electrical propulsion systems, in the near future multi engine aircraft with such propulsion systems will become more easily available for private pilots.

An ATO shall conduct the training courses for professional licences and MPA.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 6 for more information. Additionally, the Agency would like to highlight that all the licences and ratings mentioned in the first paragraph of your comment (LAPL, PPL, SPL and BPL, class ratings SEP and TMG) have already been part of the BTO training scope as proposed in NPA 2015-20, and they will be part of the DTO training in accordance with the rule text proposed in the Opinion.

comment

942

comment by: *Hermann Spring*

BTO.GEN.120

Limitation is too narrow.

Electrical, small turbine & mini-jet driven aircraft would be best situated in a BTO. Such enhancements should be possible with an additional application

**Add: Additional training categories need an add-on to the application**

BTO.GEN.130

**Remove this part**

If an authority is competent, they should know how to process such issues

BTO.GEN.140- 180



**Remove this part**

Basics of a CA, not required

BTO.GEN.190

**Remove this part**

How many time you want to define, that for skill test application for a FCL licence or entry FCL applies?

**SAFETY IS A CULTURE, not a policy**

Who from EASA has read all the available safety books leaflets etc.?

Who of them knows how to cope with them during flying?

**Keep it simple!**

**The flight instructor courses are there to learn how to train the pilots, especially how to operate a safe training.**

Stop to make it boring by writing documents, motivate for safety.

Safety is not achievable with safety bibles.

BTO.GEN.200

**Remove this part**

This shall be basic behaviour, EASA should not write for 3<sup>rd</sup> world countries

BTO.GEN.210

A short annual general report is o.k.

We did that also within the RF

The CA shall compare with the skill test results, they have the data

**Please consider, that every skill test is a CA audit**

BTO.GEN.220

Daily training records are with the student.

When education is completed, a copy signed from the instructor **and from the student** shall be archived by the BTO/BTF

BTO.GEN.230

**Remove**

IF FCL applies, it is already there written, for what is required for a rating

**Please consider always training requirements!**

The programme is e.g. for television watching.

We have in most cases individual training with many variable condition, weather, time of the year, student performance etc.

**HAVE YOU FORGOTTEN, HOW YOU LEARNED WALKING AND TALKING?**

BTO.GEN.240

**Remove that is basics behaviour**



response	<p>BTO.GEN.250  <b>Remove</b>          If continued this way, it would result in the extreme, that a list of acceptable aerodromes for cross country flights will get a requirement  <b>After the skill test are all these limits removed and no organisation is responsible ???</b></p> <p>Not accepted.          Thank you for providing this comment.          The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.          With regard to the proposal to add further ratings to the DTO training scope, please check the response to comment No 6 and the information and reasoning contained therein.          With regard to your comment on up-to-date training records, please check the response to comment No 72 for more information.          With regard to your comment on removing major parts of the proposed rule text, the Agency would like to highlight that it is fundamental for a regulation to clearly set out the rights and obligations of a holder of privileges and competent authorities and to have the necessary publications on Acceptable Means of Compliance (AMC) as well as Guidance Material (GM) in place.</p>
comment	<p>961 comment by: <i>Supreme Building Authority, Part of the Bavarian State Ministry of the Interior, for Building and Transport</i></p> <p>With regard to flight schools offering training for national licenses to be converted into LAPL, SPL or BPL only, Germany did not choose to opt out according to Art. 3 para. 3 VO (EU) No 2015/445. Therefore, any flight school licensed in Germany that offers flight training for students aiming for LAPL, SPL or BPL must already have the status as an ATO. When the BTO-concept will have been implemented in the future, there may be some german non-complex ATO’s (former registered facilities) that would be better off as BTO’s due to a less burdensome regulatory approach. Therefore, it would be highly appreciated to have a simple solution in place for an ATO to get the status as a BTO. Such a downgrading solution could be, for example, a simple notification by the respective ATO informing the competent authority about the intended status switch. From a regulatory perspective, such an approach shouldn’t raise any problem as an ATO already fulfills the requirements on a higher level than a BTO.</p>
response	<p>Accepted.          Thank you for providing this comment.          The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.          The Agency will propose to add transitional provisions to Art 10a of Regulation (EU) No 1178/2011 in order to simplify the transition for existing training organisations wishing to convert their organisation from an ATO to a DTO.</p>



comment	<p data-bbox="351 203 399 235">981</p> <p data-bbox="1133 203 1436 235">comment by: <i>Helge Hald</i></p> <p data-bbox="351 291 925 324">On behalf of Danish Soaring Association (DSvU):</p> <p data-bbox="351 358 1436 436">We suppose that when using the term "sailplane" in this context, it covers Touring Motor Gliders as well.</p> <p data-bbox="351 436 782 470">If so, we have no further comments.</p>
response	<p data-bbox="351 515 430 548">Noted.</p> <p data-bbox="351 548 813 582">Thank you for providing this comment.</p> <p data-bbox="351 582 1436 705">The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p data-bbox="351 705 1436 772">Training on TMGs will be part of the DTO's possible training scope (as already foreseen for the BTO in NPA 2015-20).</p>
comment	<p data-bbox="351 929 399 963">994</p> <p data-bbox="1005 929 1436 963">comment by: <i>Guenter W. FORNECK</i></p> <p data-bbox="351 1019 510 1052">new 4. bullet:</p> <p data-bbox="351 1052 1436 1131">— a training course for a PPL extension is also possible in a BTO class extension for a PPL(A).</p>
response	<p data-bbox="351 1142 430 1176">Noted.</p> <p data-bbox="351 1176 813 1209">Thank you for providing this comment.</p> <p data-bbox="351 1209 1436 1332">The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p data-bbox="351 1332 1436 1444">PPL holders do not require a 'class extension' like an LAPL holder – they need to obtain additional 'class ratings'. Training for the class ratings SEP and TMG are within the DTO's possible training scope (as already foreseen for the BTO in NPA 2015-20).</p>
comment	<p data-bbox="351 1534 414 1568">1009</p> <p data-bbox="1005 1534 1436 1568">comment by: <i>Guenter W. FORNECK</i></p> <p data-bbox="351 1624 526 1657">Page 14 2.5.2</p> <p data-bbox="351 1657 478 1691">add listing:</p> <p data-bbox="351 1691 861 1724">- extension/upgrading of LAPL(A) to PPL(A)</p> <p data-bbox="351 1724 526 1758">Page 14 line 8:</p> <p data-bbox="351 1758 1133 1792">doe you really mean "SEP(t)..." ?? Or Should it be "SEP(Land).." ?</p> <p data-bbox="351 1836 606 1870">Changes in Subpart J:</p> <p data-bbox="351 1870 1133 1904">What is the reason for keeping training for a FI PPL(A) in an ATO?</p> <ul data-bbox="351 1904 1244 2016" style="list-style-type: none"> <li>- all training can now be done in an ATO, same as training for FI(S) and FI(B)</li> <li>- There is and there will be no change to present content of training syllabi</li> <li>- only difference is necessity to hold CPL... or theoretical knowledge of CPL.</li> </ul>



	<p>- Why not switch possibilities:</p> <ul style="list-style-type: none"> <li>- training for "FI(A) for VFR PPL-training" can be transformed to BTO</li> <li>- training for "FI(A)" with higher classification (CPL or IR) needs training at ATO, same as upgrade from lower to higher FI-qualification</li> </ul>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The term 'SEP(t)' on page 14 was obviously a typo and should have read 'SEP(land)', as you suppose. Thank you for providing this advice.</p> <p>With regard to the proposal to add courses for further instructor certificates to the training scope of a DTO, please check the response to comment No 178 for more information.</p>
comment	<p>1137 <span style="float: right;">comment by: <i>Deutscher Aero Club Landesverband Niedersachsen</i></span></p> <p>LVN states:</p> <p>Although the BTO concept might cause less burden to the applicant a transfer into the concept to RTO should be followed by amending or change of the basic regulation. The problem concerning interpretation by the necessary although light approval by NAA will be current under that structure. A clear separation of ATO to BTO can be supported.</p> <p>2.5.2: LVN agrees in that way that bureaucratic burden should be diminished by the BTO concept and the included licences and ratings are acceptable for us.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>1138 <span style="float: right;">comment by: <i>HQ Aviation</i></span></p> <p>2.5.3. Proposed amendments to Part-ARA and to the associated AMC/GM</p> <p><b>to the oversight of the BTO. Oversight may include unannounced inspections</b></p> <p>This particular method of over site is really not helpful.</p> <p>2.5.4. Proposed Part-BTO and the associated AMC/GM BTO</p> <p>BTO.GEN.120</p> <p>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), <b>single-engine turbines (SET)</b>, IR/EIR (notwithstanding the arrangements for CB IR and EIR partly</p>



**conducted in an ATO and partly outside an ATO**

BTO's should be able to conduct SET helicopter type ratings, refresher training and conduct other non commercial flight training.

The R66 and the B505 are examples of modern non complex SET helicopters. Non commercial flight training organisations should not be excluded from being able to conduct training on these types.

BTO.GEN.190

**It should be emphasised that there is no requirement for an operations or training manual**

Agreed.

**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 assessed as Part-FCL compliant by the CA, or the BTO may develop their own training programme using the guidance.**

Can this not be assessed at the annual review? Rather than having to produce more paper work/manuals. The BTO will be training using the part FCL syllabus.

**BTO.GEN.240 requires the BTO to have an adequate fleet of training aircraft or FSTDs appropriate for the training provided.**

Is this not fundamental to the facility to be able to carry out the flight training. Why does the CA need this information in order to issue an approval

— BTO.GEN.250 describes what aerodrome and operating sites a BTO **must use**.

Why? there is sufficient guidance material regarding what sites are permissible for flight training, again why does it need to be in a manual and needed to be approved?

— BTO.GEN.260 describes how distance learning must be conducted.

Why must a BTO decide how a students distance learning must be conducted. The student is not permitted to take the exam until authorised by the BTO and only after a demonstration of competence. The BTO can advise what material to study and aid the student where necessary. This is done as a matter of course, it does not really need to be included into an operating frame work which needs to be approved by the CA.



response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Additionally, the Agency would like to point out as follows:

- With regard to the proposal to add further helicopter type ratings to the training scope of a DTO, please check the response to comment No 1102.
- With regard to your proposal to add the CB-IR, the EIR, the IR as well as further class and type ratings to the DTO training scope, please check the response to comment No 6.
- While the verification of compliance of the DTO training programme is an activity carried out by the competent authority as part of the continuing oversight process, the annual internal review is carried out by the DTO itself. Therefore, checking Part-FCL compliance of the DTO training programme cannot be combined with the annual internal review.

### 3. Proposed amendments

p. 18

comment

1149

comment by: HQ Aviation

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

##### Pass standards

or has **failed to pass all papers within either 6 sittings** or the period mentioned in paragraph (2), **he/shethe applicant shall re-take the complete set of examination papers.**

Absolutely ridiculous.

Training to obtain a PPL is a leisure activity, people want to enjoy them selves. How does this solve anything? 4 attempts at at any one subject before further action be required is fair, but loosing all other papers and starting again if its outside of the 6 sittings.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that FCL.025 in the context of this rulemaking task (RMT) is revised for the sole purpose of adding references to the new training organisation. A total revision of the whole FCL.025 is outside the remit of this RMT and is intended to be undertaken with RMT.0678.



## 3.1. Draft Regulation (Draft EASA Opinion) — Article 10a Pilot training organisations

p. 18

comment	<p data-bbox="351 367 391 403">18</p> <p data-bbox="997 367 1436 403" style="text-align: right;">comment by: <i>Prof. Filippo Tomasello</i></p> <p data-bbox="351 459 1436 526">Par 1a in Article 10a should also include training organisations for UAS in the open and specific category</p>
response	<p data-bbox="351 593 526 627">Not accepted.</p> <p data-bbox="351 627 821 660">Thank you for providing this comment.</p> <p data-bbox="351 660 1404 694">Rules on unmanned aerial vehicles (UAV) are not subject to this rulemaking task (RMT).</p>
comment	<p data-bbox="351 817 406 853">106</p> <p data-bbox="1109 817 1436 853" style="text-align: right;">comment by: <i>AECA(SPAIN)</i></p> <p data-bbox="351 907 1436 1052">Which means as for the Associated ratings, certificates and ... only? The only regulated certificate applicable in this case should be the flight instructor certificate and is supposed is not initially issued. Moreover, the associated class or type rating can only be the aircraft rating in which the flight test was conducted.</p> <p data-bbox="351 1086 1356 1120">It is proposed this other text: <b>as for the associated initial rating and privileges only</b></p>
response	<p data-bbox="351 1153 526 1187">Not accepted.</p> <p data-bbox="351 1187 821 1220">Thank you for providing this comment.</p> <p data-bbox="351 1220 1436 1332">The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p data-bbox="351 1332 1428 1400">The particular possible training scope for a DTO will be defined in detail in the new Annex VIII (Part-DTO) DTO.GEN.110.</p>
comment	<p data-bbox="351 1534 406 1570">195</p> <p data-bbox="1061 1534 1436 1570" style="text-align: right;">comment by: <i>IAOPA (EUROPE)</i></p> <p data-bbox="351 1624 1436 1691">Agree with proposed amendment of para 1a as it will not rule out inclusion of BIR training at a BTO.</p>
response	<p data-bbox="351 1713 438 1747">Noted.</p> <p data-bbox="351 1747 821 1780">Thank you for providing this comment.</p> <p data-bbox="351 1780 1436 1892">The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p data-bbox="351 1892 1436 1971">However, with regard to your assumption referring to the BIR, please check the response to comment No 6 for more information on the decision to exclude, for the time being, any</p>



IFR training from the DTO training scope.

comment

730

comment by: *Urzad Lotnictwa Cywilnego Poland*

Is it an intention that the BTO concept is going to replace the ATO for PPL/SPL/BPL and LAPL or is it only going to be an additional „system” to certificate/register the organizations that will function in parallel to the already approved ATOs?

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The introduction of the DTO will not change the possible training scope of an ATO. The DTO will be another option for establishing a training organisation for non-commercial licences, but still applying for an ATO approval for delivering training for LAPL, PPL, SPL and BPL will be possible.

comment

884

comment by: *Flying Club President*

**"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.....

...

...

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.

"

Suggest change "8 April 2018" to "the RMT delivers the changes required to provide Training for Private Licenses outside an Approval system"

This will then remove the reason to rush-in unsatisfactory, disproportionate and unnecessary regulation

response

Not accepted.

Thank you for providing this comment.



The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

889

comment by: *Flying Club President*

Suggest adding to Article 10

"Training Bodies choosing to comply with the Basic Regulation through the BTO arrangements are considered to be ATOs"

That way, all Training Organisations will have the OPTION to comply with the Basic Regulation through this route more practical route, and there will not be any restrictions on what training can be performed. Thus keeping it simple and powerful. Empowering EU residents with the *possibility* to compete with other world providers (the FAA for example).

It is quite self evident that even this level of Compliance/Oversight exceeds any International commitments and exceeds the Basic Regulation requirements and is still pointless and unnecessary.

BUT at the very least if this is going to be FORCED THROUGH then give it some chance to have teeth.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

944

comment by: *Hermann Spring*

### 3.1.2

**Super, but why was that better considered, when the BTO/BTF definitions were established?**

**JAR- FCL 1.125 which contains 140 words only, the BTO definitions about 20 times more, why and for what?**

**DO NOT FIX, WHAT IS NOT BROKEN**

**Thousand thanks for delaying the conversion of the JAR-RF to 2018 into an ATO and additionally releasing to prepare for PPL training outside of ATO**



response Noted.  
Thank you for providing this comment.

comment 1007 comment by: AESA

Modify text as follows (text added highlighted in grey, dleted with strike through):

1a. Notwithstanding paragraph 1, pilot training organisations providing training **exclusively** for applicants to or holders of a ~~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.

Justification:

It should be clear that the privileges of the BTO are reduced to LAPL, PPL, SPL and BPL and ratings associated with them. Otherwise misunderstandings may occur.

For example: BTO 120 establish the series of courses can be developed by a BTO, including class rating for airplane pilots and type and others for helicopter pilots. Does this mean that would be valid for a professional pilot wants to get a rating for which the BTO has courses?

response Not accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
In the new Part-DTO, DTO.GEN.100 in connection with DTO.GEN.110 will specify in detail the possible training scope of a DTO. The wording of DTO.GEN.110 is intended to allow commercial licence holders to undergo training at a DTO for ratings that can be trained at a DTO (e.g. a CPL holder wishes to renew the SEP class rating.).

comment 1047 comment by: Finnish Transport Safety Agency

In Trafi's opinion the transition time until 8.4.2018 is sufficient, on condition that the final regulation is adopted in time.

response Noted.  
Thank you for providing this positive feedback.

comment 1188 comment by: Sandra WECHSELBERGER



	<p>The proposed regulation leaves two possibilities open to receive an approval for a training organisation in the sailplane (S) category.</p> <p>Sailplane flying organisations could either strive for a Section II ATO approval or BTO.</p> <p>Is there any reason why two possible ways of approval are needed? Suggestion: the possibility to receive an approval as Section II ATO for sailplanes (S) should be deleted. Any application of higher standards (ATO Section I or II) towards an organisation which could also reach the same level of approval by a BTO certification might contradict the provisions for equality.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353, and, with regard to your comment, the response to comment No 730 for more information.</p>

comment	1212	comment by: <i>G Purchase</i>
	<p>In the following paragraphs, need to add the IR(R) and the IR(En-Route) so that they can be taught at a BTO in countries where the aviation authority allows the training to take place.</p>	
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>With regard to your proposal to add IR training courses to the training scope of this new training organisation, please check the response to comment No 6.</p>	

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.025 Theoretical knowledge examinations for the issue of licences and ratings**

p. 19

comment	74	comment by: <i>David Tofton</i>
	<p>FCL.025 THEORETICAL KNOWLEDGE</p> <p>This seems to add nothing to an already good system in the united kingdom. Most students are flight training and theoretical training at the same time and are constantly in contact with qualified pilots and instructors during flights to test there knowlege.</p> <p>The system of self study and exams has been working for many years, this is backed up by</p>	



response	<p>the high number of first time pass results.</p> <p>I am against needing a recommendation before exams are taken.</p> <p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>
comment	<p>75 <span style="float: right;">comment by: Tony Jay</span></p>
response	<p>Theoretical lessons are not required. Self study should be an option.</p> <p>There are many ways of studying the topics and even hinting that formal instruction is required is not in line with ballooning knowledge.</p> <p>Knowledge can be learnt through study, informal instruction etc.</p> <p>As long as there is a test there is no need to force the way the subject is learnt as attendance of the course means nothing and just pushes up cost and inconvenience (as there will be very few courses run due to the low number of participants, so expecting people to travel the length of the country for one course a year is unacceptable)</p> <p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. Following the essential requirement for pilot training established by Annex III of Regulation (EC) No 216/2008, Part-FCL requires theoretical knowledge for the issue of a licence always to be delivered through a training course. This was already the case under the previous JAR-FCL requirements, and also national rules on balloon and sailplane licensing in many Member States did foresee theoretical knowledge training courses at training organisations. This principle is to be kept – please also refer to Chapter 2.4 of the Opinion (Summary of the regulatory impact assessment) for further information. However, the new Part-DTO, DTO.GEN.260 on ‘Theoretical knowledge instruction’ will offer extensive flexibility with regard to the provision of the theoretical knowledge instruction. The requirement to have at least one element of classroom instruction has been deleted.</p>
comment	<p>107 <span style="float: right;">comment by: AECA(SPAIN)</span></p>
	<p><i>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.</i></p> <p>For what other licenses the validity of 12 months is established? The list of licenses that applies the criterion of 24 months includes all possible.</p> <p>Delete the phrase <b><i>except for theoretical knowledge examination for LAPL, PPL, SPL, and</i></b></p>



**BPL for which the recommendation shall be valid for 24 months**

response

Accepted.  
Thank you for providing this comment.  
The recommendation from a training organisation to take the theoretical knowledge examination will remain valid for 12 months. It has been decided not to introduce the extension to 24 months.

comment

123

comment by: Gary MADELIN

FCL.025.

This proposal adds no value. In my case, I studied for and passed all my theoretical knowledge exams before I even started my flying training. We did not need a ATO to encourage all pilots to do the same if they wished. Not all pilots progress at the same pace, so a "one size fits all" proposal is not suitable.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

comment

136

comment by: Barry Bower

This does not appear to offer any value. Past experience shows that students can self-assess and make an application for Theoretical Knowledge exams when ready. Pass rates are high showing that the system works. We do not need a recommendation from an ATO. This requirement is unnecessary.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

comment

144

comment by: Rich Benham

Regarding the Theoretical Knowledge requirement within FCL.025, there is absolutely no point in this requirement - it adds no value, but does add red tape to the process.

Here in the UK, students are able, and have been for 20-30 years or so, to complete a self-assessment and then when THEY think that they are ready for the exams then they can put themselves forward for it at their risk. This is in the same way as a driving test - you don't put yourself into a test scenario until you believe that you are good enough.

The evidence that this decades-old way actually works, is in the success rate - it is very high - Does this not provide enough proof that the existing system of self-analysis is working and if it ain't broken then there's no need to fix it. Therefore, my strong point on



response	<p>this is that a Training Organisation is not needed in order to recommend someone as to whether they are ready or not for an exam (this just puts more burden and more cost on the training system - more cost hinders people from joining our sport).</p> <p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>
comment	<p>153 <span style="float: right;">comment by: <i>jeffrey Lawton</i></span></p>
	<p>FCL.025 Theoretical Knowledge</p> <p>Pass rates for theory are currently high .I cannot see any benefit whatsoever in students requiring a recommendation before sitting theory exams.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>
comment	<p>196 <span style="float: right;">comment by: <i>IAOPA (EUROPE)</i></span></p>
	<p>(In our NPA 2014-29 response, IAOPA (Europe) has already proposed amending FCL.025(b) to delete the requirement for 'sittings' at PPL/LAPL level).</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>
comment	<p>214 <span style="float: right;">comment by: <i>Innes WORSMAN</i></span></p>
	<p>Adding a recommendation for theoretical knowledge examination does not add any value simply adds more beaucracy.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>
comment	<p>242 <span style="float: right;">comment by: <i>JED DRYDEN</i></span></p>
	<p>FCL.025 Theoretical knowledge examinations for the issue of licenses and ratings</p> <p>Students requiring a recommendation from a training organisation before they take</p>



	<p>exams seems a waste of time as students would not put themselves up for an exam if they didn't feel ready. The high pass rate achieved in the UK for theory exams proves this point and have been the case for many years</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>
comment	<p>273 <span style="float: right;">comment by: <i>Medical Officer BBAC</i></span></p>
	<p>FCL.025 – Theoretical knowledge examination. The requirement for a recommendation for this examination would only be of value if there were large numbers of candidates putting themselves forward without adequate knowledge leading to repeated failed exams and a burden on examiners and papers. This is not the case and the system as is (without this requirement) appears to work safely and effectively. This recommendation would not add any value to the present system.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>
comment	<p>285 <span style="float: right;">comment by: <i>BBAC 6824</i></span></p>
	<p>FCL.025 - '... when recommended by the BTO...'  A trainee pilot is quite capable of judging when he is ready to take theory examinations and, if he fails, he learns. A recommendation by an Instructor has never been deemed necessary or to have any value or advantage historically.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>
comment	<p>312 <span style="float: right;">comment by: <i>Jeremy Hinton</i></span></p>
	<p>This element is overly prescriptive. What is important is that the applicant should attain the required standard. How, in detail they achieve the standard needs not be legislated for. (eg attending a BTO/ATO facility is not necessary)</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>



comment 325 comment by: *bBAC*

A candidate does not need a recommendation to take written exams. He/she should be free to make the choice.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

comment 332 comment by: *Richard Turnbull*

It would appear that in UK, historically, students have been able to realise whether or not they have enough knowledge to present for any theoretical exam they might need to take. No 'training organisation' is needed for this.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

comment 394 comment by: *Pete Forster*

I don't see that there is any evidence to support the need for the BTO/ATO to recommend an applicant. Historic results show a high pass rate for students who have all self-recommended. This is unnecessary and burdensome administration for the BTO/ATO.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

comment 419 comment by: *Andy Walker*

I understand the requirement for a recommendation for a flight test, to avoid the wasting of time of examiners, especially where the number of time and weather opportunities for such a flight test may be limited, and the nature of the BTO may mean that required level is not as apparent as in a heavily structured organisation. But what benefit does it serve for a theoretical knowledge exam which can be done repeatedly without great constraint, and where the applicant themselves is the person best placed to know their readiness? That the non-recommendation system works is apparent in the high pass rates. A recommendation requirement here adds bureaucracy and delay to no purpose.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.



comment	428	comment by: <i>Ann Rich</i>
	<p>I do not see any need for a recommendation from a training organisation before a student can take <i>theoretical</i> examinations. From experience, students are able to self-assess their readiness for theory exams, and this is supported (in the UK) by high pass rates amongst candidates. I do not believe that the requirement for a recommendation would provide any benefit, it will simply be a further burden on the student and whoever is required to provide the recommendation. I request that this requirement (a(2)) is deleted.</p>	
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>	

comment	473	comment by: <i>Michael Noyce</i>
	<p>I am against the need of a recommendation from a training organisation before a student takes exams because from experience students can self access their readiness for theoretical knowledge exams and a high pass rate in the UK reflects this</p>	
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>	

comment	518	comment by: <i>Will</i>
	<p>Page 19. FCL.025 : There is no need for recommendation before sitting a theory exam , existing system works well.</p>	
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>	

comment	526	comment by: <i>Will</i>
response	<p>Noted. The Agency thanks you for your silent consent.</p>	

comment	531	comment by: <i>Peter Dalby</i>



	<p>Para 3.1 (2) I don't see any need for this requirement whatsoever. In the UK we have a high pass rate for the theoretical exams, which indicates that the current system of students presenting themselves is working well. Informal arrangements, such as the student's regular instructor giving advice as to readiness is perfectly acceptable.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>

comment	<p>537 <span style="float: right;">comment by: <i>GailG</i></span></p> <p>P19, FCL.025: The balloon theory exams have a high pass rate, which implies PUTs don't sit them until they are ready. So there is no need for a training organisation to make a recommendation. It would add unnecessary red tape.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>

comment	<p>552 <span style="float: right;">comment by: <i>Nick Bettin</i></span></p> <p>FCL.025 THEORETICAL KNOWLEDGE - We do not see that this adds any value. In our (and our many pilot, instructor and examiner friends) considerable experience over many decades in UK, we have found that students can self-assess and present for theoretical knowledge exams when they feel they are ready. Pass rates being high is an indication that the system works without needing a recommendation from a training organisation. We are therefore opposed to this proposal.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.</p>

comment	<p>553 <span style="float: right;">comment by: <i>Nick Bettin</i></span></p> <p>Furthermore....we do not feel that classroom study should be mandatory. I and most my peers in the sport, studied the books and instruction manuals at home, only seeking additional classroom 'top up time' when they thought they needed it.</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. In the new Part-DTO, DTO.GEN.260 on 'Theoretical knowledge instruction' will offer</p>



extensive flexibility with regard to the provision of the theoretical knowledge instruction.

comment 576 comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

I believe students can self assess readiness for written exams. failure rates in written exams are low. we don't need another bureaucratic step of the TO recommending a student to take the exams. Please cancel this requirement.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

comment 616 comment by: *Kevin Meehan*

FCL.025 – THEORETICAL KNOWLEDGE (page 19 of 49) A recommendation will be required from the training organisation before a student sits any Theoretical Knowledge exams. A recommendation will be valid for 24 months.

This a layer of administration that is not needed - balloon training is not conducted at fixed bases and students undertake training on a flexible basis - a combination of self study and informal classroom study.

The results of the present UK system - self recommendation - has resulted in a high level of pass rates without recommendation from a training organisation.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

comment 648 comment by: *Allie Dunnington*

FCL 025, page 19

I personally do not see why we should need a recommendation from an ATO before a student can sit for his or hers theoretical tests. Students are normally well able to judge themselves when they are ready for the exam and will have been in touch with any instructors or examiners beforehand anyway. Such a requirement would only lead to a more complicated and complex system for no extra benefit or better pass rate.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.



comment	665	comment by: CAA Norway
	24 months is too long for the validity of the recommendation for test. We see no reason for extending the 12 month period for the PPL/LAPL exams.	
response	Accepted. Thank you for providing this comment. Please check the response to comment No 107 for more information.	

comment	716	comment by: Ian Wadey
	There is no merit in making any recommendation necessary for a student to sit any Theoretical Knowledge exams. A validity period (24 months) for the recommendation is unnecessary. In the UK, a student has been able to assess for themselves their readiness and the high pass rate indicates this is all that is required.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.	

comment	738	comment by: UK CAA
	<p><b>Page No:</b> 19</p> <p><b>Paragraph No:</b> FCL.025(b)(3)</p> <p><b>Comment:</b> Concerning the number of sittings for LAPL, PPL, BPL and SPL; FCL.025(b)(3) states <i>'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) the applicant shall retake the complete set of examination papers.'</i></p> <p>The UK CAA believes this is justifiable for CPL/MPL/ATPL and IR but not for LAPL, PPL, BPL and SPL.</p> <p><b>Justification:</b> Proportionality.</p> <p><b>Proposed Text:</b> Replace FCL.025(b)(3) with the following:</p> <p><i>"If an applicant has failed to pass one of the theoretical knowledge examination papers within 4 attempts, or the period mentioned in paragraph (2), or in the case for CPL, MPL, ATPL or an Instrument Rating has failed to pass all papers within either 6 sittings the applicant shall retake the complete set of examination papers."</i></p>	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.	



comment	837	comment by: <i>Slowfly</i>
	I do not see any added value of having a recommendation for a written exam or a Theoretical Knowledge exam.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.	

comment	864	comment by: <i>Robert Cross - BBAC</i>
	Adds no value. Students self-prepares.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 1149 for more information.	

comment	885	comment by: <i>Flying Club President</i>
	Suggest replacement wording:	
	<p><del>FCL.025 Theoretical knowledge examinations for the issue of licences only take the examination when recommended by the approved training organisation (ATO) responsible for their training</del></p> <p><del>(3) The recommendation by an ATO shall be valid for 12 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 ATO,</del></p> <p><del>(3) If an applicant has failed to pass one of the examination papers within 4 attempts, or has failed to pass all papers within either 6 sittings or the period mentioned in paragraph (2), he/she shall re-take the complete set of examination papers.</del></p> <p><del>Before re-taking the examinations, the applicant shall undertake further training at an ATO.</del></p> <p>Suggest For BTO: FCL.025 .... (6) (a) At a BTO a candidate can be put forward for a ground exam anytime they like. (6) (b) The candidate must pass all subjects within 36 months of the Application date of the license. (6) (c) If exams for any subject are failed 4 times then the candidate must be referred to</p>	



	<p>the CA</p> <p>This is a simple proportionate and sensible approach. It is an example of how broader regulation could be written.</p> <p>(the deleted text is worse even than it states - because there is somewhere written the "definition of a sitting" - being any 10 day period etc etc etc)</p> <p>The deleted text contained the sort of pointless garbage regulation that makes everybody lose hope and faith in regulators. Change all the other stuff with this positive can do attitude - please.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 1149 for more information.</p>
comment	<p>908 <span style="float: right;">comment by: <i>Peter JAMES</i></span></p> <p>The additional requirement for recommendations for student pilots to take exams places an additional and unnecessary burden on the training organisation. Students have many ways of preparing for examinations and the existing pass rates in the UK suggest that the recommendation requirement is unnecessary.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 1149 for more information.</p>
comment	<p>913 <span style="float: right;">comment by: <i>Uppvinden AB</i></span></p> <p>"either 6 sittings or" shall be omitted for the BTO.</p> <p>This part does not create any safety improvements but creates just administration problems. When earlier asking EASA why the number "6" is correct no answer has been given. Especially for pilots not studying full time for their examination, this restriction is causing problems. A specific number of sittings means a more difficult situation for "scratch" persons with all subjects in the examination compared to persons who already have other licences and only need a few examination subjects. That difference is not necessary especially as no motivation for the sittings or the number is given. Therefore sittings should be considered to be taken away or have a considerable higher number. A time limit of 18 months should be enough for all non-commercial licences.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 1149 for more information.</p>



comment

945

comment by: *Hermann Spring*

**This confirms, that a student can pass the theoretical exam in Spain and the practical skill test at his normal working place in another country?**

I had several times such problem, as the theoretical tests were in Swiss languages available only. It would be preferred this proposal very much.

**Please confirm**

response

Noted.

Thank you for providing this comment which relates rather to the understanding of the current Regulation than to the changes to FCL.025 as proposed in NPA 2015-20.

The Agency confirms that it is possible to pass the theoretical knowledge examination and the skill test in different Member States. However, according to FCL.025 (a) (1), the entire theoretical knowledge examination (all subjects) shall be taken in one Member State.

comment

995

comment by: *Guenter W. FORNECK*

Original:

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.'

Suggestion:

Theoretical knowledge instruction and flight instruction may take place in a different BTO or ATO from the one where the applicant has started the training.'

Reason:

The student pilot is not limited to a specific Training school. Thus parts of the flight training syllabus could be conducted in different flight schools (or even different countries) giving the flight student the possibilities to encounter various terrains, weather or other flight rules.

Furthermore, student pilots who may live at 2 or more localities (eg. temporary relocation for business needs) would be able to continue with flight instruction rather than having to break off and begin from new when returning after this temporary relocation.

Another example could be the usage of resources within another BTO to speed up the training program

response

Not accepted.

Thank you for providing this comment.

This new provision allows students to change the training organisation during the training course, as there may be situations where it is required to do so. However, it is not intended to allow students to change training organisations for many times without a specific and important reason. Supporting AMC will be put in place to demonstrate arrangements necessary in order to ensure a proper 'hand-over' from the old to the new training organisation.



comment 1063 comment by: *Phil Dunnington*

There is no benefit in requiring students to pre-qualify for TK examinations. Self-recommendation has been shown to be quite satisfactory in maintaining standards in the past.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

comment 1166 comment by: *Richard ALLEN*

Theoretical Knowledge recommendation - this would seem to be un-necessary as students in the vast majority of cases can self assess and know when they are ready to take theoretical knowledge exams.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 1149 for more information.

### 3.1. Draft Regulation (Draft EASA Opinion) — FCL.115 LAPL — Training course

p. 19

comment 41 comment by: *David COURT*

Study for the theoretical knowledge examinations should be flexible. Some students will need a classroom course where others will study better alone with guidance from an Instructor when required.  
We do not want a classroom course to be compulsory. It should be an option for those who require it.

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 63 comment by: *massimo*

why to be recommended for exam? I think this is totally illogical. First since A person should be able to judge his own preparation, like universities exam ( People going there when they feel ready!). Moreover the school can check everytime the student during his studying process!



response Not accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that FCL.025 in the context of this rulemaking task (RMT) is revised for the sole purpose of adding references to the new training organisation. Additionally, it has to be highlighted that

comment 64 comment by: *massimo*

I do not see any utility of having obliged classroom. Most of exams I did have been self assessed and/or distance trained and worked very well! It also helped me to save costs of training.

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 77 comment by: *David Tofton*

FCL.115 LAPL – TRAINING COURSE

Why, with very good training manuals and very good instructors this is not required for all pilots.

Some may benefit but why make all students train in a class room just because it may benefit the few?

I do not want to see compulsory classroom training

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 91 comment by: *Thomas Dietrich*

I would like to have this type of training to be allowed with aircraft that are not under a CAMO or modify M.A. 201 i) to allow this. Often this training will be done with owners ac which is a good idea to have him trained in what he will fly later. Many of these ac are on Annex II. Otherwise BTS are not able to use aircraft under ELA-1 or Part Ml.

response Noted.  
Thank you for providing this comment.  
Establishing rules on the continuing airworthiness of training aircraft is outside the Terms



of Reference of this rulemaking task (RMT). However, the Agency may direct your attention to the published Opinion 05/2016 which proposes to introduce a so-called 'Part-M light' for smaller aircraft.

comment 108

comment by: AECA(SPAIN)

*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.*  
Need an AMC or more specification of the rule to establish circumstances and procedures.

response Noted.

Thank you for providing this comment.

Supporting AMC will be put in place to demonstrate arrangements necessary in order to ensure a proper 'hand-over' from the old to the new training organisation.

comment 124

comment by: Gary MADELIN

As I stated in my previous comment, we do not need "classroom" style learning. Theory training can be studied in any home environment and tested independantly by a qualified assessor. We do not need a classroom.

response Noted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment 137

comment by: Barry Bower

Classroom training is not necessary. We do not need it.

response Noted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment 145

comment by: Rich Benham

Regarding FLC.115 LAPL training course requirements - it is absolutely absurd that students would HAVE to do classroom theory study. These days people learn via MANY



DIFFERENT learning styles and resources (on-line study, as well as books, etc.). Making it compulsory, instead of an option, for people to do classroom study in the UK would just not work (think of the logistics of the few people that study each year, across the whole geography of the UK, to attend classroom study - just more un-needed burden, cost, time, resources, etc.).

Therefore this requirement would just not work.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment

154

comment by: *jeffrey Lawton*

FCL.115 LAPL-Training course

There is absolutely no reason or perceived benefit in the introduction of classroom training . It gives no consideration to the way training is currently delivered which is geographically fragmented and as a result primarily on a 1 to 1 basis which group classroom instruction cannot hope to match .

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment

180

comment by: *Schmaus*

FCL.115.LAPL.(c)

... may be completed or partly conducted in a .....

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 995 for more information.

comment

197

comment by: *IAOPA (EUROPE)*

Provided that the requirements of FCL.025(a)(1) '*Applicants shall take the entire set of examinations for a specific licence or rating under the responsibility of one Member State*' are met, FCL.115(c) should enable cross-border training - a training course started in one MS may be completed in a different MS.

response

Noted.

Thank you for providing this comment.



The new FCL.115(c) allows flight students to change from one training organisation to another. As not specified otherwise, it is well possible to change from a training organisation located in one Member State to a training organisation located in another Member State.

comment 215

comment by: *Innes WORSMAN*

I completed all my studies at home and completed all my exams with a 90% or higher pass rate.  
Class room study should not be compulsory and is positively backwards.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 243

comment by: *JED DRYDEN*

FCL.115 LAPL Training course

Courses for theoretical knowledge and flight instruction are available to those who need them. Some students may find travelling to such courses difficult but can benefit from 1 to 1 instruction from a local balloonist, instructor or local balloon clubs. To make the ATO/BTO training courses compulsory would further put off or inconvenience students to our now used system that works so well

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 274

comment by: *Medical Officer BBAC*

FCL.115 LAPL

It is important to allow theoretical knowledge training to be carried out within a BTO by established processes now used by educational organisations and that includes distance learning using recommended literature and access to mentors by internet or phone and not necessarily in person. Balloon pilot training takes place in remote locations and 'classroom' instruction is inappropriate and adds nothing to the acquisition of knowledge required.

response

Noted.  
Thank you for providing this comment.



Please check the response to comment No 75 for more information.

comment

286

comment by: *BBAC 6824*

FCL 115 LAPL Training Course.

A course is not necessary to learn the required theory to be a pilot and pass the required papers. Self learning from appropriate textbooks is quite adequate - and the test is in the test, so to speak.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment

333

comment by: *Richard Turnbull*

Class room study is an unnessessary complication for most people. But, should anyone actually need structured lessons, not being able to study for themselves. These may be needed in a few cases.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment

395

comment by: *Pete Forster*

Historic evidence (eg exam results) demonstrates that applicants can do self-study, supported by informal contact with instructors and other pilots etc, totally successfully and adequately. I do not see the need for compulsory class-room study or a formal training course administered by the BTO/ATO. Again, it would be unnecessary and burdensome administration for the BTO/ATO to conduct.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment

429

comment by: *Ann Rich*

response

Please remove the requirement for completion of a theoretical training course within a BTO.  
 Students should be able to gain the required knowledge in any way that suits them - it is the outcome (passing the exams and being a knowledgeable pilot) not the method that is important. For some people this may be a classroom style training course, which the BTO may provide, and they may *choose* to attend. Others will learn better in alternative fora. the student should be free to study by their preferred method.

Not accepted.  
 Thank you for providing this comment.  
 The comment is not accepted with regard to the claim to remove the requirement for the completion of a theoretical training course at all. However, more flexibility with regard to the provision of theoretical knowledge instruction will be put in place. Please check the response to comment No 75 for more information.

comment 474 comment by: *Michael Noyce*

I would be against any compulsory need for classroom based theory training, this just adds complexity and cost to learning without any visible benefits

response

Noted.  
 Thank you for providing this comment.  
 Please check the response to comment No 75 for more information.

comment 520 comment by: *Will*

Page 19 FCL.115 :  
 Classroom study should not be compulsory as with the small numbers of balloonist partaking it would be expensive and difficult to organise.

response

Noted.  
 Thank you for providing this comment.  
 Please check the response to comment No 75 for more information.

comment 528 comment by: *Will*

response

Noted.  
 The Agency thanks you for your silent consent.



comment

534

comment by: *Peter Dalby*

Para 3.1 (3) I see no need for a theoretical training course for the LAPL. Distance learning has worked well so far. Some Instructors provide theoretical training as part of their teaching process and students can access this kind of training should they need it.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

538

comment by: *GailG*

P19 FCL.115:  
This seems to imply that the ATO/BTO will have to provide classroom training course. This is not the current situation in ballooning, and given the number of pilots training at one time it would be very hard to schedule a choice of dates /places and there would probably be a long wait if a PUT missed a course. The current choice to attend a class or self-study seems to work, and allows people to fit training around work and other commitments. Classroom theory training should not be a requirement.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

577

comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

For balloons, theory training should not be mandated in a classroom environment. students can learn in many ways including self-study and one-to-one instruction. There should be no specific requirements for the learning/study method and no specific number of hours given.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

617

comment by: *Kevin Meehan*

FCL.115 LAPL – TRAINING COURSE (page 19 of 49) and FCL .210 Training Course ( BPL)



	<p>The BTO shall be able to decide the format for instruction for LAPL and BPL training courses.</p> <p>This format could include self study, informal and formal classroom and on site instruction.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 75 for more information.</p>

comment	<p>649 <span style="float: right;">comment by: <i>Allie Dunnington</i></span></p> <p>FCL 115 page 19</p> <p>I am strongly against the suggestion that under a ATO/BTO balloon students will have to have classroom study as a prerequisite to sitting their exams. The current self-home-study system has worked very well over the last 40 years of ballooning in the UK with very good pass rates. Class room teaching requires additional costs in a.) finding a suitable training room and b.) much more organised time by both student and instructor which is hard to accommodate</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 75 for more information.</p>

comment	<p>717 <span style="float: right;">comment by: <i>Ian Wadey</i></span></p> <p>A Training Course for Theory may not be the way some students want to learn. Indeed for many home learning will be more appropriate and convenient. The student should have the option of what is best for them. They still have to pass an exam! There is no need for Compulsary Classroom Theory Training.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 75 for more information.</p>

comment	<p>838 <span style="float: right;">comment by: <i>Slowfly</i></span></p>
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	<p>Compulsory classroom study is quite a burden specially for balloon licensing. It should be optional for those who require it.</p>
response	<p>Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.</p>
comment	<p>865 <span style="float: right;">comment by: <i>Robert Cross - BBAC</i></span></p>
	<p>Classroom training not necessary. Can be done outside classroom.</p>
response	<p>Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.</p>
comment	<p>887 <span style="float: right;">comment by: <i>Flying Club President</i></span></p>
	<p>Instead of repeatedly adding the phrase "BTO or the" to references to ATO.  make the BTO by definition an ATO  ie: "Organisations complying with the alternate arrangements called BTO are considered to be ATOs" .. or similar wording</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. The new DTO benefits from a simplified regulatory framework with regard to both organisational and oversight requirements, designed to provide an alternative to the ATO approval for the general aviation domain. These two options (ATO with prior approval, DTO without prior approval) need to be clearly distinguished.</p>
comment	<p>909 <span style="float: right;">comment by: <i>Peter JAMES</i></span></p>
	<p>Many options exist for students to train. Compulsory classroom training will impact negatively.</p>



response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 1010 comment by: *Guenter W. FORNECK*

FCL.115.LAPL.(c)  
... may be completed or partly conducted in a .....

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 995 for more information.

comment 1028 comment by: *Ivonne Schlesinger, HMWEVL, Germany*

Die klarstellende Änderung bezüglich eines Wechsels der Flugschule wird ausdrücklich begrüßt. Es wird aufgrund FCL.025 (a) (1) davon ausgegangen, dass sich die ATO/BTO im selben Mitgliedstaat befinden muss.

response Noted.  
Thank you for providing this comment.  
  
The Agency would like to highlight that on the one hand FCL.115(c) refers to the 'training' course during which more than one training organisation may be involved. As the text does not specify something else, these different training organisations can be located in different Member States. On the other hand, FCL.025(a)(1) refers to the theoretical knowledge 'examination' conducted by the competent authority, which in total (all subjects) shall take place in one Member State.

comment 1048 comment by: *Finnish Transport Safety Agency*

Trafi supports the possibility to divide the training between two organisations.

response Noted.  
Thank you for providing this positive feedback.

comment 1064 comment by: *Phil Dunnington*

Compulsory classroom training adds nothing to skill levels. It should be optional.



response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

1167

comment by: *Richard ALLEN*

Training course within a BTO or ATO - is this a course that is presented by the organisation in a classroom environment, or specific items that the BTO/ATO say should be studied, but the student can do this alone? I don't see the need for compulsory classroom theory training. Yes, it can be an option, as some people learn better this way, but it should not be compulsory.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.110.A LAPL(A) — Experience requirements and crediting**

p. 20

comment

509

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

Section: FCL.110.A LAPL(A) (b) Experience requirements and crediting

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

Comment: The same editorial change as in FCL 210.A PPL(A)

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

response

Noted.  
Thank you for providing this comment which will be taken up for RMT.0188 (FCL.002) revising Part-FCL.



comment	<p>1091 <span style="float: right;">comment by: <i>The Finnish Aeronautical Association</i></span></p> <p><b>We wish to place a comment on FCL.110 A and FCL.210.A. regarding the crediting of applicants holding a LAPL(S) with TMG extension.</b> The requirement for completing 21 or 24 hours of flight time on TMG after endorsement of the TMG extension makes sense in the case of a fresh ab initio pilot. But it makes no sense in the case of a pilot holding a previous national TMG licence with, in many cases, hundreds of TMG flight hours.</p> <p><b>We propose</b> that the "required 21 or 24 hours of flight time on TMG after endorsement of the TMG extension " can also be fulfilled by flight time on a national TMG licence prior to the endorsement of the TMG extension. This provision could alternatively be at the discretion of the national competent authority.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that crediting of experience gained with national licences prior to the start of the application of Part-FCL can be regulated by each Member State through the conversion report to be established in accordance with Article 4 of Regulation (EU) No 1178/2011.</p>

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.110.S LAPL(S) — Experience requirements and crediting**

p. 20

comment	<p>928 <span style="float: right;">comment by: <i>Aeroklub Polski</i></span></p> <p>Crediting shall be formulated clearer – current notation leads to freedom for interpretation.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that Part-FCL was mainly revised with the purpose of amending those provisions which for the time being contain a reference to 'ATO' in such a way that they will also contain a reference to 'DTO', where necessary. A full technical review of the requirements of Part-FCL is outside the scope of this rulemaking task. The Agency will consider your comment for future rulemaking activities.</p>



**3.1. Draft Regulation (Draft EASA Opinion) — FCL.135.S LAPL(S) — Extension of privileges to TMG**

p. 20

comment

927

comment by: *Aeroklub Polski*

A candidate for a TMG class rating holding both a LAPL(S)/SPL and a LAPL(A)/PPL(A) should not receive the 6 hour training required for the glider pilot but at most and only that required by FCL.135.A. The logic conclusion for such pilots would actually be no requirement for training – an automatic issue of the TMG rating.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that FCL.135.S in the context of this rulemaking task (RMT) is revised for the sole purpose of adding references to the new training organisation. A total revision of the whole FCL.135.S is outside the remit of this RMT. However, the Agency agrees that the issue raised by your comment should be considered, therefore it will be taken up for RMT.0587.

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.110.B LAPL(B) — Experience requirements and crediting**

p. 21

comment

1057

comment by: *Ultramagic, S.A.*

Applicants with prior experience as PIC on balloons may be credited to obtain directly BPL following the same requirements as FCL.110.B.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that Part-FCL was mainly revised with the purpose of amending those provisions which for the time being contain a reference to 'ATO' in such a way that they will also contain a reference to 'DTO', where necessary. A full technical review of the requirements of Part-FCL is outside the scope of this rulemaking task. The Agency will consider your comment for future rulemaking activities.



## 3.1. Draft Regulation (Draft EASA Opinion) — FCL.210 Training course

p. 21

comment

42

comment by: *David COURT*

Classroom study for the theoretical knowledge examinations should not be mandatory. Different students learn in different ways. Classroom study should be available for those who need it but should not be compulsory. Some students learn better with one to one guidance from an instructor rather than in a classroom.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

65

comment by: *massimo*

As before I do not see any utility of classrooms

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

76

comment by: *Tony Jay*

Theoretical knowledge need not be gained from the ATo / BTO but could be gained by self study , informal learning.

We have had 30 years of learning/teaching CPL in the Uk and many people prefer to studyt at their own pace and only seek assistance.

This just adds a barrier to entry.

Optional course is all that is required.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

80

comment by: *David Tofton*

	<p>Every student has a training course with there instructor during training flights, this covers most theory knowledge required. Then the student learns from books, asks questions on forums and to instructors during debriefs and sits ground theory exams, it work very well now why change?</p> <p>There is no need for compulsory classroom theory training</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 75 for more information.</p>

comment	<p>109 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p> <p>(c) Theoretical knowledge instruction and flight instruction may be completed in a different BTO or ATO from the one where applicants commenced their training</p> <p>See coment 108</p>
response	<p>Noted. Thank you for providing this comment. Please check the response to comment No 108 for more information.</p>

comment	<p>130 <span style="float: right;">comment by: <i>Peter MEECHAM</i></span></p> <p>It is not necessary for the theoretical knowledge and training to take place in a BTO. Home study is sufficient as shown by the high marks achieved by students in the past without this facility.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 75 for more information.</p>

comment	<p>146 <span style="float: right;">comment by: <i>Rich Benham</i></span></p> <p>Ref FCL.210 Not just for myself, but for hundreds of others, self-study at home has worked perfectly, and kept logistics and costs to a minimum. We call for help from trained instructors when (and if) we have needed to. More formal strutures being proposed would make it a one-size fits-all solution to a problem that does not exist. Each and every student has their own way of learning, and so getting everyone to a formal classroom training environment will just not work, nor will it make any improvements to the aviation sport of Ballooning. Therefore, I am 100% against the formal need for classroom based training</p>
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response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 155 comment by: *jeffrey Lawton*

FCL.210 Training Course

Home study works and delivers high pass rates . The small numbers of students and wide geographic spread makes formal training courses totally unrealistic .Current theory training on a self instruct and 1 to 1 with instructor on an as needed basis works perfectly for this sport and no benefit is to be gained by introducing formal theory training.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 198 comment by: *IAOPA (EUROPE)*

Provided that the requirements of FCL.025(a)(1) '*Applicants shall take the entire set of examinations for a specific licence or rating under the responsibility of one Member State*' are met, FCL.201(c) should enable cross-border training - a training course started in one MS may be completed in a different MS.

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 197 for more information.

comment 216 comment by: *Innes WORSMAN*

This is not necessary, home study is sufficient.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 244 comment by: *JED DRYDEN*

FLC.210 Training course



Comments the same as for FCL.115 LAPL Training course

These should not be compulsory

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment

275

comment by: *Medical Officer BBAC*

FCL.210

The same comment as in FCL.115 LAPL pertains:-

It is important to allow theoretical knowledge training to be carried out within a BTO by established processes now used by educational organisations and that includes distance learning using recommended literature and access to mentors by internet or phone and not necessarily in person. Balloon pilot training takes place in remote locations and 'classroom' instruction is inappropriate and adds nothing to the acquisition of knowledge required.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment

287

comment by: *BBAC 6824*

FCL 210 Training Course

A course is not necessary for theory training. Many pilots self-teach, and find it more appropriate, before taking examinations. And if it's not effective, the examination will reveal the fact. A formal structure to theory training has no advantage and a trainee has to prove himself by examination in any case.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 75 for more information.

comment

334

comment by: *Richard Turnbull*

More sitting down in class rooms! Not needed, as has been proved over many years here in UK...



response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

396

comment by: *Pete Forster*

Again, I do not support the requirement of a formal training course or class-room study for theoretical knowledge training. Such training should remain informal, supported self-study, geared to the needs of the individual applicant.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

420

comment by: *Andy Walker*

If this wording 'at a BTO' implies a classroom location then I do not see the need. So long as the theoretical content is known why does it matter where it is physically learnt? In a balloon basket, or in an online course, the important thing is that the knowledge is acquired, not how it is done.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

430

comment by: *Ann Rich*

Same comment as for LAPL training on P19.  
Please remove the requirement to complete a theoretical training course with a BTO or ATO.  
Students should be free to study the theoretical aspects of flight in any way they see fit. While they may *choose* to attend a training course if they wish, they should also be free to self study or take individual tuition. It is the exam result that is important, not the method of study.

response

Not accepted.  
Thank you for providing this comment.  
The comment is not accepted with regard to the proposal to delete the requirement to complete a theoretical training course (at a training organisation) at all. According to Annex III of Regulation (EC) 216/2008, training has to be delivered through a training course.  
Please also check the response to comment No 75 for more information.



comment 475 comment by: *Michael Noyce*

Training courses do not work for every student and should not be compulsory, they should be optional. Studying at home has worked in the past with assistance available from instructors when required

response Not accepted.  
Thank you for providing this comment.  
The comment is not accepted with regard to the proposal to make theoretical training course only 'optional'. According to Annex III of Regulation (EC) 216/2008, training has to be delivered through a training course.  
Please also check the response to comment No 75 for more information.

comment 519 comment by: *Will*

Page 21 FCL.210 : Classroom training is difficult to organise & adds extra expense , self study with advice from instructors has worked well in the past

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 539 comment by: *GailG*

P21, FCL210  
This seems to imply that the ATO/BTO will have to provide classroom training course. This is not the current situation in ballooning, and given the number of pilots training at one time it would be very hard to schedule a choice of dates /places and there would probably be a long wait if a PUT missed a course. The current choice to attend a class or self-study seems to work, and allows people to fit training around work and other commitments. Classroom theory training should not be a requirement.

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment 540 comment by: *Peter Dalby*

Para 3.1 (10) As for the LAPL, I see no requirement for classroom based theoretical training courses.



response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

554

comment by: *Nick Bettin*

We do not support the proposal for all trainign to be at an apporved centre!  
Why are you trying to reinvent the wheel? We have a successful system that has worked for years and has demonstrated that the UK training system is respected the world over. It may need a few tweaks - but not a complete revisal and alteration.

response

Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

578

comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

For balloons. theory training should not be mandated in a classroom environment. students can learn in many ways including self-study and one-to-one instruction. There should be no specific requirements for the learning/study method and no specific number of hours given.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.

comment

650

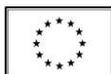
comment by: *Allie Dunnington*

FCL 210 page 21 training course

As explained already under FCL 115, I do not see any benefits in having compulsory classroom teaching or training courses. Home study is fully sufficient with instructors and/or other pilots being drawn in to assist with the training as requested if and when needed by the student.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 75 for more information.



comment	718	comment by: <i>Ian Wadey</i>
	Classroom Theory training should not be compulsory for any student (including BPL's.) Home study assisted by Instructors, or others, if required will often be sufficient. It is the student who has to pass the exam! They need the option of deciding how they need to learn.	
response	Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.	

comment	866	comment by: <i>Robert Cross - BBAC</i>
	Home study is sufficient. Classroom not required.	
response	Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.	

comment	910	comment by: <i>Peter JAMES</i>
	Compulsory site specific training strategies will place significant burdens on students and will disenfranchise many through significantly increased attendance costs.	
response	Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.	

comment	996	comment by: <i>Guenter W. FORNECK</i>
	<p>Original: Theoretical knowledge instruction and flight instruction may be completed in a different BTO or ATO from the one where applicants commenced their training</p> <p>Suggestion: Theoretical knowledge instruction and flight instruction may take place in a different BTO or ATO from the one where applicants commenced their training</p> <p>Reason: The student pilot is not limited to a specific Training school. Thus parts of the flight training syllabus could be conducted in different flight schools (or even different countries) giving the flight student the possibilities to encounter various terrains, weather or other flight rules.</p>	



	<p>Furthermore, student pilots who may live at 2 or more localities (eg. temporary relocation for business needs) would be able to continue with flight instruction rather than having to break off and begin from new when returning after this temporary relocation.</p> <p>Another example could be the usage of resources within another BTO to speed up the training program</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 995 for more information.</p>

comment	<p>1049 <span style="float: right;">comment by: <i>Finnish Transport Safety Agency</i></span></p> <p>Trafi supports the possibility to divide the training between two organisations.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>

comment	<p>1066 <span style="float: right;">comment by: <i>Phil Dunnington</i></span></p> <p>as with LAPL(B) there is no advantage in insisting on a compulsory classroom training element.</p>
response	<p>Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.</p>

comment	<p>1168 <span style="float: right;">comment by: <i>Richard ALLEN</i></span></p> <p>Training course at a BTO/ATO - as per my previous comment, there should not be compulsory classroom theory training as not all students benefit from this type of training. It should be an option, but not compulsory.</p>
response	<p>Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.</p>

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.210.A PPL(A) — Experience requirements and crediting**

p. 21-22



comment	125	comment by: <i>Gary MADELIN</i>
	Again as stated before, home study has been perfectly workable solution in the past. We do not envisage the need for "classroom theory training"	
response	Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.	

comment	138	comment by: <i>Barry Bower</i>
	The compulsory need for classroom training is not necessary. We do not need a formal structure. We are not training lots of people as in the airline world. Home study and a one-on-one contract with an instructor works well.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 75 for more information.	

comment	839	comment by: <i>Slowfly</i>
	Students have different ways of of learning and different approaches to study. I favor home study with optional assistance from instructor (many universities do the same lately). Classrooms should be made optional.	
response	Noted. Thank you for providing this comment. Please check the response to comment No 75 for more information.	

comment	914	comment by: <i>Uppvinden AB</i>
	The addition of "or a SPL" shall also be included in FCL.110.A (b).  SPL is a higher licence than LAPL(S) and shall always be credited if LAPL(S) is.	
response	Noted.  Thank you for providing this comment.  Please check the response to comment No 509 for further information.	



comment	<p>1030 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span></p> <p>Die klarstellende Änderung in Bezug auf den SPL wird ausdrücklich begrüßt. Es müsste aber auch FCL.110.A (b) entsprechend angepasst werden. Hier fehlt weiterhin die Angabe "SPL", so dass die Vorschrift dann nur für LAPL (S) Inhaber gelten würde. Dies ist weder rechtlich noch fachlich nachzuvollziehen.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 509 for further information.</p>

comment	<p>1092 <span style="float: right;">comment by: <i>The Finnish Aeronautical Association</i></span></p> <p><b>We wish to place a comment on FCL.110 A and FCL.210.A. regarding the crediting of applicants holding a LAPL(S) with TMG extension.</b> The requirement for completing 21 or 24 hours of flight time on TMG after endorsement of the TMG extension makes sense in the case of a fresh ab initio pilot. But it makes no sense in the case of a pilot holding a previous national TMG licence with, in many cases, hundreds of TMG flight hours.</p> <p><b>We propose</b> that the "required 21 or 24 hours of flight time on TMG after endorsement of the TMG extension " can also be fulfilled by flight time on a national TMG licence prior to the endorsement of the TMG extension. This provision could alternatively be at the discretion of the national competent authority.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 1091 for more information.</p>

comment	<p>1151 <span style="float: right;">comment by: <i>HQ Aviation</i></span></p> <p><b>FCL.740, on validity and renewal of class and type ratings, is amended as follows:</b></p> <p><b>'FCL.740 Validity and renewal of class and type ratings</b></p> <p>(b) Renewal. If a class or type rating has expired, the applicant shall:</p> <p><b>r, in the case of non-high-performance <i>single-engine piston</i> class ratings expired for less than three years, may take refresher training at a BTO or with an instructor</b></p> <p>Why must this be limited to SEP and not include SET such as the R66,EC120,B206,AS350,B505 and so on. All of the above mentioned aircraft are used by</p>
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the non commercial GA sector by PPL holders.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information.

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.725 Requirements for the issue of class and type ratings**

p. 22

comment **11** comment by: *Ruben*

I think it is reasonable that a BTO can give courses to obtain the following class ratings:  
- Class rating TMG (Class rating for PPL and extension for LAPL)  
- SEP Class rating (land/sea)  
- MEP Class rating (land/sea)  
According "EASA Type Rating & License Endorsement List Flight Crew"  
It is not coherent that a BTO cannot give a course in a multiengine when this class of aircraft has scanty complexity and major safety. I think that to favor the use of twin-engined can cause an improvement in the safety of the general aviation.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information.

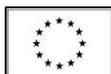
comment **313** comment by: *Jeremy Hinton*

This requirement is unnecessarily prescriptive.  
What is important is that the applicant should attain the required standard.  
How, in detail (ie attending a BTO/ATO)they achieve the standard needs not be legislated for.

response Not accepted.  
Thank you for providing this comment.  
The Agency does not share your opinion according to which training should not be regulated.

comment **360** comment by: *KSAK - Swedish Royal Aero Club*

The word "non-high-performance" should be removed since this should be covered by the BTO or freelance instructor.



response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information.

comment

387

comment by: *DGAC France***Subject:**

TMG training

**Content:**

FCL.725 (a) should be amended to include also training towards TMG class rating.

FCL.725 (b) modification should be aligned with FCL.725 (a) in order to make clear that **only** theoretical knowledge for non HPA SE piston class rating and TMG could be conducted in a BTO.

response

Partially accepted.

Thank you for providing this comment.

The draft rule text for FCL.725 (a) is changed to refer also to TMGs.

FCL.725 (b)(3) already clarifies that for single-engine aircraft the theoretical knowledge examination shall be conducted by the examiner, without any involvement of a training organisation. In all other cases, the involvement of an ATO is required (FCL.725 (b)).

comment

603

comment by: *Voldemars J Uplejs*

in the case of non-high-performance single-engine **and multi-engine** piston class ratings, may complete the training course as BTO.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 6 for more information.

comment

666

comment by: *CAA Norway*

ADD to FCL.725(a): or single-engine helicopters with a maximum certificated seating capacity of not more than 4 persons.

According to the scope of BTO.GEN.120(b) a BTO can offer type rating courses in addition to PPL(H), and that should be reflected in this paragraph.



response Partially accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
The draft rule text for FCL.725(a) is amended to refer to helicopter types listed in the new DTO.GEN.110(b)(3). Please check the response to comment No 1102 for further information.

comment 690 comment by: *Federal Office of Civil Aviation (FOCA), Switzerland*

**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 **and Touring Motor Gliders (TMG)**, 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.

**Comments FOCA :**

*In the non-high-performance single engine piston class ratings is the class rating Touring Motor Gliders (TMG) not included.*

*Throughout the NPA the term class rating TMG is used in an inconsistent manner. It is unclear whether this class rating TMG is included in the used expression "non-high-performance single engine piston class rating"*

response Accepted.  
Thank you for providing this comment.  
The draft rule text for FCL.725 (a) is changed to refer also to TMGs.

comment 739 comment by: *UK CAA*

**Page No:** 22

**Paragraph No:** FCL.725(a)

**Comment:** There is no mention of type ratings in the second half of para (a). Presently it only mentions non-high performance class ratings. Therefore it is unclear in this paragraph if it is the intention to permit training for helicopter single engine piston (SEP) type ratings at a BTO.



response	<p><b>Justification:</b> Clarity - helicopters have Single Engine Piston (SEP (H)) type ratings.</p> <p><b>Proposed Text:</b> Amend FCL.725(a) to read:</p> <p>(a) 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 <b>or type</b> ratings, may complete the training course at a BTO.</p>
	<p>Partially accepted. Thank you for providing this comment. Please check the response to comment No 666 for further information.</p>
comment	<p>920 <span style="float: right;">comment by: <i>European Gliding Union</i></span></p> <p>A simple omission, we believe, <i>(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.</i></p> <p>Should read: (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 <b>or TMG</b> class ratings, may complete the training course at a BTO.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 387 for further information.</p>
comment	<p>1031 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span></p> <p>Hier ist nur von "non-high-performance single-engine piston class ratings" die Rede. es fehlt hier die Klassenberechtigung TMG.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 387 for further information.</p>
comment	<p>1050 <span style="float: right;">comment by: <i>Finnish Transport Safety Agency</i></span></p>



	<p>FCL.725 (a)</p> <p>Helicopter type ratings should also be mentioned, as in BTO.GEN.120 (b).</p> <p>Proposal:</p> <p>(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, or single engine piston helicopter type rating for which the maximal certified seat configuration does not exceed four seats, 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.</p>
response	<p>Partially accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 666 for further information.</p>
comment	<p>1094 <span style="float: right;">comment by: <i>The Finnish Aeronautical Association</i></span></p> <p><b>FCL.725 Requirements for the issue of class and type ratings</b></p> <p>The TMG seems to have been forgotten. (see proposal below).</p> <p>(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 <b>or TMG</b> class ratings, may complete the training course at a BTO.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 387 for further information.</p>
comment	<p>1129 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation (FOCA), Switzerland</i></span></p> <p><b>FCL.725 (a)</b></p> <p><b>Comments FOCA:</b> <i>The proposed scope for helicopters does <u>not</u> include the training towards single engine type rating training.</i></p> <p><i>There is no reasonable argument (safety, staff experience, complexity, etc.) to exclude the</i></p>



*single engine type rating training.*

*When an applicant for a PPL(H) training passes his skill test, he also receives the type rating entry in his licence. So this training is eitherwise part of the BTO's range of competence.*

response

Accepted.  
Thank you for providing this comment.  
Please check the response to comment No 666 for further information.

### 3.1. Draft Regulation (Draft EASA Opinion) — FCL.740 Validity and renewal of class and type ratings

p. 22

comment

12

comment by: *Ruben*

I do not understand why there is a limitation of three years. I think that any rules must be consistent and logical. In this case, it lacks consistency and logical this arbitrary limitation. On the one hand, the rule allows the BTO teach a course for obtaining an license (LAPL, PPL, ...) and class rating. and, on the other hand, it does not allow a training course to renew a rating expired for more than three years. If you can teach a course for a new authorization, why you can not teach a course to renew? It seems to have no logic, who can do more can do less.

response

Partially ccepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the said '3-year-limitation' was initially intended to be applicable only to instructors providing refresher training outside a training organisation. The draft rule text is amended in order to provide respective clarification.

comment

94

comment by: *Thomas Dietrich*

I would like to have this type of training to be allowed with aircraft that are not under a CAMO or modify M.A. 201 i) to allow this. Often this training will be done with owners ac which is a good idea to have him trained in what he will fly later. Many of these ac are on Annex II. Otherwise BTS are not able to use aircraft under ELA-1 or Part MI.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 91 for further information.



comment	<p>110 <span style="float: right;">comment by: AECA(SPAIN)</span></p> <p>... or with an instructor. The corresponding AMC indicates that the ATO determines the amount of training needed in every case and certifies this training. Also it make mention to that the certificate be submitted to the examiner. What happens if it is an independent instructor who does this training? Who determines the amount of training necessary? Who certifies? How to certify?</p> <p>Proposal; <b>delete or with an instructor</b></p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that AMC will be developed to address also refresher training to be provided by an individual instructor. Draft AMC has been published together with the Opinion 11/2016 already (please refer to the draft for the new AMC2 FCL.740(b)(1)).</p>
comment	<p>181 <span style="float: right;">comment by: Schmaus</span></p> <p><u>congratulation</u> to finding the regulatory way back to real life: refresher training does not mandatorily need the implementation into an ATO or BTO; just an <u>instructor is sufficient</u> prior to the proficiency test.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>
comment	<p>199 <span style="float: right;">comment by: IAOPA (EUROPE)</span></p> <p>Disagree with the 'less than three years' restriction. In our NPA 2014-29 response, IAOPA (Europe) proposed the following amendment:</p> <p>(1) <del>except for single-pilot single-engine ratings, excluding high performance or complex aircraft, take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft</del> <del>except if</del> unless the pilot <del>does</del> holds a valid rating for the same class or type of aircraft on a pilot licence issued by a third country in accordance with Annex 1 to the Chicago Convention; and</p> <p>We consider that that assessment of an applicant's proficiency rests entirely with the Examiner, adequate preparation for the proficiency check being solely the applicant's own responsibility. Such preparation may include refresher training with an instructor, whether within a BTO/ATO or independently.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the CRD to NPA 2014-29 for a reply to your comment on this document. In addition, FCL.740 has been reworded to make the '3-years-limitation' applicable to</p>



refresher training provided by individual instructors only. Please check the response to comment No 12 for further information.

comment

361

comment by: KSAK - Swedish Royal Aero Club

The word "non-high-performance" should be removed since this should be covered by the BTO or freelance instructor.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

It has been decided that high-performance aircraft in general will not be within the DTO training scope. Please check the response to comment No 6 for more information.

comment

388

comment by: DGAC France

**Subject:**

TMG class rating renewal

**Content:**

FCL.740 (b) (1) should be amended to include also refresher training for TMG class rating.

response

Accepted.

Thank you for providing this comment.

The draft rule text was amended to include also TMG class ratings.

comment

604

comment by: Voldemars J Uplejs

(b) (1) take refresher training at an ATO, or, in the case of non-high-performance single-engine **and multi-engine** piston class ratings expired for less than three years, may take refresher training at a BTO or with an instructor.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

It has been decided that multi-engine piston class ratings in general will not be within the DTO training scope. Please check the response to comment No 6 for more information.



comment	<p>667 <span style="float: right;">comment by: CAA Norway</span></p> <p>ADD to FCL.740(b)(1): or single-engine helicopters with a maximum certificated seating capacity of not more than 4 persons.</p> <p>According to the scope of BTO.GEN.120(b) a BTO can offer type rating courses in addition to PPL(H) courses, and should therefor also be able to offer refresher training.</p>
response	<p>Partially accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The draft rule text for FCL.740(b)(1) is amended to refer to helicopter types listed in the new DTO.GEN.110(b)(3). Please check the response to comment No 1102 for further information.</p>

comment	<p>691 <span style="float: right;">comment by: Federal Office of Civil Aviation (FOCA), Switzerland</span></p> <p><b>FCL.740 Validity and renewal of class and type ratings</b></p> <p>(b) Renewal. If a class or type rating has expired, the applicant shall:</p> <p>(1) <del>take refresher training at an ATO</del>, 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 <b>and TMG expired for less than three years</b>, 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</p> <p><b>Comments FOCA:</b>  <i>In the non-high-performance single engine piston class ratings is the class ratings TMG not included. Refresher training for non-high-performance single engine piston class ratings in the case exceeding 3 years is not defined. We recommend to include time constraints in the AMC2 FCL.740(b)(1) only.</i></p>
response	<p>Partially accepted.</p> <p>Thank you for providing this comment.</p> <p>The draft rule text was amended to include also TMG class ratings. In addition, FCL.740 has been reworded to make the ‘3-years-limitation’ applicable to refresher training provided by individual instructors only. Please check the response to comment No 12 for further information.</p>

comment

701

comment by: *Regierung von Oberbayern - Luftamt Südbayern*

FCL.740(b)(1), AMC2 FCL.740 (b)(1) und GM1FCL.740 (b)(1):

Bei der Erneuerung sollte ein Auffrischungstraining in einer Flugschule - sei es ATO oder BTO - vorgeschrieben sein. Dass auch Fluglehrer außerhalb einer Ausbildungseinrichtung dieses Training durchführen dürfen sollen, erscheint aus hiesiger Sicht nicht unbedingt ratsam. AMC2 FCL.740 (b)(1) sieht in (b) ein individuelles Trainingsprogramm vor, welches sich am Ausbildungsprogramm zum Erwerb der jeweiligen Klassenberechtigung orientieren wird. Dies zu erarbeiten haben ATO und BTO sicherlich die besseren Ressourcen als ein "freier" FI.

Gerade bei sehr lange abgelaufenen Klassenberechtigungen kommt die Erneuerung zudem einem Erstwerb gleich, so dass auch aus diesem Grund eine Verpflichtung, das Training an einer ATO oder BTO durchzuführen, Sinn macht. Denn gerade in diesen Fällen macht eine unterschiedliche Behandlung von Ersterwerb (nur in Ausbildungseinrichtung zulässig) und Erneuerung (auch mit Fluglehrer außerhalb Ausbildungseinrichtung möglich) nicht konsequent.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that allowing instructors to provide refresher training outside an organisation is one element in the overall approach to alleviate the regulatory framework for general aviation. However, these privileges are restricted to SEP and TMG class ratings which have expired for less than three years. FCL.740 (b) (1) is completely reworded to provide more clarification in this regard.

comment

740

comment by: *UK CAA*

**Page No:** 22

**Paragraph No:** FCL.740(b)(1)

**Comment:**

(i) By including the word 'or' it infers that flying with an instructor is an option to training at an ATO/BTO.

(ii) By allowing an 'independent' instructor to conduct the training there is no accountability, supervision, oversight, or standardisation for the training and no training records required to be kept.

(ii) The proficiency check to renew the rating can also be conducted by the same instructor if he is an examiner (as it is not for the issue of the rating). Therefore there is no independent verification to the standard of training provided.

**Justification:** Clarity

**Proposed Text:** Amend FCL.740(b)(1) to read:



response	<p>“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. <del>or with an instructor</del>”</p> <p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that allowing instructors to provide refresher training outside an organisation is one element in the overall approach to alleviate the regulatory framework for general aviation. However, these privileges are restricted to SEP and TMG class ratings which have expired for less than three years. FCL.740 (b) (1) is completely reworded to provide more clarification, also with regard to your comment (i).</p> <p>With regard to your comment (ii), the Agency would like to highlight that AMC will be developed to address also refresher training to be provided by an individual instructor. Draft AMC has been published together with the Opinion 11/2016 already (please refer to the draft for the new AMC2 FCL.740 (b) (1)). According to the draft AMC, a description of the refresher training received must be submitted to the competent authority.</p> <p>With regard to your comment (iii), the Agency would like to highlight that FCL.740 (b) (2) requires a proficiency check to renew a rating. At the same time, FCL.1005 (a) is not applicable to proficiency checks but to skill tests and assessments of competence only. This means that unless an examiner feels that his or her objectivity may be affected (FCL.1005 (b)), it can already today be the case that one person holding both instructor and examiner certificate conducts both refresher training and the subsequent proficiency check with an applicant.</p>
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comment

741

comment by: UK CAA

**Page No:** 22**Paragraph No:** FCL.740(b)(1)

**Comment:** This paragraph states that a BTO can only instruct for class ratings that have expired for less than 3 years. However as ab-initio LAPL/PPL instruction can be taught at BTO then refresher training for ratings expired for more than 3 years should be included at a BTO.

**Justification:** If an instructor has sufficient skill to instruct for ab-initio training they are capable of instructing for refresher training for students whose licence has expired for more than 3 years.

**Proposed Text:** Amend FCL.750(b)(1) to read:

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-



response	<p>performance single-engine piston class ratings expired for less than three years, may take refresher training at a BTO <del>or with an instructor</del></p> <p>Not accepted. Thank you for providing this comment. Please check the response to comment No 12 for further information.</p>
comment	<p>890 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p><b>‘FCL.725 Requirements for the issue of class and type ratings</b></p> <p>1. (a) Training course. An applicant for a class or type rating shall complete a training course at an ATO</p> <p>"or, in the case of non-high-performance single-engine piston class ratings, may complete th..... at a BTO"</p> <p>NO NEED FOR THIS RESTRICTION</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. FCL.740 (b) (1) is reworded to provide more clarification with regard to the privileges of ATOs, DTOs and individual instructors. These limitations for DTOs are consistent with the DTO’s training scope as set out in DTO.GEN.110.</p>
comment	<p>892 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>"or, in the case of non-high-performance single-engine piston class ratings, may complete th..... at a BTO"</p> <p>NO NEED FOR THIS RESTRICTION</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment 890 for further information.</p>
comment	<p>921 <span style="float: right;">comment by: <i>European Gliding Union</i></span></p> <p>1. A simple omission, we believe,</p>



..... or, in the case of non-high-performance single-engine piston class ratings expired .....

Should read:

“.... or, in the case of non-high-performance single-engine piston **or TMG** class ratings expired .....”

2 Congratulations

.....or with an instructor when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft; and

.....

This is an excellent and necessary correction to a foolish clause.

Thank you.

response

Accepted.

Thank you for providing this comment.

The draft rule text for FCL.740 (b) (1) is changed to refer also to TMGs.

comment

946

comment by: *Hermann Spring*

**Keep BTO equal to ATO**

response

Not accepted.

Thank you for providing this comment.

As explained in the Explanatory Note of Opinion 11/2016, it is the goal of this rulemaking project to provide the possibility for training for non-commercial licences outside ATOs. It would therefore be counterproductive to fully align the requirements for the new type of training organisation with the ATO requirements.

comment

956

comment by: *Southern Cross International BV*

If a BTO may conduct initial training courses for the issue of a SEP class rating, it would be logical that a BTO also may conduct refresher training in case of non-high-performance SEP class ratings expired for more than three years. It is proposed to rephrase FCL.740 (b)(1) as follows:

(b) Renewal. If a class or type rating has expired, the applicant shall:

(1) when necessary to reach the level of proficiency 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 take refresher training at a BTO, or, in the case of non-high-performance single-engine piston class ratings expired for less than three years, take refresher training with an instructor.
response	Partially accepted. Thank you for providing this comment. Please check the response to comment No 12 for further information.

comment	997 <span style="float: right;">comment by: <i>Guenter W. FORNECK</i></span>
	This is another classical example of a change that is well thought through, adresses the pilots needs and solves open issues. Thank you Team!
response	Noted. Thank you for providing this positive feedback.

comment	1011 <span style="float: right;">comment by: <i>Guenter W. FORNECK</i></span>
	<u>congratulation</u> to finding the regulatory way back to real life: refresher training does not mandatorily need the implementation of an ATO or BTO; just an <u>instructor is sufficient</u> prior to the proficiency test.
response	Noted. Thank you for providing this positive feedback.

comment	1015 <span style="float: right;">comment by: <i>AESA</i></span>
	Modify the text as follows (higlighted in yellow and strike through):  <b>‘FCL.740 Validity and renewal of class and type ratings</b> [...] (b) Renewal. If a class or type rating has expired, the applicant shall: (1) <del>take refresher training at an ATO, when necessary</del> to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft, <del>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</del> . <del>This training may be assessed by the Authority; if it deemed insufficient, may require a rationale for the amount and, in cases, more training before renewing the rating</del>
	Justification:



	<p>Regarding this paragraph AESA wants to refer to two aspects: on the one hand, the modification proposal leaves open the possibility that not require any training to reach the level of safety and, second, allows that training may be required be done by a BTO or an instructor.</p> <p>The expression 'when necessary' allows the ATO, BTO or instructor can determine that no training is needed when the period of invalidity of the rating is less than three years, which produces two effects: jeopardize the safety and is used as an element of costs lowering to attract students. That is happening today and is a situation clearly opposite to safety.</p> <p>Moreover, referring to the instructor. It has to make a training process which must take into account, inter alia, the content of the initial course (see AMC 2 FCL 740). If the instructor is a freelance how can know the contents of the initial course?</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 110 and 740 for further information.</p> <p>Additionally, the Agency would like to point out that even the current AMC1 FCL.740 (b) (1) allows ATOs to conclude that no additional refresher training is necessary in order to reach the required level of proficiency.</p>
comment	<p>1032 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span></p> <p>Auch hier fehlt die Klassenberechtigung TMG. Der TMG ist ausdrücklich in der Liste der Klassen- und Musterberechtigungen erwähnt, er müsste daher auch hier erwähnt werden.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The draft rule text for FCL.740 (b) (1) is changed to refer also to TMGs.</p>
comment	<p>1096 <span style="float: right;">comment by: <i>The Finnish Aeronautical Association</i></span></p> <p>It is illogical that a BTO is approved to train towards an ab initio licence, but is not approved to train towards the renewal of ratings that have expired for more than three years. The latter pilot surely already has a better knowledge than the former.</p> <p>Proposal: Remove the limitation of "expired for less than three years".</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 12 for further information.</p>



comment	<p>1103 <span style="float: right;">comment by: <i>The Finnish Aeronautical Association</i></span></p> <p>A simple omission, we believe,  <i>..... or, in the case of non-high-performance single-engine piston class ratings expired .....</i></p> <p>Should read:  <i>".... or, in the case of non-high-performance single-engine piston <b>or TMG</b> class ratings expired ....."</i></p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The draft rule text for FCL.740 (b) (1) is changed to refer also to TMGs.</p>

comment	<p>1104 <span style="float: right;">comment by: <i>Finnish Transport Safety Agency</i></span></p> <p>FCL.740 (b)(1)</p> <p>In Trafi's opinion the three years limit in point (b)(1) is not logical. The student may complete the whole non-HPA SEP training course in BTO, therefore it should be possible to renew the rating in BTO also, regardless how long it has been expired.  The three year limit should be deleted.</p> <p>Proposal:  ..take refresher training at an ATO, or, in the case of non-high-performance single-engine piston class ratings <del>expired for less than three years</del>, may take refresher training at a BTO or with an instructor;..</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 12 for further information.</p>

comment	<p>1130 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation (FOCA), Switzerland</i></span></p> <p><b>FCL.740 (b) (1)</b></p> <p><b>Comments FOCA:</b> <i>The proposed scope for helicopters does <u>not</u> include the training towards single engine type rating training.</i></p> <p><i>There is no reasonable argument (safety, staff experience, complexity, etc.) to exclude the</i></p>
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*single engine type rating training.*  
*When an applicant for a PPL(H) training passes his skill test, he also receives the type rating entry in his licence. So this training is eitherwise part of the BTO's range of competence.*

response

Accepted.  
 Thank you for providing this comment.  
 The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
 The draft rule text for FCL.740 (b) (1) is amended to refer to helicopter types listed in the new DTO.GEN.110(b)(3). Please check the response to comment No 1102 for further information.

comment

1216

comment by: *G Purchase*

Need to remove the text : "for less than 3 years"; as the length of expiry is not important here.

response

Partially accepted.  
 Thank you for providing this comment.  
 Please check the response to comment No 12 for further information.

### 3.1. Draft Regulation (Draft EASA Opinion) — FCL.800 Aerobatic rating

p. 23

comment

95

comment by: *Thomas Dietrich*

I would like to have this type of training to be allowed with aircraft that are not under a CAMO or modify M.A. 201 i) to allow this. Often this training will be done with owners ac which is a good idea to have him trained in what he will fly later. Many of these ac are on Annex II. Otherwise BTS are not able to use aircraft under ELA-1 or Part Ml.

response

Noted.  
 Thank you for providing this comment.  
 Please check the response to comment No 91 for further information.

comment

362

comment by: *KSAK - Swedish Royal Aero Club*

Additional ratings should be available outside of training organisations. This is risk based



	and will increase flight safety!
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to Comment No 32 for further information.</p>
comment	<p>871 <span style="float: right;">comment by: <i>FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS</i></span></p> <p><b><u>FCL.800 Aerobatic rating</u></b></p> <p>Fédération Française Aéronautique (FFA - Aeronautical French Federation) reminds the Agency that France has a huge experience in aerobatics with more than 60 airclubs that belong an aerobatic plane. France is one of the world leader in aerobatic championships for many years (WAC, EAC...). This leardership is due to the early training of young pilots and the efficiency about aerobatic training in France!</p> <p>French regulation doesn't require a minimum flight time after the licence issuance to obtain Aerobatic rating.</p> <p>Most of French Aerobatic Champions started aerobatics as soon as they obtain their licence.</p> <p>The actual FCL 800 regulation could destroy aerobatics sector.</p> <p>Moreover, FFA remarks that the same rules should be applied to additional qualifications in terms of competency requisites.</p> <p><i>FFA invites the Agency to delete (b)(1) because a prerequisite in hours of PIC doesn't guarantee a better level of aerobatic competency after training.</i></p> <p><i>FFA invites the Agency to add a new paragraph to require a skill test at the end of training (as required for Mountain rating FCL.815.(c))</i></p> <p>The aerobatic skill test permit to control pilot's competency level in aerobatics flights. It's more adapted to check a competency level.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that Part-FCL requirements in the context of this rulemaking task (RMT) have been revised for the sole purpose of adding references to the new training organisation. A total revision of Part-FCL requirements is outside the remit of this RMT.</p>
comment	<p>894 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>If BTOs and RFs and RTOs are considered ATO then non of these changes are required</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the</p>



response to comment No 353 for more information.

According to the overall concept of DTOs (please refer to the Explanatory Note of Opinion 11/2016), there are huge differences between DTOs and ATOs. For these reasons, it is necessary to amend some requirements to refer to both categories of training organisation, as necessary.

### 3.1. Draft Regulation (Draft EASA Opinion) — FCL.805 Sailplane towing and banner towing ratings

p. 23

comment

90

comment by: *Thomas Dietrich*

I would like to have this type of training to be allowed with aircraft that are not under a CAMO or, modify M.A. 201 i) to allow this. Often this training will be done with owners ac which is a good idea to have him trained in what he will fly later. Many of these ac are on Annex II. Otherwise BTOS are not able to use aircraft under ELA-1 or Part Ml.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 91 for further information.

comment

362 ❖

comment by: *KSAK - Swedish Royal Aero Club*

Additional ratings should be available outside of training organisations. This is risk based and will increase flight safety!

response

Not accepted.

Thank you for providing this comment.

Please check the response to Comment No 32 for further information.

comment

895

comment by: *Flying Club President*

If BTOs and RFs and RTOs are considered ATO then non of these changes are required

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 894 for further information.



comment

969

comment by: *Uppvinden AB*

"a training course at a BTO or an ATO" shall read:  
 "a training course at a BTO or an ATO or an instructor"

A BTO or an ATO has seldom the competence or the required aircraft for this special operation. Flight safety will be improved if an instructor with recent experience and an appropriate aircraft is used for the training. ATO/BTO is normally focusing on basic training and their instructors may have a rating, but often received decades ago without recent experience, and no available aircraft in the organisation. Flying clubs without any training organisation authorization is a better choice for competence, aircraft and safety.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Training for the towing rating even today is mainly carried out by small private flying clubs already holding an ATO approval or still providing towing training under national law with regard to the Opt-out until April 2018. These training organisations are expected to use the new DTO regulatory framework to continue their activity under EU regulations. For this reason, the Agency does not share your concerns with regard to a possible lack of towing flight experience.

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.810 Night rating**

p. 23-24

comment

93

comment by: *Thomas Dietrich*

I would like to have this type of training to be allowed with aircraft that are not under a CAMO or modify M.A. 201 i) to allow this. Often this training will be done with owners ac which is a good idea to have him trained in what he will fly later. Many of these ac are on Annex II. Otherwise BTS are not able to use aircraft under ELA-1 or Part Ml.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 91 for further information.

comment

96

comment by: *Thomas Dietrich*

I would like to have this type of training to be allowed with aircraft that are not under a CAMO or modify M.A. 201 i) to allow this. Often this training will be done with owners ac which is a good idea to have him trained in what he will fly later. Many of these ac are on Annex II. Otherwise BTS are not able to use aircraft under ELA-1 or Part MI.

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 91 for further information.

comment 111 comment by: AECA(SPAIN)

*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.*

In this case the BTO must meet the facilities and aircraft requirements to give instruction in night flying. This must be indicated (included) in the subpart BTO, BTO requirements

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
In Part-DTO, DTO.GEN.250 will contain requirements for aerodromes and operating sites. AMC to this provision will be developed to further specify the necessary infrastructure, including adequate facilities for night training (see draft AMC1 DTO.GEN.250 as published together with the Opinion for information only).

comment 314 comment by: Jeremy Hinton

Night rating: Needs lights, and \_possibly\_ a flight with a pilot who has experienced a night flight. It does not need to be held at any particular location.  
Note, balloons do not intend to land at night, so a 'night flight' is usually one which takes off outside daylight hours, and lasts into daylight hours. This is not difficult or hazardous, and should not be an onerous qualification to gain.  
Simple theoretical training to ensure duration and navigation leaving the balloon ready for a daylight landing is enough. A briefing, signed off by an Instructor or examiner would cover night flying in balloons. It need not be the responsibility of EASA, and need not be another time when the applicant has to spend time, effort and money.

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 111 for further information. Additionally, the Agency would like to highlight that the content of the night training for balloons is outside the remit of this rulemaking task.



comment	362 ❖	comment by: <i>KSAK - Swedish Royal Aero Club</i>
	Additional ratings should be available outside of training organisations. This is risk based and will increase flight safety!	
response	Not accepted. Thank you for providing this comment. Please check the response to Comment No 32 for further information.	

comment	896	comment by: <i>Flying Club President</i>
	If BTOs and RFs and RTOs are considered ATO then non of these changes are required	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 894 for further information.	

comment	897	comment by: <i>Flying Club President</i>
	If BTOs and RFs and RTOs are considered ATO then non of these changes are required	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 894 for further information.	

comment	898	comment by: <i>Flying Club President</i>
	If BTOs and RFs and RTOs are considered ATO then non of these changes are required	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 894 for further information.	



comment	<p>89 <span style="float: right;">comment by: <i>Thomas Dietrich</i></span></p> <p>I would like to have this type of training to be allowed with aircraft that are not under a CAMO or modify M.A. 201 i) to allow this. Often this training will be done with owners ac which is a good idea to have him trained in what he will fly later. Many of these ac are on Annex II. Otherwise BTS are not able to use aircraft under ELA-1 or Part ML.</p>
response	<p>Noted. Thank you for providing this comment. Please check the response to comment No 91 for further information.</p>

comment	<p>362 ❖ <span style="float: right;">comment by: <i>KSAK - Swedish Royal Aero Club</i></span></p> <p>Additional ratings should be available outside of training organisations. This is risk based and will increase flight safety!</p>
response	<p>Not accepted. Thank you for providing this comment.  Please check the response to comment No 32 for further information.</p>

### 3.1. Draft Regulation (Draft EASA Opinion) — FCL.830 Sailplane cloud flying rating

p. 24

comment	<p>731 <span style="float: right;">comment by: <i>Urząd Lotnictwa Cywilnego Poland</i></span></p> <p>Because of the difficulty level of the training, in the Polish CAA opinion, the BTO (SPL) training for the cloud flying rating should not be allowed.</p>
response	<p>Not accepted. Thank you for providing this comment.  The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  Taking into account the specificities of sailplane flying, it has been decided to allow the full scope of sailplane training to be conducted at a DTO.</p>



## 3.1. Draft Regulation (Draft EASA Opinion) — FCL.930 Training course

p. 24

comment

13

comment by: *Ruben*

Why only sailplanes and balloons? I think it can be extended to aircraft with limiting to conduct training for PPL and LAPL.

Keep in mind that usually the best and most experienced instructors are usually in the RF. The profile of a instructor of a RF is usually an experienced pilot who teaches in their spare time or when it retired

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 178 for more information.

comment

43

comment by: *David COURT*

Agree a BTO should be allowed to train instructors. Thank you. This will save administration costs.

response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Only instructor courses for sailplanes and balloons will be part of the training scope.

comment

81

comment by: *Tony Jay*

Balloons - Fully support BTO being able to run instructor courses as otherwise an ATO would be required just to train instructor.

response

Noted.

Thank you for providing this positive feedback.

Please also check the response to comment No 43 for additional information.

comment

158

comment by: *jeffrey Lawton*

FCL .930 Training Course

I strongly support rthe BTO being allowed to run Instructor course . The alternative of setting up an ATO for this purpose is prohibitively expensive



response Noted.  
Thank you for providing this positive feedback.  
Please also check the response to comment No 43 for additional information.

comment 182 comment by: Schmaus

see my comment No 178:

What is the reason for keeping training for a FI PPL(A) in an ATO?

- all training can now be done in an ATO, same as training for FI(S) and FI(B)
- There is and there will be no change to present content of training syllabi
- only difference is necessity to hold CPL... or theoretical knowledge of CPL.
- Why not switch possibilities:
  - training for "FI(A) for VFR PPL-training" can be transformed to BTO
  - training for "FI(A)" with higher classification (CPL or IR) needs training at ATO, same as upgrade from lower to higher FI-qualification

... For LAFL... see my comment No 178

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 178 for more information.

comment 219 comment by: Innes WORSMAN

I support a BTO being able to run an instructor course as well as an ATO running a course.

response Noted.  
Thank you for providing this positive feedback.  
Please also check the response to comment No 43 for additional information.

comment 245 comment by: JED DRYDEN

FLC.930 INSTRUCTOR COURSE

Setting up an ATO to train instructors would be VERY expensive.

The best and obvious solution which I strongly support and recommend is that the BTO should be allowed to run instructor courses

response Noted.  
Thank you for providing this positive feedback.



Please also check the response to comment No 43 for additional information.

comment 279 comment by: *Medical Officer BBAC*

FCL.930

I support the BTO being allowed to run Instructor courses as otherwise the requirement to set up an ATO to train our Instructors would be very expensive

response Noted.  
Thank you for providing this positive feedback.  
Please also check the response to comment No 43 for additional information.

comment 290 comment by: *BBAC 6824*

FCL 930 Training Course

Instructors can and should be trained in a BTO with the BTO running courses... perfect for ballooning.

response Noted.  
Thank you for providing this positive feedback.  
Please also check the response to comment No 43 for additional information.

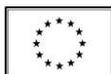
comment 315 comment by: *Jeremy Hinton*

This requirement is unnecessarily prescriptive.  
What is important is that the applicant should attain the required standard.  
How, in detail (ie attending a BTO/ATO)they achieve the standard needs not be legislated for.

response Not accepted.  
Thank you for providing this comment.  
The Agency does not share your opinion according to which training should not be regulated.

comment 337 comment by: *Richard Turnbull*

This is a good thing ; a BTO should be able to run instructor courses, as having to run them



	through an ATO would be too expensive.
response	Noted. Thank you for providing this positive feedback. Please also check the response to comment No 43 for additional information.

comment	399 <span style="float: right;">comment by: <i>Pete Forster</i></span>
	Agree that training courses for ballooning instruction can be run by a BTO (and thus not have to be run by an ATO).

response	Noted. Thank you for providing this positive feedback. Please also check the response to comment No 43 for additional information.
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comment	422 <span style="float: right;">comment by: <i>Andy Walker</i></span>
	FCL.930 This makes sense - having a BTO for general pilot training and then having to have an ATO as well for instructor training is not sensible.

response	Noted. Thank you for providing this positive feedback. Please also check the response to comment No 43 for additional information.
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comment	433 <span style="float: right;">comment by: <i>Ann Rich</i></span>
	I fully support the FCL930 (a) that permits a BTO to provide the training course for instructor certificates for balloons and sailplanes.

response	Noted. Thank you for providing this positive feedback. Please also check the response to comment No 43 for additional information.
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comment	463 <span style="float: right;">comment by: <i>FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS</i></span>
	Replace “and” by “or”

response	Not accepted. Thank you for providing this comment. The Agency assumes that you refer to the word ‘and’ in the proposed new text of FCL.930
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(‘...sailplanes and balloons,...’). However, no reason can be seen to replace this ‘and’ by the word ‘or’.

comment

479

comment by: *Michael Noyce*

I am in favour of the BTO being allowed to run instructor courses.

response

Noted.

Thank you for providing this positive feedback.

Please also check the response to comment No 43 for additional information.

comment

545

comment by: *Peter Dalby*

Para 3.1 (20) It is important that Instructor training be provided by the BTO.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 43 for further information.

comment

557

comment by: *Nick Bettin*

We support the proposal that a BTO should be allowed to run Instructor courses, and it should not - MUST NOT - be limited to an ATO.

response

Noted.

Thank you for providing this positive feedback.

Please also check the response to comment No 43 for additional information.

comment

582

comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

Supported as written - for balloons it is critical that instructor training is at the BTO and does not need a separate ATO.

response

Noted.

Thank you for providing this positive feedback.

Please also check the response to comment No 43 for additional information.



comment	<p>621</p> <p style="text-align: right;">comment by: <i>Kevin Meehan</i></p> <p>FCL.930 INSTRUCTOR COURSE (page 24)</p> <p>The BTO should be able to conduct training courses for Instructors. The BBAC has successfully conducted training course for Instructors for over 25 years.</p> <p>If an ATO is required for Instructor training courses, this would add a financial burden for balloon instructors and would be against the principles of establishing a BTO to reduce administration costs.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive comment.</p> <p>Please check the response to comment No 43 for further information.</p>

comment	<p>660</p> <p style="text-align: right;">comment by: <i>Tonny Henriksen</i></p> <p>NPA            page            24            FCL.930            INSTRUCTOR            COURSE</p> <p>Danish Ballooning Association supports that a BTO can train Instructors.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>Please also check the response to comment No 43 for additional information.</p>

comment	<p>722</p> <p style="text-align: right;">comment by: <i>Ian Wadey</i></p> <p>The Basic Training Organisation is appropriate to be allowed to run Instructor Courses</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>Please also check the response to comment No 43 for additional information.</p>

comment	<p>842</p> <p style="text-align: right;">comment by: <i>Slowfly</i></p> <p>A BTO is more than sufficient for balloon instructor certificate</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>Please also check the response to comment No 43 for additional information.</p>



comment	<p>899 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>no need to restrict this to balloons and sailplanes.</p> <p>there is no justifiable and proportionate reason for this restriction.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 178 for more information.</p>

comment	<p>998 <span style="float: right;">comment by: <i>Guenter W. FORNECK</i></span></p> <p>Original: 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.</p> <p>Suggestion: Applicants for an instructor certificate shall have completed a course of theoretical knowledge and flight instruction at an ATO or or, in the case of applicants for an instructor certificate for FI(A), FI(S), FI(B), may have completed a course of theoretical knowledge and flight instruction at a BTO.</p> <p>Reason: This will increase the number of training schools offering this qualification, without impairing safety and also without reducing the quality of the instruction course.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 178 for more information.</p>

comment	<p>1012 <span style="float: right;">comment by: <i>Guenter W. FORNECK</i></span></p> <p>What is the reason for keeping training for a FI PPL(A) in an ATO?</p> <ul style="list-style-type: none"> <li>- all training can now be done in an ATO, same as training for FI(S) and FI(B)</li> <li>- There is and there will be no change to present content of training syllabi</li> <li>- only difference is necessity to hold CPL... or theoretical knowledge of CPL.</li> <li>- Why not switch possibilities:             <ul style="list-style-type: none"> <li>- training for "FI(A) for VFR PPL-training" can be transformed to BTO</li> <li>- training for "FI(A)" with higher classification (CPL or IR) needs training at ATO, same as upgrade from lower to higher FI-qualification</li> </ul> </li> </ul>
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response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 178 for more information.

comment 1054 comment by: *Ultramagic, S.A.*  
  
We agree on this amendment.

response Noted.  
Thank you for providing this positive feedback.

comment 1069 comment by: *Phil Dunnington*  
  
The ability to run an Instructor course should lie with any training organisation including the BTO. There is no safety need for an ATO to be involved.

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 43 for further information.

comment 1109 comment by: *Finnish Transport Safety Agency*  
  
FCL.930  
  
Trafi supports the proposal to allow FI(S) ja FI(B) training in BTO.  
Trafi also supports FI(A) and FI(H) training to be kept in ATO.

response Noted.  
Thank you for providing this positive feedback.

comment 1172 comment by: *Richard ALLEN*  
  
FCL.930 - for balloon instructor certificates courses should be available through a BTO. This will help to keep costs down.

response Noted.  
Thank you for providing this positive feedback.  
Please also check the response to comment No 43 for additional information.



comment	1217	comment by: <i>G Purchase</i>
	After ATO, add " or BTO", and remove the highlighted text. There is no reason why a BTO can't provide FI training at affordable prices, providing they have an FI(E) on the staff.	
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>As the text of the comment does not contain highlighted text, the full content of the comment is not clear. However, it is assumed that the statement refers to flight instructor certificates for aeroplanes and/or helicopters, as those for sailplanes and balloons are inside the training scope of the new training organisation. In this regard, please check the response to comment No 178 for more information.</p>	

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.910.FI FI — Restricted privileges**

p. 25

comment	1110	comment by: <i>Finnish Transport Safety Agency</i>
	Trafi supports the change made in FCL.910.FI point (a).	
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p>	

**3.1. Draft Regulation (Draft EASA Opinion) — FCL.1015 Examiner standardisation**

p. 25

comment	44	comment by: <i>David COURT</i>
	Thank you. I agree a BTO should be allowed to provide Examiner standardisation courses. This will reduce costs.	
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>As proposed for the BTO, the DTO now will be allowed to provide training for examiner certificates for sailplanes and balloons.</p>	



comment	82	comment by: Tony Jay
	balloons, fully support BTO being able to do this, or would require an ATO to be set up as well as a BTO	
response	Noted. Thank you for providing this positive feedback.  Please also check the response to comment No 44 for further information.	

comment	112	comment by: AECA(SPAIN)
	<i>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.</i>	
	Training of examiners exceeds the capacity of a BTO as proposed. Proposal: Delete <b>or in the case of sailplanes and balloons, may undertake a standardisation course provided by a BTO,</b>	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 178 for more information.	

comment	159	comment by: jeffrey Lawton
	FCL.1050 Examiner Standardisation	
	I strongly agree that a BTO is allowed to run examiner course . To operate this through an ATO would be disproportionately expensive and serve no additional benefit	
response	Noted. Thank you for providing this positive feedback.  Please also check the response to comment No 44 for further information.	

comment	220	comment by: Innes WORSMAN
	I suport a BTO being able to hold an examiner course.	
response	Noted. Thank you for providing this positive feedback.	



Please also check the response to comment No 44 for further information.

comment

246

comment by: *JED DRYDEN*

FCL.1015 EXAMINER STANDARDISATION

A BTO should be allowed to run Examiner courses, if an ATO had to be set up by the BBAC to do this it would just be at a great expense with no other additional benefits

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 44 for further information.

comment

280

comment by: *Medical Officer BBAC*

FCL.1015

I support the BTO being allowed to run Examiner courses as otherwise the requirement to set up an ATO to train our Examiners would be very expensive

response

Noted.

Thank you for providing this positive feedback.

Please also check the response to comment No 44 for further information.

comment

291

comment by: *BBAC 6824*

BTOs running Examiner courses is to be recommended as the BTO will have vast knowledge of the training system from top to bottom and will be very capable of running same.

response

Noted.

Thank you for providing this positive feedback.

Please also check the response to comment No 44 for further information.

comment

338

comment by: *Richard Turnbull*

Again, a BTO is the way forward for Examiner courses, for the same reason as the



response	<p>instructor ones. Expenche.</p> <p>Noted. Thank you for providing this positive feedback.</p> <p>Please also check the response to comment No 44 for further information.</p>
comment	<p>400 <span style="float: right;">comment by: <i>Pete Forster</i></span></p> <p>I support examiner courses being run by a BTO (and not having to be run by an ATO) to avoid unnecessary administrative burden and cost.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p> <p>Please also check the response to comment No 44 for further information.</p>
comment	<p>434 <span style="float: right;">comment by: <i>Ann Rich</i></span></p> <p>I fully support the ability of BTOs to provide courses for examiners for sailplanes and balloons.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p> <p>Please also check the response to comment No 44 for further information.</p>
comment	<p>480 <span style="float: right;">comment by: <i>Michael Noyce</i></span></p> <p>I support the BTO being allowed to run Examiner courses.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p> <p>Please also check the response to comment No 44 for further information.</p>
comment	<p>547 <span style="float: right;">comment by: <i>Peter Dalby</i></span></p> <p>Para 3.1 (22) As for Instructors, it is important that Examiner training is provided by the BTO.</p>



response

Noted.  
Thank you for providing this positive feedback.  
  
Please also check the response to comment No 44 for further information.

comment

558

comment by: *Nick Bettin*

We support the proposal that Examiners can obtain validation or revalidation at an appropriate BTO, without the need and expense of an ATO.

response

Noted.  
Thank you for providing this positive feedback.  
  
Please also check the response to comment No 44 for further information.

comment

583

comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

Supported as written - for balloons it is critical that examiner training can be done at the BTO and does not need a separate ATO

response

Noted.  
Thank you for providing this positive feedback.  
  
Please also check the response to comment No 44 for further information.

comment

622

comment by: *Kevin Meehan*

FCL.1015 EXAMINER STANDARDISATION (page 25)

The BTO should be able to undertake examiner standardisation courses. The requirement for an ATO to undertake these courses would add an additional financial burden.

response

Not accepted.  
Thank you for providing this comment.  
The comment is not accepted, assuming that it refers to examiner certificates for aeroplanes and helicopters. In this regard, please check the response to comment No 178 for more information.



comment	<p>653 <span style="float: right;">comment by: <i>Allie Dunnington</i></span></p> <p>FCL 1015 page 25</p> <p>As a newly qualified TRE examiner I am in strong favour of the BTO being allowed to run examiner courses ifself as any other system would be even more expensive and difficult to set up.</p>
response	<p>Not accepted. Thank you for providing this comment. The comment is not accepted, assuming that it refers to examiner certificates for aeroplanes and helicopters. In this regard, please check the response to comment No 178 for more information.</p>

comment	<p>661 <span style="float: right;">comment by: <i>Tonny Henriksen</i></span></p> <p>Danish Balooning Association supports a BTO can train Examiners.</p>
response	<p>Noted. Thank you for providing this positive feedback.  Please also check the response to comment No 44 for further information.</p>

comment	<p>723 <span style="float: right;">comment by: <i>Ian Wadey</i></span></p> <p>The Basic Training Organisation is appropriate to be allowed to run Examiner courses.</p>
response	<p>Noted. Thank you for providing this positive feedback.  Please also check the response to comment No 44 for further information.</p>

comment	<p>843 <span style="float: right;">comment by: <i>Slowfly</i></span></p> <p>Also in this case a BTO is more than adequate for Examiner Standardisation</p>
response	<p>Noted. Thank you for providing this positive feedback.  Please also check the response to comment No 44 for further information.</p>



comment	900	comment by: <i>Flying Club President</i>
	no need to restrict this to balloons and sailplanes.	
	there is no justifiable and proportionate reason for this restriction.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 178 for more information.	

comment	1070	comment by: <i>Phil Dunnington</i>
	Examiner courses should be allowed within a BTO or other training organisation, not just an ATO. This adds unnecessary complexity to what should be a straightforward process.	
response	Not accepted. Thank you for providing this comment. The comment is not accepted, assuming that it refers to examiner certificates for aeroplanes and helicopters. In this regard, please check the response to comment No 178 for more information.	

comment	1111	comment by: <i>Finnish Transport Safety Agency</i>
	Trafic supports the proposal to allow FE(S) and FE(B) standardisation and refresher training in BTO. Trafic also supports FE(A) and FE(H) training to be kept in ATO	
response	Noted. Thank you for providing this positive feedback.  Please also check the response to comment No 44 for further information.	

comment	1173	comment by: <i>Richard ALLEN</i>
	FCL.1015 - it would be good for applicants for examiner standardisation courses to be done at a BTO. This would help to reduce overall costs.	
response	Not accepted. Thank you for providing this comment. The comment is not accepted, assuming that it refers to examiner certificates for aeroplanes and helicopters. In this regard, please check the response to comment No 178 for more information.	



**3.1. Draft Regulation (Draft EASA Opinion) — FCL.1025 Validity, revalidation and renewal of examiner certificates**

p. 25

comment 113 comment by: *AECA(SPAIN)*

See comment 112

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 178 for more information.

comment 901 comment by: *Flying Club President*

no need to restrict this to balloons and sailplanes.

there is no justifiable and proportionate reason for this restriction.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 178 for more information.

comment 1112 comment by: *Finnish Transport Safety Agency*

Trafi supports the proposal to allow FE(S) and FE(B) standardisation and refresher training in BTO.  
Trafi also supports FE(A) and FE(H) training to be kept in ATO

response Noted.  
Thank you for providing this positive feedback.

comment 1190 comment by: *Sandra WECHSELBERGER*

The proposed paragraph leaves no possibility for the competent authorities of sailplane and balloon oversight to provide an examiner refresher seminar:

It could be read as follows:

(general requirement): FE Ref Training within ATO or competent authority  
Sailplanes and Balloons: FE Ref Training only within BTO

Suggestion: the competent authority for sailplanes and balloons should also receive the



response	<p>right to conduct such seminars.</p> <p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The use of the word ‘may’ in the context of examiner refresher seminars in the case of sailplane and balloons indicates that having these seminars at a DTO constitutes an additional option for those categories of aircraft. It is still possible for a competent authority to provide even these seminars.</p>
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<b>3.1. Draft Regulation (Draft EASA Opinion) — ARA.GEN.105 Definitions</b>
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p. 25-27
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comment	<p>511</p> <p style="text-align: right;">comment by: <i>Swedish Transport Agency, Civil Aviation Department</i> <i>(Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>Include a definition for BTO.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>A definition for ‘DTO’ has been added to ARA.DTO.105.</p>

comment	<p>692</p> <p style="text-align: right;">comment by: <i>Federal Office of Civil Aviation (FOCA), Switzerland</i></p> <p><b>ARA.GEN.105 Definitions</b></p> <p>6 ‘BTO training programme’ is a training <del>programme</del> <b>course</b> which includes information for instructors and training standards to be applied and is assessed as Part-FCL compliant by the competent authority. <b>A training course must include a syllabus according to the Basic Regulation</b></p> <p><i>Comments</i> <span style="float: right;"><i>FOCA</i></span> :</p> <p><i>The term training programme leads to confusion. With reference to 216/2008 Annex III 1.h. training must be conducted through a training course and the training course is to be defined in a syllabus. We strongly recommend to use these both terms throughout the amendment.</i></p> <p><i>Furthermore the revised numbering of the definitions should be checked for consistency as the new point 14 is now empty.</i></p>
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response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The term 'training course' is indeed used in the new Part-DTO (e.g. DTO.GEN.230 (a)). For all training courses provided a training programme has to be put in place. AMC will be developed to further detail the minimum content of training programmes of a DTO.

comment

727

comment by: *Danish Transport and Construction Agency*

Include a definition for a BTO

response

Accepted.

Thank you for providing this comment.

Please check the response to comment No 511.

comment

742

comment by: *UK CAA***Page No:** 26**Paragraph No:** ARA.GEN.105**Comment:** There is no definition of a BTO included.**Justification:** Consistency.**Proposed Text:** Add definition of a BTO.

response

Accepted.

Thank you for providing this comment.

Please check the response to comment No 511.

comment

902

comment by: *Flying Club President*

response

Noted.

The Agency thanks you for your silent consent.



comment	1139	comment by: <i>Deutscher Aero Club Landesverband Niedersachsen</i>
	<p>Bullet point 6: The assesment needed by the authority shall be appropriate and has to be clearly defined by the descriptions within regulation as no additional burden shall be applied.</p>	
response	<p>Noted.          Thank you for providing this comment.          The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.          As part of the declaration process, the competent authority's task will be to verify the compliance of the DTO training programme with Part-FCL requirements (clear definition).          The term "assess" has be replaced by "verified" in order to be consistent with the terminology of Part-ORA.</p>	

comment	1191	comment by: <i>Sandra WECHSELBERGER</i>
	<p>The definition of „Part-BTO“ seems to be missing.</p>	
response	<p>Accepted.          Thank you for providing this comment.          Please check the response to comment No 511.</p>	

### 3.1. Draft Regulation (Draft EASA Opinion) — ARA.GEN.220 Record-keeping

p. 27

comment	367	comment by: <i>KSAK - Swedish Royal Aero Club</i>
	<p>This is totally unnecessary for a simple BTO. There should be no need to keep a record on personnel licenses, certificates and attestations. This responsibility should be transferred to the individual instructor as already is the case today. The instructor is reponsible for maintaining appropriate licenses and ratings for the training he/she is conducting.</p> <p>This should not be a concern of the authority.</p>	
response	<p>Not accepted.          Thank you for providing this comment.</p> <p>The competent authority needs to keep records of all training organisation as part of the oversight process which is mandated by the provisions of Regulation (EC) No 216/2008.</p>	



comment	<p>703 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>The record-keeping paragraph should be adapted in whole to better reflect the BTO-issues. So for example how should the list of all BTO organisation certificates look like considering that acc. to AMC1 ARA.BTO.100 “the acknowledgement of receipt of the application, in either paper or electronic format, should be considered as the BTO approval certificate.”</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The wording of the draft amendment to ARA.GEN.220 has been changed to refer to the DTO declarations.</p>

comment	<p>1033 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span></p> <p>Gemäß der Vorschrift führt die "CA" eine Liste aller "Organisation Certificates" (bezogen u.a. auf die ATO). Im Falle der BTO soll die CA nur eine Liste der "BTO training programmes it has assessed" führen. es soll offenbar jedes einzelne Trainingsprogramm aufgeführt werden, anstelle einer Liste aller BTO. Zudem ist mit "assessed" bewertet und nicht genehmigt gemeint. Dies ist befremdlich.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the responses to comments No 703 and 1139 for further information.</p>

### 3.1. Draft Regulation (Draft EASA Opinion) — ARA.GEN.305 Oversight programme

p. 27

comment	<p>85 <span style="float: right;">comment by: <i>Tony Jay</i></span></p> <p>Balloons, I think the "as appropriate" is vague in meaning. External audits should only be used when poor internal audits / safety concerns are present or it will add cost for no benefit.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the</p>



response to comment No 353 for more information.

According to Regulation (EC) No 216/2008 ('Basic Regulation'), the Member States and its competent authorities are obliged to conduct oversight in order to ensure compliance of all activities with the Basic Regulation and its implementing rules. For this reason, at least a minimum of regular oversight is required. However, oversight requirements with regard to DTOs will be reduced and follow a risk-based approach. The term 'proportionate', being difficult to define, is deleted for clarity reasons. Apart from that, the wording of ARA.GEN.305 (f) including the term 'as appropriate' (referring to the two options of announced and unannounced inspections) is kept for consistency reasons with ARO.GEN.305 (d) (oversight of declared operators).

Finally, it has to be highlighted that indeed internal reviews by the DTO will play a major role, as the so-called 'annual internal review' (DTO.GEN.270) replaces the compliance monitoring system. Reports on the annual internal review will be sent to the competent authority for being taken into consideration the planning of oversight cycles.

comment

131

comment by: *Peter MEECHAM*

No need or advantage for BTOs to keep records of licenses and othe documants once issued.

response

Not accepted.

Thank you for providing this comment.

The comment obviously refers to the record-keeping provision in BTO.GEN.220 (now DTO.GEN.220 – please check the response to comment No 38 and 72 for more information).

comment

161

comment by: *jeffrey Lawton*

ARA.GEN.305 Oversight Programme

Such inspections should only be relevant in the event of failings in internal audits or poor safety record as the cost of such activity is disproportionately expensive and imposes high administration burdens which from the current safety and training regime is clearly not necessary

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 85 for further information.

comment

200

comment by: *IAOPA (EUROPE)*

How will the Agency ensure that a CA complies with this regulation in a proportionate manner?



response

Noted.  
Thank you for providing this comment.  
The term 'proportionate', being difficult to define, is deleted for clarity reasons.

comment

222

comment by: *Innes WORSMAN*

An external audit or inspection by a NAA should only be required if internal auditing is poor or internal safety record is poor.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment

250

comment by: *JED DRYDEN*

ARA.GEN.305 Oversight programme

Only if an unsatisfactory internal audit or poor safety are clear then the NAA should do external audits or inspections. The admin work and costs would increase significantly.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment

268

comment by: *ANPI (National Flight Instructors Association)*

In line with our comment 266 § 2.1 an oversight programme based on a core list of functions, let's call that MFL (Minimum Functions List) can be the acceptance criteria. For instance, a very small structure having an approved training programme, correctly implemented, with full traceability, an Incident/technical event recording with a feedback corrective loop and a duly standardised instructor shall be accepted as such.

Call that Certificate or Approval, or Supervised, doesn't matter the process has to stay simple, based on the so called MFL and on observed results (FE involvement?).

This approach looks able to satisfy all criteria. Simplification road map, harmonisation by CAAs, providing that inspection methods and criteria focus on instruction results.

The remaining question is to establish the MFL and to train inspectors to evaluate training organisations accordingly. This probably requires to establish, at CAA level, simple audit procedures able to tag performance results and auditors' capability to provide useful implementable recommendations, if need be.



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 32 for further information.

comment 293 comment by: *BBAC 6824*

It is only necessary for a National Aviation Authority to inspect or there be any other external audit if an internal audit or safety record is shown to be poor.

Inappropriate external audits simply add expense for no advantage to safety.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 317 comment by: *Jeremy Hinton*

Question: Would any inspection incur costs? How might these be funded.

Where training providers offer mass classroom training, inspections might be justified. For individual licence applicants training is less formal. As a balloon instructor, I would welcome a visit by another instructor, or a balloon examiner, but I'm less certain that regulatory value would be attained.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information. Additionally, it has to be highlighted that the Agency is not in a position to provide information on national regulations on fees and charges.

comment 340 comment by: *Richard Turnbull*

IF an 'external audit' is necessary, this should only be done if there is a bad safety record discovered, or an internal audit which does not come up to scratch.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.



comment

402

comment by: *Pete Forster*

External audits and inspections should only occur in the event of an unsatisfactory internal audit or a poor safety record. External audits significantly increase the costs and administrative burden of a BTO/ATO.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment

423

comment by: *Andy Walker*

ARA.GEN.305 given the potential heavy costs of external audit and inspections, they should be driven by safety issues or unsatisfactory internal audits rather than random requirement

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment

436

comment by: *Ann Rich*

External audits increase administration and costs to the training organisation, as do external inspections by the NAA.

Such audits and inspections should only take place if the safety record of the BTO is sub-standard, or an internal audit is unsatisfactory.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment

560

comment by: *Nick Bettin*

External audits and inspections by the National Aviation Authority (NAA) should only take place in the event of an unsatisfactory internal audit or a poor safety record.

External audits increase the costs and administration workload of Training Organisations significantly.

response

Not accepted.



- e Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment	585	comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i>
	Oversight for balloon BTO should be very light. Audit and visits add greatly to costs and complexity and should only be undertaken if there are serious safety deficiencies at the BTO	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 85 for further information.	

comment	623	comment by: <i>Kevin Meehan</i>
	ARA.GEN.305 OVERSIGHT PROGRAMME (page 27)	
	External audits and inspections by the National Aviation Authority (NAA) are only required if there is an unsatisfactory internal audit by the BTO or evidence of a poor safety record of the BTO.	
	Any audits undertaken by the National Aviation Authority (NAA) will add to the costs and administration workload of the BTO.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 85 for further information.	

comment	655	comment by: <i>Allie Dunnington</i>
	ARA GEN 305	
	I do not see the need for oversight by any NAA as the current system provides a very safe and highly standardized system already. An external audit by any NAA should only come into place if there was an unsatisfactory internal audit or a poor safety record. External audits only push up the costs but would not contribute to overall safety and quality.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 85 for further information.	



comment	<p>689 <span style="float: right;">comment by: <i>Regierung von Oberbayern - Luftamt Südbayern</i></span></p> <p>ARA.GEN.305 (f):</p> <p>Es fiel auf, dass bei der BTO keine Audits vorgesehen sind. Uns hat sich daher die Frage gestellt, ob dies bedeutet, dass nur ein fester Aufsichtsplanungszyklus nicht vorgesehen ist (vgl. in Bezug auf die ATO ARA.GEN.305 c)), oder ob damit auch eine inhaltlich abgeschwächte Form der Aufsicht verbunden sein könnte. Zumindest bei größeren BTOs sollten bei der Aufsicht in inhaltlicher Hinsicht im Vergleich zu ATOs keine größeren Abstriche gemacht werden.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>AMC to ARA.GEN.305 (f) will be developed to establish a standard inspection cycle (see draft AMC1 ARA.GEN.305 (f) as published together with Opinion 11/2016).</p>

comment	<p>810 <span style="float: right;">comment by: <i>Ian Wadey</i></span></p> <p>Routine external audits and inspections should only be required if there is concern from an unsatisfactory internal audit or a poor safety record. This would keep costs and administration workload to a minimum for any Training Organisation.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 85 for further information.</p>

comment	<p>845 <span style="float: right;">comment by: <i>Slowfly</i></span></p> <p>External audits increase costs. Any external audit should be conducted after internal audit findings or poor safety records.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 85 for further information.</p>

comment	<p>903 <span style="float: right;">comment by: <i>Flying Club President</i></span></p> <p>"unannounced inspection" Like in prisons then?</p> <p>this section should contain more protections against CAs abuse of process and power.</p>
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response Not accepted.  
Thank you for providing this comment.  
A uniform application and enforcement of the EU regulatory framework is monitored by the standardisation process as set out in Regulation (EU) No 628/2013.

comment 922 comment by: *European Gliding Union*

....

*(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.'*

EGU members have experience of NAAs using this sort of flexibility to impose requirements that are not justified by the evidence. Perhaps fear of Agency audit pushes them towards the most stringent interpretation.

The final sentence should read:

"The oversight may include inspections, including unannounced inspections, as appropriate, **but preference must always be given to overview of organisations' internal reviews.**

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 947 comment by: *Hermann Spring*

Reduce to:

**CA shall evaluate the result of skill test, RAMP tests.**

A proven practice in Switzerland is a nominated CA employee (FE) as point of contact for each JAR-RF and/or ATO.

A senior expert of the CA shall a least every 3 years be chosen as examiner for a skill test.

**A cooperative approach shall be the rule.**

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.



comment	<p data-bbox="351 206 414 235">1023</p> <p data-bbox="1005 206 1436 235">comment by: <i>Guenter W. FORNECK</i></p> <p data-bbox="351 291 1436 358">The regular Audits of the BTO will cause a massive overhead of work for the governing authorities.</p> <p data-bbox="351 369 1053 398">This may cause delays, if not also undue stress on the BTO.</p> <p data-bbox="351 436 1436 537">It is suggested to relax this audit restriction and place more emphasis on the BTO doing INTERNAL audits. The results of this internal audit could then be given to the governing authorities for review and if necessary, action.</p>
response	<p data-bbox="351 593 526 627">Not accepted.</p> <p data-bbox="351 638 813 672">Thank you for providing this comment.</p> <p data-bbox="351 683 1420 750">Please check the response to comment No 85 for further information. Additionally, it has to be highlighted that no audits are foreseen, just inspections.</p>
comment	<p data-bbox="351 884 414 918">1072</p> <p data-bbox="1069 884 1436 918">comment by: <i>Phil Dunnington</i></p> <p data-bbox="351 974 1436 1075">There should be no need for external audits by the NAA unless there is evidence of sub-standard safety records. Such audits as a general principle merely add to cost and bureaucracy.</p>
response	<p data-bbox="351 1097 526 1131">Not accepted.</p> <p data-bbox="351 1142 813 1176">Thank you for providing this comment.</p> <p data-bbox="351 1176 1181 1209">Please check the response to comment No 85 for further information.</p>
comment	<p data-bbox="351 1332 414 1366">1105</p> <p data-bbox="829 1332 1436 1366">comment by: <i>The Finnish Aeronautical Association</i></p> <p data-bbox="351 1422 638 1456">FIAA concurs with EGU:</p> <p data-bbox="351 1489 1436 1668"><i>(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.'</i></p> <p data-bbox="351 1713 1436 1780">EGU members including FIAA have experience of NAAs using this sort of flexibility to impose requirements that are not justified by the evidence.</p> <p data-bbox="351 1814 734 1848">The final sentence should read:</p> <p data-bbox="351 1848 1436 1948">"The oversight may include inspections, including unannounced inspections, as appropriate, <b>but preference must always be given to overview of organisations' internal reviews.</b>"</p>



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comments No 85 for further information. Additionally, AMC to ARA.GEN.305 (f) will be developed to establish a standard inspection cycle (see draft AMC1 ARA.GEN.305 (f) as published together with Opinion 11/2016).

comment **1113** comment by: *Finnish Transport Safety Agency*

ARA.GEN.305 (f)

Trafi supports proportionate oversight for BTOs.

response Noted.  
Thank you for providing this comment.  
After due consideration, the term 'proportionate', being difficult to define, has finally be deleted for clarity reasons. Please also check the response to comment No 85 for further information.

comment **1142** comment by: *Deutscher Aero Club Landesverband Niedersachsen*

LVN states: It is appreciated that for BTO a proportionate oversight programme by the competent authority shall be prescribed. In addition it shall be mentioned that oversight by authority per se does no produce safety.

The oversight within the organisation performing training for simple activities as gliding is mainly competence driven. In the voluntarily driven surrounding the motivation of the acting groups to safe lives of their members and to sustain maximum safety for the self owned aircraft shall be supported by transfer a maximum of this task into the organisations.

response Noted.  
Thank you for providing this comment.  
After due consideration, the term 'proportionate', being difficult to define, has finally be deleted for clarity reasons. Please also check the response to comment No 85 for further information.

comment **1177** comment by: *Richard ALLEN*

External audits are costly, and should only take place where there have been unsatisfactory internal audits or there is a poor safety record.

response Not accepted.  
Thank you for providing this comment.



Please check the response to comment No 85 for further information.

**3.1. Draft Regulation (Draft EASA Opinion) — ARA.GEN.310 Initial certification procedure – organisations**

p. 27

comment

743

comment by: UK CAA

**Page No:** 27

**Paragraph No:** ARA.GEN.310

**Comment:** If an organisation is already approved to conduct courses as an Approved Training Organisation (e.g: CPL (Modular) or IR), it is unclear whether they can also be approved as a BTO to conduct PPL / LAPL Training, or should all training fall under the remit of the ATO being a more complex approval.

**Justification:** .Clarification – at present the UK CAA has organisations approved as ATOs offering complex courses, who retain their JAA Registered Facility status under which they conduct PPL training. This allows differing standards within the organisation as there is no requirement for SMS nor compliance monitoring to be applied under the old JAA regulations.

**Proposed Text:** Whilst the UK CAA does not wish to propose text for this comment, it is of the opinion that an organisation's ATO status should take precedence and that the two forms of approval should not be issued to one organisation. Consideration should be given to amending the existing Annex VI (ARA) and Annex VII (ORA) text and the ARA .BTO text to reflect that the two approvals cannot be held by the same organisation.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

In future, a training organisation could carry out their training courses for commercial licences under an ATO approval, while, at the same time, declaring their activities with regard to training for non-commercial licences to the competent authority in accordance with the new Part-DTO.

Finally, ATOs offering training courses for non-commercial licences only should benefit



from the transitional arrangements proposed in the draft amendment to Article 10a of Regulation (EU) No 1178/2011.

comment

744

comment by: UK CAA

**Page No:** 27**Paragraph No:** ARA.GEN.310(d)**Comment:** Paragraph (d) states that Competent Authorities will certify BTO in accordance with ARA.BTO.100Our understanding was that Competent Authorities would be **approving** BTO, rather than “certifying”.**Justification:** Clarification

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

948

comment by: Hermann Spring

**Replace Certify by register BTO/BTFs**

Do not make the authority responsible, the shall register only, therefore is the Basic Training Facility the correct name.

**The responsible are the HoT and the individual flight instructors.**

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

1034

comment by: Ivonne Schlesinger, HMWEVL, Germany

Die Vorschrift unter Buchstabe d) ist nicht nachvollziehbar. Die Buchstaben a) bis c) sollen



	nicht greifen, stattdessen wird in Übereinstimmung mit ARA.BTO.100 „zertifiziert“. Warum ein anderes Genehmigungsverfahren? (siehe hierzu auch die Anmerkungen zu ARA.BTO.100)
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>Consequently, the proposal for a new ARA.GEN.310 (d) has been deleted.</p>

### 3.1. Draft Regulation (Draft EASA Opinion) — ARA.GEN.350 Findings and corrective actions – organisations

p. 28

comment	86	comment by: Tony Jay
	Surely external audits should only be necessary for safety related concerns	
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 85 for further information.</p>	
comment	114	comment by: AECA(SPAIN)
	, except in the case of BTOs, provide an indication of the level of finding.’	
	<p>Why not in the case of BTO?</p> <p>Proposal: Delete <b>except in the case of BTOs</b></p>	
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The new DTO concept is aiming at alleviations and simplifications of requirements for both organisation and competent authorities. After due consideration it has been decided not to establish the system of level 1 and level 2 findings (with mandatory enforcement measures in case of level 1 findings) for the new DTO. Consequently, ARA.GEN.350 (da) has been completely revised to allow the competent authority to take appropriate</p>	



enforcement measures in various scenarios.

comment

162

comment by: *jeffrey Lawton*

ARA.GEN.350 Finding and Corrective Actions

I believe that a "light Touch" should mean that external audits are only serious safety concerns only.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment

201

comment by: *IAOPA (EUROPE)*

Findings should only be raised for non-compliance impinging upon safety rather than for administrative errors. In the first instance, the CA should inform the BTO verbally of suspected non-compliance.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment

223

comment by: *Innes WORSMAN*

The BTO should complete internal audits and send them to NAA, external audits/inspections should be reserved for serious safety concerns.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment

251

comment by: *JED DRYDEN*

ARA.GEN.350

If matters arise the BTO should hold internal audits and submit a report to the NAA. External audits by the NAA should only come into use for the serious safety concerns



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 294 comment by: *BBAC 6824*

When speaking of a 'light touch' arrangement, this would suggest that the 'competent authority' need only be involved if a serious safety concern is seen. Again, external audits are not appropriate until a serious safety issue occurs.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 341 comment by: *Richard Turnbull*

If needed a BTO would hold an internal audit, and send the findings to the NAA; but only for important safety concerns.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 403 comment by: *Pete Forster*

The BTO should hold internal audits and send a report to the National Aviation Authority. External audits should be for serious safety concerns only.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 437 comment by: *Ann Rich*

Regarding "oversight or any other means":  
External audits should be reserved for serious concerns about safety associated with the BTO.  
Otherwise, the BTO should conduct internal audits for submission to the NAA and hence assure the NAA of compliance.



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 561 comment by: Nick Bettin

The BTO should hold internal audits and then send a report to the NAA. We believe that external audits should be for serious safety concerns only.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 624 comment by: Kevin Meehan

ARA.GEN.350 FINDINGS & CORRECTIVE ACTIONS (PAGE 28)

The oversight requirements for the competent authority should be concerned with safety issues and any additional issues raised by the BTO's internal audits.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 85 for further information.

comment 694 comment by: Federal Office of Civil Aviation (FOCA), Switzerland

**ARA.GEN.350 Findings and corrective actions – organisations**

*Comments FOCA:*

*The legal act of limiting, suspending or revoking the BTO approval may be impossible (depending on national law) if an acknowledgement of receipt of the application is already to be considered as the BTO Approval certificate (AMC 1 ARA.BTO.100).*

response Not accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
  
Consequently, AMC1 ARA.BTO.100 has been deleted.



comment	704 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span>
	<p>ARA.GEN.350 i.c.w. ARA.GEN.305 and BTO.GEN.160:  Missing clear requirements will cause a bunch of oversight activities and finding processes by the different CAs, potentially including a lot of additional AltMoCs issued by the CAs. In addition there might be some practical problems to implement AMC1 to ARA.GEN.305 as it might be difficult to efficiently adapt the oversight activities to each BTO's ability to effectively manage safety risks. Moreover to take the BTO's annual internal review documentation as a basis for definition of the oversight activities bears some risks in itself. Please note that in parallel there are ongoing discussions in GA Roadmap and NCC/NCO NAA fora on implementation of proportionate oversight activities on the NCO/NCC side which should be taken into consideration.</p>
response	<p>Not accepted.  Thank you for providing this comment.  The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The new oversight requirements for DTOs in Part-ARA have been revised to provide more clarification. The term 'proportionate' in the proposed new ARA.GEN.305 (f), being difficult to define, has finally be deleted. ARA.GEN.350 (da) on enforcement measures has been totally revised and restructured. Finally, AMC to ARA.GEN.305 (f) will be developed to establish a standard inspection cycle (see draft AMC1 ARA.GEN.305 (f) as published together with Opinion 11/2016).</p>
comment	734 <span style="float: right;">comment by: <i>Urzad Lotnictwa Cywilnego Poland</i></span>
	<p>ARA.GEN.350 e. Does this regulation mean that the BTO are only „local” – i.e. there is no cooperation between the BTOs from the different member states (for example when it concerns the continuation of the training that was started in another member state) or does this regulation only mean that there is no need to inform EASA about such activities, but they are generally possible?</p>
response	<p>Noted.  Thank you for providing this comment.  The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The Agency would like to highlight that the term 'except in the case of DTOs' in ARA.GEN.350 (e) refers to the rest of the sentence 'provide</p>

comment	<p>745</p> <p style="text-align: right;">comment by: UK CAA</p> <p><b>Page No:</b> 28</p> <p><b>Paragraph No:</b> ARA.GEN.350(e)</p> <p><b>Comment:</b> The paragraph relates to findings identified by other than the approving Competent Authority being reported to the relevant CA, but in the case of BTOs not to indicate the level of the finding. The UK CAA is unsure why there would be any difference between an ATO and a BTO, nor why this exception is being made, and would recommend the removal of this exception.</p> <p><b>Justification:</b> Consistency and clarification.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 114 for further information.</p>

comment	<p>794</p> <p style="text-align: right;">comment by: Allie Dunnington</p> <p>ARA.GEN 350 page 28 as previously pointed out, External audits should be for serious safety concerns only whereas the BTO should hold internal audits and forward their report to their relevant NAA.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 85 for further information</p>

comment	<p>811</p> <p style="text-align: right;">comment by: Ian Wadey</p> <p>The Basic Training organisation should carry out routine internal audits and send a report to the overseeing Aviation Authority. External audits need only be instigated in the event of serious safety concerns.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 85 for further information</p>



comment

904

comment by: *Flying Club President*

this section is just horrible.

"limiting revoking suspending" etc

This is just unacceptable, it's a charter to bully and destroy peoples livelihoods.

To much power for the CAs.

Not enough protections for TOs

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that competent authorities, when being responsible for oversight and enforcement of legal provisions, need to have tools in place to take appropriate enforcement measures in order to ensure the application of the relevant regulations.

comment

950

comment by: *Hermann Spring*

**Remove that in total for BTO/BTF.**

That should be standard practice

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 904 for further information.

comment

1020

comment by: *AESA*

Modify the text under (e) as follows (deleted text marked with strike-through):

(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.

Justification:



	<p>The level of finding serves to take appropriate action as stated in the last sentence of paragraph (da). So it, does not understand why it has not been to communicate the finding level to the Authority which has approved the BTO. We see no reason for this exception.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 114 for further information.</p> <p>As it has been decided that findings against DTOs will not be classified as level 1 or level 2 findings, such a level cannot be communicated. For this reason the exception was inserted.</p>
comment	<p>1024 <span style="float: right;">comment by: <i>Guenter W. FORNECK</i></span></p> <p>Based upon the comment of ARA.GEN.305 Oversight program: The findings of the internal audit and the necessary corrective actions to resolve negative findings, should also be given to the governing authority for review and if necessary, action</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>As already proposed in the NPA (BTO.GEN.210 (c)), the new DTO.GEN.270 (c) requires a DTO to submit a copy of the annual internal review to the competent authority. While BTO.GEN.210 in the NPA proposed to let this happen on request by the competent authority only, DTO.GEN.270 contains an obligation of the DTO to send this copy in any case.</p>
comment	<p>1035 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span></p> <p>Es ist - wie vom Luftfahrt-Bundesamt zutreffend ausgeführt – nicht nachvollziehbar, warum die Vorschriften ARA.GEN.350 a) bis d) nicht greifen sollen. Bei den BTO gibt es auf einmal nur noch ein „Finding“, für ATO gibt es „Findings“ Level 1 und Level 2. Die Unterscheidung ist nicht nachvollziehbar. Die CA soll alle erforderlichen Maßnahmen ergreifen „take any measures nessessary“. Wie diese aussehen sollen, bleibt letztlich unklar.</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 114 for further information.</p>



comment	1074	comment by: <i>Phil Dunnington</i>
	The BTO should simply conduct internal audits for reporting to the NAA, with external involvement only in the event of significant safety shortfalls.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 85 for further information	

comment	1114	comment by: <i>Finnish Transport Safety Agency</i>
	ARA.GEN.350 (da)	
	Trafi supports the proposed text. It is important that the competent authority has a means to limit, suspend or revoke the approval, if needed.	
response	Noted. Thank you for providing this positive feedback. The Agency would like to highlight that ARA.GEN.350 (da) has been revised in total for providing further clarifications.	

comment	1192	comment by: <i>Sandra WECHSELBERGER</i>
	Concerning paragraph (e): What is the reason to exclude BTOs from an indication of a level of a finding?	
	When raising findings, it would make it easier for competent authorities to have the possibility to grade the findings into „severe“ or „non severe“, also in terms of a justification, when measures like suspension or limitation are taken.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 114 for further information.	

### 3.1. Draft Regulation (Draft EASA Opinion) — ARA.BTO.100 Application process and certification

p. 28-29



comment	14	comment by: <i>Ruben</i>
	<p>paragraph (c)          What does happen if the authority does not approve BTO within two months?          With the simplicity of the application, and the brief content of the application, I believe it is appropriate to consider the positive administrative silence.</p>	
response	<p>Noted.          Thank you for providing this comment.          The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>By revising the draft provisions in order to establish a pure declaration process, possible ambiguities and administrative issues related to the initially proposed BTO approval process have been removed.</p> <p>Please refer to the revised draft rule text for further information.</p>	

comment	88	comment by: <i>Tony Jay</i>
	<p>It is not clear why a full safety policy is required for submission, when a safety policy statement would be adequate,</p>	
response	<p>Accepted.          Thank you for providing this comment.          The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The new DTO.GEN.115 (a) (6) does no longer require a safety policy to be submitted with the declaration but just a declaration (statement) that such a policy is in place. The DTO declaration form (Appendix 1 to Part-DTO) will contain a statement to be signed as part of the declaration, referring to a safety policy that needs to be developed and applied by the DTO. The new DTO.GEN.210 (a) (1) (ii) (former BTO.GEN.190 (b)) has been revised respectively and now requires the DTO to develop a safety policy only. AMC will be developed to provide further information on the content of the safety policy (see draft AMC1 DTO.GEN.210 as published with Opinion 11/2016).</p>	

comment	115	comment by: <i>AECA(SPAIN)</i>
	<p><i>The competent authority shall approve the BTO once it has established that the application</i></p>	



	<p><i>complies with paragraph (a), and in any case within two months from the receipt of the application.</i></p> <p>Proposal: <i>and in any case within <b>three months</b> from the receipt of the application.</i></p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>163 <span style="float: right;">comment by: <i>jeffrey Lawton</i></span></p> <p>ARA.BTO.100 application process and certification</p> <p>The Safety Policy Statement should confirm that the BTO has the required structure and policies . There should be no need to submit full policu documentation as part of the approval process</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 88 for further information.</p>
comment	<p>224 <span style="float: right;">comment by: <i>Innes WORSMAN</i></span></p> <p>A safety policy statement should be a simple statement that the BTO has the necessary policies in place. There should be no requirement to submit th full and formal policy as part of the approval process.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 88 for further information.</p>
comment	<p>252 <span style="float: right;">comment by: <i>JED DRYDEN</i></span></p> <p>ARA.BTO.100</p> <p>The safety Policy Statement should be a simple stating that the BTO has all the necessary policies in place and then issue is approved. A full and formal policy should not be required or submitted as part of the approval process</p>



response

Accepted.

Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment

295

comment by: *BBAC 6824*

ARA BTO 100

A detailed safety policy statement need not be submitted if the BTO has stated that one is in place. This should not be a requirement.

response

Accepted.

Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment

342

comment by: *Richard Turnbull*

Surley, a statement of safety policy, should be simply stating that the policies are in place. With no need to a whole and formal policy to be part of the approval process.

response

Accepted.

Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment

354

comment by: *DGAC France***Subject:**

DGAC support for option 1 (RTO) and proposed amendment to Part ARA and Part BTO

**Content:**

In line with support for option 1 (RTO) (see general comment), DGAC proposes some amendments to Part ARA and Part BTO in order to switch back to a declaration process.

The following amendments are proposed:

- ARA.BTO.100 and ARA.BTO.105 to be replaced by ARA.RTO.100

and

- BTO.GEN.130 and BTO.GEN.170 to be replaced by RTO.GEN.130 and RTO.GEN.170.



**Proposed amendment:**

ARA.BTO.100 and ARA.BTO.105 to be replaced by ARA.RTO.100

**ARA.RTO.100**

*(a) Upon receiving a declaration from an RTO, the competent authority shall verify that the declaration contains all the information required.*

*(b) If the declaration does not contain the required information, or contains information that indicates non-compliance with applicable requirements, the competent authority shall notify the organisation about the non-compliance and request further information. If deemed necessary the competent authority shall carry out an inspection of the organisation.*

*(c) For changes, the competent authority shall assess the information provided in the notification sent by the organisation to verify compliance with the applicable requirements. In case of any non-compliance, the competent authority shall notify the organisation about the non-compliance and request further changes. If the non-compliance is confirmed, the competent authority shall take action as defined in ARA.GEN.350 (da).*

*(d) An RTO will remain registered until the competent authority is informed by the RTO that training is to cease upon written request by the RTO or if the authority establishes that an acceptable level of safety during training is not achieved, that training is not performed in accordance with training programs used by the RTO, or the conditions and terms of the organisation declaration are not met.*

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

359 ❖

comment by: DGAC France

**Subject:**

Discrepancies and inconsistencies in BTO certification process

**Content:****Statement**

Option 2 (BTO) is a bad concept in between a declaration system and a certification system. The BTO concept, as described in the rulemaking proposal, has been developed having in mind a declaration and not a certification. It brings a flexibility that is not compatible with a certification system and in particular it introduces some harmful



inconsistencies for the legal compliance both for Authority, users and organisms.

The **following inconsistencies** have been identified:

#### **1) Conditions for BTO certificate issuance**

The rulemaking proposal consists in certifying a declaration form instead of certifying an organisation in the sense of a certification as defined in the basic regulation (EC n°216/2008. As a matter of fact the Authority issues a certificate on the sole basis of information provided through an application form (cf. AMC1 BTO.GEN.130). The elements provided are not sufficient to properly assess the organism capability to provide training.

The BTO is not required to provide concrete elements on the basis of which the Authority may conduct a sound analysis before issuing the certificate. In particular it should be noted that use of training and operations manuals are not mandatory but only recommended (cf. GM1/GM2 BTO.GEN.190). Besides the application form does not include information about the aircraft fleet to be used for training.

By essence a certification has to rely on a clear frame of reference and on checking concrete elements. The lack of such framework will surely create legal issues. The sole tangible element is the assessment of training programs to be attached to the application form (cf. ARA.BTO.110).

#### **2) Acknowledgement of receipt and BTO certificate**

Moreover the AMC1-ARA.BTO.100 indicates that the acknowledgement of receipt could be considered as the BTO approval certificate. This approach, totally understandable in a declaration process (option 1 RTO), is inadequate in the case of certification process.

#### **3) Commencement of BTO activities**

Besides the rulemaking proposal allows a BTO to start its activities before having received its certificate (cf. BTO.GEN.130 (d)). This flexibility, totally understandable in a declaration process (option 1 RTO) is not compatible with a certification and could be a source of legal issues.

#### **4) Safety relevance**

Finally it seems that, as defined in the rulemaking proposal, the issuance of a certificate by the authority does not bring any added value or guarantee in terms of safety. Its introduction only aims at complying with article 7(3) of the current basic regulation. But in any case the BTO certificate, as described in the rulemaking proposal, cannot be considered as a result of a certification process as defined in the basic regulation (EC n°216/2008.

#### **Conclusion**

Given all the elements above DGAC requests the withdrawal of the BTO concept based on a light approval (option 2). One hand it does not offer a proper framework for certification



	and on the other hand it does not offer the simplification that was looked for through the declaration.
response	Accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.
comment	369 <span style="float: right;">comment by: <i>KSAK - Swedish Royal Aero Club</i></span>  (a) (2): It should be enough to write the contact details of the principal place of activity, not any other operating sites since there might be a lot of them.
response	Not accepted. Thank you for providing this comment. The Agency would like to highlight that the competent authorities need to be aware of all operating sites in order to plan and conduct proper oversight.
comment	404 <span style="float: right;">comment by: <i>Pete Forster</i></span>  A Safety Policy Statement should be a simple statement that the BTO has the necessary policies in place. There should be no requirement to submit the full and formal policy as part of the approval process.
response	Accepted.  Thank you for providing this comment. Please check the response to comment No 88 for further information.
comment	438 <span style="float: right;">comment by: <i>Ann Rich</i></span>  Please clarify under point (7) that a safety policy statement requires only a statement that the BTO has the necessary policy in place. It does not call for the full policy to be submitted as part of the application process.



response

Accepted.

Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment

464

comment by: *FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS*

CNFAS reminds the Agency that the GA roadmap was expected to provide training “outside approval”.

How the competent authority shall approve an organisation? (ATO vs BTO?)

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

505

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

Relevant Text: ARA.BTO.100 (c)

Comment: The text suggests that even if the application is not complete within two months the authority must approve the BTO. If this is not the intent the wording needs to be changed.

Proposal: ... paragraph (a), and in any case the review process may not be longer than two months from the receipt of a complete application according to paragraph (a).

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 14 for further information.

comment

562

comment by: *Nick Bettin*

Surely a Safety Policy Statement should be simple statement that the BTO has the necessary policies in place. There should be no requirement to submit the full and formal



response	<p>policy as part of the approval process.</p> <p>Accepted.</p> <p>Thank you for providing this comment. Please check the response to comment No 88 for further information.</p>
comment	<p>586 <span style="float: right;">comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></span></p> <p>point 7. supported as written - statement that BTO has a safety policy and no requirement to have the policy scrutinised in detail</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback. Please also check the response to comment No 88 for further information.</p>
comment	<p>625 <span style="float: right;">comment by: <i>Kevin Meehan</i></span></p> <p>ARA.BTO.100 APPLICATION PROCESS AND CERTIFICATION (page 28 / 29)</p> <p>section 7 - the requirement for a BTO approval is for the BTO to declare that it has a safety policy. It is not necessary for the BTO to submit the full and formal policy as part of the approval process.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment. Please check the response to comment No 88 for further information.</p>
comment	<p>668 <span style="float: right;">comment by: <i>CAA Norway</i></span></p> <p>The information in ARA.BTO.100(a) should be documented and accepted by the authority prior to issuing an approval.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment. Please check the response to comment No 14 for further information.</p>



comment

669

comment by: CAA Norway

The text in ARA.BTO.100(c) seems to imply that the NAA need to issue an approval after two months without regard to whether the documentation is accepted or not. It seems like the NAA have to issue an approval even if the BTO haven't provided complete documentation. If this is the case, the role of the NAA is of no use.

We propose that the authority shall have procedures to ensure that the review process does not take longer than two months.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 14 for further information.

comment

686

comment by: Regierung von Oberbayern - Luftamt Südbayern

zu ARA.BTO.100, BTO.GEN.130 und AMC1.BTO.GEN 130:

Zusätzlich zu den genannten Informationen sollten jeweils Angaben zu dem/den für die Ausbildung genutzten Luftfahrzeug(en) gemacht werden müssen. Dass nach den Luftfahrzeugen nicht gefragt wird, erscheint schon deswegen sinnvoll, weil auch nähere Angaben zu den FSTDs notwendig sein sollen; erst recht müssen dann aber aus hiesiger Sicht auch Luftfahrzeuge aufgeführt werden. Dies erscheint auch im Hinblick darauf geboten, dass die Luftfahrzeuge auch für die beabsichtigte Ausbildung geeignet und ausgerüstet sein müssen (z.B. müssen im Falle der PPL(A)-Ausbildung die notwendigen Funknavigationshilfen eingebaut und auch funktionstüchtig sein).

Ferner sollten die Informationen zu den Luftfahrzeugen auch Angaben zu Eigentümer/Halter, Lufttüchtigkeit, Versicherung usw. enthalten. Denn es sollte nicht vergessen werden, dass die Luftfahrzeuge zu Schulungszwecken eingesetzt werden. Sie sollten daher nicht nur zum Schutze der Flugschüler entsprechend gut gewartet, umfassend versichert und auch sonst für den genannten Zweck geeignet sein.

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

After due consideration, it has been decided that information regarding the aircraft fleet shall be part of the declaration in such a way that aircraft models are listed. For further information, please refer to Chapter 2.3.11.2 (page 15) of Opinion 11/2016 and to the draft GM1 DTO.GEN.115 (as published together with Opinion 11/2016).



comment	<p>693</p> <p>comment by: <i>Federal Office of Civil Aviation (FOCA), Switzerland</i></p> <p><b>ARA.BTO.100 Application process and certification</b> <b>AMC1 ARA.BTO.100</b></p> <p><i>Comments FOCA: An acknowledgment of receipt of the application should never be considered as an approval certificate. Each MS should be free to define how an approval certificate is administratively issued, based on its national law. An acknowledgment of receipt of the application should be considered as an important part in the administrative and communication process between the organisations and the competent authorities.</i></p>
response	<p>Noted.</p> <p>Thank you for providing this comment. Please check the response to comment No 14 for further information.</p>

comment	<p>695</p> <p>comment by: <i>Federal Office of Civil Aviation (FOCA), Switzerland</i></p> <p><b>ARA.BTO.100 (a)(6) Application process and certification</b></p> <p>(6) The <b>aircraft and</b> FSTDs to be used for the training, if applicable; and</p> <p><i>Comments FOCA: The information of the aircraft used for training is not addressed. To be consistent with the BTO.GEN.240, the aircraft used for training shall be included in the application package.</i></p>
response	<p>Partially accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>After due consideration, it has been decided that information regarding the aircraft fleet shall be part of the declaration in such a way that aircraft models are listed. Please refer to Chapter 2.3.11.2 (page 15) of Opinion 11/2016 for further information.</p>



comment	<p>696 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation (FOCA), Switzerland</i></span></p> <p><b>ARA.BTO.100 (c) Application process and certification</b></p> <p>(c) The competent authority shall approve the BTO once it has established that the application complies with paragraph (a), and <del>in any case</del> within two months from the receipt of the application <b>provided that there are no non-compliances.</b></p> <p><i><b>Comments FOCA:</b> The information that the BTO shall be approved in any case within 2 month from the receipt of the application does jeopardize the certification process if an unacceptable application has been submitted or risen findings couldn't be closed. As a matter of fact, it does refrain the competent authority to apply the certification process and to rise a finding prior the issue of the approval.</i></p>
response	<p>Noted.</p> <p>Thank you for providing this comment. Please check the response to comment No 14 for further information.</p>

comment	<p>705 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>ARA.BTO.100 (c) requests the CA to approve the BTO once it has established that the submitted documentation is complete (that means without any review of the content). The AMC goes further (and beyond the regulation) and requests that just “the acknowledgement of receipt of the application, in either paper or electronic format, should be considered as the BTO approval certificate.” Taking into account administrative law, this seems highly questionable and we highly recommend reconsidering this approach. Instead of this option the declaration concept already brought up in NCC and Balloon Ops should be further developed and introduced in correlation with the change of the basic regulation.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment. Please check the response to comment No 14 for further information.</p>

comment	<p>725 <span style="float: right;">comment by: <i>Danish Transport and Construction Agency</i></span></p> <p>Relevant text: ARA BTO. 100(c)</p> <p>It is mentioned that if the application is not complete within two month the authority</p>
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	must approve the BTO. If this is not intended the text needs to be changed.
response	Noted.  Thank you for providing this comment. Please check the response to comment No 14 for further information.

comment	746 <span style="float: right;">comment by: UK CAA</span>  <b>Page No:</b> 28, 29, 30,  <b>Paragraph No:</b> ARA.BTO.100(a)(2); BTO.GEN.110(a); BTO.GEN.130; ARA.GEN.100  <b>Comment:</b> These paragraphs refer to a ‘principle place of activity’, which is not defined and is not consistent with other regulations which refer to the ‘principle place of business’.  It is recommended that the Agency consider the different terminology used and the implications of changing for BTOs. We believe this would cause significant confusion between training organisations and competent authorities It might also cause problems if a BTO wished to add courses for which approval as an ATO is required but this might require a change in CA.  <b>Justification:</b> The term is not defined and inconsistent with other regulations.
response	Accepted.  Thank you for providing this comment. The text has changed to read ‘principle place of business’.

comment	747 <span style="float: right;">comment by: UK CAA</span>  <b>Page No:</b> 28  <b>Paragraph No:</b> ARA.BTO.100(a)(3) and (7); BTO.GEN.130(3);  <b>Comment:</b> The rule refers to a ‘Representative’, which is not defined or explained in the explanatory note or AMC/GM. This is not a term used previously within the Regulations and it is unclear as to the accountabilities and competencies of this individual.  The UK CAA recommends using the established roles in the regulation - such as
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	<p>Accountable Manager – which EASA have introduced in other parts of the Aircrew Regulation and other EU documents. The other roles can be expanded on within the AMC/GM rather than in the rule.</p> <p><b>Justification:</b> Clarity, consistency and accountability.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>After due consideration, it has been decided not to use the term “accountable manager” as this term is perceived to be strongly associated with the ‘commercial domain’ and therefore does not suit well for the rather non-commercial general aviation domain. For this reason, it has been concluded to keep the term ‘representative’ who, similar to an accountable manager in an ATO, will have the ultimate responsibility for the DTO. The tasks and responsibilities of the representative are more accurately defined in the revised DTO.GEN.210 (a)(1).</p>

comment	<p>748 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Page No:</b> 29 and 31</p> <p><b>Paragraph No:</b> ARA.BTO.100(a)(6); BTO.GEN.130(6)</p> <p><b>Comment:</b> The UK CAA recommends the word ‘qualified’ should be inserted in these two paragraphs, as shown below.</p> <p><b>Justification:</b> Consistency</p> <p><b>Proposed Text:</b> Amend paragraphs ARA.BTO.100(a)(6) and BTO.GEN.130(6), to read:</p> <p>“The <b>qualified</b> FSTDs to be used for the training, if applicable; and”</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Equivalent provisions like ORA.ATO.105 (a)(1)(vi) and ORA.ATO.135 also refer to ‘FSTD’, not to ‘qualified FSTD’. The necessity of FSTD to be qualified derives directly from Part-ORA Subpart FSTD which is applicable to FSTD in any case and with no regard to the pure user of the device. It has to be highlighted in this context, that a DTO is entitled to ‘use’ FSTD. If a DTO wishes to ‘operate’ an FSTD, compliance with Part-ORA Subpart FSTD would be necessary of course.</p>



comment 795 comment by: *Allie Dunnington*

ARA.BTO 100:

I strongly request that any safety policy statement should be kept as simple and straightforward as possible. If the BTO states that it has all the necessary policies in place, that should suffice.

response Accepted.

Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment 812 comment by: *Ian Wadey*

A Safety Policy Statement from the Basic Training Organisation need only state there are the necessary policies in place. It is not necessary to have a requirement that a full and formal policy needs to be submitted for the approval process.

response Accepted.

Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment 923 comment by: *European Gliding Union*

*(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.*

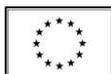
This simple action would not take months to action; a two month time frame is unnecessary.  
One month is adequate.

response Noted.

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment 929 comment by: *Aeroklub Polski*

2 months is too long – 1 month shall be sufficient



response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment

951

comment by: *Hermann Spring*

(31) T.... ARA.BTO.100, on application process and **certification** .....

**SIMPLIFY**

**Remove the word  
certification,**

We recommend BTF and this need no certification  
No is the text already saying that this is the application replacing Gen 130 in total

response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment

1006

comment by: *AESA*

Modify the proposed requirement as follows (add text highlighted in grey):

**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 and HT (which may be the same person) of the BTO
  - (4) The BTO training programme(s) used;
  - (5) The type of training provided in accordance with BTO.GEN.120;
  - (6) The Instruction/operations Manual
  - (7) A documented management system including the safety elements and policies
  - (8) The aircrafts and, if applicable, FSTDs to be used for the training, if applicable; and
  - (9) 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



response	<p>receipt of the application.</p> <p>Justification:  AESAs understand that BTOs have to meet certain requirements in consideration of increased safety. These minimum requirements, in our opinion, should include an HT, an instruction/operations manual and a documented management system. It is true that these proposed requirements are part of some of the AMC, but we believe they have to be part of the regulation.</p> <p>Partially accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The overall target of this rulemaking task (RMT) is to provide a simplified regulatory framework for general aviation training providers. For this reason, already NPA 2015-20 did not contain compulsory requirements for manuals or a management system as required by Part-ORA for ATOs. Rather complex and voluminous training manuals were substituted by simple training programmes.</p> <p>Unlike NPA 2015-20 the text proposed now by Opinion 11/2016 contains a requirement to nominate a head of training (new DTO.GEN.210 (a) (2)).</p>
comment	<p>1037 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span></p> <p>Die Vorschrift legt die zu übersenden Unterlagen fest. Gleichzeitig heißt es in AMC.ARA.BTO.100: "The acknowledgement of receipt of the application, in either paper or electronic format, should be considered as the BTO approval certificate." Wird der Antrag (als Beispiel) per Rückschein geschickt, würde das gemäß der AMC-Vorschrift schon als Genehmigung ausreichen. Was aber passiert, wenn die Antragsunterlagen nicht vollständig sind? Die Vorschriften widersprechen sich somit, vor allem widerspricht eine Genehmigungsfiktion, ohne der Behörde eine Möglichkeit zur Stellungnahme zu geben, sowohl der Grundverordnung, als auch deutschem Verwaltungsrecht. Die Ausführungen des LBA hierzu werden ausdrücklich geteilt. Das ganze kann überhaupt nicht nachvollzogen werden. Ein Eingreifen der Behörde ist aus unserer Sicht zwar über ARA.BTO.105 möglich. Dies ist aber das umständliche Verfahren über ARA.GEN.350 (da). Als Konsequenz würde dann aus unserer Sicht über einen längeren Zeitraum Ausbildung durchgeführt werden, die nicht in Übereinstimmung mit den Vorschriften steht.</p> <p>Die Aufzählung der zu übersenden Unterlagen in ARA.BTO.100 und in AMC1BTO.GEN.130 ist doppelt. Es reicht –wie vom LBA zutreffend ausgeführt - wenn die Unterlagen im AMC-Material erwähnt werden.</p>



response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment

1075

comment by: *Phil Dunnington*

Adding a requirement to submit a full and formal policy statement for prior approval is an unnecessary burden.

response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment

1106

comment by: *The Finnish Aeronautical Association*

FIAA concurs with EGU :

*(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.*

This simple action would not take months to action; a two month time frame is unnecessary.

One month is adequate.

response

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment

1117

comment by: *Finnish Transport Safety Agency*

ARA.BTO.100 (c)

In Trafi's opinion the BTO shall not be approved unless it complies with the relevant rules. Therefore the wording 'and in any case' shall be deleted from the provision.

Proposal:

The competent authority shall approve the BTO once it has established that the



	<p>application complies with paragraph (a), <del>and in any case</del> within two months from the receipt of the application.</p>
response	<p>Thank you for providing this comment. Please check the response to comment No 14 for further information.</p>
comment	<p>1143 <span style="float: right;">comment by: <i>Deutscher Aero Club Landesverband Niedersachsen</i></span></p> <p>LVN states: Such light approval is highly appreciated, however, a concept of RTO if ever possible is a more applicable solution for the activity at the lighter end of aviation. It would allow a more progressive development of this kind of aviation by easier access and less costly surroundings.</p> <p>Overall, it shall be considered that clear guidance to the competent authorities shall be given, as NAA are pressed very often to act in overinterpreting such rules to not allow any misunderstanding during any audits they undergo by the agency. A light approval shall stay as light approval to result in a success of the BTO concept.</p>
response	<p>Thank you for providing this comment. Please check the response to comment No 14 for further information.</p>
comment	<p>1144 <span style="float: right;">comment by: <i>Deutscher Aero Club Landesverband Niedersachsen</i></span></p> <p>Clause: (c).....within two months from the receipt.... Proposed change: (c)..... within one month from the receipt.... Justification: One month should be sufficient, as only the recognition of the training program and the safety mission supplemented with some small additional information shall be evaluated by the authority. This should be possible in that time frame.</p>
response	<p>Thank you for providing this comment. Please check the response to comment No 14 for further information.</p>
comment	<p>1155 <span style="float: right;">comment by: <i>HQ Aviation</i></span></p> <p>Annex VIII REQUIREMENTS FOR BASIC TRAINING ORGANISATIONS [Part-BTO] BTO.GEN.100 — General</p> <p>(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 <b>maximal certified seat configuration does not exceed four seats</b>; and (3) training towards night rating.</p> <p>This is too restrictive with out any clear or justified reason. Many aircraft operated by</p>



	<p>private pilots now have more than 4 seats, R66, B505 and so on. Having a restriction such as this is unfairly limiting the the scope of potential business of a growing sector within the GA community.</p>
response	<p>Accepted.  Thank you for providing this comment.  The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  With regard to the proposal to add further helicopter type ratings to the training scope of a DTO, please check the response to comment No 1102.</p>
comment	<p>1161 <span style="float: right;">comment by: ATO Aeroklub Szczeciński</span></p> <p>ARA.BTO.100 (c) - two months approval time is too long. One month should be enough.</p>
response	<p>Noted.  Thank you for providing this comment.  Please check the response to comment No 14 for further information.</p>
comment	<p>1178 <span style="float: right;">comment by: Richard ALLEN</span></p> <p>ARA.BTO.100 (7) - It should be sufficient to state that the necessary safety policies are in place, but not require submission of full policies for the approval process.</p>
response	<p>Accepted.  Thank you for providing this comment.  Please check the response to comment No 88 for further information.</p>
comment	<p>1193 <span style="float: right;">comment by: Sandra WECHSELBERGER</span></p> <p>The wording of ARA.BTO.100(c) stipulates, that the BTO will be approved within two months, no matter if rule-compliant by that time or not.  A regulation like this might lead to an approval in any case (even enforceable by court) which would reduce a previous assessment of the competent authority to absurdity.</p> <p>Suggestion: add the following wording: ... two months from the receipt of the application, <i>if the BTO is found to comply with all applicable requirements.</i></p>
response	<p>Noted.</p>



Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

**3.1. Draft Regulation (Draft EASA Opinion) — ARA.BTO.105 Changes**

p. 29

comment

354 ❖

comment by: DGAC France

**Subject:**

DGAC support for option 1 (RTO) and proposed amendment to Part ARA and Part BTO

**Content:**

In line with support for option 1 (RTO) (see general comment), DGAC proposes some amendments to Part ARA and Part BTO in order to switch back to a declaration process.

The following amendments are proposed:

- ARA.BTO.100 and ARA.BTO.105 to be replaced by ARA.RTO.100

and

- BTO.GEN.130 and BTO.GEN.170 to be replaced by RTO.GEN.130 and RTO.GEN.170.

**Proposed amendment:**

ARA.BTO.100 and ARA.BTO.105 to be replaced by ARA.RTO.100

***ARA.RTO.100***

*(a) Upon receiving a declaration from an RTO, the competent authority shall verify that the declaration contains all the information required.*

*(b) If the declaration does not contain the required information, or contains information that indicates non-compliance with applicable requirements, the competent authority shall notify the organisation about the non-compliance and request further information. If deemed necessary the competent authority shall carry out an inspection of the organisation.*

*(c) For changes, the competent authority shall assess the information provided in the notification sent by the organisation to verify compliance with the applicable requirements. In case of any non-compliance, the competent authority shall notify the organisation about the non-compliance and request further changes. If the non-compliance is confirmed, the competent authority shall take action as defined in ARA.GEN.350 (da).*

*(d) An RTO will remain registered until the competent authority is informed by the RTO that training is to cease upon written request by the RTO or if the authority establishes that an acceptable level of safety during training is not achieved, that training is not*



*performed in accordance with training programs used by the RTO, or the conditions and terms of the organisation declaration are not met.*

response

Partially accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

670

comment by: CAA Norway

ARA.BTO.105: All changes need to be documented.

response

Noted.

Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

ARA.DTO.105 requires a DTO to notify the competent authority in case of any changes regarding the information listed in the initial declaration (DTO.GEN.115) – this includes also the training programme(s) (see also ARA.DTO.110).

comment

1038

comment by: Ivonne Schlesinger, HMWEVL, Germany

Ein Eingreifen der Behörde ist aus unserer Sicht zwar über ARA.BTO.105 möglich. Dies ist aber das umständliche Verfahren über ARA.GEN.350 (da). Als Konsequenz würde dann aus unserer Sicht über einen längeren Zeitraum Ausbildung durchgeführt werden, die nicht in Übereinstimmung mit den Vorschriften steht.

response

Noted.

Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The proposals for new provisions of Part-ARA Subpart DTO as well as the draft for a new ARA.GEN.350 (da) have been revised to provide a clear legal basis for competent authorities to take immediate enforcement measures, as appropriate and necessary.



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<b>3.1. Draft Regulation (Draft EASA Opinion) — ARA.BTO.110 Assessment of BTO training programme(s)</b>	p. 29
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comment 1

comment by: *Bruno Herencic***Proposed to add following text:**

The Authority shall apply the same criteria when assessing a training programme of a BTO as it does for an ATO. A BTO training programme shall be of equal quality as is required of an ATO.

**Reasons:**

Authority shall not accept lower training standards and programmes of lower quality from a BTO than it would from an ATO.

It must not happen that an ATO is required to publish a detailed lesson plan or "SOP" while a BTO is not required to do this for the same training programme, e.g. PPL. A BTO and an ATO shall be treated in the same manner if they are applying for the same programme.

response Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The formal requirements for training programmes of DTOs are less than the requirements for training manuals of ATOs. This simplification was identified to be needed for general aviation training providers. However, based on the applicable requirements of the new Part-DTO, the verification of legal compliance of training programmes will take place following the criteria (requirements) of Part-FCL, just as it is the case with training manuals from ATOs (see ARA.GEN.310 (a) and ORA.ATO.125 (b); ARA.DTO.110(a) and DTO.GEN.230 (b)).

comment 465

comment by: *FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS*

This article is defined for certification! The GA roadmap and the TF objectives is not to create the same rules than ATO! Moreover, "to verify its compliance with the applicable PART-FCL requirements" is the rule defined for ATO!



	<p>Assess is not defined and the Authority will assess according its own principles!! It's not acceptable. BTO must be different than ATO and the only way to be different is to be declared !! This article is not in line with the strategic direction of the GA Safety Strategy adopted in 2012 and with EASA Roma's conference.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment. Please check the response to comments No 14 and 353 for further information. Additionally, the Agency would like to highlight that the term 'verification of compliance' is not necessarily linked to the subsequent issue of a certificate. Verification of compliance can also take place during continuing oversight.</p>

comment	<p>671 <span style="float: right;">comment by: CAA Norway</span></p> <p>ARA.BTO.110: When are the training programmes and other documentation to be sent to the NAA for assessment? CAA Norway is of the opinion that this kind of documentation should be required to be sent to the NAA under ARA.BTO.100 and 105.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The training programmes will be required to be attached to the initial declaration which will needed to be sent to the competent authority prior to the commencement of the training activities (DTO.GEN.115 (a)).</p>

comment	<p>735 <span style="float: right;">comment by: Urząd Lotnictwa Cywilnego Poland</span></p> <p>ARA.BTO.110 and BTO.GEN.130 d. What should be done in such a situation – BTO (which earlier did not exist) starts the training directly after the notification and the inspectors only during the examining of the training programme (they have 2 months for this) notice that it does not fulfil the standards and is a safety threat? Does the BTO.GEN.230 refer to the ATO AMC minima (ARA.GEN.105 point 6, is this sufficient or is there any additional link)?</p>
response	<p>Noted.</p> <p>Thank you for providing this comment. Please check the response to comment No 14 for further information.</p>



comment

750

comment by: UK CAA

**Page No:** 29**Paragraph No:** ARA.BTO.110

**Comment:** The UK CAA seeks clarification on the purpose and method for the assessment of training programmes. BTOs are not required to submit a training manual, as they may follow commercially produced programmes or the AMC material. However, the latter may not be considered as a “training programme” – more a list of exercises contained within the syllabus.

It is recommended that EASA should develop associated AMC or GM material to ensure that the existing syllabi in Part FCL AMC materials are enhanced and that Competent Authorities understand the regulation and can enact in a proportionate manner.

**Justification:** Clarification

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Additional AMC will be developed to specify the minimum content of a training programme (see draft AMC1 DTO.GEN.230 published together with Opinion 11/2016). Additionally, the Agency will consider to develop additional AMC or GM to provide more guidance on such DTO training programmes.

comment

828

comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

How can a BTO training programme be verified relative to Part-FCL requirement, without the requirement for that programme to be described in the form of a training manual? We would agree that a training manual would be highly recommended.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

A training programme benefits from simplified formal requirements but still needs to contain a detailed description of the respective training course (see draft AMC1



DTO.GEN.230 published together with Opinion 11/2016).

comment

952

comment by: *Hermann Spring*

**Change of wording** from training programme to **training elements or training requirements**

The sequence and extend of the single training element completion is depending weather, progress, etc.

response

Not accepted.

Thank you for providing this comment.

The use of the term ‘training programme’ does not prevent such document to take into account the practical aspects mentioned in this comment.

comment

1039

comment by: *Ivonne Schlesinger, HMWEVL, Germany*

Die Anmerkungen zu ARA.BTO.100 gelten auch hier. Wir schließen uns hier ausdrücklich den Bedenken des Luftfahrt-Bundesamtes an. Insbesondere der Satz „In Case of any non-compliance, the competent authority shall notify the BTO about the non-compliance and request changes“ ist völlig unbestimmt. Was passiert, wenn die BTO nicht auf die gewünschten Änderungen reagiert? Es fehlt der Verweis auf ARA.GEN.350 (da).

Es bleibt unklar, wie „proposed“ in diesem Zusammenhang zu verstehen ist. Meint die EASA hier „vorschlagen“ oder „beantragen“? Sofern es um eine Beantragung – wie das LBA meint - geht, würde die Vorschrift den vorherigen Vorschriften widersprechen. Sofern es um einen Vorschlag geht, siehe die obigen Ausführungen auch zu ARA.BTO.100.

Die weiteren Ausführungen des Luftfahrt-Bundesamtes (zweiter Punkt) zu den Trainingsprogrammen werden ausdrücklich geteilt. Eine Standardisierung ist sinnvoll.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

ARA.DTO.110 has been revised to also contain a reference to ARA.GEN.350 (da) now (ARA.DTO.110 (d)).

As the DTO has to send the training programmes together with the initial declaration to the competent authority prior to the commencement of the training activities, the term ‘proposed’ is used to refer to this training programmes which are intended to be used by the DTO. However, DTOs can start with their training activities after having successfully



declared their activity to the competent authority (DTO.GEN.115(a)).

**3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.100 — General**

p. 29

comment

370

comment by: KSAK - Swedish Royal Aero Club

EIR and IR should be included in here. The Basic IR that is on its way should be included here, otherwise it will not be a success.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information.

comment

749

comment by: UK CAA

**Page No:** 29, 31, 32

**Paragraph No:** BTO.GEN.100; BTO.GEN.160; BTO.GEN.210;

**Comment:** The UK CAA understands the Agency's ambition to reduce the burden on the BTO, however removing all reference to compliance is not appropriate. The BTO must still be aware of its responsibilities towards the regulations and the need for compliance with the Basic Regulation and all of the implementing rules.

In terms of findings and the annual internal review, an element must be to ensure that the BTO has assured itself that they are compliant with the regulations.

It is recommended that the text in ORA.GEN.115(b) should be used for consistency and safety.

**Justification:** To ensure that the BTO is aware of their responsibilities towards compliance with the regulations.

response

Not accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
As the wording of ORA.GEN.115 is tailored to organisations seeking prior approval, this wording does not fit for DTOs. However, the DTO will need to demonstrate compliance with sending the declaration (DTO.GEN.115), and the new DTO.GEN.210 on personnel requirements has been revised to highlight the obligation of a DTO to be in compliance



with the regulations.

comment

953

comment by: *Hermann Spring*

Change wording, that am **License Entry** of e.g. **SEP, MOU, etc.** in a **CPL licence** are covered as well, including training for an expired entry.  
Or is this adequate covered under BTO:GEN.120?

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

DTO.GEN.100 has been slightly reworded, including a reference to the ratings listed in DTO.GEN.110, to clarify that a DTO can indeed provide training for a rating within the DTO training scope to a pilot holding a higher licence than an LAPL or PPL.

comment

1008

comment by: *AESA*

Modify text as follows (added text highlighted in grey, deleted with strike through):

**BTO.GEN.100 — General**

This Annex establishes the requirements to be met by a basic training organisation (BTO) providing training **exclusively for applicants to or holders of a** ~~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~~.

## Justification:

It should be clear that the privileges of the BTO are reduced to LAPL, PPL, SPL and BPL and ratings associated with them. Otherwise misunderstandings may occur.

For example: BTO 120 establish the series of courses can be developed by a BTO, including class rating for airplane pilots and type and others for helicopter pilots. Does this mean that would be valid for a professional pilot wants to get a rating for which the BTO has courses?

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 1007 for further information.

comment

1208

comment by: *Sandra WECHSELBERGER*

	<p>Who is the actual holder of the BTO approval?</p> <p>The whole Part-BTO neither specifies that "an organisation" (like for the ATOs) is approved, nor does it link the BTO approval to one specific person (like the representative).</p> <p>The Part-BTO specifies no "accountable" person. Does this leave all accountability with the CEOs or chairmen of the clubs/companies/persons who are the actual operators of the BTO's aeroplanes?</p> <p>Who within the BTO shall be ultimately responsible for the safety of the operation? The designated representative (BTO.GEN.200) or the legal representative of the underlying corporate entity?</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>Both Part-ORA and the new Part-DTO use the term 'organisations' (ORA.ATO.100, DTO.GEN.100) to refer to the natural or legal person establishing a flight school. Neither Part-ORA nor Part-DTO limit its privileges to organisations in terms of e.g. commercial law.</p> <p>In terms of Part-DTO, no approval will be issued, as the DTO just declares its activity. So there is no approval holder. The natural or legal person (e.g. flying club) sending the declaration, represented by the personnel nominated in the declaration, will have the responsibility for ensuring compliance with all applicable requirements as well as a safe operation. The tasks and responsibilities of the DTO's personnel are in detail defined in the new DTO.GEN.210.</p>
comment	<p>1210 <span style="float: right;">comment by: <i>Sandra WECHSELBERGER</i></span></p> <p>An organisation should be able to hold both certifications - as an ATO as well as as a BTO.</p> <p>ATOs (e.g. Section I ATOs for CPL/ATPL training) should not be required to apply all their safety and compliance monitoring management systems also to the trainings offered within the scope of BTO.GEN.120.</p> <p>Therefore, ATOs should receive the right also to get certified as BTO, to be able to compete economically with flying clubs which do not need to enforce such measures.</p> <p>I also do not quite see why the LAPL/PPL training courses are considere to be of "lower risk" than for example CPL modular or ATPL theory courses.</p> <p>Training organisations within the former FTO scope typically hold the following trainincourse approvals: PPL, Night, MEP(land), IR, CPL modular and ATPL theory</p>



With regard to the proposed BTO regulations and the already existing Competency-IR regulations, the following structure would be possible:

PPL	within BTO
Night	within BTO
MEP(land)	in a Section II ATO
CB-IR	in a Section II ATO / with an IRI(A)
ATPL th. c.	in Section I ATO (strict compliance/safety oversight)
CPL modular	in Section I ATO (strict compliance/safety oversight)

In the above table it can be seen that even nowadays most parts of a modular training towards a professional license (CPL) can be obtained outside the controlled environment of a Section I ATO.

The "risky" parts of the above list are for sure not the parts on the lower end - the ATP theoretical training involves almost no risks, and the CPL training takes place with only professionals on board (the flight instructor and an already very experience private pilot).

The "risky" parts of the above list could be the parts that contain unexperienced (basic training) students, (first) solo flights, night solo flights, etc. Nevertheless, those organisations need to adapt very much lower safety standards than organisations that provide modular CPL training courses and ATP theory training.

CPL/ATP modular training organisations can often not compete economically with flight clubs or Section II ATOs and especially the future BTOs, if they need to apply other standards **to the same kind of training** than their competitors.

Will the agency address this obvious unequal treatment of CPL/ATPL modular training organisations in the adaption of (EU) 1178/2011 towards better GA rules?  
Training organisations within the above mentioned scope (most of them) operate solely within the general aviation environment.

The differentiation of organisations into Section I / II ATOs, applying only the criteria "LAPL/PPL" or "CPL/ATPL" and associated ratings produces many cases of hardship. E.g.: an organisation, only providing training for the CPL(A) license (modular) maybe contains an even lower operational and organisational risk than a basic training ATO.

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The proposed new rules do not prevent an organisation to seek approval for its activities falling under Part-ORA and, at the same time, declare its activities falling under Part-DTO. Together with Opinion 11/2016, the Agency also proposes amendments to Art 10a of Regulation (EU) 1178/2011 according to which ATOs will be able to easily continue a part of their training scope under the DTO regulatory framework.

Further revisions of Part-ORA are outside the remit of this rulemaking task (RMT). We will



take your comment into consideration for future rulemaking activities.

### 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.110 — Competent authority

p. 29

comment 706

comment by: *Luftfahrt-Bundesamt*

It is foreseeable that the new term of „principal place of activity“ will generate some interpretations and questions as no further explanations are given. Moreover it might be questionable whether EASA’s portfolio should also cover “lower end” - BTO-oversight activities in third countries. Connected to this it is questionable whether there is a need and a justification for BTO approvals outside EU.

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The provision on competent authorities has been moved from BTO.GEN.110 to the new DTO.GEN.105. When doing so, the wording has been changed to read ‘principle place of business’. Additionally, the text has been changed to clarify that DTOs can only be established inside the territory of the Member States.

comment

751

comment by: *UK CAA*

**Page No:** 29

**Paragraph No:** BTO.GEN.110(b)

**Comment:** The UK CAA understands that the task force believed that BTOs should only be approved when they reside inside a member state. If this is not to be the case, it is not understood how the Competent Authority will verify that FIs conducting the flight training hold the appropriate licence, rating or certificate.

The amount of oversight planned to be given to BTOs and the fact that there is minimal checking and verification made prior to approval issue means that allowing organisations based outside EASA, utilising non-EASA Licensed instructors, may be conducting training without any checks made that they comply with the requirements of FCL900 (c)

A decision needs to be made as to whether it is appropriate to allow the approval of BTOs located outside EASA states at all or whether a more in depth process of checking needs



	to take place for such applicants before approval can be issued.
	<b>Justification:</b> Consistency.
response	Accepted.  Thank you for providing this comment. Please check the response to Comment No 706 for further information.

comment	1040 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span>
	Was soll der Begriff „principal place of activity“? Soll eine BTO in mehreren Mitgliedstaaten tätig sein dürfen? Wie sieht die Aufsicht aus? Aus unserer Sicht macht es außerdem keinen Sinn, BTO in Drittstaaten zuzulassen.
response	Accepted.  Thank you for providing this comment. Please check the response to Comment No 706 for further information. Additionally the Agency would like to clarify that DTOs can indeed operate in more than one Member State. ARA.GEN.300 (e) will be applicable (see proposed amendment to ARA.GEN.300 (a) (2)). However, the restrictions proposed in DTO.GEN.250 (b) will apply.

### 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.120 — Scope

p. 30-31

comment	8 <span style="float: right;">comment by: <i>John Milner</i></span>
	BTO GEN.120 section (a) Aeroplanes paragraph (4) should include IR(R) where that rating is available.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 6 for more information.

comment	15 <span style="float: right;">comment by: <i>Ruben</i></span>
	I consider it appropriate to add: - Theoretical knowledge instruction to EIR and CBIR. - Flight instruction for EIR and CBIR - TMG extension for LAPL (not class rating) - MEP Class rating



	- refresher training for renewal class ratings
response	Not accepted. Thank you for providing this comment. Please check the response to comments No 6 and 178 for more information.

comment	27 <span style="float: right;">comment by: <i>Charles McGregor</i></span>
	<p>1. The Explanatory note at 2.5.2 states that "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." [My emphasis].</p> <p>2. BTO.GEN.120 lists these associated ratings and certificates. The list does not include the Instrument Rating (Restricted), IR(R).</p> <p>3. At present, almost all training for the IR(R) is done in association with a PPL. Such training is commonly offered by qualified instructors at Registered Facilities which offer training only for non-commercial licences - exactly the kind of training organisation for which the BTO status is intended.</p> <p>4. If the IR(R) is not included in the list of "associated ratings" at BTO.GEN.120, then training organisations offering non-commercial training including the IR(R) will be obliged either</p> <ol style="list-style-type: none"> <li>a. to become ATOs, or</li> <li>b. become BTOs and cease to offer training for the IR(R). This would also mean that many instructors qualified to instruct for the IR(R) would either cease to do so, or would have to move to an ATO.</li> </ol> <p>5. I recommend that the IR(R) be added to the list of ratings associated with Part-FCL non-commercial pilot licences for which BTOs may train.</p>
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 6 for more information. Additionally, the Agency would like to highlight that, for the time being, Part-FCL does not contain an 'IR(R)', therefore such a rating cannot be taken into consideration.

comment	83 <span style="float: right;">comment by: <i>Tony Jay</i></span>
	Balloons, it is not clear whether this "BTO may provide the training" is suggestion that this training is required, however except for extension from LAPL to BPL a course at a training organisation should not be required and can be done just as part of normal instruction.



response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The requirement of BTO.GEN.120 has been moved to the new DTO.GEN.110 which contains a list of all training that can be undertaken at a DTO. For those training for which Part-FCL itself does not require the involvement of a training organisation at all, DTO.GEN.110 does not constitute an obligation to undertake such training at a DTO. Additional guidance material will be developed to provide respective clarification (see draft GM1 DTO.GEN.110 as published with Opinion 11/2016).

comment

116

comment by: *AECA(SPAIN)*

See comments 112/113

response

Not accepted.

Thank you for providing this comment.

Please check the response to comments No 112 and 113 for more information.

comment

152

comment by: *Belgian CAA*

The proposed rule in BTO.GEN.120(b)(2) is not consistent with the current AMC1 FCL.210;FCL.215, Chapter 8 that provides theoretical training in turbine engines for PPL(H).

There are only few turbine engine helicopters with a maximal certified seat configuration of 4 seats.

Therefore we propose change BTO.GEN.120(b)(2) to flight instruction towards LAPL(H), PPL(H) and associated single engine type ratings of other than complex helicopters.

response

Partially accepted.

Thank you for providing this comment.

Please check the response to comment No 1102 for further information.

comment

160

comment by: *jeffrey Lawton*

BTO .GEN.120 Scope

The Part-FCL should have precedence .Other than for Class extension on LAPL(B) and BPL course's at training organisations should not be a requirement



response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 83 for further information.

comment

183

comment by: *Schmaus*

BTO.GEN.120-Scope  
A9 (a) ...add  
(4) training towards flight instructor rating FI(A) or "FI(A) LAPL-only"  
(5) training towards flight instructor rating CRI, limited to TMG, SEP(land) and SEP(sea)  
(6) FI(A) refresher seminar

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 178 for more information.  
Additionally, the Agency would like to highlight that Part-FCL does not require an FI refresher seminar to take place at a training organisation. Therefore, an FI refresher seminar could take place outside an organisation or even at a DTO.

comment

202

comment by: *IAOPA (EUROPE)*

'training towards additional ratings' should include training for the Basic IR (BIR).

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information.

comment

203

comment by: *IAOPA (EUROPE)*

Notwithstanding the omission of BIR training mentioned above, IAOPA (Europe) fully supports the remainder of this Annex.

response

Noted.  
Thank you for providing this comment.  
With regard to your comment regarding the BIR, please check the response to comment No 6 for more information.

comment

221

comment by: *Innes WORSMAN*

Part FCL should be priority except for class extensions LAPL(B) and BPL where a course at the training organisation (of any type) should not be required.



response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 83 for further information.

comment 247 comment by: JED DRYDEN

BTO.GEN.120 SCOPE  
The BTO 'may' provide courses for class extension on LAPL9B0, class and group extension on BPL, tether flight and night rating.  
Part-FCL should have precedence, other than for class extension on BPL and LAPL(B), a course at any training organisation should not be a requirement

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 83 for further information.

comment 292 comment by: BBAC 6824

For balloons...

A course by a training organisation is not necessary and should not be a requirement.

Except - for Class extensions - LAPL (B) and BPL

A course as such is not necessary for other operations.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 83 for further information.

comment 339 comment by: Richard Turnbull

IN this area I feel that, except int the case for class extension on LAPL(B) and BPL, a course at any type of 'training organisation' of any type really is not needed.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 83 for further information.

comment 370 ❖ comment by: KSAK - Swedish Royal Aero Club



	EIR and IR should be included in here. The Basic IR that is on its way should be included here, otherwise it will not be a success.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 6 for more information.

comment	389 <span style="float: right;">comment by: <i>DGAC France</i></span>
	<b><u>Subject:</u></b> BTO privileges
	<b><u>Content:</u></b> DGAC supports the scope of the privileges as it stands in the NPA.

response	Noted.  Thank you for providing this positive feedback.  Please be informed that after due consideration the training scope has been slightly opened up for further helicopter type ratings. Please check the response to comment No 1102 for further information.
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comment	401 <span style="float: right;">comment by: <i>Pete Forster</i></span>
	Part-FCL should have precedence here except for class extension on LAPL(B) and BPL, a course at a BTO/ATO should not be a requirement.

response	Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.
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comment	435 <span style="float: right;">comment by: <i>Ann Rich</i></span>
	While agreeing that BTOs <i>may</i> provide the training as listed in BTO.GEN.120, a course at a training organisation should not be made a <i>requirement</i> except for Class extensions to LAPL(B) and BPL. Part-FCL should take precedence here, and therefore group extensions, tethered flight and night ratings should not require training through an ATO/BTO.

response	Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.
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comment	481	comment by: <i>Michael Noyce</i>
	My comment is that Part FCL should have precedence in that, except for class extension on LAPL(B) and BPL, a course at a training organisation should not be a requirement.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.	

comment	502	comment by: <i>The Norwegian Air Sports Federation</i>
	The scope of training for aeroplanes should be extended with the following privileges:	
	<ul style="list-style-type: none"> <li>* training towards class rating for MEP and SET</li> <li>* training towards the following additional ratings: EIR and CB-IR</li> <li>* training towards flight instructor rating FI(A)</li> <li>* training towards class rating instructor rating CRI(A)</li> <li>* FI(A) refresher seminar for PPL(A) license holders</li> </ul>	
	The above would ensure better consistency with the sailplane and balloon BTO privileges, and it is fully in line with the proportionality principles in EASA Roadmap for Regulation of General Aviation.	
response	Not accepted. Thank you for providing this comment. Please check the responses to comments No 6, 178 and 183 for more information.	

comment	550	comment by: <i>Peter Dalby</i>
	Para 3.1 BTO.GEN.120 For ballooning there should be no requirement for training courses, other than for class extensions to both LAPL and BPL.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.	

comment	559	comment by: <i>Nick Bettin</i>
	BTO.GEN.120 -	



response	<p>We believe that Part-FCL should have precedence in that, except for class extension on LAPL(B) and BPL, a course at a training organisation (of any type) should NOT be a requirement.</p> <p>Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.</p>
comment	<p>584 comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></p> <p>For balloons, the list of courses which MAY be offered is a useful reference. However it needs to be made clear that (as per Part FCL), that group extensions do not need a course at a TO, that tethered flight extensions do not need a course at a TO and that night ratings do not need a course at a TO.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.</p>
comment	<p>605 comment by: <i>Voldemars J Uplejs</i></p> <p>(a)(3) training towards class rating for SEP(land), <b>MEP(land)</b>, SEP(sea) and TMG;</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 6 for more information.</p>
comment	<p>654 comment by: <i>Allie Dunnington</i></p> <p>BTO, GEN 120 page 30</p> <p>As an instructor and TRE examiner I am against making a training organisation whether it's an ATO, BTO or anything else responsible for any upgrades in group rating, for tethered flight or night ratings. These can be done through relevant examiners or instructors and do not need the oversight from a Training organisation. The only exception is a class extension on LAPL (B) and BPL.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.</p>



comment

697

comment by: *Federal Office of Civil Aviation (FOCA), Switzerland***BTO.GEN.120 — Scope**

(a) For aeroplanes:

(3) training towards **non-high-performance** class rating for SEP(land), SEP(sea) and TMG; and**Comments FOCA:** *Non-high-performance should be added to avoid inconsistency in the scope of an BTO.***BTO.GEN.120 — Scope****Comments FOCA:** *The proposed scope for helicopters does not include the training towards single engine type rating training.**There is no reasonable argument (safety, staff experience, complexity, etc.) to exclude the single engine type rating training.**When an applicant for a PPL(H) training passes his skill test, he also receives the type rating entry in his licence. So this training is eitherwise part of the BTO's range of competence.*

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The requirement of BTO.GEN.120 has been moved to the new DTO.GEN.110. When doing so, DTO.GEN.110 (b) has been amended to clarify that training for specific single-engine type ratings for helicopters is possible within a DTO.

It has been decided not to insert the term 'non-high-performance' in DTO.GEN.110 (a)(3) – this does not seem to be necessary, as a limitation already derives from the reference to the particular class ratings SEP and TMG.

comment

724

comment by: *Ian Wadey*

	Commenting on 'For balloons' and stating that the Basic Training Organisation 'may provide' training for class and group extension on BPL, tethered flight and for night rating, Part-FCL should have precedence that a course at any training organisation (ATO, BTO or RTO) should not be a requirement except for class extension on LAPL(B) and BPL.
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.

comment	732 <span style="float: right;">comment by: <i>Urząd Lotnictwa Cywilnego Poland</i></span>
	Why is it planned to allow the BTO to train for SPL and BPL (INS trainings) and the same trainings for PPL(A) & (H) are not going to be allowed. It is inconsistent from the methodological point of view.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 178 for more information.

comment	752 <span style="float: right;">comment by: <i>UK CAA</i></span>
	<b>Page No:</b> 30 <b>Paragraph No:</b> BTO.GEN.120(b) <b>Comment:</b> The term 'associated' is not defined, and it is unclear whether this means BTOs can offer type rating training on the same types as they are training LAPL/PPL on <b>Justification:</b> Clarification and consistency. <b>Proposed Text:</b> It is recommended that sub-paragraphs (b)(2) and (3) are replaced with sub-paragraphs (b)(2), (3) and (4) as follows: “(2) Flight instruction towards LAPL(H) and PPL(H); (3) training towards single engine piston helicopter type ratings for which the maximal certified seat configuration does not exceed four seats; and (4) training towards night ratings.”
response	Partially accepted. Thank you for providing this comment. Please check the responses to comments No 697 for further information.

comment	844 <span style="float: right;">comment by: <i>Slowfly</i></span>
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	(d) I believe that numbers (4), (5) and (6) should be regulated in Part-FCL and a course at a training organisation should not be required.
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.

comment	852 <span style="float: right;">comment by: <i>Allen A.</i></span>
	In the part (a) For Aeroplanes, at least the refresher training for FI(A) should be added, possibly with the caveat "Only for FI(A) solely involved in training of parts named under (a)(1)-(4). This would allow the BTO to self-sustain their service without any additional risk to flight or training safety.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 178 for more information.

comment	854 <span style="float: right;">comment by: <i>Allen A.</i></span>
	In the part (a) For Aeroplanes, at least the training towards flight instructor rating FI(A) should be added, possibly with the caveat "Only for FI(A) solely involved in training for LAPL(A) and additional ratings as under (3) and (4). This would allow the BTO to self-sustain their service without any additional risk to flight or training safety.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 178 for more information.

comment	949 <span style="float: right;">comment by: <i>Southern Cross International BV</i></span>
	<p>This NPA proposes the possibility for a BTO to conduct a training course for LAPL/PPL/BPL/SPL, a training course towards the issue and renewal of non-high-performance SEP class ratings (SEP and TMG), as well as the following ratings: aerobatic rating, sailplane-towing rating, banner towing rating, night rating, mountain rating and sailplane cloud flying rating.</p> <p>Many PPL-holders want to extend their privileges in due time with an EIR, IR or MEP rating. Since these ratings can only be exercised during non-commercial flights, in order to keep the required training proportionate, it is proposed that BTOs may also conduct the training courses for EIR, IR and MEP rating of PPL-holders. These ratings shall be restricted to non-commercial flights only.</p> <p>Note: It may be expected that, due to the development of electrical propulsion systems, in</p>



	<p>the near future multi engine aircraft with such propulsion systems will become more easily available for private pilots.</p> <p>An ATO shall conduct the training courses for professional licences and MPA.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 6 for more information.</p>

comment	<p>955 <span style="float: right;">comment by: <i>Hermann Spring</i></span></p> <p><b>Add:</b></p> <p><b>based on application</b></p> <p><b>(5) training for revalidation of flight instructor rating FI(A)</b></p> <p><b>(6) Special type training such as new type of engines (electric, small turbine or mini jet etc.) with special conditions.</b></p> <p>Training for (5) &amp; (6) shall be agreed with the CA</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 178 for more information.</p> <p>Additionally, the Agency would like to highlight that the ongoing Rulemaking Task RMT.0678 will consider to revise Part-FCL requirements on class ratings in order to reflect new propulsion concepts. If necessary, subsequent changes to DTO.GEN.110 will be taken into consideration.</p>

comment	<p>959 <span style="float: right;">comment by: <i>K J Utting</i></span></p> <p>BTO.GEN.120 - Scope</p> <p>1. Where an instrument qualification/rating may be added to a PPL(A), provision should be made for this training to be provided by a BTO within the regulations. I understand tht a Basic Instrument Flying Package is currently in development for proposal, this NPA should make provision for it's introduction at BTOs in the future. Historically in the UK, there has been much success with instruction towards the issue of an IMC Rating being carried out at an RTF.</p> <p>2. Suggest adding the term "and training towards any national rating authorised by the CA" to allow the continued instruction towards the IR(R) in the UK by a BTO.</p>
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response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information.  
Additionally, the Agency would like to highlight that Regulation (EU) No 1178/2011 cannot establish rules on training for national ratings like the UK IR(R) rating.

comment **1013** comment by: *Guenter W. FORNECK*

BTO.GEN.120-Scope  
A9 (a) ...add  
(4) training towards flight instructor rating FI(A) or "FI(A) LAPL-only"  
(5) training towards flight instructor rating CRI, limited to TMG, SEP(land) and SEP(sea)  
(6) FI(A) refresher seminar

response Not accepted.  
Thank you for providing this comment.  
Please check the responses to comments No 178 and 183 for more information.

comment **1021** comment by: *AESA*

Imagine a BTO programming courses for four or five class or type ratings, as well as all courses that is spoken in this paragraph. This means a heavy workload and a lot of maintenance personnel, FIs, etc. regulated all by Regulation 216/2008. In the case of ATO, in these circumstances it would pass from not complex to complex.  
In the case of BTO should we think that it could become a non-complex ATO?

response Not accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
A differentiation between complex and non-complex organisations is not foreseen within the new DTO regulatory framework, as these new rules are tailored to suit general aviation training providers with a limited scope of activity. With regard to the latter, it has to be highlighted that even ATOs providing training for non-commercial licences are always to be considered as non-complex (AMC1 ORA.GEN.200(b) (c)(1)).

comment **1041** comment by: *Ivonne Schlesinger, HMWEVL, Germany*

Buchstabe b): Aufgrund der Formulierung der Vorschrift sind hier nicht nur kolbengetriebene Hubschrauber, sondern alle Hubschrauber mit einem Triebwerk erfasst (siehe FCL.105.H), also auch turbinengetriebene Hubschrauber. Wir halten das für



	bedenklich, wenn die Ausbildung auf diesen Hubschraubern in einer BTO erfolgt.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 1102 for further information.

comment	1053 <span style="float: right;">comment by: <i>HPW</i></span>
	<p><b>AOPA Germany</b> strongly recommends to include the MEP-Rating for non-high performance/ non complex-aircraft up to 5,7t (but at least up to 2,743t) into the scope of the BTOs.</p> <p>Reason: Non-high-performance- and non-complex-multi engine aircraft of the mentioned class are as easy to fly as many of the single-engine-aircraft. We don't see a reason why a BTO should not be able to perform such training.</p> <p>Small multi engine aircraft are often used as training aircraft for IFR training. We expect that the new enroute-IFR license and the competency based IFR rating will inspire many GA pilots to acquire that kind of license.</p> <p>It should be thought about to include the training for enroute- and cb-IFR also into the scope of a BTO. From our point of view this would be another step towards more safety in GA.</p>

response	Not accepted. Thank you for providing this comment. Please check the responses to comments No 6 and 178 for more information.
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comment	1056 <span style="float: right;">comment by: <i>GIPAG France (French General Aviation Operators Professional Union)</i></span>
	<p>The scope of BTO must not be more flexible and must stay limited as described in the NPA. This is in particular the case for multi-engine ratings (aeroplane and helicopter), type ratings (aeroplane and helicopter), single-engine turbines (SET), IR/EIR.</p> <p>Also GIPAG refuses any arrangement for CB IR. CB IR training and all instructor trainings must be conducted only in an ATO.</p>

response	Noted. Thank you for providing this positive feedback. Please be informed that after due consideration the training scope has been slightly opened up for further helicopter type ratings. Please check the response to comment No 1102 for further information.
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comment	1071	comment by: <i>Phil Dunnington</i>
	Part FCL is paramount in that no course at a TO should be necessary except for extension on LAPL(B) or BPL.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 83 for further information.	

comment	1120	comment by: <i>Finnish Transport Safety Agency</i>
	BTO.GEN.120 (a)	
	Trafi proposes that BTO could provide training also towards Competency Based IR (CB-IR) and En-route IR (EIR) with the extent that is allowed to be trained outside an ATO. If the CB-IR and EIR are not mentioned in the scope of BTO, the training is not allowed.	
	Proposal: A BTO may provide the following training: (a) For aeroplanes: -- (5) training towards competency based IR and en route IR as is allowed to train outside an ATO. --	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 6 for more information.	

comment	1121	comment by: <i>Finnish Transport Safety Agency</i>
	BTO.GEN.120 (b)	
	The BTO should be allowed to train towards SEP helicopter type rating also when the student holds CPL(H) or higher. Training towards type rating should be the same regardless which licence the student is holding.	
	Proposal: (b) For helicopters: (2) flight instruction towards LAPL(H) and PPL(H); (3) and associated training towards single engine piston type rating for which the maximal certified seat configuration does not exceed four seats; and (4) training towards night rating.	



response Partially accepted.  
Thank you for providing this comment.  
Please check the responses to comments No 1007 and 1102 for further information.

comment **1145** comment by: *Deutscher Aero Club Landesverband Niedersachsen*

Clause: BTO.GEN 120-Scope  
Change: No  
Justification: The amount of proposed training contents and possibilities within the BTO are acceptable for LVN

response Noted.  
Thank you for providing this positive feedback.  
Please be informed that after due consideration the training scope has been slightly opened up for further helicopter type ratings. Please check the response to comment No 1102 for further information.

comment **1157** comment by: *Flugschule Sarnen-Kägiswil*

BTO.GEN.120 (a)

Complete with FI (A) Refresher Seminar.(Same as in (c)(7)) It makes no sense for flight instructors to visit FI (A) refresher seminars under a different and unfamiliar ATO, which not covers the personalized needs of a BTO. A BTO has with his own trained FI's and specific selected speakers the best efficiency to train his FI's in a refresher seminar. This approach supports even AMC1 FCL.940.FI(a)(2)(c). The BTO's head of training knows strengths and weaknesses of his Staff and can reacting directly against this lack of knowledge. Of course, the requirements under AMC1 FCL.940.FI(a)(2) has to be fulfilled.

response Not accepted.  
Thank you for providing this comment.  
Please check the responses to comments No 178 and 183 for more information.

comment **1175** comment by: *Richard ALLEN*

For balloons - except for class extension, a training organisation course for all other extensions should not be required.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 83 for further information.



comment	<p data-bbox="352 271 422 309">1194</p> <p data-bbox="970 271 1447 309">comment by: <i>Sandra WECHSELBERGER</i></p> <p data-bbox="352 360 1114 398">The introduction of a precise „possible“ scope is very welcome.</p> <p data-bbox="352 434 1447 506">Could such a scope be introduced also for ATOs Section II? The wording „PPL associated ratings“ leaves very much space for interpretation.</p> <p data-bbox="352 506 1447 611">Examiner Certificates, all kinds of Instructor Certificates as well as a Type Rating C525 could basically qualify as „PPL associated“, because all these ratings/certificates can be acquired by a PPL holder.</p> <p data-bbox="352 611 1447 683">Is the FI(A) certificate really „PPL associated“, taking into account the conditions of FCL.915.FI(b)?</p> <p data-bbox="352 683 1447 824">Nevertheless, if a Section II ATO is allowed to train persons for an FI(A) certificate, it should also receive the right to train persons for CRI(A) certificates for SEP(land) or TMG, which are (although a CPL license is needed) associated to the general aviation community.</p> <p data-bbox="352 860 1447 931">Summary: Thank you for the precise scope of BTO.GEN.120. A similar definition of the scope for Section II ATOs would be welcome.</p>
response	<p data-bbox="352 994 443 1019">Noted.</p> <p data-bbox="352 1025 823 1061">Thank you for providing this comment.</p> <p data-bbox="352 1061 1366 1133">A revision of Part-ORA is outside the remit of this rulemaking task. We will take your comment into consideration for future rulemaking activities.</p>

### 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.130 — Application process and certification

p. 31

comment	<p data-bbox="352 1476 379 1514">4</p> <p data-bbox="1086 1476 1447 1514">comment by: <i>Bruno Herenic</i></p> <p data-bbox="352 1565 1355 1603">BTO.GEN.130 (d) is clearly not in accordance with the intention of Basic Regulation.</p> <p data-bbox="352 1639 1447 1744">It makes no sense to review the training programmes or to send an application. This leaves a lot of room for organisations to disregard the rules and create an unfair market situation.</p> <p data-bbox="352 1780 754 1818">It is in conflict with BTO.GEN.140</p> <p data-bbox="352 1854 475 1892"><b>Proposal:</b></p> <p data-bbox="352 1892 1447 1964">- change (d) to "BTO <u>may not commence</u> training before having received the approval in accordance with ARA.BTO.100(c)".</p>
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response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment

50

comment by: *David COURT*

This says the BTO must declare it has a safety policy. This is good as it avoids sending the complete documents for approval at this stage which would delay the application while the documents were studied in detail.

response

Noted.

Thank you for providing this positive feedback.

comment

117

comment by: *AECA(SPAIN)*

*(d) The BTO may commence the training before having received the approval in accordance with ARA.BTO.100(c).*

It is a risk hard to accept. What if it is not approved?. The maximum waiting period will be two or three months

Proposal: **delete sentence**

response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment

343

comment by: *Richard Turnbull*

Really only necessary to externally do this if the internal system has failed or safety is being compromised. Keep expense down.

response

Not accepted.

Thank you for providing this comment.  
The comment does not specify to which part of the proposed BTO.GEN.130 it is opposing. It is however assumed that the comment refers to the proposed oversight requirements (ARA.GEN.305). In this regard, please check the response to comment No 85 for further information.



comment

355

comment by: DGAC France

**Subject:**

DGAC support for option 1 (RTO) and proposed amendment to Part ARA and Part BTO

**Content:**

In line with support for option 1 (RTO) (see general comment), DGAC proposes some amendments to Part ARA and Part BTO in order to switch back to a declaration process.

The following amendments are proposed:

- ARA.BTO.100 and ARA.BTO.105 to be replaced by ARA.RTO.100

and

- BTO.GEN.130 and BTO.GEN.170 to be replaced by RTO.GEN.130 and RTO.GEN.170.

**Proposed amendment:**

BTO.GEN.130 to be replaced by RTO.GEN.130

***RTO.GEN.130***

*(a) Organisation for training towards light aircraft pilot licences, private pilot licences, balloon pilot licences or sailplane pilot licences and associated ratings and certificates specified in the relevant subpart RTO, shall be declared to the competent authority. The declaration shall be made in a form and manner established by the competent authority.*

*(b) A RTO shall inform the competent authority of any changes affecting its declaration.*

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The requirements proposed in BTO.GEN.130 have been moved to the new DTO.GEN.115, detailing the content of the declaration and the circumstances for notification of changes.

comment

359 ❖

comment by: DGAC France

**Subject:**

Discrepancies and inconsistencies in BTO certification process

**Content:****Statement**

Option 2 (BTO) is a bad concept in between a declaration system and a certification system. The BTO concept, as described in the rulemaking proposal, has been developed



having in mind a declaration and not a certification. It brings a flexibility that is not compatible with a certification system and in particular it introduces some harmful inconsistencies for the legal compliance both for Authority, users and organisms.

The **following inconsistencies** have been identified:

#### **1) Conditions for BTO certificate issuance**

The rulemaking proposal consists in certifying a declaration form instead of certifying an organisation in the sense of a certification as defined in the basic regulation (EC n°216/2008). As a matter of fact the Authority issues a certificate on the sole basis of information provided through an application form (cf. AMC1 BTO.GEN.130). The elements provided are not sufficient to properly assess the organism capability to provide training.

The BTO is not required to provide concrete elements on the basis of which the Authority may conduct a sound analysis before issuing the certificate. In particular it should be noted that use of training and operations manuals are not mandatory but only recommended (cf. GM1/GM2 BTO.GEN.190). Besides the application form does not include information about the aircraft fleet to be used for training.

By essence a certification has to rely on a clear frame of reference and on checking concrete elements. The lack of such framework will surely create legal issues. The sole tangible element is the assessment of training programs to be attached to the application form (cf. ARA.BTO.110).

#### **2) Acknowledgement of receipt and BTO certificate**

Moreover the AMC1-ARA.BTO.100 indicates that the acknowledgement of receipt could be considered as the BTO approval certificate. This approach, totally understandable in a declaration process (option 1 RTO), is inadequate in the case of certification process.

#### **3) Commencement of BTO activities**

Besides the rulemaking proposal allows a BTO to start its activities before having received its certificate (cf. BTO.GEN.130 (d)). This flexibility, totally understandable in a declaration process (option 1 RTO) is not compatible with a certification and could be a source of legal issues.

#### **4) Safety relevance**

Finally it seems that, as defined in the rulemaking proposal, the issuance of a certificate by the authority does not bring any added value or guarantee in terms of safety. Its introduction only aims at complying with article 7(3) of the current basic regulation. But in any case the BTO certificate, as described in the rulemaking proposal, cannot be considered as a result of a certification process as defined in the basic regulation (EC n°216/2008).

#### **Conclusion**



Given all the elements above DGAC requests the withdrawal of the BTO concept based on a light approval (option 2). One hand it does not offer a proper framework for certification and on the other hand it does not offer the simplification that was looked for through the declaration.

response

Accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

371

comment by: *KSAK - Swedish Royal Aero Club*

(d): Very good!

response

Noted.  
Thank you for providing this positive feedback.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

466

comment by: *FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS***BTO.GEN.130 :**

BTO must be different than ATO! This article is not in line with the strategic direction of the GA Safety Strategy adopted in 2012 and with EASA Roma's conference

**BTO.GEN.130(d) :**

We agree that a BTO begins its activity as soon as application form is transmitted but approval paradigm spoil this benefit because in case of the approval rejection, the delivered training will become at stake.

Once again, the excepted benefit is jeopardize by application of approval paradigm.

response

Noted.  
Thank you for providing this comment.  
Please check the response to comment No 14 for further information.



comment

506

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

Relevant Text: BTO.GEN.130 (d)

Comment: As the rule suggests, this is not a registration process but rather an approval process. Then it should not be possible to perform training before an approval is issued.

Proposal: Remove bullet point (d).

response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment

672

comment by: *CAA Norway*

BTO.GEN.130(d): CAA Norway disagrees to this. If an NAA is to approve the BTO, the NAA needs the documentation for assessment, and this documentation needs to be accepted prior to issuing an approval. If not, the role of the NAA is outplayed.

BTO.GEN.130(d) should be removed.

response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 14 for further information.

comment

685

comment by: *Regierung von Oberbayern - Luftamt Südbayern*

zu ARA.BTO.100, BTO.GEN.130 und AMC1.BTO.GEN 130:

Zusätzlich zu den genannten Informationen sollten jeweils Angaben zu dem/den für die Ausbildung genutzten Luftfahrzeug(en) gemacht werden müssen. Dass nach den Luftfahrzeugen nicht gefragt wird, erscheint schon deswegen sinnvoll, weil auch nähere Angaben zu den FSTDs notwendig sein sollen; erst recht müssen dann aber aus hiesiger Sicht auch Luftfahrzeuge aufgeführt werden. Dies erscheint auch im Hinblick darauf geboten, dass die Luftfahrzeuge auch für die beabsichtigte Ausbildung geeignet und ausgerüstet sein müssen (z.B. müssen im Falle der PPL(A)-Ausbildung die notwendigen Funknavigationshilfen eingebaut und auch funktionstüchtig sein).



response

Fernen sollten die Informationen zu den Luftfahrzeugen auch Angaben zu Eigentümer/Halter, Lufttüchtigkeit, Versicherung usw. enthalten. Denn es sollte nicht vergessen werden, dass die Luftfahrzeuge zu Schulungszwecken eingesetzt werden. Sie sollten daher nicht nur zum Schutze der Flugschüler entsprechend gut gewartet, umfassend versichert und auch sonst für den genannten Zweck geeignet sein.

Partially accepted.  
Thank you for providing this comment.  
Please check the response to comment No 686 for further information.

comment

688

comment by: *Regierung von Oberbayern - Luftamt Südbayern*

BTO.GEN.130 (d):

Es erscheint aus unserer Sicht nicht ratsam, der BTO zu erlauben, mit der Ausbildung zu beginnen, noch bevor sie von der zuständigen Behörde eine Genehmigung hierzu erhalten hat. Dies gilt gerade im Hinblick auf ARA.BTO.110. Auch scheint dies im Hinblick auf Art. 7 Abs. 3 der VO (EU) Nr. 216/2008 icht ganz unproblematisch. Diese Regelung lautet:

"Die Befähigung der Ausbildungseinrichtungen für Piloten und der flugmedizinischen Zentren, die mit ihren Sonderrechten verbundenen Verantwortlichkeiten in Bezug auf die Ausstellung von Lizenzen und ärztlichen Zeugnissen wahrzunehmen, wird durch Ausstellung einer Zulassung anerkannt. Ausbildungseinrichtungen für Piloten oder flugmedizinischen Zentren wird eine Zulassung erteilt, wenn die betreffende Organisation die Vorschriften, die zur Sicherstellung der Erfüllung der entsprechenden grundlegenden Anforderungen gemäß Anhang III erlassen wurden, erfüllt."

Hiernach ist Grundlage der Ausbildungstätigkeit eine entsprechende Zulassung, die wiederum an weitere Anforderungen geknüpft ist. Dürfte die BTO mit der Ausbildungstätigkeit beginnen, noch bevor die Zlassung seitens der zuständigen Behörde erteilt wurde, würde die Zulassung stark entwertet. Im schlimmsten Fall wäre es denkbar, dass eine BTO ausbildet, ohne ernsthaft eine Zulassung anzustreben. Auch im Hinblick auf ARA.BTO.100 (c) und ARA.BTO.110 erscheint uns die Regelung in BTO.GEN.130 (d) nicht zweckmäßig. Wenn die BTO letztlich ohne Genehmigung ausbilden dürfte, wird sie im Zweifelsfall auch weniger zur Kooperation mit der Behörde und zur Vorlage etwaiger noch ausstehender Unterlagen motiviert sein.

Nicht zuletzt sei auch auf BTO.GEN.140 hingewiesen, wonach die BTO "shall provide training within the scope and privileges **included in its approval.**"

[Sollte mit BTO.GEN. 130 (d) allerdings eine Art Fiktion der Genehmigung bezweckt sein (was aus dem Wortlaut so aber nicht eindeutig hervorgeht), so sollte besser ARA.BTO.100 (c) um eine Regelung ergänzt werden, dass die Genehmigung nach Ablauf von zwei Monaten nach Antragseingang als erteilt gilt, wenn der Antragsteller nicht vorher eine



	Nachricht der zuständigen Behörde (z.B. nach ARA.BTO.100 (b)) erhalten hat. Und auch dann sollte die Ausbildungstätigkeit erst nach Eintritt dieser Genehmigungsfiktion beginnen dürfen.]
response	Noted.  Thank you for providing this comment. Please check the response to comment No 14 for further information.

comment	698 <span style="float: right;">comment by: <i>Federal Office of Civil Aviation (FOCA), Switzerland</i></span>
	<b>BTO.GEN.130 Application process and certification</b>
	(d) The BTO may commence the training after having submitted the application to the competent authority and before having received the approval in accordance with ARA.BTO.100(c).
	<b>Comments FOCA:</b> <i>The prospective BTO shall only start training after having submitted the application to the competent authority. The timeframe of the training without an approval shall be limited.</i>
response	Noted.  Thank you for providing this comment. Please check the response to comment No 14 for further information.

comment	726 <span style="float: right;">comment by: <i>Danish Transport and Construction Agency</i></span>
	BTO.GEN.130(d)
	Suggested that it is not a registration process but a approval proces. Therefore it should not be possible to perform training before an approval is issued.
response	Noted.  Thank you for providing this comment. Please check the response to comment No 14 for further information.

comment	753 <span style="float: right;">comment by: <i>UK CAA</i></span>
	<b>Page No: 31</b>



**Paragraph No:** BTO.GEN.130(d)

**Comment:** The rule permits BTOs to commence training before receiving the approval certificate. However, the UK CAA has concerns if, for whatever reason, following the review of the application and/or training programmes the approval could not be issued and had to be suspended or revoked.

Furthermore, there is a risk that the Competent Authority may not ever receive the application from the Training Organisation, thus there is a risk that training may be taking place without the Competent Authority ever acknowledging the BTO status of the company or conducting any oversight.

Additionally, if during the period between application and receiving the approval certificate an applicant for a training course with a different state of licence issue, applies for a licence, rating or certificate, how will the Competent Authority know if the BTO is approved or not.

**Justification:** Introduces an unnecessary safety risk and inability to integrate within the aviation system, for example BTOs being added to the list of training organisations.

**Proposed Text:** Replace BTO.GEN.130(d) with the following:

“(d) (1) Applications for a BTO from individuals and/or organisations who previously held an ATO certificate or Registered Training Facilities may commence training for courses within the scope of approval in accordance with ARA.BTO.100(c).

(2) Applications for a BTO from individuals and/or organisations for initial approval may only commence training for courses within the scope of approval once in receipt of the approval certificate.”

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 14 for further information.

With regard to the content on transitional arrangements for ATOs, please check the response to comment No 683 for further information.

comment

827

comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

BTO.GEN.130 appears to suggest that naming of a representative and declaration of a safety policy should allow a fairly immediate and painless transition from an RTF to a BTO, which VVMV agrees that that would be a good thing.

However, GM2 ARA.GEN.305(f) re the oversight programme to be developed by the competent authority requires the existence of safety data collection to be inspected and adequacy of mitigation measures. This seems to suggest that a safety policy in practice



	will not be sufficient and that elements of an SMS still need to be in place, complete with data collection and documentation of mitigating measures? Please clarify.
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The provisions on the safety policy have been simplified – please refer to the response to comment No 88 for further information. Additionally, the proposed GM2 ARA.GEN.305(f) will be moved to the new AMC2 ARA.GEN.305(f), and, at the same time, paragraph (b) of this AMC will be changed in order to reflect the simplifications done on the rule level (see draft AMC2 ARA.GEN.305(f) as published with Opinion 11/2016).</p>

comment	<p>962      comment by: <i>Supreme Building Authority, Part of the Bavarian State Ministry of the Interior, for Building and Transport</i></p> <p>In addition to the description of FSTD's under (b) (6), the application for a BTO certificate should also include information about the aircraft(s) to be used for flight training, including information about class/type, owner/holder and category of airworthiness.</p> <p>As regards (d), it is not advisable to allow any form of training before the BTO has received the respective approval from the competent authority. Otherwise someone could offer such training without even having the intention to deliver a complete application to the competent authority for such an approval.</p>
response	<p>Partially accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>After due consideration, it has been decided that information regarding the aircraft fleet shall be part of the declaration in such a way that aircraft models are listed. Please refer to Chapter 2.3.11.2 (page 15) of Opinion 11/2016 for further information.</p>

comment	<p>965      comment by: <i>Hermann Spring</i></p> <p><b>Remove this double requirement</b></p> <p>This is already an implicit requirement of ARA.BTO.100 Application process and certification</p> <p><b>SIMPLIFY please</b></p>
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	<p>Comment to sub elements <b>(c)</b> <b>Remove</b> Who needs such details? That is process which should followed similar as wash the hands after toilet use!</p> <p><b>(d)</b> <b>Remove</b> In urgent case is a temporary release a basic process, which should be possible for many other short term solutions as well.</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>In order to ensure a standardised implementation of the DTO concept, it is necessary to determine the content of the declaration to be submitted to the competent authority by a DTO. However, in order to avoid duplication of text, the identical list in ARA.BTO.100 has been deleted and replaced with a reference to the new Part-DTO requirements.</p>

comment

1022

comment by: AESA

Modify text as shown below (added text highlighted grey, deleted text strike-through):

**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 and HT (which may be the same person) of the BTO

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

(5) The type of training provided in accordance with BTO.GEN.120;

(6) The Instruction/operations Manual

(7) A documented management system including the safety elements and policies

(8) The aircrafts and, if applicable, FSTDs to be used for the training, if applicable; and

(9) 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)~~ (d) The BTO shall notify the competent authority of any changes to the information of the initial application in paragraph (b).



	<p>Justification: This paragraph should be modified according to our proposals for ARA.BTO.100 Additionally, paragraph (d) should be deleted: If approval is required, it may be diluted because the requirements are not met or may be refused. What happens in these cases if the activity had begun? That would only be acceptable in case of a declaration, not authorisation.</p>
response	<p>Partially accepted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 1006 for further information.</p>
comment	<p>1122 <span style="float: right;">comment by: <i>Finnish Transport Safety Agency</i></span></p> <p>BTO.GEN.130 (d)</p> <p>BTO.GEN.130 point (d) states that the BTO may commence the training before having received the approval in accordance with ARA.BTO.100(c).</p> <p>In Trafi's opinion the proposed procedure would more a declaration, not a certification procedure. It should be carefully considered whether the BTO would fulfil the Article 7.3 of Basic Regulation 216/2008: <i>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.</i></p> <p>In Trafi's opinion the BTO should be allowed to commence the training only after receiving the approval.</p> <p>Proposal (d) The BTO may commence the training <del>before</del> <b>after</b> having received the approval in accordance with ARA.BTO.100(c).</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 14 for further information.</p>
comment	<p>1146 <span style="float: right;">comment by: <i>Deutscher Aero Club Landesverband Niedersachsen</i></span></p> <p>BTO.GEN.130 Application process and certification Clause (c) The application...form and manner established by the competent authority</p>



	<p>Comment: Here, a clear guidance to the competent authorities shall be given as it is on risk to get unnecessary burden due to overinterpretation. Applicable requirements may be different interpreted.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The requirement of BTO.GEN.130 (c) has been moved to the new DTO.GEN.115 (b) containing a reference to the new Appendix 1 to Part-DTO (declaration form).</p>

comment	<p>1195 <span style="float: right;">comment by: <i>Sandra WECHSELBERGER</i></span></p>
	<p>The provisions of BTO.GEN.130(d) sound very problematic. What happens to the student pilot when the BTO does not get an approval because it is not compliant with the standards and fails to get compliant in time or at all?</p> <p>The Parts ORA, ARA and BTO were introduced to provide a safety standard, also for the student pilot who can not differ adequately between an ATO, a certified BTO or some flight instructor who fails to comply with all standards and nevertheless uses the „two-months“ approval interval to provide training on the basis of BTO.GEN.130, although he will never get an approval.</p> <p>The introduction of (EU) 1178/2011 says in point (2) <i>Pilots involved in the operation of certain aircraft, as well as flight simulation training devices, persons and organisations involved in training, testing or checking of those pilots, have to comply with the relevant essential requirements set out in Annex III to Regulation (EC) No 216/2008. According to that Regulation pilots as well as persons and organisations involved in their training should be certified once they have been found to comply with essential requirements.</i></p> <p>Therefore, the BTO should be approved before it commences its operation.</p> <p>Most businesses can be commenced at the day of the application (not the day of approval). Within the Austrian Trade, Commerce and Industry Regulation act for example there are types of businesses – which include severe risks/dangers to life and/or health – that require prior approval and cannot be started from the day of application. In my humble opinion, this should also apply to flight training.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 14 for further information.</p>



comment	<p>1211</p> <p style="text-align: right;">comment by: <i>Sandra WECHSELBERGER</i></p> <p>The activities of the BTO should be limited to one main operating site.</p> <p>One of the most challenging tasks, when organizing an ATO, performing oversight and training standardization is the standardisation and oversight between different operating sites or outposts.</p> <p>ATOs are normally required to designate a representative (responsible person or in many cases Deputy Head of Training) for each training site, to ensure an adequate oversight.</p> <p>Therefore, it would not make any difference if all those "training sites" or "outposts" would become independent BTOs - this ensures that the activities of the BTO happen under the oversight of one person, responsible for one training center/place of business.</p> <p>Nevertheless, a corporate entity should have the possibilities to receive more than one BTO approval (e.g. one approval for each place of business).</p>
response	<p>Partially accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>After due consideration, it has been decided to limit DTOs for aeroplanes and helicopters to two operating sites to be declared in accordance with the new DTO.GEN.115(a)(2). For sailplane and balloon training, such a limitation on the other hand did not seem to be appropriate with regard to the specificities of sailplane and balloon operation.</p>

### 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.140 — Scope and privileges

p. 31

comment	<p>966</p> <p style="text-align: right;">comment by: <i>Hermann Spring</i></p> <p><b>Add:</b> Enhancements and exemptions to be agreed with the NA</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>In order to aim for a uniform implementation of Regulation (EU) NO 1178/2011 in the Member States, granting exemptions must be limited to the cases of Art 14 of Regulation (EC) No 216/2008.</p>



## 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.150 — Access

p. 31

comment	<p data-bbox="351 367 383 403">51</p> <p data-bbox="1101 367 1447 403" style="text-align: right;">comment by: <i>David COURT</i></p> <p data-bbox="351 459 1447 526">Access should only be necessary in the event of serious concerns about safety or compliance.</p>
response	<p data-bbox="351 548 526 584">Not accepted.</p> <p data-bbox="351 584 821 620">Thank you for providing this comment.</p> <p data-bbox="351 620 1447 739">The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p data-bbox="351 772 1447 1131">Competent authorities with the responsibility to conduct oversight in order to verify compliance of training organisations with the applicable requirements need to have the tools in place that allow them to discharge their responsibility. For this reason, competent authorities need to have the privilege to access any training organisation not only in case of severe concerns regarding safety or compliance. DTO.GEN.140 (former BTO.GEN.150) has been reworded appropriately. However, the oversight requirements regarding DTOs are alleviated in such a way that no audits will be carried out, only inspections. In addition, the oversight planning will be more flexible as a standard inspection cycle is not put in the rule but in AMC (see draft AMC1 ARA.GEN.305(f) as published together with Opinion 11/2016).</p>
comment	<p data-bbox="351 1220 383 1256">92</p> <p data-bbox="1165 1220 1447 1256" style="text-align: right;">comment by: <i>Tony Jay</i></p> <p data-bbox="351 1310 1077 1346">Balloons, this should only be required if safety is at concern.</p> <p data-bbox="351 1377 1447 1456">even access to balloons could be non trivial as they are based in many location and not "under the control" of the BTO as there is no hanger etc.</p> <p data-bbox="351 1489 702 1525">This just increases workload.</p>
response	<p data-bbox="351 1545 526 1581">Not accepted.</p> <p data-bbox="351 1581 821 1617">Thank you for providing this comment.</p> <p data-bbox="351 1617 1220 1653">Please refer to the response to comment No 51 for further information.</p>
comment	<p data-bbox="351 1747 399 1783">164</p> <p data-bbox="1093 1747 1447 1783" style="text-align: right;">comment by: <i>jeffrey Lawton</i></p> <p data-bbox="351 1836 614 1872">BTO.GEN.150 ACCESS</p> <p data-bbox="351 1904 1447 2016">This should be on an as necessary basis due to serious issues re audit or safety .Having access on a regular and prescriptive basis serves no benefit and just increases costs and workload of training organisations</p>



response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 51 for further information.

comment 225 comment by: *Innes WORSMAN*

This should be only necesay in the event of a serious concerns about an internal audit or poor safety record.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 51 for further information.

comment 253 comment by: *JED DRYDEN*

BTO.GEN.150 Access

Again, access to an external audit with high costs and admin should only be granted if there are concerns about an internal audit or if there shows a poor safety record.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 51 for further information.

comment 296 comment by: *BBAC 6824*

BTO GEN 150 Access

Should only be necessary if a serious safety concern arises. The BTO in ballooning will be capable of self administering appropriate actions, including access. External audits increase costs unecessarily.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 51 for further information.

comment 318 comment by: *Jeremy Hinton*

Does the Access requirement mean any change from the present situation? Our



	<p>paperwork and equipment are available for inspection, but the cost of any increases in the level of inspection must be considered. If there is an increase in the level of inspection, the burden should not lie with the aircraft operator (or ATO/BTO) since there is no evidence of a problem which needs addressing.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The oversight requirements with regard to DTOs have been simplified compared to the ATO oversight requirements. Please refer to the response to comment No 51 for further information.</p>
comment	<p>439 <span style="float: right;">comment by: <i>Ann Rich</i></span></p>
	<p>The BTO should only be required to grant access as specified in BTO.GEN.150 if there are serious concerns about safety, or in the event of an unsatisfactory internal audit. It should not be a more general requirement since external audits increase the cost and administrative burden on training organisations.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 51 for further information.</p>
comment	<p>563 <span style="float: right;">comment by: <i>Nick Bettin</i></span></p>
	<p>This should only be necessary in the event of serious concerns about an internal audit or poor safety record. External audits increase the costs and administration workload of Training Organisations.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 51 for further information.</p>
comment	<p>587 <span style="float: right;">comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></span></p>
	<p>Access should only be required in the case of a serious safety issue, not as a matter of routine.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 51 for further information.</p>



comment

626

comment by: *Kevin Meehan*

BTO.GEN.150 ACCESS (page 31)

The BTO has safety training as one of its primary activities and in the event of any safety findings as a result of an internal audit or poor safety record, The BTO will grant access to the competent authority to any records, documents, etc.

However, any unnecessary or non safety related audits by the competent authority will increase the costs and administration workload of the BTO.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 51 for further information.

comment

754

comment by: *UK CAA***Page No:** 31**Paragraph No:** BTO.GEN.150

**Comment:** The rule refers to access by the Competent Authority only to determine if an acceptable level of safety is met in accordance with this regulation. This is incorrect as the BTO must comply with the Basic Regulation and its implementing rules and the Competent Authority must have access to ensure compliance with all applicable regulations.

It is strongly recommended the text in ORA.GEN.140 should be used for consistency and safety.

**Justification:** To ensure compliance and safety the Competent Authority needs to be permitted to have access to the BTOs facility, documents, records etc.

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The requirement in BTO.GEN.150 has been moved to DTO.GEN.140. When doing so, this provision has been reworded to cover also inspections for checking compliance of the DTO with the applicable requirements.

comment

796

comment by: *Allie Dunnington*

BTO, GEN 150 page 31

As previously already pointed out, I think the competent authority only needs to have full access to aircraft related documents, data etc if there are serious safety concerns as any external audits only increase the workload, administration costs and make things far more complicated than necessary.

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 51 for further information.

comment

813

comment by: *Ian Wadey*

External audits and inspections increase costs to a Training Organisation. Access should only be necessary in the event of serious concerns about an internal audit or a poor safety record.

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 51 for further information.

comment

846

comment by: *Slowfly*

I believe this should be applicable only if there is a very serious safety concern by the NAA. Intensive external audits can be very time consuming and very expensive.

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 51 for further information.

comment

967

comment by: *Hermann Spring*

**Remove BTO: GEN.150**

This similar as for RAMP checks, but that should be not for BTO/BTF only.

This a basic issue and should not be repeated in any regulation.

What's about access of the Police etc.

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 51 for further information.



comment	1076	comment by: <i>Phil Dunnington</i>
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External access should only be required in the event of serious safety issues.

response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 51 for further information.</p>
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comment	1179	comment by: <i>Richard ALLEN</i>
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BTO.GEN.150 - as the BTO wouldn't own the aircraft, or be responsible for it, the BTO can't grant access to an aircraft. They can assist in access to an aircraft, but this should only be required where an internal audit has failed or there is a poor safety record.

response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 51 for further information.</p>
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### 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.160 — Findings

p. 31

comment	968	comment by: <i>Hermann Spring</i>
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**Remove BTO: GEN.160**  
That is again a basic behaviour, which should NOT need an explanation.

response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that it is fundamental for a regulation to clearly set out the rights and obligations of a holder of privileges and competent authorities and to have the necessary publications on Acceptable Means of Compliance (AMC) as well as Guidance Material (GM) in place.</p>
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### 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.170 — Validity of approval

p. 31

comment	356	comment by: <i>DGAC France</i>
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**Subject:**  
DGAC support for option 1 (RTO) and proposed amendment to Part ARA and Part BTO



**Content:**

In line with support for option 1 (RTO) (see general comment), DGAC proposes some amendments to Part ARA and Part BTO in order to switch back to a declaration process.

The following amendments are proposed:

- ARA.BTO.100 and ARA.BTO.105 to be replaced by ARA.RTO.100

and

- BTO.GEN.130 and BTO.GEN.170 to be replaced by RTO.GEN.130 and RTO.GEN.170.

**Proposed amendment:**

BTO.GEN.170 to be replaced by RTO.GEN.170

***RTO.GEN.170***

*The RTO will remain registered until the competent authority is informed by the organisation that training is to cease or if the authority establishes that an acceptable level of safety during training is not achieved, that training is not performed in accordance with training programs used by the organisation or the conditions and terms of the organisation declaration are not met.*

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

In the new Part-DTO, DTO.GEN.135 will establish requirements on the exercise of training activities by a DTO. Please refer to the proposed new rule text in Opinion 11/2016 for further information.

comment

372

comment by: KSAK - Swedish Royal Aero Club

Very good, reasonable and risk based.

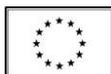
response

Noted.

Thank you for providing this positive feedback.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

In order to be in line with this new concept, the requirement in BTO.GEN.170 has been revised and moved to the new DTO.GEN.135. Please refer to the proposed new rule text in Opinion 11/2016 for further information.



**problem**

comment	<p>970</p> <p style="text-align: right;">comment by: <i>Hermann Spring</i></p> <p><b>Remove</b></p> <p>That is again a basic behaviour, which should NOT need an explanation.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 968 for further information.</p>

**3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.190 — Tasks, responsibilities and procedures** p. 32

comment	<p>97</p> <p style="text-align: right;">comment by: <i>Tony Jay</i></p>
response	<p>Noted. The Agency thanks you for your silent consent.</p>

comment	<p>165</p> <p style="text-align: right;">comment by: <i>jeffrey Lawton</i></p> <p>BTO.GEN.190 Responsibilities and Procedures</p> <p>A safety policy statement should be a simple confirmation that the Training Organisation will fully comply with it's responsibilities and make reference to the Safety Policy only .The Safety Policy will give the detail as to how compliance with the Statement is achieved.</p>
response	<p>Accepted. Thank you for providing this comment. Please check the response to comment No 88 for further information.</p>

comment	<p>226</p> <p style="text-align: right;">comment by: <i>Innes WORSMAN</i></p> <p>A safety policy statement should be a simple statement that the training organisation will</p>
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response	<p>take all measures to its responsibilities, the safety policy will define how this will be achieved.</p> <p>Accepted.</p> <p>Thank you for providing this comment. Please check the response to comment No 88 for further information.</p>
comment	<p>254 <span style="float: right;">comment by: JED DRYDEN</span></p> <p>BTO.GEN.190</p> <p>The Training Organisation should be able to submit a statement saying it will take all measures to comply with its responsibilities, this will be defined in the Safety Policy</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment. Please check the response to comment No 88 for further information.</p>
comment	<p>297 <span style="float: right;">comment by: BBAC 6824</span></p> <p>BTO GEN 190</p> <p>Safety Policy - as long as the BTO has one in place, a simple statement of that fact is all that is required.</p> <p>The BTO accepts responsibility for this.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment. Please check the response to comment No 88 for further information.</p>
comment	<p>344 <span style="float: right;">comment by: Richard Turnbull</span></p> <p>A 'statement' should say that the training organisation will make all efforts to maintain it's responsibilities. The 'policy' would say how this is done or achieved.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p>



Please check the response to comment No 88 for further information.

comment 373 comment by: *KSAK - Swedish Royal Aero Club*

(b): This point needs to have some GM to aid stakeholders.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The requirement in BTO.GEN.190 (b) has been simplified (also by removing terms 'safety awareness culture' and 'safety philosophy and principles') and, additionally, has been moved to DTO.GEN.210 (a) (1) (ii). AMC will be developed to provide information on the minimum content of the safety policy.

comment 405 comment by: *Pete Forster*

A safety policy statement should be a simple statement that the BTO will take all measures to its responsibilities. The Safety Policy will define how this is achieved.

response Accepted.  
Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment 440 comment by: *Ann Rich*

A safety policy statement should simply state that the training organisation has a safety policy that covers all requisite measures and responsibilities.  
The safety policy itself contains all the details and defines how safe operations are achieved.  
A "safety awareness culture" and "safety philosophy" are ill-defined terms open to interpretation and do not belong in this clause.

response Accepted.  
Thank you for providing this comment.  
Please check the responses to comments No 88 and 373 for further information.



comment	467	comment by: <i>FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS</i>
	Replace “developed” by “delivered in the application”	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 88 for further information.	

comment	497	comment by: <i>The Norwegian Air Sports Federation</i>
	<p>BTO.GEN.190 and its AMC/GM as it is currently worded may open the door for a heavy oversight burden and a playing field, which is not level, due to a risk of random interpretations by NAAs.</p> <p>To (a): It ought to be unnecessary to emphasise that the BTO should ensure that the activities comply with its own application. The term "scope and conditions of its approval" may create the impression among NAAs that they can put in place conditions and limitations in addition to those that inherently can be found in the regulations and the initial application.</p> <p>To (b): How will the NAA judge if "a safety awareness culture is implemented in the BTO"? It is very hard to quantify or measure the "implementation of a culture", and it is a huge risk that the NAA and the BTO will understand the term differently.</p> <p>To (c): This is unnecessary. It goes without saying that the training must comply with regulations and the application.</p>	
response	<p>Partially accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>When adapting the rule text to this new concept, the requirement in BTO.GEN.190 (a) has been revised and moved to the new DTO.GEN.210 (a) (1) (i) as part of the responsibilities of the representative of the DTO. This new provision still requires the representative to ensure compliance also with the declaration – in other words: The representative is responsible for ensuring that the DTO does not carry out activities which it did not declare to the competent authority. The requirement in BTO.GEN.190 (b) has been simplified (also by removing terms ‘safety awareness culture’ and ‘safety philosophy and principles’) and, additionally, has been moved to DTO.GEN.210 (a) (1) (ii). AMC will be developed to provide information on the minimum content of the safety policy.</p>	



BTO.GEN.190 (c) has been moved to the new DTO.GEN.210 (a) (2) (i) as part of the responsibilities of the head of training.

comment

627

comment by: Kevin Meehan

**BTO.GEN.190 RESPONSIBILITIES AND PROCEDURES**

The BTO Safety Policy statement will state that the BTO will has a safety philosophy and a safety awareness culture.

The policy document will describe how the BTO will take responsibility for implementing this.

response

Noted.

Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

comment

699

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

**BTO.GEN.190 Tasks, responsibilities and procedures  
AMC1, GM1, GM2 BTO.GEN.190**

**Comments FOCA:** Throughout the paragraph and associated AMC and GM's the BTO documentation and the required content is misleading and remains unclear. Especially where the safety policy statement and associated means and methods are to be documented is not defined. There should be a clear statement in the implementing rules which documentation a BTO has to develop and provide. In addition, there should be a comprehensive GM on the structure and content of a BTO documentation

response

Accepted.

Thank you for providing this comment.  
Please check the responses to comments No 88 and 373 for further information.

comment

707

comment by: Luftfahrt-Bundesamt

The whole SMS content especially as detailed in AMC1 BTO.GEN.190 should be reviewed considering that:

- AMC1, point (c) goes beyond the “safety policy statement” as defined in BTO.GEN.190 and re-introduces parts of a safety management system.



response	<p>- Comparable organisations under Part-CAO (ML) will not have to implement such “means and methods used for (1) risk identification, (2) risk assessment and (3) adequate mitigating measures.” The BTO-concept should be similar.</p> <p>Partially accepted.</p> <p>Thank you for providing this comment. Please check the responses to comments No 88 and 373 for further information.</p>
comment	<p>755 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Page No:</b> 32</p> <p><b>Paragraph No:</b> BTO.GEN.190; AMC 1 BTO.GEN.190</p> <p><b>Comment:</b> The rule requires the BTO to comply with the scope and conditions of its approval. Unfortunately, there is no corresponding person or role accountable for such compliance.</p> <p>Additionally paragraph (c) requires compliance with Part-FCL, again there is no corresponding person or role accountable for such compliance.</p> <p>It is recommended that the rule should concentrate on advising the BTO to ensure that it meets its obligations under Paragraph (a) and that it adhered to its safety policy. A separate BTO.GEN section should be written outlining the purposes, content and the obligation of the safety policy statement.</p> <p>AMC 1 BTO.GEN.190 also needs to be amended and the text referring to the safety policy statement should be either included within the new BTO.GEN text or made an AMC of this new paragraph.</p> <p><b>Justification:</b> Consistency and accountability.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The requirement in BTO.GEN.190 has been revised and moved to the new DTO.GEN.210. When doing so, the text has been changed to clearly assign responsibilities to the representative and to the head of training.</p> <p>With regard to your comment on the safety policy, please refer to the response to comment No 88 for further information.</p>



comment	<p>797 <span style="float: right;">comment by: <i>Allie Dunnington</i></span></p> <p>BTO GEN 190</p> <p>as already stated, I believe that a safety policy should be a simple statement that the relevant Training org will take all measures to its responsibilities.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment. Please check the response to comment No 88 for further information.</p>

comment	<p>814 <span style="float: right;">comment by: <i>Ian Wadey</i></span></p> <p>The Safety Policy Statement need only be a simple statement that the Training Organisation will adopt all the procedures to meet its responsibilities. The Safety Policy itself will define what is necessary to achieve this.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment. Please check the response to comment No 88 for further information.</p>

comment	<p>829 <span style="float: right;">comment by: <i>Vereniging Vlaamse MotorVliegclubs (VVMV)</i></span></p> <p>We welcome the more proportionate requirements proposed with regard to safety and compliance.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p>

comment	<p>960 <span style="float: right;">comment by: <i>Aero-Club of Switzerland</i></span></p> <p>Page 32/49 by EPFU/AeCS/MFVS/SVFS BTO.GEN.190 Tasks, responsibilities and procedures Many thanks for this precise and short provision.</p> <p>Rationale: All relevant elements needed to provide flight training are appropriately included.</p>
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response Noted.  
Thank you for providing this positive feedback.

comment 971 comment by: *Hermann Spring*

**Remove**  
That is again a basic behaviour, which should NOT need an explanation.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 968 for further information.

comment 1078 comment by: *Phil Dunnington*

The TO should simply need to state it takes appropriate measures for its responsibilities.

response Noted.  
Thank you for providing this comment.  
Please check the response to comment No 88 for further information.

### 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.200 — Personnel requirements

p. 32

comment 708 comment by: *Luftfahrt-Bundesamt*

The accountability / responsibilities of the designated „representative“ are not clear and should therefore be detailed in BTO.GEN.200.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 756 for further information.

comment 756 comment by: *UK CAA*

**Page No:** 32

**Paragraph No:** BTO.GEN.200; AMC 1 BTO.GEN.200

**Comment:** The rule refers to a “Representative”. In the explanatory note it is stated that the “Representative” is the focal point for the Competent Authority. It then mentions the



“Legal Representative”, this is not defined and it is not mentioned in AMC or GM.

The explanatory note indicates that Representative will have a Head of Training who is responsible for compliance with Part-FCL, this role is not in the rule and as such cannot be enforced.

The “Representative” also has a safety role but there is no specified level of competence to undertake the safety role.

The post of Representative/Legal Representative seems to mirror that of the Accountable Manager defined in other regulations and annexes within the Aircrew Regulation. By not using the same term there is a lack of consistency with other regulations and within the differing parts of the Aircrew Regulation.

Additionally the way the rule reads it seems to imply that the personnel at the BTO are not accountable for the training, training standards and operations.

The text in ORA.GEN.210 and ORA.ATO.110 should be considered by the Agency to ensure a consistent terminology and accountability, including the Head of Training role.

**Justification:** Lack of accountability and consistency.

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The requirement in BTO.GEN.200 has been moved to the new DTO.GEN.210. The content has been revised to add the role of a head of training and to clearly define the responsibilities of the representative and the head of training.

Regarding your comment on the use of the term ‘representative’, please refer to the response to comment No 747 for further information.

comment

831 comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

Removal the requirement for 4 postholders will be a great relief for the average flying club.

response

Noted.

Thank you for providing this positive feedback.

comment

972 comment by: *Hermann Spring*

**Remove BTO: GEN.200**



	<p>Is already in the application</p> <p><b>Simplify</b></p> <p>That is again a basic behaviour, which should NOT need an explanation. (Otherwise you should write, ensure always having adequate &amp; correct fuel; correct tire pressure etc.)</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 968 for further information.</p>
comment	<p>1197 <span style="float: right;">comment by: <i>Sandra WECHSELBERGER</i></span></p> <p>Is there a reason why the „representative“ is not called „accountable manager“? The regulations of Part-BTO do not specify who is responsible/accountable for the organisation or the BTO.</p> <p>There should be a precise designation of the accountable person within the BTO, even if not called „manager“, who is ultimately (in person) responsible for what the BTO does. (also in terms of possible sanctions by law)</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 756 for further information.</p>

### 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.210 — Annual internal review

p. 32

comment	<p>45 <span style="float: right;">comment by: <i>David COURT</i></span></p> <p>An annual internal review with a report to the NAA will save costs for the BTO. The NAA should only need an external review if there are serious safety or compliance concerns.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The annual internal review will and cannot not replace in total the continuing oversight activity to be conducted by the competent authority. Please also check the response to comment No 85 for further information.</p>
comment	<p>98 <span style="float: right;">comment by: <i>Tony Jay</i></span></p>



	<p>an internal audit must be performed annually. But elsewhere it keeps adding external audits, we should be clear that external audits are only required for safety concerns</p>
response	<p>Not accepted. Thank you for providing this comment. Please check the response to comment No 45 for further information.</p>
comment	<p>166 <span style="float: right;">comment by: <i>jeffrey Lawton</i></span></p>
	<p>BTO.GEN.210 Annual Internal Review</p> <p>I fully endorse an annual internal review.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>
comment	<p>227 <span style="float: right;">comment by: <i>Innes WORSMAN</i></span></p>
	<p>I support an annual internal review rather than external audit.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p> <p>Please also check the responses to comments No 45 and 85 for further information.</p>
comment	<p>255 <span style="float: right;">comment by: <i>JED DRYDEN</i></span></p>
	<p>BTO.GEN.210 Annual internal review</p> <p>I fully support an annual internal review</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>
comment	<p>299 <span style="float: right;">comment by: <i>BBAC 6824</i></span></p>
	<p>BTO GEN 210 - Annual Internal Review</p> <p>I would support this over and External one , saving cost and being more in touch with operations.</p>



response Noted.  
Thank you for providing this positive feedback.  
  
Please also check the responses to comments No 45 and 85 for further information.

comment 374 comment by: *KSAK - Swedish Royal Aero Club*  
  
Make it bi-annual.

response Not accepted.  
Thank you for providing this comment.  
The reduction of the requirements for a highly-sophisticated compliance monitoring system (as required for ATOs) to the proposed annual internal review already constitutes an extensive alleviation towards a minimum of monitoring and evaluation of internal processes. It has been therefore decided not go further alleviate these requirements by allowing the review to take place once every 24 months only.

comment 406 comment by: *Pete Forster*  
  
I support an annual internal review rather than an external audit in order to avoid significant cost and administration burden on the BTO.

response Noted.  
Thank you for providing this comment.  
  
Please also check the responses to comments No 45 and 85 for further information.

comment 441 comment by: *Ann Rich*  
  
I support internal annual review in place of external audits.

response Noted.  
Thank you for providing this positive feedback.  
  
Please also check the responses to comments No 45 and 85 for further information.

comment 445 comment by: *Richard Turnbull*  
  
I believe this should be by way of an internal audit done annually, rather than the external



response	<p>option.</p> <p>Noted. Thank you for providing this comment.</p> <p>Please also check the responses to comments No 45 and 85 for further information.</p>
comment	<p>498 <span style="float: right;">comment by: <i>The Norwegian Air Sports Federation</i></span></p> <p>In our view, the way BTO.GEN.210 is formulated, it is a risk for an unpredictable oversight burden. NAAs may disagree strongly about how in-depth the annual internal review should be, and it points back to BTO.GEN.190 with the subjective requirement of an implemented safety culture.</p> <p>If the Agency considers that an annual review is required, it should consist of a concrete list of items to be checked (more like a check-list). The items must be objective in nature, not subjective.</p> <p>Alternatively, the annual review could centre around two concrete items: Relevant occurrences and accidents in the territory during the past year, as well as changes in aviation legislation during the past 12 months, which affects the training organisation.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The requirement in BTO.GEN.210 (annual internal review) has been moved to DTO.GEN.270. The text has been revised to contain a reference to the new DTO.GEN.210 which has also been revised to simplify the requirements regarding the safety policy – please refer to the response to comment No 497 for further information.</p> <p>Furthermore, AMC will be developed to provide more information on the content of the annual internal review (see draft AMC1 DTO.GEN.270 as published with Opinion 11/2016). For finalising the AMC text, we will take your comment into consideration.</p>
comment	<p>588 <span style="float: right;">comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></span></p> <p>Supported as written: an annual internal review rather than an external audit.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>



Please also check the responses to comments No 45 and 85 for further information.

comment

628

comment by: *Kevin Meehan*

BTO.GEN.210 ANNUAL INTERNAL REVIEW (page 32)

I support the requirement for an annual internal review. When compared to an external audit, this will have a significant saving on administration and costs for the BTO.

response

Noted.

Thank you for providing this positive feedback.

Please also check the responses to comments No 45 and 85 for further information.

comment

662

comment by: *Tonny Henriksen*

NPA page 32 BTO.GEN.210 ANNUAL INTERNAL REVIEW  
The Danish Ballooning Association DBU, supports the idea of an annual internal audit, instead of external audits.

response

Noted.

Thank you for providing this positive feedback.

Please also check the responses to comments No 45 and 85 for further information.

comment

736

comment by: *Urzad Lotnictwa Cywilnego Poland*

BTO.GEN.210 c. The words „upon request” should be deleted. In our opinion the regulation should be obligatory.

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The requirement in BTO.GEN.210 has been moved to the new DTO.GEN.270. In DTO.GEN.270 (c), the term ‘upon request’ has been deleted.



comment	<p>757</p> <p style="text-align: right;">comment by: <i>UK CAA</i></p> <p><b>Page No:</b> 32</p> <p><b>Paragraph No:</b> BTO.GEN.210(a)</p> <p><b>Comment:</b> We believe the reference to “BTO.GEN.200” at the end of sub-paragraph (a) is incorrect and should read “BTO.GEN.190”</p> <p><b>Justification:</b> BTO.GEN.200 is ‘personnel requirements’</p> <p><b>Proposed Text:</b> Amend to read:</p> <p>“(a) conduct an annual internal review of the tasks and responsibilities indentified in BTO.GEN.190.”</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The reference has been corrected.</p>

comment	<p>798</p> <p style="text-align: right;">comment by: <i>Allie Dunnington</i></p> <p>BTO GEN 210 page 32</p> <p>Again, I favour a system which allows internal reviews on a regular basis but am against external audits unless there is a very good safety concern involved. External audits only increase costs but not safety.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this positive feedback.</p> <p>Please also check the responses to comments No 45 and 85 for further information.</p>

comment	<p>815</p> <p style="text-align: right;">comment by: <i>Ian Wadey</i></p> <p>I support this Annual Internal Review. The significant savings on costs and administration workload would be most beneficial to a Basic Training Organisation.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>Please also check the responses to comments No 45 and 85 for further information.</p>



comment	<p>830 <span style="float: right;">comment by: <i>Vereniging Vlaamse MotorVliegclubs (VMMV)</i></span></p> <p>Tasks and responsibilities we understand are those identified in BTO.GEN.190. Requirements for the annual internal review as set out in AMC1.BTO.GEN.210, in particular analysis of in-service events, adequacy of improvements or mitigation measures taken, appear to require elements of an SMS beyond declaration of a safety policy statement. It would be good to get clear guidance as to the SMS elements required.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The requirement in BTO.GEN.210 has been moved to the new DTO.GEN.270. DTO.GEN.270 (a) now refers to the new DTO.GEN.210 (former BTO.GEN.190). With regard to your comment on safety management, please refer to the responses to comments No 88 and 497 for further information.</p>

comment	<p>847 <span style="float: right;">comment by: <i>Slowfly</i></span></p> <p>I support this rather than an external audit.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>Please also check the responses to comments No 45 and 85 for further information.</p>

comment	<p>930 <span style="float: right;">comment by: <i>Aeroklub Polski</i></span></p> <p>Cancel point “c” – the CA may review the Annual Reports during audit. Otherwise they will always require submitting the report.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The copies of the annual internal reviews will be an important source of information for competent authorities when planning and adaptation their oversight programme. Checking of these reports only on site during an inspection is therefore not sufficient.</p>

comment	<p>973 <span style="float: right;">comment by: <i>Hermann Spring</i></span></p>
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	<p>The annual report is the annual review; it should contain the elements listed</p> <p>We have in Switzerland a designated FE of the Team in the authority as point of contact. Information flow shall be not one way only. We need a cooperative dialog to reach and maintain a high safety level.</p> <p>My experience with this concept is very positive</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p>

comment	<p>983 <span style="float: right;">comment by: <i>Helge Hald</i></span></p> <p>On behalf of Danish Soaring Association (DSvU):</p> <p>It is highly appreciated, that annual review should be performed by the BTO itself, and reported only by request.</p> <p>We are convinced that this will ease the administrative burden for the BTO and NAA as well.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p> <p>Please also check the responses to comments No 45 and 85 for further information.</p>

comment	<p>1073 <span style="float: right;">comment by: <i>Aero-Club of Switzerland</i></span></p> <p>Page 32/49 by EPFU/AeCS/MFVS/SFVS: BTO.GEN.210 Annual internal review</p> <p>We propose deletion of this paperwork! If something goes wrong competent authorities have all means to act immediately. Just to fill-in forms for storage is not a training organisation task.</p> <p>We propose: In case accidents or incidents competent authorities may request the submission of relevant information by the training organisation.</p> <p>Rationale: Our proposal is risk-based, proportionate, in-line with the Executive Summary of the NPA and with Basic Regulation (EC) No 216/2008 and amendments.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The annual internal review is not intended to be just 'paper work' but a minimum of monitoring and evaluation of internal processes, replacing the requirements for a highly-</p>



sophisticated compliance monitoring system as required for ATOs and providing already an extensive alleviation. Additionally, the copies of the annual internal reviews will be an important source of information for competent authorities when planning and adaption their oversight programme.

comment 1079

comment by: *Phil Dunnington*

An annual internal audit should suffice rather than a costly and bureaucratic external audit.

response Noted.

Thank you for providing this positive feedback.

Please also check the responses to comments No 45 and 85 for further information.

comment 1123

comment by: *Finnish Transport Safety Agency*

BTO.GEN.210

Trafi supports the 'Annual internal review' concept for BTOs.

response Noted.

Thank you for providing this positive feedback.

Please also check the responses to comments No 45 and 85 for further information.

comment 1164

comment by: *ATO Aeroklub Szczeciński*

BTO.GEN.210 (c) - Cancel point "c" – the CA shall check the Annual Reviews during audit.

response Not accepted.

Thank you for providing this comment.

Please also check the response to comment No 930 for further information.

comment 1180

comment by: *Richard ALLEN*

An annual internal review would be sensible, and would help to save on administration costs.



response Noted.  
Thank you for providing this positive feedback.

comment 1198 comment by: *Sandra WECHSELBERGER*

Concerning BTO.GEN.210(a)

As an external auditor for ATOs (and in the future also BTOs) who regularly conducts internal reviews (when assigned by the respective ATO) I would like to add to this paragraph, that the opinion of a person who is not included in the daily business of the BTO/ATO is very helpful.

All stakeholders tend to get stuck in daily business or in a limited view on regulations, options, etc.

The internal review, conducted by an external person is like a „annual inspection“ – not for the training aircraft but for the training organisation itself. It can be helpful to communicate or learn „best practice“ standards of others.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The draft AMC1 DTO.GEN.270(a) (a) (former draft AMC1 BTO.GEN.210 (a) as shown in the NPA) states that the representative may be assisted by other persons, as necessary. We will take your comment into further consideration when finalising the AMC text.

comment 1199 comment by: *Sandra WECHSELBERGER*

Concerning BTO.GEN.210(c)

Section II ATOs need to submit all reports of internal reviews to the authority (not only upon request) – although the oversight net of the competent authority is more intense for these organisations than for the BTOs.

Suggestions:

Either Section II ATOs should also only submit their internal reports upon request or (preferred) BTOs should submit their internal reports in any case. Only in this way it is ensured that the BTOs take the annual review serious and perform it in time – the submitting of the report would not be a „great workload“ for them.

response Accepted.  
Thank you for providing this comment.  
Please check the response to comment No 736 for further information.



## 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.220 — Record-keeping

p. 32

comment

46

comment by: *David COURT*

BTO keeping records at the end of training is a significant saving compared to records throughout the training.

The Instructor provides progress reports to the student during the training.

The BTO holds records on completion of the course.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The text proposed in NPA 2015-20 (BTO.GEN.220) equals the text in the already existing provision of ORA.ATO.120 which is to be understood in such way that records have to be created and kept by the ATO throughout the training course (NB: 'progress reports') in order to accurately illustrate the course of the training. The same principles need to apply for record-keeping in a DTO. The new DTO.GEN.220 has been reworded in order to provide more clarification in this point, and, for the same reason, also ORA.ATO.120 is proposed to be reworded respectively. Finally, the Agency will also consider to develop AMC similar to AMC1 ORA.ATO.120(a);(b), allowing the administrative procedures for record-keeping to be kept at a reasonable level.

comment

99

comment by: *Tony Jay*

support fully records kept after the license issued, but these records can be collected at the end of training and do not need to be collected during training.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 46 for more information.

comment

167

comment by: *jeffrey Lawton*

BTO.GEN.220 Record Keeping

I strongly think that records of training being collated on completion of training .Any requirement to deal with this on a real time basis will add disproportionate costs and lead to many instructors leaving the sport.



response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment

228

comment by: *Innes WORSMAN*

I support collating records on completion of training.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment

256

comment by: *JED DRYDEN*

BTO.GEN.220

I support the method of submitting records/logbook ect on completion of training. The ATO requirement of supplying info after each training flight is a cost and admin nightmare

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment

300

comment by: *BBAC 6824*

BTO GEN 220 Record Keeping

Current arrangements - logbook submitted on completion of training - administered by the BTO is fine.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment

375

comment by: *KSAK - Swedish Royal Aero Club*

**point C and D:** This does not make sense. It is written as if you need to keep a copy of how the internal review and training programme was written at the time of the students exam. That is not necessary. Change wording so that you always keep a record of the **current** training programme and **latest** annual internal review. (a) and (b) can be kept for three years.



response Accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
DTO.GEN.220 (former BTO.GEN.220) has been completely revised. Please refer to the new rule text for further information.

comment 407 comment by: *Pete Forster*  
  
I support records being collated on completion of training as this being cheaper to administer than the ATO requirement for real time recording of all training taking place.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment 442 comment by: *Ann Rich*  
  
I support the data collection and storage of training information only on the completion of training.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment 446 comment by: *Richard Turnbull*  
  
There is really no need for real time record keeping, the system had worked with the details being gathered at the end of the training perfectly well.

response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment 468 comment by: *FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS*  
  
An electronic format is acceptable.

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of



‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
In the NPA, AMC1 BTO.GEN.220 already clarified that electronic storage of training records is acceptable – please also check the identical wording in the draft for the new AMC1 DTO.GEN.220 as published with Opinion 11/2016.

comment 564

comment by: *Nick Bettin*

We support the theory/proposal that records are collated on completion of training. This is cheaper to administer than the ATO requirements where we must have real time information on all training taking place.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment 589

comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

Supported as written. For ballooning, the BTO will collate records of student training at the course completion, not continuously. This makes for a far more cost effective administration.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment 629

comment by: *Kevin Meehan*

BTO.GEN.220 RECORD KEEPING (page 32)

I support the requirement for records to be kept for 3 years after the training has been completed. I would recommend that student progress reports are submitted to the BTO on completion of training

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment 709

comment by: *Luftfahrt-Bundesamt*

	<p>The record-keeping requirement does not make sense: So for example for (c) (the annual internal review documentation) it is unclear why it should be kept “at least three years after the issuance of the (approval) certificate” of the BTO just considering that this “certificate” might have been issued many years ago.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The term ‘certificate’ in BTO.GEN.220 did not refer to the BTO approval certificate but to certificates within the BTO’s training scope (instructor certificates for sailplanes and balloons). However, this provision has been revised completely. Please refer to the new rule text (DTO.GEN.220) for further information.</p>

comment	<p>758 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Page No:</b> 32</p> <p><b>Paragraph No:</b> BTO.GEN.220; AMC 1 BTO.GEN.220;</p> <p><b>Comment:</b> The rule refers to the record to be maintained by the BTO. It mentions, details of training and progress reports for applicants but it does not mention other applicant details mentioned in ORA.ATO.120.</p> <p><b>Justification:</b> Consistency and data protection.</p> <p><b>Proposed Text:</b> The Agency should consider using the text in ORA.GEN.220 and ORA.ATO.120.</p> <p>Additionally paragraph (c) should be included in BTO.GEN.210 and paragraph (d) should be included in BTO.GEN.230.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>For the new DTO.GEN.220, the text has been completely revised and now also requires a DTO to keep records with regard to their student’s licences, ratings and certificates including expiry dates.</p>

comment	<p>799 <span style="float: right;">comment by: Allie Dunnington</span></p> <p>BTO GEN 220 page 32</p>
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I support a system whereas the BTO/RTO will supply records AFTER the training has been completed. As ballooning doesn't take place from just one particular place and is often conducted by several instructors and pilots, it would tremendously increase the administrative work load if every single training flight has to be document as soon as the training has taken place. THIS can hardly be achieved in ballooning and doesn't contribute to the training process at all.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment

816

comment by: *Ian Wadey*

Records need only be collated on completion of training - how getting a license was acheived. Real time recording would be impractical, probably impossible to maintain and incur unnecessary high costs.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment

848

comment by: *Slowfly*

I support collection and retaining documents of all students once they have obtained thier license.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.

comment

974

comment by: *Hermann Spring*

(a) Remove the word details, that would require a cockpit voice and flight data recorder!

(b) The progress report remains with the student.

The student has the responsibility of the daily update.

After completion of a training shall the report be archived at the BTO.

response

Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 46 for more information.



comment	1080	comment by: <i>Phil Dunnington</i>
	As referred to earlier, post-completion records should suffice rather than real-time submission.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 46 for more information.	

comment	1148	comment by: <i>Deutscher Aero Club Landesverband Niedersachsen</i>
	BTO.GEN220 (c) The annual internal review is a more or less not senseful requirement for voluntarily driven training organisations. It is not important, if these organisations are fast or slow within their training or how many students are trained. Clubs do not need to gain money and therefore they have no need to review these numbers for their purposes. Additionally, whenever, a review of safety relevant events might be helpful.	
response	Not accepted. Thank you for providing this comment. This comment obviously refers to BTO.GEN.210.  It is necessary for a training organisation to monitor its activities and to regularly review its internal processes and procedures. For ATOs it is required to establish a compliance monitoring and a safety management system for this purposes. The reduction of these requirements to the proposed annual internal review already constitutes an extensive alleviation towards a still acceptable minimum.	

comment	1181	comment by: <i>Richard ALLEN</i>
	Records of training should be collated after completion of training. This will reduce the costs associated with continual training records of an ATO.	
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 46 for more information.	



comment 100 comment by: Tony Jay

response Noted.  
The Agency thanks you for your silent consent.

comment 168 comment by: jeffrey Lawton

BTO.GEN.230 Training Programme

The BBAC already has a training syllabus covered by record books ,pilot and Instructor Manual. An operations manual should not be a requirement for a BTO .

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Already in NPA 2015-20 it was not proposed to require BTOs to have an operations manual or a training manual in place – there was only a recommendation placed in draft GM to BTO.GEN.190. After due consideration, this recommendation and there draft GMs deleted. Neither a DTO will be required to have operations or training manuals nor is it intended to place a respective recommendation in GM.

comment 229 comment by: Innes WORSMAN

An operations manual is not required for a BTO. If one is produced it should be a simple documrnt without the extensive list of contents shown here. If it must be this complicated, BTO's will opt not to have one at all.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment 257 comment by: JED DRYDEN

BTO.GEN.230

The BBAC provides a training programme with record books, Pilot Training Manual and Instructor Manual. An Operations Manual is not required for a BTO. The recommendation to have one with such a large list of contents would be too much, it should be a simple basic document



response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment

301

comment by: *BBAC 6824*

BTO GEN 230 Training Programme

Current ballooning programme of recording and training manuals (pilot and instructor) are in place and appropriate.

response

Noted.  
Thank you for providing this comment.

comment

408

comment by: *Pete Forster*

An Operations Manual is not required for a BTO. If one is produced it should be a simple document.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment

443

comment by: *Ann Rich*

Refer also to GM1 BTO.GEN.190

Agree that BTOs require a training programme, but they do NOT require an Operations Manual.

An Operations Manual should be allowed to be a simple document.

It should not be required to include all the items listed under GM1 BTO.GEN.190.

Making the requirements overcomplicated will lead to BTOs choosing not to have an Operations Manual.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment

447

comment by: *Richard Turnbull*

A BTO doesn't need an operations manual. Should one really be needed it should be of a simple type, not including all the detailed items shown here. Furthermore if it is deemed necessary to be this complex, the BTO's will probably just opt out and not have one.



response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment

630

comment by: *Kevin Meehan*

BTO.GEN.230 TRAINING PROGRAMME (page 32)

I support the proposal that there is a requirement to provide a training programmes to cover the scope of training provided.

The BTO should be allowed to produce their own training programmes / manuals. An Operations Manual is not required if the BTO programmes / manuals contain the required information / guidance.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment

733

comment by: *Urzad Lotnictwa Cywilnego Poland*

Will it be allowed to use for the PPL training in BTO the same training programmes that are used in the present ATO without the need to approve them again – assuming that the ATO and the BTO is the same legal entity?

response

Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

Together with Opinion 11/2016 amendments to Art 10a of Regulation (EU) No 1178/2011 were proposed in order to allow training organisations to smoothly change from ATO to DTO, if desired. This proposal contains a rule allowing ATOs in such a case to replace the training programmes that need to be part of the initial declaration with references to the training manuals used so far under the ATO approval. Please refer to the proposed text for the amended Art 10a for further information.

comment

759

comment by: *UK CAA*

**Page No: 32**



	<p><b>Paragraph No:</b> BTO.GEN.230</p> <p><b>Comment:</b> The rule states that “the BTO shall have <b>BTO</b> training programme(s) to cover the scope of the training provided”</p> <p><b>Justification:</b> Error and consistency.</p> <p><b>Proposed Text:</b> Replace BTO.GEN.230 with the following:</p> <p>“The BTO shall have training programme(s) to cover the scope of all of the training courses provided.”</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>In the new DTO.GEN.230, the text has been changed accordingly.</p>
comment	<p>800 <span style="float: right;">comment by: <i>Allie Dunnington</i></span></p> <p>BTO GEN 230</p> <p>An OPs Manual should be kept as simple as possible. I believe that an BTO should not have an OPS manual as such.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 168 for further information.</p>
comment	<p>817 <span style="float: right;">comment by: <i>Ian Wadey</i></span></p> <p>If the requirement here is made too complicated then the preferred option will be to avoid having a stated programme in the first place. It needn't be called Operations Manual and should be only a simple document without extensive detail.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 168 for further information.</p>
comment	<p>975 <span style="float: right;">comment by: <i>Hermann Spring</i></span></p>



**Replace Programme with Requirements**

A checklist with the requirements shall be available for each training part, LAPL, PPL, Familiarisation etc.

response

Not accepted.

Thank you for providing this comment.

Although there will be no need for a formal training manual, as a minimum a training programme will be required to be developed by the training organisation. A simple list of the training exercises ('checklist') does not constitute a training programme. It has also be highlighted that such checklists already exist in AMC to Part-FCL.

comment

1081

comment by: *Phil Dunnington*

There should be no need to provide an Ops Manual for a BTO. The list of contents required is far too complex and will simply deter participation.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 168 for further information.

comment

1200

comment by: *Sandra WECHSELBERGER*

It would be nice if the purpose of the training programmes (e.g. to provide standardization and/or to ensure compliance with Part-FCL) was included.

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

In the new DTO.GEN.230, a paragraph (b) has added to require the training programme to comply with the requirements of Part-FCL.

ARA.GEN.105 is proposed to be amended to contain a definition of the DTO training programme as a document describing in detail the training course to be provided by a DTO.



comment 48 comment by: *David COURT*

Good to see that it says "use" as often balloons are provided by the student or instructor rather than the BTO ownin the balloon.  
The owner should be responsible for maintenance, airworthiness and paperwork of the aircraft.

response

Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The new DTO.GEN.240 (a) (former BTO.GEN.240) contains the same wording as ORA.ATO.135 which is understood not to require an ATO to actually 'own' the aircraft. An adequate fleet must be used, irrespective whether the aircraft are owned, rented, leased etc., and so also a DTO will not be required to 'own' the aircraft. The responsibility for airworthiness and maintenance of an aircraft is governed by the Regulation (EU) No 1321/2014, however, a DTO is responsible for verifying that aircraft used for training are airworthy and appropriately equipped and certified. GM will be developed to provide clarification (see draft GM1 DTO.GEN.240 as published with Opinion 11/2016).

comment 66 comment by: *massimo*

Why the school has to provide A balloon or an aircraft? Generally speaking for ballooning most of them are owned and well maintained by a person, or maybe the student has his own balloon, this should be kept since I think is the best way to promote this sport! consequently the balloon school as well.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment 78 comment by: *Tony Jay*

This is a peculiar statement.

There is no need for a fleet, Balloons can be used as and when required for specific training.

Any airworthy balloon suitable for any particular lesson should be enough, no need to register (that will just add cost)

Maintenance of balloons is not related to the training organisation, that is done though the owner and or CAMO.



response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment

84

comment by: *David Tofton*

BTO.GEN.240 – TRAINING AIRCRAFT

With Ballooning it is usually the students balloon the training is conducted on, this is good as long as the paperwork and all tests are current, but the instructor would check this as he is also flying in the balloon.

I see no need for the BTO to own, insure, maintain aircraft, this should be the responsibility of the student.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment

126

comment by: *Gary MADELIN*

Most people leaning to fly do so with other pilots, often in that pilots balloon. Or else, as in my case, all my flight training was done in my own brand new balloon, fully insured and airworthy. This is the norm in ballooning. The BTO should not be required to own and operate balloons for traing purposes. It would just be too expensive and further diminish interest and participation, which the hobby needs more of.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment

139

comment by: *Barry Bower*

Balloon training is not like a flight training school for potential airline pilots where there is available a fleet of aircraft. An airworthy balloon that is provided by either the student or an instructor, with all the appropriate insurance, maintenance and associate paperwork should be sufficient. Responsibility for the maintenance of the balloon has nothing to do with a training organisation.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.



comment

147

comment by: *Rich Benham*

Regarding GEN.240 notes.....any Training Org must, if they are to keep costs to a minimum, use ANY hot air balloon that has been certified as airworthy. Think of the logistics of getting the right weather, the right ground conditions, the right trainee, and the right instructor AND a specific hot air balloon in one place at the right time - it just WON'T WORK, and therefore ANY certified/airworthy balloon is the best way forward. There should however, be some requirements for the owner of the balloon to be responsible and accountable for things such as (but not limited to) suitable maintenance, suitable insurance and all documentation to be correct and in place.

During my training, it made it so much more simple when I myself provided the kit (the balloon, the crew, the car, etc). Occasionally, the instructor provided it, but it was so much more simplistic from a logistics perspective for me to provide it rather than any other method being proposed (the training organisation, should in no way, be made responsible for this - huge burden potential)

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 48 for further information.

comment

156

comment by: *jeffrey Lawton*

BTO.GEN.240 -Training Aircraft

The Training arrangement should be able to use any airworthy balloon .All training currently undertaken uses either students or instructors balloon and this should have nothing to do with the training organisation

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 48 for further information.

comment

217

comment by: *Innes WORSMAN*

The training organisation should be able to use any balloon with consent from owner, valid insurance, maintenance and paperwork. The balloon would normally be provided by the the student or instructor and this is completely sufficient, the balloon should not have to be owned or organised by the training organisation.

response

Noted.

Thank you for providing this comment.



Please refer to the response to comment No 48 for further information.

comment

248

comment by: JED DRYDEN

BTO.GEN.240-Training aircraft

Any airworthy balloon should be used with up to date paperwork, maintenance, insurance ect should be able to be used by the Training Organisation. The responsibility for providing these balloons by students or instructors, has nothing nto do with the training organisation

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment

276

comment by: Medical Officer BBAC

Balloon pilot training takes palce in remote locations on a one to one basis. This often take splace with the trainee pilot's own aircraft and one that he/she will become familiar with especialy if trained by several instructors within the BTO. As long as the aircrfat is airworthy there should be no requirement for an 'adequate fleet of training aircraft'. The wording here needs amending.

Suggested:-

"The BTO shall ensure that the training is provided on aircraft that have the necessary airworthiness and insurance requirements and suitable for the training exercises undertaken. "

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment

288

comment by: BBAC 6824

Training Aircraft - The aircraft for training in ballooning can be any aircraft of appropriate size and can be supplied by the trainee, the instructing pilot, or from elsewhere. The aircraft has nothing to do with the BTO, in responsibility or otherwise.  
Any (appropriate) motor car can be used for a driver to take a test.

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.



comment	<p>335 <span style="float: right;">comment by: <i>Richard Turnbull</i></span></p> <p>Balloons used for training are owned by the instructor or the student. Therefore, no 'Training organisation' is involved. So any maintenance will be the responsibility of the owners.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.</p>

comment	<p>376 <span style="float: right;">comment by: <i>KSAK - Swedish Royal Aero Club</i></span></p> <p>There should be no need to get approval for specific aircraft individuals. This needs to be clarified somewhere. As long as the aircraft is airworthy, within the class and has a certificate of airworthiness it should automatically be approved for flight training.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.</p>

comment	<p>397 <span style="float: right;">comment by: <i>Pete Forster</i></span></p> <p>I think that the responsibility for the provision, insurance, airworthiness, suitability etc of a training aircraft should lie with the aircraft owner/provider and instructor and not the BTO/ATO.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.</p>

comment	<p>421 <span style="float: right;">comment by: <i>Andy Walker</i></span></p> <p>BTO.GEN.240 - as balloon training is generally done in balloons owned by the trainee or instructor, and not the BTO, it is important that the BTO has no ownership, maintenance or licensing requirement. BTO.GEN.260 - as an instructor I can think of nothing associated with balloon training that cannot be taught where balloons are normally operated, and there is normally the time and motivation for such learning. I cannot see that a need for some of this to be done in a classroom environment adds anything but bureaucracy and expense.</p>
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response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment 431 comment by: *Ann Rich*

The provision of adequate aircraft for training in balloons should NOT be the responsibility of the training organisation.  
The responsibility for providing an airworthy balloon for training should lie between the individual student and his/her instructor, as is current practice. This is the only practical solution for training that can take place from a vast number of locations (see also comment on BTO.GEN.250). The insurance, maintenance and administration necessary for assuring an airworthy balloon should continue to be the responsibility of the owner of the balloon.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment 476 comment by: *Michael Noyce*

The training organisation should be able to use any airworthy balloon for training with the responsibility of paperwork , maintenance and insurance being with the owner of the balloon. The training organisation should not be responsible for providing and maintaining balloons used in training.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 48 for further information.

comment 499 comment by: *The Norwegian Air Sports Federation*

BTO.GEN.240 uses the term "adequate fleet of training aircraft". This opens the risk for different interpretations among NAAs. What is an appropriate fleet? Could this be interpreted as if there are particular requirements with regard to how the aircraft is designed or equipped, or where the aircraft is registered? What about its maintenance? Could some NAAs insist that the aircraft's maintenance management is taken care of by a CAMO in order to be "adequate"? What about aircraft maintained according to a self-declared maintenance programme? What about aircraft maintained according to the future Part-ML?

We would like to suggest the following wording of BTO.GEN.240 instead:



response

"The BTO shall use training aircraft or FTSDs equipped according to the license or rating, for which the training is provided."

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 48 for further information.

Additionally, the Agency would like to highlight that

- AMC will be developed similar to AMC1 ORA.ATO.135 in order to provide means of compliance for training aircraft (see draft AMC1 DTO.GEN.240 as published with Opinion 11/2016);
- airworthiness and maintenance of training aircraft will be governed by Regulation (EU) No 1321/2014. Aircraft typically used for training are expected to benefit from alleviations proposed with Opinion 05/2016 ('Part-ML').

comment

521

comment by: *Will*

Page 33 BTO.GEN.240 : Balloons should not be the responsibility of the BTO. The student or instructor provides the balloon and should remain responsible for all paperwork.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 48 for further information.

comment

541

comment by: *Peter Dalby*

Para 3.1 BTO.GEN.240 Training balloons should be the responsibility of the student or instructor, not the training organisation. The Instructor or Examiner is perfectly able to check the documentation and airworthiness details of the balloons being used.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 48 for further information.

comment

543

comment by: *GailG*

P 33 BTO.GEN.240 :



	<p>Balloons for training flights should be provided by student or instructor as they are now. It wouldn't be practical for a BTO to have balloons available for PUTs in all parts of the country and to suit all pilots and crews. They would need to be transported to individual launch site before flight, in their own retrieve vehicle; the balloon equipment combination needs to suit the individual vehicle and physical strength etc of the crew who have to move it on the ground.</p> <p>The student and instructor should remain responsible for the balloon and all associated paperwork.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 48 for further information.</p>

comment	<p>555 <span style="float: right;">comment by: <i>Nick Bettin</i></span></p> <p>BTO.GEN.240 (page 33 of 49) - The Training Organisation should be able to use any airworthy balloon with the aircraft owner responsible for insurance, maintenance and paperwork but checked and passed suitable for training by the BTO. The balloon will usually be provided by the student or the Instructor. Therefore, we support the idea that the BTO does not have to incur the financial responsibility for the provision of aircraft unless it feels it wants to as an additional service and cost to students.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 48 for further information.</p>

comment	<p>580 <span style="float: right;">comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></span></p> <p>In the case of balloons, the "aircraft" is very often owned by the student or the instructor and very rarely by the TO. The words here are acceptable provided it is clear the BTO will use aircraft for which it needs keep no records, since these are the responsibility of the owner. Maintenance is nothing to do with the BTO unless the BTO actually owns the balloon.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 48 for further information.</p>

comment	<p>618 <span style="float: right;">comment by: <i>Kevin Meehan</i></span></p> <p>BTO.GEN.240 – TRAINING AIRCRAFT (page 33)</p> <p>Any balloon that is airworthy - with the required insurance, airworthiness documents and</p>
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	required maintenance - can be used by the BTO. These balloons do not need to be owned or operated by the BTO.
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.

comment	651 <span style="float: right;">comment by: <i>Allie Dunnington</i></span>  BTO.GEN 240  I am in favour the the Training Organistation should be able to use any airworthy balloon with the aircraft owner being responsible for insurance, maintenance and paperwork. Normally a balloon is provided by the student or the instructor. This system has worked on a safe and reliable basis for years under the existing BBAC scheme and I am strongly in favour of keeping it this way. An ATO or BTO should have nothing to do with providing the training aircraft.
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.

comment	710 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span>  Please clarify in the course of this NPA how this BTO concept will go hand in hand with continuing airworthiness requirements. So for example it should be carefully considered whether or not Part-ML and the maintenance programme “self-declaration system” will be applicable even for BTOs operating commercially.
response	Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  Airworthiness and maintenance of training aircraft will be governed by Regulation (EU) No 1321/2014. For the time being, the rules on the declaration of the maintenance programme are applicable to ELA1 aircraft used for non-commercial operation only. DTOs being established as a commercial company (not as a private non-profit flying club) would most possibly not benefit from these current rules.  However, Opinion 05/2016 is proposing a new Part-ML, according to which the said alleviations will be extended to all operations except commercial air transport with particular aircraft defined in the proposed rules. After the entry-into-force, also DTOs



operating commercially with such aircraft will benefit from these alleviations.

comment

719

comment by: *Ian Wadey*

It needs to be clarified that a Basic Training Organisation cannot be made responsible for providing and maintaining balloons for training. A training balloon needs to be airworthy and the owner of this 'aircraft' is responsible for insurance, maintenance and paperwork. The balloon owner may be the student, instructor or a third party.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 48 for further information.

comment

840

comment by: *Slowfly*

Training organizations should be able to use any Airworthy Balloon where the owner is responsible for insurance airworthiness, maintenance and all paperwork. Balloon can be provided by student or instructor, this will ensure that the TO has less expenses and can be a much lighter organization. It may, in some cases, also provide better instruction to students that may use different balloons (different manufactures and different size) during his/her instruction time.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 48 for further information.

comment

911

comment by: *Peter JAMES*

The responsibility for providing training equipment should rest with the student who is bound by the rules and regulations certifying the equipment, which is not a function of the training organisation.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 48 for further information.

comment

931

comment by: *Aeroklub Polski*

BTO's shall by any chance **not** be made to OWN or HAVE written rights to equipment and



	operating sites. BTO's shall only be required to USE that appropriate equipment (certified, registered etc.)
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.</p>
comment	<p>976 <span style="float: right;">comment by: <i>Hermann Spring</i></span></p> <p><b>Remove</b></p> <p>That is again a basic behaviour, which should NOT need an explanation.</p> <p>Adequate is an open requirement, that is not sys anything.</p> <p>Finally, is the combination of the availability aircraft, aerodrome, weather, air space etc. at time convenient for the student adequate or not.</p> <p>The aircraft alone does not instruct!</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 968 for further information.</p>
comment	<p>1052 <span style="float: right;">comment by: <i>Ultramagic, S.A.</i></span></p> <p>ATO or BTO can use any balloon (EASA Type Certified) of the corresponding group that is in airworthy condition to perform the training.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.</p>
comment	<p>1067 <span style="float: right;">comment by: <i>Phil Dunnington</i></span></p> <p>There should be no necessity for the training organisation to be involved in responsibility for airworthiness or other paperwork for balloons used for training. Any airworthy balloon should be allowed for use in training.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.</p>



comment	1169	comment by: <i>Richard ALLEN</i>
	BTO.GEN.240 - this implies that the training organisation does not own, operate or maintain specific aircraft for training purposes. This is good as typically balloons are provided for instruction either by the student or the instructor, and would fall under the jurisdiction of the training organisation.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 48 for further information.	

<b>3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.250 — Aerodromes and operating sites</b>	p. 33
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comment	49	comment by: <i>David COURT</i>
	Balloon training takes place in fields with no formal facilities.	
response	Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. The very general text in BTO.GEN.250 has been moved to the new DTO.GEN.250 (a) without any changes. However, AMC will be established to illustrate the meaning of the text 'aerodromes or operating sites that have the appropriate facilities and equipment'. For consistency reasons, the text will be modelled on AMC1 ORA.ATO.140 which that for balloons it will be sufficient to use take-off sites allowing a normal take-off and clearing of all obstacles in the take-off flight path by at least 50 ft without any further requirement (see draft AMC1 DTO.GEN.250 (c) as published together with Opinion 11/2016).	

comment	67	comment by: <i>massimo</i>
	well...it could work maybe for a plane, I think this less usefull for helicopter or balloon, they just need a grass field suitable!	
response	Not accepted. Thank you for providing this comment. The Agency does not share your opinion according to which helicopter training just requires a grass field. For balloons, please refer to the response to comment No 49 for further information.	



comment	79	comment by: <i>Tony Jay</i>
	This makes no sense for ballooning, simply no regulation is required. A satisfactory location is any launchsite	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.	

comment	87	comment by: <i>David Tofton</i>
	BTO.GEN.250 OPERATING SITES	
	Balloons normaly fly from fields, not aerodromes so no facilities are required or needed for training.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.	

comment	127	comment by: <i>Gary MADELIN</i>
	BTO GEN 250.	
	All a bolloon needs for flight is a shelterd grass field, or a large garden. We do not need any "facilities" that suggestion is just silly.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.	

comment	140	comment by: <i>Barry Bower</i>
	What do you mean by appropriate facilities? Does this mean a classroom, toilets and restaurant facilities? Balloon training takes place in suitable fields and does not require any regulation or licencing of the fields. An appropriate facility for balloon flight training is a suitable field. Nothing else is needed.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.	



comment

148

comment by: *Rich Benham*

Regarding 'sites', in the sport of hot air ballooning, the site is often (more often than not) something as simple as a FIELD - be that a park, or a bit of ploughed land, a stretch of grass, or similar - even some land with permission from a stately home or council for example.

There are no formal facilities in fields, as far as I can tell !

"Manoeuvres" are done in fields - fields often have trees (!) and other obstacles - part of the training to be a hot air balloon pilot is to evaluate the layout of the field in order to avoid obstacles, and sometimes to even use obstacles to create a wind barrier.

Having any requirement for 'appropriate facilities' is absolutely ludicrous and beggars belief - it is obviously an idea from those who have no idea about the sport.

My summary is simple, 'appropriate' = 'field'

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 49 for further information.

comment

157

comment by: *jeffrey Lawton*

BTO.GEN.250 Operating Sites.

Balloon training takes place in fields without facilities.Regulation is neither appropriate or required. An appropriate operating site is one selected by an instructor.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 49 for further information.

comment

218

comment by: *Innes WORSMAN*

An Appropriate training facility for a balloon flight is any open field.

No fixed regulation of site or aerodrome is required.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 49 for further information.

comment

249

comment by: *JED DRYDEN*

response	<p>BTO.GEN.250- Aerodromes and operating sites</p> <p>Balloon training takes place in fields with no formal facilities, it could be one offered by the farmer from your last landing or the student saying 'my uncle owns a field'. In fact, 90% of my ballooning is done from just FIELDS. No regulations are needed or even appropriate</p> <p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>
comment	<p>277 <span style="float: right;">comment by: <i>Medical Officer BBAC</i></span></p> <p>Balloon pilot training takes place in remote locations (grass fields) and these may be multiple and unconnected in one area as wind direction will dictate the flight over the training area. As the only facility required is an open area with no downwind obstruction then it should be realised that this may be the only requirement. The BTO should allow the instructor to evaluate the appropriateness of the facility without formal inspection by a centralised figure within the BTO.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>
comment	<p>289 <span style="float: right;">comment by: <i>BBAC 6824</i></span></p> <p>BTO.GEN 260 - Operating sites.</p> <p>Ballooning needs no airfield facilities. A field alone suffices.</p> <p>Mentioning Aerodromes and Operating Sites in the context of ballooning is totally irrelevant and should be omitted.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>
comment	<p>316 <span style="float: right;">comment by: <i>Jeremy Hinton</i></span></p> <p>Selecting a suitable launch site is an essential part of balloon flight training, which distinguishes it from most other forms of aviation. It is essential that the launch site is not prescribed, since this interacts with wind speed and direction, and the intended purpose of the flight, and may mean that a site not previously used for balloon operations is the</p>



	<p>best site. Balloon operations are unusual in this regard. I think the requirement may fit the paragraph, but clarity may be needed?</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>
comment	<p>336 <span style="float: right;">comment by: <i>Richard Turnbull</i></span></p> <p>Balloons launch from fields allover the country. No 'Facilities' are needed; apart from a gate to enter the field.[And lanowners permission.]</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>
comment	<p>398 <span style="float: right;">comment by: <i>Pete Forster</i></span></p> <p>Ballooning often takes place from agricultural fields, say, so very little is required in terms of 'appropriate facilities' nor are such often informal and 'on the hoof' locations describable as established or formal 'operating sites'. It may be a quick immediate request to the field owner if they are happy for the balloon to launch from without any formalising of the site as an 'operating site'. Needs clarification to enable this situation to continue.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>
comment	<p>432 <span style="float: right;">comment by: <i>Ann Rich</i></span></p> <p>Please note that in the case of a balloon flight the only operating site requirement is a suitable field and permission from the landowner where appropriate. No other facility is needed. A full and appropriate facility for a balloon flight is therefore simply a field, which should be stated and recognised within this clause.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>



comment

477

comment by: *Michael Noyce*

Training to be a Balloon pilot normally takes place in a field chosen for its suitability to launch the balloon. The Balloon training has no need for the formal facilities found at an aerodrome, no regulation is necessary or appropriate. All we need for Balloon training is a suitable launch field.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 49 for further information.

comment

500

comment by: *The Norwegian Air Sports Federation*

BTO.GEN.250 is open for interpretation. What is "appropriate facility"? What does it mean that a BTO "shall use" aerodromes or operating sites?

In the past, we have seen that some NAAs have insisted that a flight school must be based at an airport with certain facilities (for instance air traffic control). Similarly, other NAAs have insisted that pre-flight briefings have to take place in a briefing room at the very airport, even though it could easily (and more practically) take place in a training room off site.

To ensure standardisation and a proportionate approach, this paragraph has to be reworded, alternatively removed.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 49 for further information.

comment

522

comment by: *Will*

Page 33 BTO.GEN.250 : For balloon flight training the only facility required is a launchfield.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 49 for further information.

comment

542

comment by: *Peter Dalby*

Para 3.1 BTO.GEN.250 For a balloon launch site the only facilities required are the launch



	site itself. As long as this is accessible and suitable for purpose there are no other requirements.
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.

comment	548 <span style="float: right;">comment by: <i>GailG</i></span>
	P33 BTO.GEN.250 There aren't any appropriate facilities at a balloon launch field except the launch field itself. Suitability of launch sites can vary from day to day depending on current state of crops and livestock in the area as well as the wind and weather conditions.
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.

comment	556 <span style="float: right;">comment by: <i>Nick Bettin</i></span>
	BTO Gen.250 - If an 'aerodrome' can be accepted to be a suitable launchfield for the prevailing conditions of the flight, then we support this. It must however, not be limited to specific aerodromes.
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.

comment	581 <span style="float: right;">comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></span>
	Balloons operate from fields with no facilities, this is completely normal. There should be no requirement for the BTO to supervise choice of launchfields nor to maintain any records of them.
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.

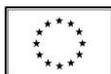


comment	<p>619</p> <p style="text-align: right;">comment by: <i>Kevin Meehan</i></p> <p>BTO.GEN.250 OPERATING SITES (page 33)</p> <p>The BTO shall determine the suitability of the Operating Sites for balloon training. The suitability of the operating site will be in accordance with the balloon flight manual.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 49 for further information.</p>

comment	<p>620</p> <p style="text-align: right;">comment by: <i>Kevin Meehan</i></p> <p>BTO.GEN.250 OPERATING SITES (page 33)</p> <p>The BTO shall be able to decide on the suitability of operating sites - there is no requirement for formal facilities.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 49 for further information.</p>

comment	<p>652</p> <p style="text-align: right;">comment by: <i>Allie Dunnington</i></p> <p>BTO GEN 250 page 33</p> <p>Balloons are not aeroplanes and therefore don't require and mostly don't have fixed take off or landing sites. We normally launch in certain but varying fields and there is no need for any fixed features or facilities on our take off sites. A dry, , grassy or clean area is the only facility we need for launching a balloon.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 49 for further information.</p>

comment	<p>721</p> <p style="text-align: right;">comment by: <i>Ian Wadey</i></p> <p>Ballooning and 'aerodromes or operating sites that have appropriate facilities and characteristics' do not go together. No regulation is necessary or appropriate for the 'remote field' that is used for the launch site on a balloon training flight.</p>
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response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 49 for further information.

comment

841

comment by: *Slowfly*

This should not apply to Balloons because of the nature of a balloon flight taking off and landing in open fields without facilities. The field itself is the facility for balloon flights.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 49 for further information.

comment

860

comment by: *Robert Cross - BBAC*

All that is required for ballooning is a field. No formal facilities are required.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 49 for further information.

comment

912

comment by: *Peter JAMES*

The vicarious and unpredictabilities of balloon flight determine that nothing other than a suitable flat area is required, no permanent facilities are required to launch.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 49 for further information.

comment

932

comment by: *Aeroklub Polski*

BTO's shall by any chance **not** be made to OWN or HAVE written rights to equipment and operating sites. BTO's shall only be required to USE that appropriate equipment (certified, registered etc.)

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 49 for further information.



comment	<p>978 <span style="float: right;">comment by: <i>Hermann Spring</i></span></p> <p><b>Remove BTO: GEN.250</b> That is again a basic behaviour, which should NOT need to be listed, see Gen.240 comment</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 968 for further information.</p>

comment	<p>1068 <span style="float: right;">comment by: <i>Phil Dunnington</i></span></p> <p>Balloons operate from completely unprepared sites such as open fields. No facilities are required for safe operation.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>

comment	<p>1170 <span style="float: right;">comment by: <i>Richard ALLEN</i></span></p> <p>BTO.GEN.250 - for ballooning a suitable site with appropriate facilities is a field from which to launch. There are no other requirements.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>

comment	<p>1171 <span style="float: right;">comment by: <i>ATO Aeroklub Szczeciński</i></span></p> <p>BTO.GEN.250 - BTO <u>shall decide at own discretion</u> if the specific aerodrome or operating site is appropriate within the performed training. BTO's shall by any chance <u>not be made to OWN or HAVE written rights</u> to equipment and operating sights. BTO's shall not be limited to perform training only on it's site/aerodrome.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 49 for further information.</p>



## 3.1. Draft Regulation (Draft EASA Opinion) — BTO.GEN.260 — Distance learning

p. 33

comment

3

comment by: *Bruno Herencic*

There is too much room in BTO.GEN.260 for BTOs to just give books to students and let them read it.

Distance Learning rules for ATOs, such as 15 hours between progress tests and 5-10 hours between self-assessment questionnaires are good. Also records must be kept of such progress tests.

BTOs must have the same rules for Distance Learning for 2 reasons:

1. BTOs would have much lower standards if not. This would likely escalate.
2. ATOs providing Distance Learning for PPL would be at a financial disadvantage being required to do more and use more strict rules. This would not be fair on the market.

**Proposed text:**

- Same as ORA.ATO - Section 3

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

After due consideration, it has been decided to provide more flexibility when providing theoretical knowledge instruction for non-commercial licences at DTOs to better suit the specific needs of the general aviation training domain. Therefore, the requirements on distance learning have been drafted as shown in the NPA and have now been even revised not to contain any longer a mandatory classroom element. However, appropriate progress monitoring of the students will be required in any case (see the new DTO.GEN.260 – former BTO.GEN.260).

ATOs will be given the possibility to easily adapt their organisation to continue under the DTO requirements with providing training to licences, ratings and certificates falling under the DTO training scope (see proposal for respective changes to Art 10 of Regulation (EU) No 1178/2011 as published together with Opinion 11/2016).

comment

47

comment by: *David COURT*

An element of classroom training should not be compulsory as it does not work for all students.

On site instruction with an Instructor in small groups or one to one is more effective for some students.

A classroom course should be optional only for those that need it.

Some students prefer distance learning with occasional advice from instructors.

response

Accepted.

Thank you for providing this comment.



Please refer to the response to comment No 3 for further information.

comment

101

comment by: *Tony Jay*

there is no need to onsite instruction, if a candidate is adequately prepared by distance learning that should be adequate.

Instructor led lesson should be available but not mandatory.

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment

169

comment by: *jeffrey Lawton*

BTO.GEN.260 Distance Learning

Classroom study will not work based on the limited number of students and geographic spread .one on one instruction that currently happens between student and instructor is far superior . A fixed classroom study element should not be compulsory

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment

189

comment by: *PBN-Abbenes*

Distance learning should also apply for the FI training. There should be a possibility to have a one day training course at which the FI should be fysically present and in addition distance learning.Adding up to a two day course. Two day;s is just to much for a volunteer FI for a non commercial operation.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

The text in DTO.GEN.260 applies to all the training courses within the possible training scope of a DTO.



comment	230	comment by: <i>Innes WORSMAN</i>
	Existing home study and assistance where required are more than adequate. Compulsory classroom study is prohibitive.	
response	Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.	

comment	258	comment by: <i>JED DRYDEN</i>
	BTO.GEN.260	
	Classroom study should not be made compulsory. Courses are available in areas of high ballooning activity, eg Bristol, for those who want it or those who can travel but most students join a local balloon club and get help and one to one instruction from other pilots/instructors which proves to be more effective.	
response	Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.	

comment	278	comment by: <i>Medical Officer BBAC</i>
	BTO.GEN.260	
	The same comment as in FCL.115 LAPL pertains:- It is important to allow theoretical knowledge training to be carried out within a BTO by established processes now used by educational organisations and that includes distance learning using recommended literature and access to mentors by internet or phone and not necessarily in person. Balloon pilot training takes place in remote locations and 'classroom' instruction is inappropriate and adds nothing to the acquisition of knowledge required.	
response	Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.	

comment	302	comment by: <i>BBAC 6824</i>
	BTO GEN 260 Distance Learning	
	Classroom or on-site instruction for theoretical knowledge is not necessary. Some trainees	



response	<p>will find self-learning or one to one with a mentor more appropriate, for example.</p> <p>The examination will prove the result.</p> <p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 3 for further information.</p>
comment	<p>319 <span style="float: right;">comment by: <i>Jeremy Hinton</i></span></p>
response	<p>This requirement is unnecessarily prescriptive. What is important is that the applicant should attain the required standard. How, in detail (ie attending a BTO/ATO)they achieve the standard needs not be legislated for. Formal classroom instruction is not required (although it does happen).</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency does not share your opinion according to which training should not be regulated. With regard to your comment on classroom instruction, please check the response to comment No 3 for further information.</p>
comment	<p>326 <span style="float: right;">comment by: <i>bBAC</i></span></p>
response	<p>Balloon examiners should carry the paperwork for written exams, not the BTO</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The provision in question addresses theoretical knowledge instruction, and not theoretical knowledge examination.</p>
comment	<p>377 <span style="float: right;">comment by: <i>KSAK - Swedish Royal Aero Club</i></span></p>
response	<p>Is there really a need for "an element of classroom or on-site instruction"? There are large and well known universities who does not have this requirement. Why does flight training for private pilots require something that they do not?</p> <p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 3 for further information.</p>



comment	409	comment by: <i>Pete Forster</i>
	Classroom study should not be compulsory though available to those applicants that want it. Historic evidence doesn't support the need for such formalised study given that theoretical instruction to date has been achieved adequately through self-study with guidance from and access to instructors, often on an effective one to one basis.	
response	Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.	

comment	448	comment by: <i>Richard Turnbull</i>
	Personal instruction is preferable to class based learning. But if certain people feel they may benefit from this format it could be accommodated.	
response	Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.	

comment	478	comment by: <i>Michael Noyce</i>
	I support using distance learning for written exams, I would not like to see compulsory classroom courses	
response	Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.	

comment	485	comment by: <i>Ann Rich</i>
	I appreciate the inclusion of distance learning as a means of theoretical instruction. I also agree that on-site/classroom (which should be understood to include one to one) training should be available if students wish to avail themselves of it. Please do not make this compulsory - students should be free to choose the mode of study that best suits them.	
response	Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.	



comment	<p>544</p> <p style="text-align: right;">comment by: <i>GailG</i></p> <p>P33 BTO.GEN.260 Face to face should not be compulsory as with the small numbers of balloonist PUTs it would be expensive and difficult to organise. This would be additional red tape for no purpose allowing students the option seems to work.</p>
response	<p>Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.</p>

comment	<p>565</p> <p style="text-align: right;">comment by: <i>Nick Bettin</i></p> <p>Classroom study should be available as an option. We do not believe it is fair or right to make it compulsory.</p>
response	<p>Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.</p>

comment	<p>579</p> <p style="text-align: right;">comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></p> <p>For balloons. theory training should not be mandated in a classroom environment. students can learn in many ways including self-study and one-to-one instruction. There should be no specific requirements for the learning/study method and no specific number of hours given.</p>
response	<p>Accepted. Thank you for providing this comment. Please refer to the response to comment No 3 for further information.</p>

comment	<p>590</p> <p style="text-align: right;">comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i></p> <p>Classroom training may not be practicable for a dispersed community such as in ballooning. it must not be a mandatory element. In any case, students may learn equally well by distance learning, self study and one to one tuition.</p>
response	<p>Accepted. Thank you for providing this comment.</p>



Please refer to the response to comment No 3 for further information.

comment

631

comment by: *Kevin Meehan*

BTO.GEN.260 DISTANCE LEARNING (page 33)

I support the requirement for the BTO to conduct distance learning .

I propose that the BTO can provide this theoretical knowledge training for the student via self - study, formal and informal classroom and on site instruction to suit the individual needs of each student.The balance of this training will depend on individual needs of each student.

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment

700

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

**BTO.GEN.260 Distance Learning**

**Comment FOCA:** *The requirements for distance learning courses should be the same for ATO and BTO. We recommend to refer the distance learning to ORA.ATO.305.*

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment

737

comment by: *Urząd Lotnictwa Cywilnego Poland*

BTO.GEN.260 b. It should be indicated here what percentage of the *distant learning* may be done „on-site” and what „in the class”.

response

Not accepted.  
Thank you for providing this comment.



Please refer to the response to comment No 3 for further information. As the requirement to include one mandatory classroom element has been deleted, such an indication is not necessary any longer.

comment

801

comment by: *Allie Dunnington*

BTO GEN 260

I believe that classroom studies should be optional but not compulsory. Many students currently either do home -study on their own or with their relevant instructor or pilot and nearly all of them pass the written exams without formal classroom study. So why change a perfectly OK system?

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment

818

comment by: *Ian Wadey*

Compulsory Classroom Study is not necessary and certainly not suitable for everybody as a way to learn. The student should have free choice of what is necessary for them. Passing the exam is their responsibility and proves they have the necessary knowledge. Help/guidance from an Instructor and home study may well be sufficient. It is, after all, a form of Adult/Further Education.

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment

849

comment by: *Slowfly*

I favor point (a) and not point (b) as mandatory. In the past years one-to-one instruction has been way more affective without the necessity of a classroom. This also favors those flying activities like ballooning where the number of PUT's is very low and costs may be very high to have classroom instruction.

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.



comment 979 comment by: *Hermann Spring*

**Remove**

That is again is how-to-do, and therefore not an authority responsibility. The requirements are defined in FCL and will be checked in the examination with CA examiner.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 968 for further information.

comment 1082 comment by: *Phil Dunnington*

Classroom instruction should be optional. It is the outcome which is important, not the method.

response Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment 1083 comment by: *Phil Dunnington*

This should be optional not compulsory. What benefit is there as it is the outcome which counts, not the method of attaining it.

response Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment 1156 comment by: *HQ Aviation*

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.

Agreed.

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.

Agreed. sufficient.



response

Noted.  
Thank you for providing this positive feedback.  
Please also check the response to comment No 3 for further information.

comment

1182

comment by: *Richard ALLEN*

Classroom study should be optional for balloons. For some students, this form of theoretical tuition will be beneficial, for others it is not necessary as they can self-study.

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

comment

1201

comment by: *Sandra WECHSELBERGER*

If a BTO provides distance learning courses, the same requirements as for ATOs should apply. The distance learning course elements are the same (the same providers, the same platforms, course structures, etc.) so there is no real reason why the ATOs should be required to monitor the same courses better than the BTOs.

If the Agency believes that the BTO is not able to monitor a distance learning course, the BTO should not be allowed to provide one.

If the Agency believes that a distance learning course does not necessarily need to be monitored in the way as described in ORA.ATO.300 and the corresponding AMC, then AMC1 and ORA.ATO.300 should also be deleted for ATOs.

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 3 for further information.

**3.2. Draft AMC and GM**

p. 34

comment

571

comment by: *William JD TOLLETT*

We have three choices: we can continue to undertake training within the current ATO structure, we can train within a "Basic" ATO structure or we can allow prospective pilots to work outside a Training Organisation structure, directly with an instructor.

I recommend that we allow prospective pilots to work outside a Training Organisation



structure directly with an instructor. The instructor is regulated and monitored for safety and professional quality by the present system of selection, training and re-qualification. His standard of achievement is determined by the excellence or otherwise of the student he offers for examination.

There is no place for further organisational involvement. I understand that existing training organisations might wish to maintain a position to defend their commercial interest, but this is at the expense of the customer - the student pilot.

There is good precedent for allowing a direct instructor-student training relationship. It works under the US FAA and, the last time I looked at the data, it suggested a better safety performance than the recent or current European system.

response

Not accepted.

Thank you for providing this comment.

Please check the response to Comment No 32 for further information.

comment

1213

comment by: *G Purchase*

Need to add paragraphs for the IR(R) and IR(En-Route) so that they can be taught at BTOs in countries where the aviation authority allows the training to take place.

response

Not accepted.

Thank you for providing this comment.

Please check the response to comment No 6 for more information.

**Amendment to ED Decision 2011/016/R — AMC1 FCL.115; FCL.120 SYLLABUS OF THEORETICAL KNOWLEDGE FOR THE LAPL**

p. 34

comment

102

comment by: *Tony Jay*

balloons, 50 years in the UK has shown that self recommendation is enough. With "practice papers" as student can easily identify if they are ready - there is no evidence that adding a formal step will add value.

response

Not accepted.

Thank you for providing this comment.

The recommendation to be issued by the training organisation as mentioned in this AMC is regulated in FCL.025 (a) (2) and serves for ensuring that students only sign up for the theoretical knowledge examination provided by the competent authority after having completed the full theoretical knowledge training course and having attained the required



level of theoretical knowledge. The Agency believes that this general requirement, applicable not only to non-commercial licences, should remain in place.

comment

118

comment by: AECA(SPAIN)

*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.*

Strikethrough seems to does not bother and helps to find different types of teaching techniques.

Proposal: **Keep**

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The new DTO.GEN.260 on 'theoretical knowledge instruction' will provide the flexibility so far provided by this AMC text which therefore can be deleted.

comment

170

comment by: jeffrey Lawton

AMC1.FCL.115

As an instructor i am aware that we have a very high pass rate where students put themselves forward for exams when they believe they are ready .I cannot see a benefit in a training organisation having to sign off a student to take theory exams.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 102 for further information.

comment

231

comment by: Innes WORSMAN

I oppose the concept of a training organisation recommending a student prior to taking



response	<p>examinations.</p> <p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 102 for further information.</p>
comment	<p>259 <span style="float: right;">comment by: <i>JED DRYDEN</i></span></p> <p>AMC1.FCL.115</p> <p>I see no benefit in having a training organisation recommending a student prior to taking exams. Students read the books and know themselves when they are ready for exams</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 102 for further information.</p>
comment	<p>303 <span style="float: right;">comment by: <i>BBAC 6824</i></span></p> <p>AMC1 FCL 115 120</p> <p>Syllabus...</p> <p>The ballooning training currently in place with self determined readiness to take the examinations has been very successful with very low failure rates, proving a point. The BTO does not need to judge or recommend before the applicant sits.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 102 for further information.</p>
comment	<p>410 <span style="float: right;">comment by: <i>Pete Forster</i></span></p> <p>I am against the applicant having to have a recommendation in order to take theoretical examinations. Historic evidence with self-recommendation shows that it does not produce high failure rates.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 102 for further information.</p>



comment 449 comment by: *Richard Turnbull*

As stated before, self recommendation works well in UK, and I can see no reason to have a training organisation of some type police this.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 102 for further information.

comment 450 comment by: *Richard Turnbull*

Good idea to remove this long winded theory section as this takes huge amounts of time for students.

response Noted.  
Thank you for providing this positive feedback.

comment 486 comment by: *Ann Rich*

I oppose the requirement on a BTO to check that all elements of the training course for theoretical knowledge have been completed before the applicant is recommended for theoretical examinations.

If students are permitted to choose their preferred mode of study (see previous comments on this subject) then they may or may not have undertaken any formal (ie classroom) training. Even if they have attended a formal training event this does not guarantee that the the student has understood and retained the knowledge - that is why there is an examination. Experience shows that the vast majority of students are capable of self-assessing their readiness for an exam, and will undertake study in their chosen way until confident taht they can pass the exam.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 102 for further information.

comment 566 comment by: *Nick Bettin*

In our UK experience, with self-recommendation we believe that it does not produce high failure rates. We are therefore opposing the concept of a training organisation recommending a student prior to the student taking exams.

response Not accepted.  
Thank you for providing this comment.



Please refer to the response to comment No 102 for further information.

comment 591 comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

For balloons, i feel there is no need to have a TO recommend the student for the exams. Failure rates are low based on self recommendation.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 102 for further information.

comment 632 comment by: *Kevin Meehan*

AMC1.FCL.115 (page 34)

I do not agree that the BTO should ensure that the appropriate elements of TK instruction have been completed before recommending an applicant for the TK examinations.

This is an additional level of administration ( and cost) to the BTO that is not necessary. From my experience, self recommendation for the TK examinations has not produced a high level of fail rates for the examinations.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 102 for further information.

comment 802 comment by: *Allie Dunnington*

AMC1 FCL 115

it should be up to the student to decide him or herself whether she or he is ready to take the exams not for any training organisation to do so. When you sit for your high school exams or Uni finals you also don't need a 'permission' by the head master to do the exams! you just do them!

response Not accepted.  
Thank you for providing this comment.



Please refer to the response to comment No 102 for further information.

comment	819	comment by: <i>Ian Wadey</i>
	Why the need for a recommendation prior to a student taking exams? The existing self-recommendation has not produced high failure rates.	
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 102 for further information.	

comment	850	comment by: <i>Slowfly</i>
	I do not favor recommendation from BTO or ATO, a student should be able to self assess him/her self and decide when he/she is ready for written exams. I think this is just adding paperwork and burden without adding any safety to the instruction.	
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 102 for further information.	

comment	999	comment by: <i>Guenter W. FORNECK</i>
	Thank you, this clears up possible misunderstandings and helps the ATO / BTO. A good idea.	
response	Noted. Thank you for providing this positive feedback.	

comment	1085	comment by: <i>Phil Dunnington</i>
	The TO should not need to be involved in the recommendation process. Past evidence suggests that self-recommendation produces a satisfactory level of success.	
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 102 for further information.	



comment

1183

comment by: Richard ALLEN

For balloon theoretical examinations, students should be able to decide themselves when to take exams, and should not require the recommendation of a training organisation.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 102 for further information.

**Amendment to ED Decision 2011/016/R — AMC1 FCL.210; FCL.215 SYLLABUS OF THEORETICAL KNOWLEDGE FOR THE PPL(A) AND PPL(H)**

p. 35

comment

33

comment by: Dr. Bert F. Smits

Clearly the amendment should also include *all aspects* of private flying, which includes the Instrument Rating. Appropriate amendments for all regulations and means of compliance (such as AMC1 FCL.625(c) IR — Validity, revalidation and renewal) should be made so that the Basic Training Organisation can also provide initial and renewal training for the Instrument Rating.

Since holding an instrument rating is an essential safety enhancement, as has been argued by both by the Agency when it introduced the CB-IR and as can be clearly demonstrated from accident statistics, it is essential that the barriers to entry for private student pilots to obtain an instrument rating should be proportionally lowered.

As a result, Basic Training Organisations and Individual IRIs could thus contribute to enhanced general aviation safety by offering instrument training at a significantly lower price and easier accessibility when compared to cumbersome, industrial scale ATOs.

The United States leads here by example, by endorsing a system that includes training at both flight schools and by individual CFIs. Allowing the private pilot this choice is both proportionate and practical. Speaking from experience, I have completed my Instrument Rating after instruction from an individual CFI. By contrast, when upgrading to a Commercial Multi-Engine Instrument Rating, I found the organisation of an FAA part 141 flight school the better solution. But having a professional life outside of aviation, this flexibility allowed me to upgrade my flying skills, which under the rigour of an EASA based ATO would never have fitted either my time schedule or my private flying budget.

I would therefore urge the Agency to consider a solution where private instrument flight training or renewal becomes cheaper and more easily accessible. The interests of the citizens and the likelihood of increased aviation safety should prevail over the commercial interests of industrial scale ATOs.



response Not accepted.  
Thank you for providing this comment.  
Please check the response to comment No 6 for more information.  
Additionally, the Agency would like to highlight that the EASA Rulemaking Task RMT.0677 is currently reviewing and revising Part-FCL for alleviating the access of private pilots to instrument flight.

comment 52 comment by: *David COURT*

It is good to see the rigid figure of 100 hours study removed.  
The BTO will assess when the student is ready as this varies from student to student.

response Noted.  
Thank you for providing this positive feedback.

comment 119 comment by: *AECA(SPAIN)*

See comment 118

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 118 for further information.

comment 171 comment by: *jeffrey Lawton*

AMC1 FCL.210 Syllabus for Theoretical Knowledge

I am pleased that the prescriptive requirement for 100 hours theory training has been removed. Everyone learns at different rates and prescribing minimum hours was of no benefit

response Noted.  
Thank you for providing this positive feedback.

comment 184 comment by: *Schmaus*

... good change of text!



	the number of 100 hours is often difficult to determine and to prove, when students did computer-based training.
response	Noted. Thank you for providing this positive feedback.

comment	260 <span style="float: right;">comment by: JED DRYDEN</span>
	AMC1.FCL.210
	Students learn and absorb knowledge at a different rate. The removal of the 100 hrs of theory instruction is good
response	Noted. Thank you for providing this positive feedback.

comment	378 <span style="float: right;">comment by: KSAK - Swedish Royal Aero Club</span>
	Very good that you are removing the 100 hr requirement!
response	Noted. Thank you for providing this positive feedback.

comment	487 <span style="float: right;">comment by: Ann Rich</span>
	The removal of the requirement for 100 hours theoretical instruction is most welcome. the time required to gain the necessary knowledge will vary from person to person.
response	Noted. Thank you for providing this positive feedback.

comment	592 <span style="float: right;">comment by: BUHABS (Bristol University Hot Air Ballooning Society, UK)</span>
	Deletion of the 100 hours requirement is strongly supported. It was totally arbitrary. Students learn at different rates and in different ways.
response	Noted. Thank you for providing this positive feedback.



comment 803 comment by: *Allie Dunnington*

AMC1 FCL 210

I support the idea of removing any hourly minimum study time requirement prior to taking any theory exams as study time is very individual and some students learn quicker than others.

response Noted.  
Thank you for providing this positive feedback.

comment 820 comment by: *Ian Wadey*

The Student Study time required for theory training required to meet the appropriate standard will vary from student to student. A stated minimum number of hours is unnecessary.

response Noted.  
Thank you for providing this comment.  
  
The Agency would like to highlight that it is indeed proposed to delete the '100 hour' – requirement from this AMC.

comment 832 comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

We agree that removing the minimum 100 hours theoretical instruction is a good initiative, and that the student may be signed off when he or she is ready.

response Noted.  
Thank you for providing this positive feedback.

comment 851 comment by: *Slowfly*

OK

response Noted.  
Thank you for providing this positive feedback.



comment	980	comment by: <i>Hermann Spring</i>
	<p><b>Special for BTO environment</b>  Indication of hours are not useful in a BTO /BTF. The range in age from 15 to 75, to technical understanding form no clue up to aircraft engineers and the time span from 30 days to several years.</p>	
response	<p>Noted.  Thank you for providing this comment.</p> <p>The Agency would like to highlight that it is indeed proposed to delete the ‘100 hour’ – requirement from this AMC.</p>	

comment	1000	comment by: <i>Guenter W. FORNECK</i>
	<p>Thank you, this clears up possible misunderstandings and helps the ATO / BTO. A good idea.</p>	
response	<p>Noted.  Thank you for providing this positive feedback.</p>	

comment	1014	comment by: <i>Guenter W. FORNECK</i>
	<p>... good change of text!</p> <p>the number of 100 hours is often difficult to determine and to prove, when students did computer-based training.</p>	
response	<p>Noted.  Thank you for providing this positive feedback.</p>	

comment	1042	comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i>
	<p>Der Wegfall der starren 100-Stunden Regelung bezüglich der theoretischen Ausbildung ist zu begrüßen. Nicht jeder Flugschüler braucht 100 Stunden theoretischen Unterricht. Der Wegfall der Beschreibung des genauen Unterrichts („The theoretical knowledge...“) in diesem Absatz ist ebenfalls positiv zu sehen.</p>	
response	<p>Noted.  Thank you for providing this positive feedback.</p>	



comment	1086	comment by: <i>Phil Dunnington</i>
	The removal of a rigid requirement for study of TK for balloons is a big improvement as required amounts vary widely with student aptitude.	
response	Noted. Thank you for providing this positive feedback.	

comment	1184	comment by: <i>Richard ALLEN</i>
	Good to see that it is no longer a requirement to have at least 100 hours of theoretical instruction.	
response	Noted. Thank you for providing this positive feedback.	

comment	1202	comment by: <i>Sandra WECHSELBERGER</i>
	<p>As a ground instructor for (among others) private pilot licenses, having served more than 800+ hours in the classroom, I know that the elements of AMC1 FCL.210; FCL.215 – if taught in a way that every student comprehends all items – need a timeframe of approximately 100 hours.</p> <p>The erasure of the „100 hours“ requirement is basically good, for example now pilots of ultralight aeroplanes, ATCOs, maintenance personnel, etc, can receive credits.</p> <p>But: the AMC should nevertheless contain either a lowered minimum value or the precise assignment to the competent authority to check if all items of AMC1 FCL.210 can be taught within the course duration, as submitted by the BTO within their training plan.</p> <p>The way this AMC is written, it could also mean that the whole course is performed by „self-study with a book“. The BTO would only check (most likely by using the multiple-choice questions for the examination, as published by the competent authority) that the student – at the end of the course – can answer those questions.</p> <p>That would not be an appropriate way to determine if the student has aquired the knowledge. (But legally possible, because the competent authority also utilizes this strategy).</p> <p>The importance of adequate theoretical knowledge instruction can also be derived from safety reports – e.g. <a href="http://versa.bmvit.gv.at/uploads/media/Untersuchungsbericht_K8B_zur_Veroeffentlichung_01.pdf">http://versa.bmvit.gv.at/uploads/media/Untersuchungsbericht_K8B_zur_Veroeffentlichung_01.pdf</a></p>	



response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

After due consideration, it has been decided to provide more flexibility for the conduct of theoretical knowledge examinations for non-commercial licences in order to meet the needs of the general aviation training domain.

Additionally, the Agency would like to highlight that a simple check at the end of the course conducted by the training organisation would not be sufficient, as the new DTO.GEN.260 (b) will require the DTO to monitor the student's progress appropriately.

**Amendment to ED Decision 2011/016/R — AMC1 FCL.740(b)(1) Validity and renewal of class and type ratings**

p. 35-36

comment

185

comment by: Schmaus

.... sorry, no comment to this article, as information is given in AMC2 FCL.740

however, AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) should be named differently to avoid misinterpretation in case of SEP and TMG ratings.

response

Not accepted.

Thank you for providing this comment.

AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) are already named in a different way (AMC1, AMC2).

comment

1214

comment by: G Purchase

Need to remove the text : "for less than 3 years"; as the length of expiry is not important here.

response

Partially accepted.

Thank you for providing this comment.

Please check the response to comment No 12 for further information.



**Amendment to ED Decision 2011/016/R — AMC2 FCL.740(b)(1) Validity and renewal of class and type ratings**

p. 36-37

comment

16

comment by: *Ruben*

It not justified the limitation of three years.  
 If BTO can teach a course for a (new) class rating, why the BTO can not do a refresher course to renew? It is illogical  
 What record should take these courses ? any? Is it enough to record in the logbook and the certificate?

response

Partially accepted.  
 Thank you for providing this comment.  
 Please check the response to comment No 12 for further information.  
 As described in the draft AMC text (paragraph (c)), the training organisation at the end of the refresher training should issue a certificate to the applicant on which the training should be described. This certificate should be sent to the competent authority together with the examiner report form on the proficiency check for the renewal of the rating.

comment

204

comment by: *IAOPA (EUROPE)*

IAOPA (Europe) objects to the 'three years' restrictions of this AMC; we also consider that 'by an instructor' embraces 'at an ATO, a BTO' and may be deleted for simplicity. As written, 'single engine piston class ratings' does not extend this AMC to TMGs. We therefore propose the following amendments:

**'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 for the safe operation of aircraft for which a single-engine piston class rating is required, 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:

( )

response

Partially accepted.  
 Thank you for providing this comment.  
 Please check the response to comment No 12 for further information.  
 In addition, the Agency would like to highlight that the text of this AMC has been



amended to include the TMG class rating.

comment

379

comment by: *KSAK - Swedish Royal Aero Club*

Remove the restriction for "non-high-performance"! There is nothing in this NPA that explains why there is a higher(high enough) risk with them that would exclude this privilege from a BTO. Otherwise a good suggestion!

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The text of this AMC refers to the possible training scope of DTOs as listed in the new DTO.GEN.110 (former BTO.GEN.120). For this reason, the term 'non-high-performance' has to remain in place.

comment

501

comment by: *The Norwegian Air Sports Federation*

This new provision is very welcome indeed! It removes an unnecessarily bureaucratic procedure, while keeping the same or a higher safety level.

NLF regrets, though, that the provision is limited to single-engine piston aircraft. Aircraft covered by the multi-engine piston class rating should be included as well.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The text of this AMC refers to the possible training scope of DTOs as listed in the new DTO.GEN.110 (former BTO.GEN.120). For this reason, the multi-engine piston class rating cannot be added.

comment

607

comment by: *Voldemars J Uplejs*

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

Renewal of non-high-performance single-engine **and multi-engine** piston class ratings when the rating has expired for less than three years, 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 <b>and multi-engine</b> piston class rating, except high performance aeroplanes, when the rating has expired for less than three years.
response	Not accepted. Thank you for providing this comment. Please check the response to comment No 501 for further information.

comment	673 <span style="float: right;">comment by: CAA Norway</span>
	Add to AMC2 FCL.740(b)(1): or single-engine helicopters with a maximum certificated seating capacity of not more than 4 persons.  Helicopter type ratings seem to be forgotten. There should be no difference between A and H when it comes to the procedures for renewal of ratings.
response	Partially accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. The text of this draft AMC has been revised to include also helicopters which are part of the possible DTO training scope as listed in the new DTO.GEN.110 (former BTO.GEN.120).

comment	760 <span style="float: right;">comment by: UK CAA</span>
	<b>Page No:</b> 36  <b>Paragraph No:</b> AMC 2 FCL.740(b)(1)  <b>Comment:</b> The UK CAA would like to recommend a number of amendments to this paragraph to improve clarity, as shown below.  <b>Justification:</b>  (i) The paragraph is not clear that it includes the renewal of helicopter single engine piston type ratings.  (ii) The paragraph states that a BTO can only instruct for class ratings that have expired for less than 3 years. However as ab-initio LAPL/PPL instruction can be taught at BTO then refresher training for ratings expired for more than 3 years should be included at a BTO.  (iii) By allowing an 'independent' instructor to conduct the training there is no accountability, supervision, oversight, or standardisation for the training and no training records are required to be kept  (iv) Use of the word proficiency check in para (4) is incorrect as a Proficiency Check is



conducted after the training.

**Proposed Text:** Amend 'AMC2 FCL.740(b)(1) Validity and renewal of class and type ratings as follows:

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

(a) The objective of the refresher training at an ATO, ~~or a BTO or by an instructor~~ is to reach the level of proficiency necessary to safely operate the single-engine piston class ~~or type~~ 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 or 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~~ **assessment** 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. "

response

Partially accepted.

Thank you for providing this comment.

With regard to the content of your comment, please refer to the responses to comments No 12 and 673 for further information.

Additionally, the Agency would like to highlight as follows:

- After completion of the refresher training, a certificate describing the refresher training has to be issued by the training organisation or the instructor. This certificate has to be submitted to the competent authority together with the examiner report form for renewing the rating.
- The term 'proficiency check' in (a) (4) has been replaced by the term 'simulated proficiency check'.

comment

857

comment by: *Allen A.*

This should include the class rating TMG. If so, please state explicitly!

response

Accepted.

Thank you for providing this comment.

The text of this AMC has been amended to include the TMG class rating.



comment

924

comment by: European Gliding Union

1. A simple omission, we believe,

*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,*

Should read:

RENEWAL OF NON-HIGH-PERFORMANCE SINGLE-ENGINE PISTON **or TMG** 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 **or TMG** class rating, except high performance aeroplanes,

2. A mistake which must be corrected

AMC 1 FCL.740(b)(1) asserts:

*“(a) Paragraph (b)(1) of FCL.740 determines that if a class or type rating has lapsed, the applicant shall take refresher training at an ATO.”*

Wrong: FCL.740 does not determine this. The AMC has omitted an entire clause from the IR.

The AMC must quote the IR accurately and be corrected to read:

**“If a class or type rating has lapsed, the applicant shall take refresher training at an ATO, when necessary to reach the level of proficiency necessary to safely operate the relevant class or type of aircraft;”**

response

Partially accepted.

Thank you for providing this comment.

The text of this AMC has been amended to include the TMG class rating.

With regard to your objection to the wording in paragraph (a) of this AMC, the Agency would like to highlight that you obviously refer to the wording of the currently published version of AMC1 FCL.740 (b)(1). The revised text as proposed with this NPA does already no longer contain this wording.

comment

1016

comment by: AESA

Modify the text as follows (delete strike-through text, add highlighted in grey):

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



	<p>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 <del>OR BY AN INSTRUCTOR</del>: REFRESHER TRAINING</p> <p>(a) The objective of the refresher training at an ATO <del>or a BTO or by an instructor</del> 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 <del>or the BTO or the instructor</del>, taking into account the following factors:</p> <p>...</p> <p>(b) Once the ATO <del>or the BTO or the instructor</del> 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.</p> <p>Justification: To align the means of compliance with the regulations, as proposed in our comment to FCL.740.B.1.</p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 740 for further information.</p>

comment	<p>1043 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span></p> <p>Auch hier fehlt in der Aufzählung die Klassenberechtigung TMG. Die Vorschrift ist ansonsten praxisgerecht, insbesondere im Hinblick auf die Vereinfachung, wenn die Klassenberechtigung kürzer als drei Monate abgelaufen ist.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The text of this AMC has been amended to include the TMG class rating.</p>

comment	<p>1108 <span style="float: right;">comment by: <i>The Finnish Aeronautical Association</i></span></p> <p>A simple omission, we believe,</p> <p><i>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</i></p> <p><i>(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,</i></p> <p>Should read:</p>
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RENEWAL OF NON-HIGH-PERFORMANCE SINGLE-ENGINE PISTON **or TMG** 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 **or TMG** class rating, except high performance aeroplanes,

response

Accepted.  
Thank you for providing this comment.  
The text of this AMC has been amended to include the TMG class rating.

comment

1209

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

**AMC2 FCL.740 (b)(1)**

**Comment FOCA:** *The actual AMC2 FCL.740 (b)(1), (a)(3)(iv) gives such provisions which are now deleted with the new proposal.*

**Proposal FOCA :** *"...expiry longer than 3 years, the applicant should again undergo the training required for the initial issue of the rating..."*

response

Not accepted.  
Thank you for providing this comment.  
It has been decided after due consideration to leave it to the judgement and the decision of the training organisation or, in some cases, the instructor to determine the amount of refresher training needed, irrespective of the expiry date. This enhanced flexibility will allow refresher training to be even better tailored to the individual needs of a particular applicant.

comment

1215

comment by: *G Purchase*

Need to remove the text : "for less than 3 years"; as the length of expiry is not important here.

response

Partially accepted.  
Thank you for providing this comment.  
Please check the response to comment No 12 for further information.

**Amendment to ED Decision 2011/016/R — GM1 FCL.740(b)(1) Validity and renewal of class and type ratings**

p. 37



comment 205

comment by: IAOPA (EUROPE)

IAOPA (Europe) objects to the 'three years' restrictions of this GM and also to the guidance of paras (a) to (c) as such 'guidance' will, on past experience be incorrectly viewed by some CA as being mandatory. We therefore propose the following amendments:

**'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.'~~

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that this GM has been deleted, and a new paragraph (d) has been added to the revised AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) in order to address cases where the training organisation or, in specific cases, the instructor may decide that no further refresher training is necessary. The content of subparagraphs (a), (b) and (c) of the proposed text of GM1 FCL.740(b)(1) have not been transferred.

With regard to your comment on the 'three year – limitation', please refer to the response to comment No 12 for further information.

comment 379 ❖

comment by: KSAK - Swedish Royal Aero Club

Remove the restriction for "non-high-performance"! There is nothing in this NPA that explains why there is a higher(high enough) risk with them that would exclude this privilege from a BTO. Otherwise a good suggestion!

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

This GM1 FCL.740(b)(1) has been deleted, and a new paragraph (d) has been added to the revised AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) in order to address cases where the training organisation or, in specific cases, the instructor may decide that no further refresher training is necessary. The text of AMC2 FCL.740(b)(1) refers to the possible training scope of DTOs as listed in the new DTO.GEN.110 (former BTO.GEN.120). For this



reason, the term 'non-high-performance' has to remain in place.

comment

608

comment by: *Voldemars J Uplejs*

**(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 **AND MULTI-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.'

**ADD: (d) pilot with the total flight experience >5 000 (>10 000) or more flight hours, including at least 1000 (2000) or more flight hours on MEP, does not require SEP or MEP class rating renewed as long as one of those is valid and the pilot operates continuously any of the aircrafts of those classes (that means non-high-performance aircrafts).**

I propose this because currently the experienced pilots (seniors) have the same class rating renewal requirements as pilots with very little experience (beginner pilots).

response

Not accepted.

Thank you for providing this comment.

This GM1 FCL.740(b)(1) has been deleted, and a new paragraph (d) has been added to the revised AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) in order to address cases where the training organisation or, in specific cases, the instructor may decide that no further refresher training is necessary. These revised AMCs already provide the flexibility needed to take into consideration existing experience which would reduce or eliminate in total the need for refresher training, to be decided by the training organisation or, in some cases, the instructor. Please refer to the text of the draft AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) as published together with Opinion 11/2016 for further information.

comment

674

comment by: *CAA Norway*

GM1 FCL.740(b)(1) should be deleted.



The assessment in AMC1 and AMC2 FCL.740(b)(1) should be sufficient. The description in the GM1 will be confusing to the intention of the assessment, as many organisations and licence holders will take this as literal regardless of the other elements of the assessment. The AMC1 and AMC2 considers the time elapsed since the rating was last used, but the GM considers the time since the rating expired. This is also confusing and will clutter the intention of the assessment.

response

Accepted.  
Thank you for providing this comment.  
This GM1 FCL.740(b)(1) has been deleted, and a new paragraph (d) has been added to the revised AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) in order to address cases where the training organisation or, in specific cases, the instructor may decide that no further refresher training is necessary.

comment

858

comment by: *Allen A.*

This should include the class rating TMG. If so, please state explicitly!

response

Partially accepted.  
Thank you for providing this comment.  
This GM1 FCL.740(b)(1) has been deleted, and a new paragraph (d) has been added to the revised AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) in order to address cases where the training organisation or, in specific cases, the instructor may decide that no further refresher training is necessary. The drafts for the new AMC2 FCL.740(b)(1) has been revised to also refer to the TMG class rating.

comment

1002

comment by: *Guenter W. FORNECK*

By also allowing an instructor (outside of the constuct of an ATO or BRO) to evaluate and then retrain a candidate to renewal standards prior to the necessary proficiency check, increases efficiency, increases the options for the pilot and all without impacting the levels of safety or lowering training standards. Thank you team

response

Noted.  
Thank you for providing this positive feedback.

comment

1017

comment by: *AESA*

Modify the text as follows, deleted text strike through, added text marked in grey):



	<p><b>‘GM1 FCL.740(b)(1) Validity and renewal of class and type ratings</b>  RENEWAL OF NON-HIGH-PERFORMANCE SINGLE-ENGINE PISTON CLASS RATINGS WHEN THE RATING HAS EXPIRED FOR LESS THAN THREE YEARS, AT AN ATO, A <del>OR</del> BTO <del>OR BY AN INSTRUCTOR</del>: REFRESHER TRAINING</p> <p>In some cases, after evaluating the applicant, and when the time lapsed is limited (less than three months), the ATO, <del>or the BTO or the instructor</del> may determine that no refresher training is needed. The following guidance may be considered during the evaluation: ...</p> <p>Justification:  To align GM with Regulation text as proposed in our comment to FCL.740.B.1.</p>
response	<p>Not accepted.  Thank you for providing this comment.  This GM has been deleted. Please also refer to the response to comment No 740 for further information.</p>
comment	<p>1044 <span style="float: right;">comment by: <i>Ivonne Schlesinger, HMWEVL, Germany</i></span></p> <p>Auch hier fehlt in der Aufzählung die Klassenberechtigung TMG. Ansonsten ist die Vorschrift praxisgerecht, insbesondere im Hinblick auf die Vereinfachung, wenn die Klassenberechtigung kürzer als drei Monate abgelaufen ist.</p>
response	<p>Partially accepted.  Thank you for providing this comment.  This GM1 FCL.740(b)(1) has been deleted, and a new paragraph (d) has been added to the revised AMC1 FCL.740(b)(1) and AMC2 FCL.740(b)(1) in order to address cases where the training organisation or, in specific cases, the instructor may decide that no further refresher training is necessary. The drafts for the new AMC2 FCL.740(b)(1) has been revised to also refer to the TMG class rating.</p>
comment	<p>1203 <span style="float: right;">comment by: <i>Sandra WECHSELBERGER</i></span></p> <p>The wording „ATO, the BTO or the instructor“ could be problematic.</p> <p>For example:  Student X goes to ATO A for a class-rating renewal.  Instructor I performs a status check. Head of Training H – based on I’s remarks – determines that the student needs 5 training sessions.  Instructor I determines that the student only needs 1 training session.</p> <p>What would be the outcome? The opinion of I or H?</p>



response Not accepted.  
Thank you for providing this comment.  
The text needs to remain unchanged to reflect all possibilities (training organisations and individual instructors). Resolving such conflicts as described in your comment would be up to the internal processes of the training organisation concerned. However, at the end a training completion certificate has to be issued. If an individual FI disagrees with the HT of her or his training organisation and completes the training with the applicant by deviating from the HT's conclusions, it will be most likely the case that the individual FI would need to take the responsibility and issue and sign the certificate, as the HT on behalf of the training organisation will refuse to do so.

**Amendment to ED Decision 2011/016/R — AMC1 FCL.800 Aerobatic rating**

p. 37

comment 362 ❖ comment by: *KSAK - Swedish Royal Aero Club*

Additional ratings should be available outside of training organisations. This is risk based and will increase flight safety!

response Not accepted.  
Thank you for providing this comment.  
Please check the response to Comment No 32 for further information.

**Amendment to ED Decision 2011/016/R — AMC1 FCL.805 Sailplane towing and banner towing rating**

p. 37

comment 362 ❖ comment by: *KSAK - Swedish Royal Aero Club*

Additional ratings should be available outside of training organisations. This is risk based and will increase flight safety!

response Not accepted.  
Thank you for providing this comment.  
Please check the response to Comment No 32 for further information.

**Amendment to ED Decision 2011/016/R — AMC1 FCL.810(b) Night rating**

p. 38



comment	362 ❖	comment by: KSAK - Swedish Royal Aero Club
	Additional ratings should be available outside of training organisations. This is risk based and will increase flight safety!	
response	Not accepted. Thank you for providing this comment. Please check the response to Comment No 32 for further information.	

## Amendment to ED Decision 2011/016/R — AMC2 FCL.930.FI FI — Training course

p. 38

comment	186	comment by: Schmaus
	this implemented text should also be implemented in AMC1 FCL.930.FI	
	" GENERAL (a) The aim of the FI training course at a BTO or an ATO is to ....."	
response	Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. AMC1 FCL.930.FI refers to the training courses for FI(A), FI(H) and FI(As). For these certificates, a DTO is not allowed to provide training. This AMC must therefore not refer to DTOs. Please also check the response to comment No 178 for more information.	

comment	935	comment by: Aeroklub Polski
	In Part 2 first sentence states: <i>Part 2 FLIGHT INSTRUCTION SYLLABUS An approved FI training course should comprise at least the minimum hours of flight instruction as defined in FCL.930.FI.</i>	
	In fact it should be: An approved FI training course should comprise at least the minimum hours OR NUMBER OF TAKE-OFFS of flight instruction as defined in FCL.930.FI.	
	This accounts fully for the statement in FCL.930.FI.3.iii:	



(iii) in the case of an FI(S), at least 6 hours or 20 take-offs of flight instruction;

which allows to train either for 6 flight hours OR 20 take-offs.

Right now the Polish CA only approves FI training consisting of 6 hours of flight time not allowing for the 20 take-offs option clearly given by the regulator.

response

Not accepted.  
 Thank you for providing this comment.  
 The Agency would like to highlight that AMC2 FCL.930.FI in the context of this rulemaking task (RMT) is revised for the sole purpose of adding references to the new training organisation. A total revision of the whole content of this AMC is outside the remit of this RMT. However, the Agency will take your comment into consideration for the ongoing RMT.0596 ('Review of provisions for examiners and instructors (Subpart J and K of Part-FCL)').

comment

1176

comment by: ATO Aeroklub Szczeciński

In Part 2 first sentence states:

Part				2
FLIGHT		INSTRUCTION		SYLLABUS
An approved FI training course should	comprise	at least the minimum hours of flight		
instruction	as	defined	in	FCL.930.FI.

In fact it should be:  
 An approved FI training course should comprise at least the minimum hours **OR NUMBER OF TAKE-OFFS** of flight instruction as defined in FCL.930.FI.

This accounts fully for the statement in FCL.930.FI.3.iii

response

Not accepted.  
 Thank you for providing this comment.  
 Please check the response to comment No 935 for more information.

**Amendment to ED Decision 2011/016/R — AMC2 FCL.1025 Validity, revalidation and renewal of examiner certificates**

p. 39

comment

187

comment by: Schmaus



	... should read "FOR F"E"(S) AND F"E"(B)
response	Accepted. Thank you for providing this comment. The text has been corrected as proposed.
comment	1003 <span style="float: right;">comment by: <i>Guenter W. FORNECK</i></span>  AMC2 FCL.1025 - correct the typing errors. FI(S) and FI(B) should read FE(S) and FE(B)
response	Accepted. Thank you for providing this comment. The text has been corrected as proposed.

<b>Amendment to ED Decision 2012/006/R — AMC1 ARA.GEN.305(f) Oversight programme</b>	p. 39
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comment	53 <span style="float: right;">comment by: <i>David COURT</i></span>  The word "proportionate" is very important here. External audits are very expensive and time consuming for the BTO. An external audit should only be required if there are serious concerns about safety or compliance.
response	Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. In this context, AMC1 ARA.GEN.305(f) has been revised entirely also to be consistent with AMC1 ARO.GEN.305(d) on declared operators according to Regulation (EU) No 965/2012. As the term 'proportionate' has been deleted from the draft ARA.GEN.305(f), the revised AMC1 ARA.GEN.305(f) also does no longer contain this term. Please also refer to the response to comment No 85 for further information.
comment	103 <span style="float: right;">comment by: <i>Tony Jay</i></span>  this is a good step , to state the competent authority should be "proportionate" , internal audits for BTOs should be satisfactory.



response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment

172

comment by: *jeffrey Lawton*

AMC1.ARA.GEN.305(f) Oversight Programme

I support "oversight" when proportionate and justified. External audit should only be when safety of performance are deemed of concern

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment

232

comment by: *Innes WORSMAN*

I support (1) propotionate oversight

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment

261

comment by: *JED DRYDEN*

AMC1.ARA.GEN.305(f)

I support the "proportionate" oversite. External audits should only be necessary for serious safety issues or a performance issue

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment

269

comment by: *ANPI (National Flight Instructors Association)*

We tend to consider these requirements as valid, but the described process shall not be heavy. On a practical standpoint, detailed instructions, questionnaire formats and guides



with examples, should be established with the view to make FI and FE life as simple as possible.

Ongoing changes concerning aircraft design, automation, weather services, societal evolution of students pilots are dramatically concerning instruction methods. AoCs (Area Of Changes) published by the Future Aviation Safety Team (FAST) provide useful inputs applicable to all aviation domains including GA. A FAST report linking AoC's to all fatal accidents starting 2004 through 2014 will be presented to ECAST on March 22. It can easily be completed with a GA section.

EASA with cooperation of National CAAs should lead a global and continuous support process permitting FI, FE and training organisations to keep up and improve the training level.

Again a certification process, meant as measuring the results and providing guidance if need be, should not be heavy and time consuming therefore counterproductive, but simple, performance based, with the strict minimum of paperwork.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

304

comment by: *BBAC 6824*

#### **AMC1 ARA.GEN.305(f) OVERSIGHT PROGRAMME**

Oversight should be appropriate - it should not be necessary unless a serious safety issue is reported. The BTO is a competent body with its own oversight programme - as ballooning records and history prove.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 53 for further information.

comment

411

comment by: *Pete Forster*

I support the oversight being "proportionate"; it should take into account the safety record and performance of the BTO. An external audit is expensive and time consuming for the BTO and this should only be necessary in the event of a serious safety or performance issue.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 53 for further information.



comment	451	comment by: <i>Richard Turnbull</i>
	I feel a more proportional approach to any oversight of the BTO, with the safety record being taken into account, along with their performance too. Only necessary if safety or their performance is at issue.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 53 for further information.	

comment	593	comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i>
	<b>Oversight should be proportionate without expensive external audits</b>	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 53 for further information.	

comment	633	comment by: <i>Kevin Meehan</i>
	AMC1 ARA.GEN.305(f) OVERSIGHT PROGRAMME (page 39)	
	I support that the Competent Authority should adapt the oversight activities to be proportionate to the BTOs ability to effectively manage safety risks.	
	This oversight should be based on the BTO's performance especially on safety.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 53 for further information.	

comment	804	comment by: <i>Allie Dunnington</i>
	AMC1 ARA GEN 305	
	I am in strong favour of 'proportionate oversight' which should take the safety record and performance of the BTO into account.	



response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment

821

comment by: *Ian Wadey*

'Portionate' oversight programme for a Basic Training Organisation is most appropriate and need only be escalated in the event of a serious safety or performance issue. An external audit and inspection would be costly and time consuming for any Training Organisation.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment

853

comment by: *Slowfly*

I support a proportionate activity, less or no external audit is much lighter and less expensive.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment

982

comment by: *Hermann Spring*

**Remove (a) (3)**  
A programme is a paper only.  
The best document does not assure a competent training.  
At the skill test should the checklist signed by the student & instructor and be attached to the application.

Stop to waste time with checking of documents which remains on the shelf.

**The authority shall check to performance during the skill tests, that replaces an oversight programme.**

response

Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 968 for further information.



comment 1087 comment by: *Phil Dunnington*

Proportionality is paramount in this case. External audits should not be required other than in exceptional safety breaches.

response Noted.

Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment 1150 comment by: *Deutscher Aero Club Landesverband Niedersachsen*

LVN states: The proportionality of the authority oversight should be more clearly stated. Although numbers of BTOs activities are high, this does implicitly mean that safety risks are unacceptable high when authority oversight is unchanged and small. Due to the fact, that safety risks to third parties by the activity of aircraft operated at the lower end of aviation is marginal this requirement might misleading. Clause (3) needs clearly competent persons within deep knowledge of the assessed activity. For LVN it is not clear if this is the case in all European countries.

response Noted.

Thank you for providing this comment.  
The term 'proportionate' has been deleted. Please refer to the response to comment No 53 for further information.

comment 1185 comment by: *Richard ALLEN*

I agree with "proportionate" oversight activities, which should reflect the safety records and performance of the BTO.

response Noted.

Thank you for providing this comment.  
Please refer to the response to comment No 53 for further information.

comment 173 comment by: *jeffrey Lawton*

GM1 ARA.GEN.305(f)



	I agree that the oversight should be a "light touch" and not prescriptive.
response	Noted. Thank you for providing this comment. After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.

comment	233	comment by: <i>Innes WORSMAN</i>
	I support a proportionate oversight unless serious concerns about safety	
response	Noted. Thank you for providing this comment. After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.	

comment	262	comment by: <i>JED DRYDEN</i>
	GM1.ARA.GEN.305(f)	
	I support "proportionate" oversight. Unless there are serious concerns about the safety of the training organisation, this should be 'low key'	
response	Noted. Thank you for providing this comment. After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.	

comment	305	comment by: <i>BBAC 6824</i>
	<b>GM1 ARA.GEN.305(F)</b>	
	Emphasis should be on 'light touch' to reduce administration and costs.	
response	Noted. Thank you for providing this comment. After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.	



information.

comment

307

comment by: *BBAC 6824*

**GM1 ARA.GEN.305(F)**

(e) Operating sites, as training aircraft, are nothing to do with the BTO and so there should be no requirement to keep records thereof.

The practicalities of such are prohibitive.

response

Not accepted.

Thank you for providing this comment which obviously refers to the proposed GM2 ARA.GEN.305(f) instead of the proposed GM1 ARA.GEN.305(f)

The Agency does not agree with your statement according to which the training organisation has ‘nothing to do’ with operating sites or training aircraft, as these areas are crucial for the core activity of a training organisation and are therefore very well within its responsibility. Additionally, it has to be highlighted that GM2 ARA.GEN.305(f) as shown in NPA 2015-20 has been adapted to the new AMC2 ARA.GEN.305(f). The text has been slightly amended to better illustrate the required scope of an inspection. Balloon training sites should be part of such an inspection, ‘as appropriate’. Bearing in mind the specificities of balloon operation, the inspector from the competent authority may inspect one take-off area frequently used by the training organisation. In any case, there is no requirement to keep records of the take-off sites used. The place of the take-off will be in any case recorded in the log books.

comment

308

comment by: *BBAC 6824*

**GM1 ARA.GEN.305(F)**

(f) Instructors are responsible for their own documentation and it is not the BTO responsibility.

It should not be a requirement for the BTO to keep such records.

response

Not accepted.

Thank you for providing this comment which obviously refers to the proposed GM2 ARA.GEN.305(f) instead of the proposed GM1 ARA.GEN.305(f)

The Agency does not agree with your statement – it is indeed a training organisation’s responsibility to ensure that it employs only instructors with valid licences, ratings and certificates as relevant for the training provided by them. Additionally, it has to be highlighted that GM2 ARA.GEN.305(f) as shown in NPA 2015-20 has been adapted to the new AMC2 ARA.GEN.305(f). The text has been slightly amended to better illustrate the required scope of an inspection.



comment	<p>320 <span style="float: right;">comment by: <i>Jeremy Hinton</i></span></p> <p>This flexible proposal confirms my belief that the BTO rather than ATO is appropriate for balloon licence training.</p>
response	<p>Noted. Thank you for providing this comment. After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.</p>

comment	<p>452 <span style="float: right;">comment by: <i>Richard Turnbull</i></span></p> <p>This should be performance and risk based, unless there are safety issues.</p>
response	<p>Noted. Thank you for providing this comment. It has to be highlighted that already the corresponding rule text in ARA.GEN.305(f) requires the oversight programme to be risk- and performance – based. After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.</p>

comment	<p>488 <span style="float: right;">comment by: <i>Ann Rich</i></span></p> <p>I suggest "The oversight programme of the BTO should be both proportionate, and risk and performance based".</p> <p>Any external audit should be limited to situations when there are serious safety or performance issues. A BTO with good safety and performance records should not be subject to expensive and time consuming external audits.</p>
response	<p>Noted. Thank you for providing this comment. It has to be highlighted that already the corresponding rule text in ARA.GEN.305(f) requires the oversight programme to be risk- and performance – based. After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.</p>



comment 805 comment by: *Allie Dunnington*

GM1 ARA GEN 305fpage 40

as previously stated I support the 'soft or light touch' meaning that unless there are serious safety concerns then there should only be a proportionate oversight by the competent authority.

response Noted.  
Thank you for providing this comment.  
After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.

comment 822 comment by: *Ian Wadey*

For a Basic Training Organisation a rigid or complex oversight programme is not necessary. It need only be 'portionate' and gentle approach unless there are concerns about safety or performance of the Basic Training Organistion.

response Noted.  
Thank you for providing this comment.  
After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the responses to comment No 53 for further information.

comment 855 comment by: *Slowfly*

Again I support a proportionate oversight.

response Noted.  
Thank you for providing this comment.  
After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the responses to comment No 53 for further information.

comment 984 comment by: *Hermann Spring*

**Replace with**

**The oversight of BTO/BTF is based on the result of the skill tests; RAMP checks, and the**



	<p><b>annual reports received from the BTO/BTF.</b></p> <p><b>There is no need for regular inspections, as long as no shortcomings are expected.</b></p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency does not agree with your comment according to which there is no need for regular inspections. Please refer to the reasoning provided in the response to comment No 85.</p> <p>After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the responses to comment No 53 for further information.</p>
comment	<p>1152 <span style="float: right;">comment by: <i>Deutscher Aero Club Landesverband Niedersachsen</i></span></p> <p>GM1 ARA.GEN305(f) Oversight programme This clause is completely supported by LVN</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the responses to comment No 53 for further information.</p>
comment	<p>1186 <span style="float: right;">comment by: <i>Richard ALLEN</i></span></p> <p>As before, a proportionate oversight programme is a sensible option.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the responses to comment No 53 for further information.</p>

<b>Amendment to ED Decision 2012/006/R — GM2 ARA.GEN.305(f) Oversight programme</b>	p. 40
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comment	<p>38 <span style="float: right;">comment by: <i>David COURT</i></span></p> <p>(d) (e) and (f) will be too expensive for a BTO to keep records of and administer. The BTO</p>
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response

should have lighter administration and records than an ATO.

(d) the BTO should only need to keep records of the aircraft that the BTO owns. Often aircraft are provided by Instructor or Student. This is certainly the case for balloons. The aircraft owner should be responsible for all the aircraft paperwork.

(e) Balloons operate from fields which are assessed by the Instructor as being suitable. The BTO should not need to keep records of all these different fields and their facilities.

(f) This is a huge administration burden for a BTO to keep records of all the Instructors, their ratings, medicals, licences and log books. These records should just be held by the Instructor for inspection if required.

Not accepted.

Thank you for providing this comment.

In general, the text of the draft GM2 ARA.GEN.305(f) has been moved to a draft for an AMC2 ARA.GEN.305(f) (as respective draft published together with Opinion 11/2016).

The Agency does not agree with your statements, for an inspection of a training organisation needs to focus on the essential elements of its operation which includes the training aircraft and the operating sites used as well as the instructors employed. For these reasons, notwithstanding the owner's responsibility for maintaining the aircraft, also aircraft related documents should be available during inspection. Additionally, it is a training organisation's responsibility to ensure that it employs only instructors with valid licences, ratings and certificates as relevant for the training provided by them. Therefore, respective expiry dates should be adequately monitored by the training organisation, and not only be the instructors themselves.

With regard to your comment on records on training sites used, it has to be pointed out that the text in paragraph (f) has been amended to read 'operating sites and associated facilities, as appropriate' to take into account the specificities of e.g. balloon operation. Balloon training sites should be part of such an inspection, 'as appropriate'. Bearing in mind the specificities of balloon operation, the inspector from the competent authority may inspect one take-off area frequently used by the training organisation. In any case, there is no requirement to keep records of the take-off sites used. The place of the take-off will be in any case recorded in the log books. In this context, please also consider the new draft AMC1 DTO.GEN.250 (please refer to the response to comment No 49 for further information).

comment

104

comment by: *Tony Jay*

(d) balloons, this is adequately kept by the owner and is no reason to be done by BTO. Balloons are spread over the whole country and not owned by training organisations.

(e) balloons, we have 100's (1000's) of fields as launch site, it adds no value to keep details of all locations and would mean adhoc instructing (at a balloon meeting) may not be possible if the site had not been registered.



response	<p>(f)balloons, Instructors should be responsible to keeping their own paperwork up to date, there is not benefit of keeping this data centrally when the lesson will be organised between the instructor and pilot and not through the BTO</p> <p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 and 48 for further information.</p>
comment	<p>174 <span style="float: right;">comment by: <i>jeffrey Lawton</i></span></p> <p>GMC2 ARA.GEN.305(f) Oversight Programme</p> <p>This does not reflect the way training of balloon pilots is undertaken . Most training is carried out either in student of instructor balloons and all requirements to operate compliant balloons should rest with those individuals not the training organisation</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 and 48 for further information.</p>
comment	<p>175 <span style="float: right;">comment by: <i>jeffrey Lawton</i></span></p> <p>GMC2 ARA.GEN.305(f) Oversight Programme Item (e)</p> <p>There should not be a requirement for training organisations to hold details of operating sites . These are fields selected by an Instructor on the day taking due account of local met conditions and local airspace and are beyond the control of training organisations</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.</p>
comment	<p>176 <span style="float: right;">comment by: <i>jeffrey Lawton</i></span></p> <p>GMC2 ARA.GEN.305(f) Oversight Programme</p> <p>I consider that the high burden of keeping such records should not rest with the training organisation .This information would be very difficult to maintain anyway given that Instructors are not paid and give up their time to bring people into a sport they love .Start imposing the requirement to provide this level of documentation and they'll just give up being instructors.</p>



response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 234 comment by: *Innes WORSMAN*

There should only be a oversight programme of the aircraft if it is owned by the BTO.  
Aircraft owner is responsible for insurance, maintenace and paperwork.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 and 48 for further information.

comment 235 comment by: *Innes WORSMAN*

^(d)

response Not accepted.  
Thank you for providing this comment.

comment 236 comment by: *Innes WORSMAN*

(e)

Operating sites are open fields which are assessed by the instructor as suitable.  
There should be no requirement of training organisations to keep records of any operating sites.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 237 comment by: *Innes WORSMAN*

(f)

The training organisatin should not be required to keep records of instructor licences, certificates, ratings, logbooks .etc Instructor should be responsible for their own paperwork to be up to date and correct.



response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 263 comment by: JED DRYDEN

GM2.ARA.GEN.350(f)

Unlike many other forms of flying, balloon training is mostly carried out in students balloon or instructors balloon who have thier own responsibility for insurance, maintainance, paperwork ect.

An oversite programme of aircraft used for training is owned by the BTO

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 and 48 for further information.

comment 264 comment by: JED DRYDEN

GMC2.ARA.GEN.305(f)

There should not be a requirement for the Training Oranisation to keep records of operating sites/launch fields, this would just increase cost and admin and have absolutely no safety relevance.

There should also be no requirement for the Training Organisation to hold reords of Instructors licences, certificates, ratings, log books, medicals, insurance ect. Instructors are responsible for thier own paperwork

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 306 comment by: BBAC 6824

**GM1 ARA.GEN.305(F)**

(d) Training aircraft will not be owned or the responsibility of a BTO

response Noted.  
Thank you for providing this comment.



Please refer to the response to comment No 38 and 48 for further information.

comment

321

comment by: *Jeremy Hinton*

Is this all a training and licencing issue? Part (d) in particular should be covered by maintenance and inspection: all aircraft should be airworthy and covered by the right paperwork.

Part (e) - operating sites, as mentioned in earlier comments may be specific to a single flight. 'Facilities' may either not be needed, or may change as the grass grows, livestock enters the field, or the ice melts (in the case of lakes).

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 38 for further information.

comment

381

comment by: *KSAK - Swedish Royal Aero Club*

(d): This is completely irrelevant for the authorities. The pilot in command and head of training is responsible for this and they should not need to show this to the authorities. If we remove this we can create great flexibility for the BTO. This is also in line with Part-NCO which covers both flight training and private flying. Therefore basically all airworthy aircrafts within the class with a certificate of airworthiness are available and should not need to be "approved" by the NAA/CAA.

It is not risk based the way it is written now.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 38 and 48 for further information.

comment

413

comment by: *Pete Forster*

There should only be an oversight programme of the aircraft used for training if they are owned by the BTO. The aircraft owner should be responsible for insurance, maintenance and paperwork. Maintaining records of aircraft not owned by the BTO will be an expensive administration burden for the BTO.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 38 and 48 for further information.



comment 414 comment by: *Pete Forster*

The BTO should not be required to keep records of Instructors licences, certificates, ratings, log books etc. This is unnecessarily costly and administratively burdensome. The Instructor should be responsible for their own paperwork.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 453 comment by: *Richard Turnbull*

An aircraft owner should look after their own maintenance, insurance and paperwork. And wouldn't a training organisation also look after its own records/insurance etc ?

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 and 48 for further information.

comment 454 comment by: *Richard Turnbull*

'Operating sites', Fields to us, do not need a 'Body' of worthy persons to deem them usable! The instructor is the person for the job.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 455 comment by: *Richard Turnbull*

Instructors are responsible people and therefore should be able to look after their own paperwork.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 483 comment by: *Michael Noyce*



	<p>The training organisation should not be required to keep records of instructors licences etc, this should be the sole responsibility of the instructors.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.</p>
comment	<p>489 <span style="float: right;">comment by: <i>Ann Rich</i></span></p> <p>d) Oversight of aircraft should only be required if they are owned by the BTO. Much balloon training uses balloons owned and maintained by individuals (e.g. private pilots, or the student). The BTO cannot be responsible for insurance, maintenance and paperwork for such aircraft - that is the responsibility of the aircraft owner. Maintaining records of all balloons used for training, spread around the country as they are, and owned by individuals, would be an unwarranted administrative burden for the BTO. Please modify this statement to read: "d) training aircraft owned and used by the BTO, including....."</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 and 48 for further information.</p>
comment	<p>490 <span style="float: right;">comment by: <i>Ann Rich</i></span></p> <p>e) the oversight of operating sites and associated facilities is inappropriate for a BTO covering balloon training. Balloon training takes place from simple fields, widely dispersed, and often selected according to the prevailing weather conditions. The suitability of the launch field is assessed by the instructor as part of the training flight. There is no advantage to be gained by the BTO keeping a record of all operating sites (which may only be used once). It would impose a huge and unnecessary administrative burden. I suggest replacing clause e) with: e) permanent, dedicated operating sites and associated facilities.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.</p>
comment	<p>491 <span style="float: right;">comment by: <i>Ann Rich</i></span></p>



	<p>f) the requirement to keep copies of each instructor's personal licensing details is an unnecessary administrative burden for a BTO. The BTO should have a list of all qualified instructors and their contact details, so that any instructor may be contacted to supply their own details. The instructors are responsible for maintaining their own licensing details and keeping their paperwork updated. For f) suggest: f) contact details for all flight instructors.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 and 48 for further information.</p>

comment	<p>567 <span style="float: right;">comment by: <i>Nick Bettin</i></span></p> <p>There should only be an oversight programme of the aircraft used for training if they are owned by the BTO. The aircraft owner should be responsible for insurance, maintenance and paperwork. Maintaining records of aircraft will be an expensive administration burden for ballooning Training Organisations where it is normal to use aircraft (balloons) dispersed geographically and generally owned by individuals. The Training Organisation should only require these records for aircraft that it owns.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 and 48 for further information.</p>

comment	<p>568 <span style="float: right;">comment by: <i>Nick Bettin</i></span></p> <p>Operating Sites for balloons are fields which are assessed as suitable by the Instructor. There should be no requirement for the Training Organisation to keep records of any Operating Sites as this is a huge administration burden and cost and of no safety relevance. The only safety relevance is that it is deemed to be safe for the prevailing conditions of the day.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.</p>

comment	<p>569 <span style="float: right;">comment by: <i>Nick Bettin</i></span></p> <p>We believe that the Training Organisation should not be required to keep records of Instructors licences, certificates, ratings, log books etc. This is a high administration</p>
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	burden with high costs. The Instructor should be responsible for their own paperwork.
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.

comment	594 comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i>
	There should only be oversight of training aircraft if they are owned by the BTO
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 and 48 for further information.

comment	595 comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i>
	For balloons, the number of sites is huge and variable. records will not be kept and so oversight on sites is not appropriate
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.

comment	596 comment by: <i>BUHABS (Bristol University Hot Air Ballooning Society, UK)</i>
	Instructors should be responsible for their own licences, ratings and logbooks. There should not be oversight of these via the BTO
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.

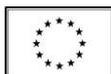
comment	634 comment by: <i>Kevin Meehan</i>
	GM1 ARA.GEN.305(F) page 40
	I support the proposal that the requirement for an Oversight Programme for the BTO should be risk and performance based.
	This oversight should be proportionate and of a "light touch" unless the Competent



	Authority has serious concerns / evidence of the safety culture / records of the BTO.
response	<p>Not accepted.</p> <p>Thank you for providing this comment which refers to GM1 ARA.GEN.305(f). After the overall revision of AMC1 ARA.GEN.305(f), this GM was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information. With regard to the content of your comment, please also check the response to comment No 51 for further information.</p>

comment	<p>635 <span style="float: right;">comment by: <i>Kevin Meehan</i></span></p> <p>GMC2 ARA.GEN.305 (f) OVERSIGHT PROGRAMME (page 40)</p> <p>In GM1 ARA.GEN.305(F), it states that the oversight programme is based on risk and performance but in GMC2 ARA.GEN.305 (f) it states that an "inspection may focus on safety relevant items " but many of the items listed are not safety related and are not risk or performance based.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>After the overall revision of AMC1 ARA.GEN.305(f), GM1 ARA.GEN.305(f) was no longer needed and was therefore deleted. Please refer to the response to comment No 53 for further information.</p> <p>The text proposed in GM2 ARA.GEN.305(f) has been moved to the new draft AMC2 ARA.GEN.305(f).</p> <p>ARA.GEN.305(f) itself already requires an oversight programme to be risk- and performance-based, but even inspections following such an oversight programme should also include the verification of compliance with applicable requirements in order to allow competent authorities to discharge their respective responsibilities.</p> <p>Your comment will be taken into consideration for finalising the AMC text.</p>

comment	<p>675 <span style="float: right;">comment by: <i>CAA Norway</i></span></p> <p>GM2 ARA.GEN.305(f): It should be a requirement to also assess items c, d an e also on</p>
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	home base. The way the text is written it implies that these items shall only be checked on other operating sites.
response	Accepted. Thank you for providing this comment.  The text proposed in GM2 ARA.GEN.305(f) has been moved to the new draft AMC2 ARA.GEN.305(f). When doing so, the last sentence shown in the NPA in draft GM2 ARA.GEN.305(f) has been deleted.

comment	761	comment by: UK CAA
	<p><b>Page No:</b> 40</p> <p><b>Paragraph No:</b> GM 2 ARA.GEN.305(f)</p> <p><b>Comment:</b> The last paragraph makes reference to points (c) to (e) only being relevant at a site other than the main operating site. All elements of the inspection are relevant irrespective of the location.</p> <p><b>Justification:</b> Consistency with oversight programme</p> <p><b>Proposed Text:</b> It is recommended that the final paragraphs beginning 'Points (c) to (e) are only applicable...' is deleted.</p>	
response	Accepted. Thank you for providing this comment.  The text proposed in GM2 ARA.GEN.305(f) has been moved to the new draft AMC2 ARA.GEN.305(f). When doing so, the last sentence shown in the NPA in draft GM2 ARA.GEN.305(f) has been deleted.	

comment	806	comment by: Allie Dunnington
	<p>GM2ARA GEN 305f</p> <p>I favour a system whereby they should be only an oversight programme of the aircraft used for training if they are owned by the BTO and where the AC owner should be responsible for insurance, maintenance and paperwork.</p> <p>Any BTO should only be responsible for records of aircraft that the BTO owns itself.</p>	
response	Not accepted. Thank you for providing this comment.	



Please refer to the response to comment No 38 and 48 for further information.

comment

807

comment by: *Allie Dunnington*

GMC2 ARA GEN 305f

as balloons choose different launch sites according to the weather and actual situation there should be no requirement for the Training Org to keep records of any operating sites as this would be nearly impossible to organise and administer and only increase the costs. This form of 'book-keeping' would help nothing to increase further safety.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 38 for further information.

comment

808

comment by: *Allie Dunnington*

GMC2 ARA GEN 305f

I believe that all instructors should be responsible for their own record keeping and whilst once a year the Training organisation should request an updated training list from their instructors it should not be required to keep all the licences, certificates, ratings and logbooks of all its instructors. This would only hugely increase the amount of paperwork and bureaucracy.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 38 for further information.

comment

823

comment by: *Ian Wadey*

Few, if any aircraft (balloons) will be owned by the Basic Training Organisation. The oversight of these will be necessary however many will be owned by either the student, instructor or a third party. The aircraft (balloon) owner should be responsible for insurance, maintenance, airworthiness and paperwork. The Training Organisation cannot be expected to be involved in the administration for recording this; it is impractical with the aircraft (balloons) being dispersed geographically and owned by individuals.

response

Not accepted.

Thank you for providing this comment.

Please refer to the response to comment No 38 and 48 for further information.



comment	824	comment by: <i>Ian Wadey</i>
	For ballooning 'Operating Sites' are remote fields assessed as suitable by the Instructor. It is impractical (huge administration burden and cost) for the Training Organisation to keep records of these so called 'Operating Sites' with no safety benefit.	
response	Noted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.	

comment	825	comment by: <i>Ian Wadey</i>
	The Instructor is responsible for conducting a safe and legal flight and it is his responsibility for the 'paperwork.' Making the Basic Training Organisation responsible to keep information on flight instructors, validity of licenses, certificates, ratings and logbooks would be an administrative and costly burden.	
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 for further information.	

comment	856	comment by: <i>Slowfly</i>
	(d) only if the aircraft is owned by the BTO (balloons) (e) the operating sites are (will be) assessed and are deemed suitable by the instructor. There should be no requirement to retain any documentaion about operating sites on behalf of the BTO (balloons)	
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 38 and 48 for further information.	

comment	985	comment by: <i>Hermann Spring</i>
	<b>Remove this paragraph in total</b> If authority is capable to keep oversight, they do not need such advises, see also comments above	
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 968 for further information.	



comment 1088 comment by: *Phil Dunnington*

There should not be a requirement for the TO to oversee aircraft used for training unless directly owned by the TO, which is rarely the case with balloons.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 and 48 for further information.

comment 1089 comment by: *Phil Dunnington*

Quite unrealistic to require such details of balloon operating sites. Balloons do not operate from fixed bases or sites with any facilities.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 1093 comment by: *Phil Dunnington*

Responsibility for maintaining paperwork should rest with individual Instructors. In ballooning they generally do not work as employees as is the case in fixed-wing, but are self-employed individuals. Requiring a TO to keep such records is unreasonably burdensome.

response Not accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 38 for further information.

comment 1189 comment by: *Richard ALLEN*

(d) - as aircraft are owned and operated by either the student or the instructor, it would be very onerous and expensive for a BTO to have to collate and hold this information.

(e) - operating sites for balloons tend to be fields and open spaces rather than a specific airfield, so this is not practical for a BTO for balloons.

(f) - the instructor should be responsible for their own paperwork, not the BTO. The BTO should maintain a list of instructors.

response Not accepted.  
Thank you for providing this comment.



Please refer to the response to comment No 38 and 48 for further information.

**Amendment to ED Decision 2012/006/R — AMC1ARA.BTO.100 Application process and certification**

p. 40

comment 2

comment by: *Bruno Herencic*

This is clearly not in compliance with the intention of the Basic Regulation and allows for the BTO to basically be a "Registered Facility".

A BTO must have as a minimum:

- training programme(s) of suitable quality, not less than an ATO
- briefing/debriefing facilities
- classroom availability if it intends to provide classroom training

**Proposed text:**

The Authority shall acknowledge the receipt of the application, in either paper or electronic form.

The Authority shall review the training programme(s) submitted and inspect facilities.

The organisation shall have available suitable briefing/debriefing facilities at the operating base(s).

A BTO Certificate shall be issued by the Authority following the review of the training programme(s), inspection of facilities and rectification of findings, if any, be the BTO.

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

As part of this overall revision of the concept, the draft AMC1 ARA.BTO.100 has been replaced by the new draft ARA.DTO.100(a) which only states that the competent authority should acknowledge the receipt of the declaration to the DTO in writing within 10 working days.

comment 354 ❖

comment by: *DGAC France*

**Subject:**

DGAC support for option 1 (RTO) and proposed amendment to Part ARA and Part BTO

**Content:**



In line with support for option 1 (RTO) (see general comment), DGAC proposes some amendments to Part ARA and Part BTO in order to switch back to a declaration process. The following amendments are proposed:

- ARA.BTO.100 and ARA.BTO.105 to be replaced by ARA.RTO.100  
and

- BTO.GEN.130 and BTO.GEN.170 to be replaced by RTO.GEN.130 and RTO.GEN.170.

**Proposed amendment:**

ARA.BTO.100 and ARA.BTO.105 to be replaced by ARA.RTO.100

**ARA.RTO.100**

*(a) Upon receiving a declaration from an RTO, the competent authority shall verify that the declaration contains all the information required.*

*(b) If the declaration does not contain the required information, or contains information that indicates non-compliance with applicable requirements, the competent authority shall notify the organisation about the non-compliance and request further information. If deemed necessary the competent authority shall carry out an inspection of the organisation.*

*(c) For changes, the competent authority shall assess the information provided in the notification sent by the organisation to verify compliance with the applicable requirements. In case of any non-compliance, the competent authority shall notify the organisation about the non-compliance and request further changes. If the non-compliance is confirmed, the competent authority shall take action as defined in ARA.GEN.350 (da).*

*(d) An RTO will remain registered until the competent authority is informed by the RTO that training is to cease upon written request by the RTO or if the authority establishes that an acceptable level of safety during training is not achieved, that training is not performed in accordance with training programs used by the RTO, or the conditions and terms of the organisation declaration are not met.*

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

359 ❖

comment by: DGAC France

**Subject:**

Discrepancies and inconsistencies in BTO certification process



**Content:****Statement**

Option 2 (BTO) is a bad concept in between a declaration system and a certification system. The BTO concept, as described in the rulemaking proposal, has been developed having in mind a declaration and not a certification. It brings a flexibility that is not compatible with a certification system and in particular it introduces some harmful inconsistencies for the legal compliance both for Authority, users and organisms.

The **following inconsistencies** have been identified:

**1) Conditions for BTO certificate issuance**

The rulemaking proposal consists in certifying a declaration form instead of certifying an organisation in the sense of a certification as defined in the basic regulation (EC n°216/2008. As a matter of fact the Authority issues a certificate on the sole basis of information provided through an application form (cf. AMC1 BTO.GEN.130). The elements provided are not sufficient to properly assess the organism capability to provide training.

The BTO is not required to provide concrete elements on the basis of which the Authority may conduct a sound analysis before issuing the certificate. In particular it should be noted that use of training and operations manuals are not mandatory but only recommended (cf. GM1/GM2 BTO.GEN.190). Besides the application form does not include information about the aircraft fleet to be used for training.

By essence a certification has to rely on a clear frame of reference and on checking concrete elements. The lack of such framework will surely create legal issues. The sole tangible element is the assessment of training programs to be attached to the application form (cf. ARA.BTO.110).

**2) Acknowledgement of receipt and BTO certificate**

Moreover the AMC1-ARA.BTO.100 indicates that the acknowledgement of receipt could be considered as the BTO approval certificate. This approach, totally understandable in a declaration process (option 1 RTO), is inadequate in the case of certification process.

**3) Commencement of BTO activities**

Besides the rulemaking proposal allows a BTO to start its activities before having received its certificate (cf. BTO.GEN.130 (d)). This flexibility, totally understandable in a declaration process (option 1 RTO) is not compatible with a certification and could be a source of legal issues.

**4) Safety relevance**

Finally it seems that, as defined in the rulemaking proposal, the issuance of a certificate by the authority does not bring any added value or guarantee in terms of safety. Its introduction only aims at complying with article 7(3) of the current basic regulation. But in any case the BTO certificate, as described in the rulemaking proposal, cannot be considered as a result of a certification process as defined in the basic regulation (EC



	<p>n°216/2008.</p> <p><b>Conclusion</b></p> <p>Given all the elements above DGAC requests the withdrawal of the BTO concept based on a light approval (option 2). One hand it does not offer a proper framework for certification and on the other hand it does not offer the simplification that was looked for through the declaration.</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>
comment	<p>383 <span style="float: right;">comment by: <i>KSAK - Swedish Royal Aero Club</i></span></p> <p>Very good!</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 2 for further information.</p>
comment	<p>469 <span style="float: right;">comment by: <i>FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS</i></span></p> <p>How could NA accept that an acknowledgement is considered as an Approval!!!  The acknowledgement is acceptable in case of registration only!!  Once again, Option 1 RTO can comply with this AMC.  CNFAS reminds the Agency that option 2 (BTO) is NOT AT ALL in accordance with GA roadmap and EASA Roma’s conference.  CNFAS wants the Agency to apply the principle edicted by the GA roadmap and the EASA director.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please refer to the response to comment No 2 for further information.</p>



comment

507

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

Relevant Text: AMC1 ARA.BTO.100

Comment: As this is not a registration process but rather an approval process. Then it should not be possible to perform training before an approval is issued. Therefore a mere acknowledgement should not be enough to constitute an approval.

Proposal: Remove this paragraph

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 2 for further information.

comment

663

comment by: *Tonny Henriksen*

NPA page 40 AMC1 ARA.BTO.100 Application process and certification:  
The Danish Ballooning Association DBU, supports the confirmation of received application, is considered as an approval certificate.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 2 for further information.

comment

676

comment by: *CAA Norway*

The NAA should issue an approval certificate prior to the training starts. The receipt on an e-mail is, by CAA Norway, not considered sufficient as an approval.

This paragraph should be removed.

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 2 for further information.

comment

964

comment by: *Supreme Building Authority, Part of the Bavarian State Ministry of*

		<i>the Interior, for Building and Transport</i>
		It is not advisable to consider an acknowledgement of receipt as an approval certificate. By an acknowledgement of receipt the competent authority just informs the applicant that the application documents have been received. At this stage, the authority normally does not have reviewed the documents in detail in order to decide whether an approval could be given or not. That is subject to a later stage within the approval process.
response		Noted. Thank you for providing this comment. Please refer to the response to comment No 2 for further information.
comment	986	comment by: <i>Hermann Spring</i>
		<b>Remove</b>
		<b>SIMPLIFY</b>
		<b>Why to define such basic element That might be required in 3<sup>rd</sup> World countries, but not within EASA</b>
response		Not accepted. Thank you for providing this comment. Please refer to the response to comment No 968 for further information. With regard to the subject matter, please also check the response to comment No 2 for further information.
comment	1118	comment by: <i>Finnish Transport Safety Agency</i>
		AMC1 ARA.BTO.100
		Trafi does not support the proposed AMC text. The AMC is in contradiction with the ARA.BTO.100 point (c) which states that the competent authority <i>shall approve the BTO once it has established that the application complies with ARA.BTO.100 paragraph (a)</i> . Therefore the acknowledgement of receipt of the application cannot be the approval itself. The AMC should be deleted as the ARA.GEN.200 and related AMC/GM material already requires competent authority to establish the procedure for certification.
response		Accepted. Thank you for providing this comment.



Please refer to the response to comment No 2 for further information.

comment

1204

comment by: *Sandra WECHSELBERGER*

As stated in the comment to ARA.BTO.100, this AMC1 should be deleted completely. The BTO should only commence its activities when it is approved and in compliance with all applicable regulations.

response

Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 2 for further information.

**ED Decision 2016/xxx/R — AMC1 BTO.GEN.130 Application process and certification**

p. 41

comment

207

comment by: *IAOPA (EUROPE)*

IAOPA (Europe) supports the AMC and GM to Annex VIII except where indicated by our comments.

response

Noted.  
Thank you for providing this positive feedback.

comment

382

comment by: *KSAK - Swedish Royal Aero Club*

Remove safety adviser. This should not be a requirement. All people involved in the organisation should be safety advisers. Since this can be the same person as the Head of Training it does not really make sense to have this requirement. There could be a safety policy but no need for a safety adviser.

response

Accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
It has been decided that the organisational structure underneath the representative and the head of training should be up to the DTO. The positions of 'safety advisers' has been deleted from the draft AMC/GM material. Please also refer to Chapter 2.3.7. of Opinion 11/2016 for further information.



comment

510

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

Headline of the form

Relevant Text: BTO Application for a BTO Certificate

Comment: Delete the first BTO

Proposal: Application for a BTO Certificate

response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The form to be used by training organisations for sending a declaration to the competent authority has been laid down in the new draft Appendix 8 to Part-ARA. AMC1 BTO.GEN.130 as shown in the NPA has been deleted.

comment

658

comment by: *BGA*

We note the detail described here.

We would like to bring to the agencies attention that the UK CAA has previously developed complex forms that require more information than that proposed by the regulation (the UK CAA's ATO application form is one example among many). We recommend that the agency addresses the issue through appropriate guidance.

response

Noted.

Thank you for providing this comment.

Please check the response provided to comment No 510.

comment

677

comment by: *CAA Norway*

AMC1 BTO.GEN.130, BTO application.

Item 3: Documentation on the BTO training programme should be attached to the application, not only a reference to the programme.

Item 8: "Description of FSTDs to be used [...]" should read "Description of aircraft and FSTDs to be used [...]". The application should include the aircraft to be used during training, not only the FSTDs.

Item 8, Supplementary information: should include aircraft type and registration number.



response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The new DTO.GEN.115 (c) clarifies that the training programmes have to be attached to the declaration form.

After due consideration, it has been decided that information regarding the aircraft fleet shall be part of the declaration in such a way that aircraft models are listed. Please refer to Chapter 2.3.11.2 (page 15) of Opinion 11/2016 for further information.

comment

687

comment by: *Regierung von Oberbayern - Luftamt Südbayern*

zu ARA.BTO.100, BTO.GEN.130 und AMC1.BTO.GEN 130:

Zusätzlich zu den genannten Informationen sollten jeweils Angaben zu dem/den für die Ausbildung genutzten Luftfahrzeug(en) gemacht werden müssen. Dass nach den Luftfahrzeugen nicht gefragt wird, erscheint schon deswegen sinnvoll, weil auch nähere Angaben zu den FSTDs notwendig sein sollen; erst recht müssen dann aber aus hiesiger Sicht auch Luftfahrzeuge aufgeführt werden. Dies erscheint auch im Hinblick darauf geboten, dass die Luftfahrzeuge auch für die beabsichtigte Ausbildung geeignet und ausgerüstet sein müssen (z.B. müssen im Falle der PPL(A)-Ausbildung die notwendigen Fungnavigationshilfen eingebaut und auch funktionstüchtig sein).

Ferner sollten die Informationen zu den Luftfahrzeugen auch Angaben zu Eigentümer/Halter, Lufttüchtigkeit, Versicherung usw. enthalten. Denn es sollte nicht vergessen werden, dass die Luftfahrzeuge zu Schulungszwecken eingesetzt werden, womit eine gewisse Beanspruchung verbunden ist. Sie sollten daher - nicht zuletzt zum Schutze der Flugschüler - entsprechend gut gewartet, umfassend versichert und auch sonst für den genannten Zweck geeignet sein. Um dies sicherzustellen, sind entsprechende Angaben erforderlich.

zu AMC1.BTO.GEN 130:

Es erscheint nicht ratsam, eine Eingangsbestätigung für eine Genehmigung ausreichen zu lassen, zumal die zuständige Behörde nach ARA.BTO.110 das vorgeschlagene BTO-Ausbildungsprogramm prüfen und bewerten muss. Die Eingangsbestätigung bestätigt dem Antragsteller an sich nur den Eingang von Unterlagen. Sie dient damit lediglich zu Informationszwecken, d.h. der Antragsteller erhält die (Zwischen-)Information, dass sein Antrag eingegangen ist. Zu diesem Zeitpunkt hat die Behörde die eingegangenen Unterlagen aber noch gar nicht im Detail geprüft. Allenfalls könnte eine "qualifizierte" Eingangsbestätigung dergestalt als ausreichend angesehen werden, dass die Behörde nach Prüfung bestätigt, dass alle nach ARA.BTO.100 benötigten Unterlagen eingegangen sind.



	Eine so verstandene Eingangsbestätigung macht aber neben der eigentlichen Genehmigung wenig Sinn.
response	<p>Partially accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>After due consideration, it has been decided that information regarding the aircraft fleet shall be part of the declaration in such a way that aircraft models are listed. For further information, please refer to Chapter 2.3.11.2 (page 15) of Opinion 11/2016 and to the draft GM1 DTO.GEN.115 (as published together with Opinion 11/2016).</p>

comment	728 <span style="float: right;">comment by: <i>Danish Transport and Construction Agency</i></span>
	Top of the scheme: BTO application for a BTO certificate - Proposed text: Application for a BTO certificat.
response	<p>Not accepted. Thank you for providing this comment. Please check the response provided to comment No 510.</p>

comment	963 <span style="float: right;">comment by: <i>Supreme Building Authority, Part of the Bavarian State Ministry of the Interior, for Building and Transport</i></span>
	In addition to the description of FSTD's under No. 8, the application for a BTO certificate should also include information about the aircraft(s) to be used for flight training, including information about class/type, owner/holder and category of airworthiness.
response	<p>Partially accepted. Thank you for providing this comment. Please check the response provided to comment No 687.</p>

comment	1004 <span style="float: right;">comment by: <i>Guenter W. FORNECK</i></span>
	It is recognised that the typical ATO, with it's higher level of possible training, the usage of complex aircraft etc., requires a larger and more complex amount of management than BTO.
	By enabling the BTO to self-determine the necessary management, you have once again



	shown that you really understand the needs of small training schools. Thank you for your help and understanding
response	Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

## ED Decision 2016/xxx/R — GM1 BTO.GEN.130 Application process and certification

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comment	678	comment by: CAA Norway
	GM1 BTO.GEN.130 should be an AMC.	
response	Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  The text proposed in GM1 BTO.GEN.130 has been moved to GM1 DTO.GEN.115. When doing so, the whole paragraph (b) of GM1 BTO.GEN.130 was deleted, as the notification of changes is now addressed in the rule (DTO.GEN.115 (d)). Please refer to the draft rule text for further information.	
comment	987	comment by: Hermann Spring
	<b>Remove</b> See comments above under Gen.130	
response	Not accepted. Thank you for providing this comment. Please refer to the response to comment No 968 for further information.	



## ED Decision 2016/xxx/R — AMC1 BTO.GEN.190 Tasks, responsibilities and procedures

p. 42

comment

54

comment by: *David COURT*

The BTO only needs to declare that it has a safety policy when it applies (see ARA.BTO.100)

The detail of how this is achieved, safety measures, risk assessments, mitigation measures are not part of the application.

Please do not leave any confusion here.

If the full safety policy is submitted with the application this will take a long time to study and approve.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 88 for further information.

comment

508

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

Relevant Text: AMC1 BTO.GEN.190 (c)

Comment: A safety policy statement ought to be interpreted as a short statement regarding the safety policy of the BTO. However, the AMC requests that this include risk identification, assessment and adequacy of mitigation measures. This is counterproductive to the purpose of the safety policy, as the policy should be well known throughout the organization.

The difference between policy and procedure should be clear.

Proposal: Include a definition of Safety policy, if it is meant that a policy should include processes normally included in a safety management system

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 88 for further information.

## ED Decision 2016/xxx/R — GM1 BTO.GEN.190 Tasks, responsibilities and procedures

p. 42-44



comment	55	comment by: <i>David COURT</i>
	<p>It says there is no requirement for a BTO to use an Operations Manual but then details everything an Operations Manual must contain.          With this level of detail it is easier for the BTO not to have an Operations Manual at all.          There needs to be more flexibility about what the Operations Manual must contain.</p>	
response	<p>Noted.          Thank you for providing this comment.          Please refer to the response to comment No 168 for further information.</p>	

comment	206	comment by: <i>IAOPA (EUROPE)</i>
	<p>Surely aircraft for which an MMEL is required are outside the scope of a BTO? If so, then this should read:</p> <p>(2) Allowable deficiencies <del>(based on the master minimum equipment list (MMEL), if applicable)</del> and the process for deferring defects.</p>	
response	<p>Noted.          Thank you for providing this comment.          Please refer to the response to comment No 168 for further information.</p>	

comment	444	comment by: <i>Ann Rich</i>
	<p>BTOs do NOT require an Operations Manual.          An Operations Manual should be allowed to be a simple document.          It should not be required to include all the items listed under GM1 BTO.GEN.190.          Making the requirements overcomplicated will lead to BTOs choosing not to have an Operations Manual.</p>	
response	<p>Accepted.          Thank you for providing this comment.          Please refer to the response to comment No 168 for further information.</p>	

comment	470	comment by: <i>FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS</i>
	<p><b><u>(a) :</u></b>          Delete “however, it is recommended to do so”. BTO is not an ATO!          Insert “local” before risks. Global risks are generally addressed by regulation or global measures.</p>	



	<p><b>(c):</b> "Address" instead of include</p> <p><b>(c),(2):</b> "Solo flight" = Insert "under supervision". Until flight test, student pilots fly under supervision</p> <p><b>(d):</b> Suppress "Many"</p> <p><b><u>OPERATIONS MANUAL</u></b> <b>(E) solo flights :</b> Insert "Under supervision"</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 168 for further information.</p>

comment	<p>679 <span style="float: right;">comment by: CAA Norway</span></p> <p>Do not agree. Should be a requirement to have an organisational manual or operation manual, due to the fact that the NAA have to assess if the BTO is in compliance with the requirements. If no documented procedures, it is difficult to certify the BTO.</p>
response	<p>Not accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>After due consideration, it has been decided not to require a DTO to establish manuals. Please refer to Chapter 2.3.9.2. of Opinion 11/2016 for further information and reasoning.</p>

comment	<p>762 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Page No:</b> 43-44</p> <p><b>Paragraph No:</b> GM1 BTO.GEN.190</p> <p><b>Comment:</b> The suggested content of the Operations manual includes '(b) Ground Operations' and '(e) Solo Flight' which are not in the existing Part-ORA AMC for ATOs..</p>
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	<p>The additional section (b) and (e ) are already included in other sections of the Operations manual structure contained with AMC to Part-ORA.ATO. To use the suggested format will likely mean that any BTO wishing to become an ATO will be required to make major changes to the format and layout of their manual.</p> <p><b>Justification:</b> Consistency.</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 168 for further information.</p>

comment	<p>834 <span style="float: right;">comment by: <i>Vereniging Vlaamse MotorVliegclubs (VMMV)</i></span></p> <p>Clear guidance of what EASA expects in an Operations Manual is helpful. However item (a) GENERAL (10) "Flight duty periods ..." would be hard to monitor and we feel does not make an awful lot of sense in an aeroclub environment where people come and go, and are generally not "on duty".</p>
response	<p>Noted. Thank you for providing this comment. Please refer to the response to comment No 168 for further information</p>

comment	<p>879 <span style="float: right;">comment by: <i>Matthias W.</i></span></p> <p>In GM1 BTO.GEN.190 (c) (3) the phase "the flight duty period and flight time limitations" should be deleted as well as GM1 BTO.GEN.190 (f) (a) (10), because:</p> <ul style="list-style-type: none"> <li>- The non-commercial atmosphere of a flight training within the framework of a club prevents companies or flight instructors from being put under pressure to train because of economic reasons. Being a flight instructor on an absolutely voluntary basis is therefore of utmost importance.</li> <li>- The training of student pilots means relaxation, joy as well as a welcome change from their work as a pilot. It is on no account an additional burden.</li> <li>- The student pilots know that they are trained in a non-commercial environment. This fact as well as the lack of any economic pressure enable the flight instructor and the student pilot to easily cancel the training on the current day, if they are too exhausted. For this reason, there is no need for any new regulatory provisions.</li> <li>- Such regulatory provisions would deny flight instructors the ability to decide autonomously whether they are able to train or not. The flight instructor can decide on his own, if a student pilot is in the condition to be trained or not. All flight instructors attended the courses "educational theory" and "human factors" during their training. The</li> </ul>
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knowledge taught and tested in those courses enables every flight instructor to decide whether a student pilot is receptive or not. Regulatory provisions about a maximum time of training do not increase safety. These regulatory provisions are over the top, since flight instructors do not need to be protected from themselves. The ability of flight instructors to take decisions on their own would thus be denied.

- Clubs would no longer benefit from professional pilots who support them on a voluntary basis. The clubs would be forced to do without their know-how. Mutual respect as well as the knowledge of the other airspace users' situation is of utmost importance, especially in airspace, where both general and commercial aviation intersect. Through the implementation of flight duty period limitations for BTOs, professional pilots could no longer function as interface between general and commercial aviation, which would inevitably result in an enormous loss of safety.

- No flight instructor would for his own sake allow a student pilot to fly on his own during the training, if he were not absolutely convinced of his current physical condition and ability to concentrate. Thus, limitations to the maximum training time cannot be considered necessary.

- The aim is to train "responsible and safety-conscious pilots". However, this requires to be aware of one's own current condition and its correct evaluation. A maximum training time would have a counterproductive effect on reaching this aim. The appropriate maximum time of training varies from student pilot to student pilot. The flight instructors must therefore continuously re-evaluate the appropriate time in order to not ask too much of the student pilots.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 168 for further information.

comment

891

comment by: *Aero-Club of Switzerland*

Pages 42 to 44 by EPFU/AeCS/MFVS/SFVS:  
GM1 BTO.GEN.190 Tasks, responsibilities and procedures

Promotion of training standards: Ops Manual

We gladly read that there is no requirement for a BTO to develop or use an operations manual.

Rationale:

For small organisations such a manual is of limited value only. It would be an administrative burden as adequate updates would be required.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 168 for further information.



comment

925

comment by: *European Gliding Union***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.*

The EGU members have experience of NAAs transforming recommendations into mandatory requirements, bringing added costs with no commensurate benefit to either safety or effectiveness.

Any need for an operations manual would show up in a gliding club's normal management processes and thus be actioned without need for NAA intervention.

**The clause “however, it is recommended to do so” should be removed.**

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 168 for further information.

comment

933

comment by: *Aeroklub Polski*

Shall be limited to the statement that no Operations and Training manual is needed. Otherwise CAs will by all means require those.

If possible:

1. limit documentation to the Training Program or,
2. include some of the Operations and Training manual content into the Training Program or
3. shorten the content of the Operations and Training manuals suggested.

response

Noted.

Thank you for providing this comment.

Please refer to the response to comment No 168 for further information.

comment

957

comment by: *LVB*Attachment [#12](#)

- The non-commercial atmosphere of a flight training within the framework of a club prevents companies or flight instructors from being put under pressure to train because of economic reasons. Being a flight instructor on an absolutely voluntary basis is therefore of utmost importance.



- The training of student pilots means relaxation, joy as well as a welcome change from their work as a pilot. It is on no account an additional burden.

- The student pilots know that they are trained in a non-commercial environment. This fact as well as the lack of any economic pressure enable the flight instructor and the student pilot to easily cancel the training on the current day, if they are too exhausted. For this reason, there is no need for any new regulatory provisions.

- Such regulatory provisions would deny flight instructors the ability to decide autonomously whether they are able to train or not. The flight instructor can decide on his own, if a student pilot is in the condition to be trained or not. All flight instructors attended the courses "educational theory" and "human factors" during their training. The knowledge taught and tested in those courses enables every flight instructor to decide whether a student pilot is receptive or not. Regulatory provisions about a maximum time of training do not increase safety. These regulatory provisions are over the top, since flight instructors do not need to be protected from themselves. The ability of flight instructors to take decisions on their own would thus be denied.

- Clubs would no longer benefit from professional pilots who support them on a voluntary basis. The clubs would be forced to do without their know-how. Mutual respect as well as the knowledge of the other airspace users' situation is of utmost importance, especially in airspace, where both general and commercial aviation intersect. Through the implementation of flight duty period limitations for BTOs, professional pilots could no longer function as interface between general and commercial aviation, which would inevitably result in an enormous loss of safety.

- No flight instructor would for his own sake allow a student pilot to fly on his own during the training, if he were not absolutely convinced of his current physical condition and ability to concentrate. Thus, limitations to the maximum training time cannot be considered necessary.

- The aim is to train "responsible and safety-conscious pilots". However, this requires to be aware of one's own current condition and its correct evaluation. A maximum training time would have a counterproductive effect on reaching this aim. The appropriate maximum time of training varies from student pilot to student pilot. The flight instructors must therefore continuously re-evaluate the appropriate time in order to not ask too much of the student pilots.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 879 for further information.

comment

1005

comment by: *Guenter W. FORNECK*

Whilst not saying that it is good NOT to have an operations manual, it is recognised, with gratitude, that the BTO is better placed to recognise the necessity of an operations manual. Thank you for this change.



response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment

1025

comment by: AESA

Modify (a) as follows (deleted text strike-through):

(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.

Justification:

Consistency with our proposals for ARA.BTO.100, BTO.GEN.100 and BTO.GEN.130.

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment

1154

comment by: Deutscher Aero Club Landesverband Niedersachsen

LVN states:

GM1BTO.GEN.190(a)

As there is no requirement of operational manuals is given, the recommendation to do so might force competent authorities to force applicants to have one, although only simple training is applied for. This might be clarified by addition of a sentence such as ....however, although it is recommended to do so the decision stay under discretion of the applicant....

response

Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment

1174

comment by: ATO Aeroklub Szczeciński

GM1 BTO.GEN.190 - cancel "however, it is recommended to do so". Regulation shall be limited to the statement that **no** Operations and Training manual is needed. Otherwise CAs will by all means require those.

If

possible:



1. limit documentation to the Training Program or,  
 2. include some of the Operations and Training manual content into the Training Program or  
 3. shorten the content of the Operations and Training manual.

response

Noted.  
 Thank you for providing this comment.  
 Please refer to the response to comment No 168 for further information.

ED Decision 2016/xxx/R — GM2 BTO.GEN.190 Tasks, responsibilities and procedures

p. 44-46

comment

471

comment by: *FEDERATION FRANCAISE AERONAUTIQUE (FFA) / CNFAS***(a):**

Delete “however, it is recommended to do so”. BTO is not an ATO!!!

response

Noted.  
 Thank you for providing this comment.  
 Please refer to the response to comment No 168 for further information.

comment

680

comment by: *CAA Norway*

Do not agree. Should be a requirement to have an organisational manual or operation manual, due to the fact that the NAA have to assess if the BTO is in compliance with the requirements. If no documented procedures, it is difficult to certify the BTO.

response

Not accepted.  
 Thank you for providing this comment.  
 The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

comment

833

comment by: *Vereniging Vlaamse MotorVliegclubs (VVMV)*

We agree that training organisations, ATO or BTO, should not be required to write their own training manuals. However we think that EASA-approved training manuals should be made available.



response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment 893 comment by: *Aero-Club of Switzerland*

Page 44 to 46/49 by EPFU/AeCS/MFVS/SFVS:  
GM2 BTO.GEN.190 Tasks, responsibilities and procedures  
Promotion of training standards:

Training Manual, including BTO Training Programme

We gladly read that there is no requirement for a BTO to develop or use a training manual.

Rationale:

A training manual containing a BTO training programme could be an excellent frame work, the only problem: What is the content? If competent authorities insist on what you propose we will again not arrive where we wanted to end up with lean structures, less administration, adequate provisions, less paperwork, more flying. Besides, updating it could be a heavy burden put small organisations.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment 934 comment by: *Aeroklub Polski*

Shall be limited to the statement that no Operations and Training manual is needed. Otherwise CAs will by all means require those.

If possible:

1. limit documentation to the Training Program or,
2. include some of the Operations and Training manual content into the Training Program or
3. shorten the content of the Operations and Training manuals suggested.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment 988 comment by: *Hermann Spring*

**Remove See above comment under GEN.190**



response Accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment 1026 comment by: AESA

Modify (a) as follows (deleted text strike-through):

**GM2 BTO.GEN.190 Tasks, responsibilities and procedures**

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

~~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.

Justification:

Consistency with our proposals for ARA.BTO.100, BTO.GEN.100 and BTO.GEN.130.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment 1205 comment by: Sandra WECHSELBERGER

The training programme in section (d) – Theoretical knowledge – contains no oversight over distance learning elements.  
Those should be included.

response Noted.  
Thank you for providing this comment.  
Please refer to the response to comment No 168 for further information.

comment 5 comment by: Bruno Herencic

It is unclear what qualifications are acceptable for a safety adviser, and this is not in accordance with ICAO Doc. 9859.



	<p>In Europe a lot has been done to promote Risk Management and SMS and this could clearly be lost at BTO level.</p> <p><b>Propose to add the following text:</b> (b) (2) Safety Adviser shall have completed a Safety Management System course of at least 3 days in duration.</p>
response	<p>Noted. Thank you for providing this comment. The position of a safety adviser is deleted from the draft text. Please refer to the response to comment No 382 for further information.</p>
comment	<p>22 <span style="float: right;">comment by: <i>Ailes Soiss</i></span></p> <p>Dear all, please find my comment on AMC1 BTO.GEN.200 and GM2 BTO.GEN.200 / Personnel requirments</p> <p>In this AMC i understand that it is not necessary to nominate a "Head of training (HT)" person in a BTO. If so, the representative of the BTO can fulfil the tasks of the HT even if he does not hold (or has not held) a FI certificate.</p> <p>Nevertheless, i think it should be possible in BTO, for easier and better task dispatching and managment, to have the possibility to nominate a "Head of training" that does not hold (or has not held) a FI certicate.</p> <p>My text proposal is for b)3) : a Head of Training (HT) who will be tasked to manage with flight instructors, training withing the BTO and to monitor and implement withing the BTO rules evolution regarding training.</p> <p>Best regards and best wishes for 2016</p> <p>Sébastien</p>
response	<p>Partially accepted. Thank you for providing this comment. Please refer to the response to comment No 756 for further information.</p>
comment	<p>208 <span style="float: right;">comment by: <i>IAOPA (EUROPE)</i></span></p> <p>In order to prevent the risk of misinterpretation, IAOPA (Europe) recommends the following amendment to AMC1 BTO.GEN.200(b)(3):</p>



(3) a Head of Training (HT), who holds or has held an unrestricted a flight instructor certificate which does not include the restrictions of points (a) and (b) of FCL.910.FI.

response

Partially accepted.  
Thank you for providing this comment.  
Please refer to the response to comment No 756 for further information.

comment

382 ❖

comment by: KSAK - Swedish Royal Aero Club

Remove safety adviser. This should not be a requirement. All people involved in the organisation should be safety advisers. Since this can be the same person as the Head of Training it does not really make sense to have this requirement. There could be a safety policy but no need for a safety adviser.

response

Accepted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
It has been decided that the organisational structure underneath the representative and the head of training should be up to the DTO. The positions of 'safety advisers' has been deleted from the draft AMC/GM material. Please also refer to Chapter 2.3.7. of Opinion 11/2016 for further information.

comment

681

comment by: CAA Norway

AMC 1 BTO.GEN.200(b)(3): should include requirement that the HT has held an unrestricted FI in the three years prior to first appointment as HT. This way it conforms to AMC2 ORA.ATO.210.

New text should read:

a Head of Training (HT), who holds or have held in the 3 years prior to first appointment as HT, an unrestricted flight instructor certificate.

response

Noted.  
Thank you for providing this comment.  
  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  
  
The personnel requirements have been moved from BTO.GEN.190 to the new DTO.GEN.210. AMC2 DTO.GEN.210 (a) specifies the minimum qualification and experience criteria for the head of training, for the time being without the additional text proposed in



the comment.

We will take your comment into consideration for finalising the AMC/GM text.

comment

763

comment by: UK CAA

**Page No:** 46

**Paragraph No:** AMC1 BTO.GEN.200 (b)

**Comment:** This is AMC but it states the BTO *may* designate. As it is AMC 'may' should be replaced with 'should'.

**Justification:** This is conventional text for AMC level material

**Proposed Text:** Amend to read:

"The representative of the BTO **should** designate:"

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

AMC1 BTO.GEN.200 has been deleted. The head of training is now required by the rule (new DTO.GEN.210 (a) (2)). In a new AMC2 DTO.GEN.210 (c) it is said that the representative 'may' designate a person to act as a focal point for the competent authority. As the designation of such a person is optional, the word 'may' is still used.

comment

989

comment by: Hermann Spring

**Remove see comment above GEN.200**

response

Not accepted.

Thank you for providing this comment.

With regard to your reference to comment No 968 on BTO.GEN.200, this comment is not accepted. Please refer to the response to comment No 968 for further information.

However, AMC1 BTO.GEN.200 has been deleted and replaced by the new AMC2 DTO.GEN.210. Please refer to the draft rule text for further information.



## ED Decision 2016/xxx/R — GM1 BTO.GEN.200 Personnel requirements

p. 46

comment

382 ❖

comment by: *KSAK - Swedish Royal Aero Club*

Remove safety adviser. This should not be a requirement. All people involved in the organisation should be safety advisers. Since this can be the same person as the Head of Training it does not really make sense to have this requirement. There could be a safety policy but no need for a safety adviser.

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

It has been decided that the organisational structure underneath the representative and the head of training should be up to the DTO. The positions of 'safety advisers' has been deleted from the draft AMC/GM material. GM1 DTO.GEN.210 (former GM1 BTO.GEN.200) has been reworded completely. Please also refer to Chapter 2.3.7. of Opinion 11/2016 for further information.

comment

990

comment by: *Hermann Spring*

**Remove see comment above GEN.200**

response

Not accepted.

Thank you for providing this comment.

With regard to your reference to comment No 968 on BTO.GEN.200, this comment is not accepted. Please refer to the response to comment No 968 for further information.

However, GM1 BTO.GEN.200 has been reworded completely. Please refer to the draft AMC text published together with Opinion 11/2016 for further information.

## ED Decision 2016/xxx/R — GM2 BTO.GEN.200 Personnel requirements

p. 46

comment

991

comment by: *Hermann Spring*

**Remove see comment above GEN.200**



response

Not accepted.  
Thank you for providing this comment.  
With regard to your reference to comment No 968 on BTO.GEN.200, this comment is not accepted. Please refer to the response to comment No 968 for further information.

ED Decision 2016/xxx/R — AMC1 BTO.GEN.210 Annual internal review

p. 47

comment

17

comment by: *Ruben*

paragraph (a) is not very clear.  
The text says "OR". The meeting may be formed by one or more people have to attend?  
Is it possible that the BTO may delegate this audit to a third party (external audit)?

**AMC1 BTO.GEN.220 Record-keeping**

To facilitate the work of the BTO , and improve legal certainty, I think it can be helpful to indicate what elements must contain the training-record or set a standard model

.

response

Noted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The text proposed in AMC1 BTO.GEN.210 has been moved to the new DTO.GEN.270 (a).

As the position of a safety adviser has been deleted from the entire text (see response to comment No 382), the text of this AMC has been adapted accordingly to only state that the representative may be assisted by other persons.

Your comment with regard to the option to having the annual internal review conducted by a third party (external audit) will be taken into consideration for finalising the AMC text.

With regard to your comment to BTO.GEN.220, the Agency would like to highlight the elements of the training records are specified in the new DTO.GEN.220 (former BTO.GEN.220).

comment

56

comment by: *David COURT*

I support an annual internal review with a report then sent to the NAA.



	<p>This is more productive than an external audit and is less expensive for the BTO. Many hours are spent preparing for external audits. External audits should be for serious concerns about compliance or safety.</p>
response	<p>Not accepted. Thank you for providing this comment. Please refer to the response to comment No 51 for further information.</p>
comment	<p>105 <span style="float: right;">comment by: Tony Jay</span></p>
	<p>balloons, completely agree, only an annual internal review is required.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>
comment	<p>177 <span style="float: right;">comment by: jeffrey Lawton</span></p>
	<p>AMC1 BTO.GEN.210 Annual Internal Review  I agree that an annual internal review is appropriate</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>
comment	<p>238 <span style="float: right;">comment by: Innes WORSMAN</span></p>
	<p>I support annual internal review.</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>
comment	<p>265 <span style="float: right;">comment by: JED DRYDEN</span></p>
	<p>AMC1.BTO.GEN.210  This all reads good and I fully support it</p>
response	<p>Noted. Thank you for providing this positive feedback.</p>

comment	309	comment by: <i>BBAC 6824</i>
	<b>AMC1 BTO.GEN.210 ANNUAL INTERNAL REVIEW</b>	
	The less expensive option of an internal review keeps costs down and so I agree with this as there is no disadvantage.	
response	Noted. Thank you for providing this positive feedback.	

comment	327	comment by: <i>bBAC</i>
	I support an internal review	
response	Noted. Thank you for providing this positive feedback.	

comment	390	comment by: <i>DGAC France</i>
	<b>Subject:</b> AMC1 BTO.GEN.210 clarification	
	<b>Content:</b> The notion of "validated BTO training program" is not clear. It is not completely consistent with ARA.BTO.110.	
response	Accepted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information. The text proposed for AMC1 BTO.GEN.210 has been moved to the new AMC1 DTO.GEN.270(a). In this AMC, the term 'validated' has been deleted.	

comment	415	comment by: <i>Angus Whyte</i>
	1) Is an Annual review really required for small organisations?	
	i) A Flight Instructor with a single Aircraft would normally review an in service event at the time of the event via its Companies own policies and its own safety reporting systems, why would it require further analysis?	
	ii) With regards to reviewing the Initial BTO application each year appears a poor use of resources. What are we trying to acheive?	



iii) Assessing adequacy of improvements is ongoing throughout the year. Most if not all Flying Training establishments already have continuing improvement programmes in place. Why does it need an assessment?

iv) Intergration of new Aircraft / FSTD should be completed at the time of implementation, not in an annual review.

## 2) Training Adequacy

i) BTO training programmes are there to be followed. No need to review.

ii) Flight Instructor standardisation is completed at Licence renewal.

ii) A BTO programme would be ammended as required. Annual reviews not needed.

response

Partially accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The Agency does not agree with your comment in the following topics:

- The reduction of the requirements for a highly-sophisticated compliance monitoring system (as required for ATOs) to the proposed annual internal review already constitutes an extensive alleviation towards a minimum of monitoring and evaluation of internal processes and it therefore applicable also to very small organisations (DTOs).
- Neither the rule nor the AMC text prevent a DTO to carry out the annual internal review as a continuing process throughout the year.
- The training programmes established by a DTO need to be reviewed on a regular basis in order to identify any needs for adaptations, as necessary.
- Every training organisation needs to standardise the flight instructors with regard to internal training and working arrangements and procedures. This has nothing to do with the revalidation of the flight instructor certificates.

However, when adapting the documents to the new DTO concept, the text proposed for AMC1 BTO.GEN.210 has been moved to the new AMC1 DTO.GEN.270(a). When doing so, the need to review the initial BTO application has been deleted.



comment 456 comment by: *Richard Turnbull*

A less expensive internal review is the way forward, rather than incurring an external one.

response Noted.

Thank you for providing this comment.

Please check the response to comment No 45 for further information.

comment 482 comment by: *Michael Noyce*

I support an annual internal review

response Noted.

Thank you for providing this positive feedback.

comment 492 comment by: *Ann Rich*

I support Annual Internal Review as a more appropriate and cost effective alternative to external review.

response Noted.

Thank you for providing this comment.

Please check the response to comment No 45 for further information.

comment 570 comment by: *Nick Bettin*

We support an Annual Internal Review as this is less expensive than an External Review.

response Noted.

Thank you for providing this comment.

Please check the response to comment No 45 for further information.

comment 597 comment by: *BUHABS (Bristol University Hot Air Ballooning Society, UK)*

supported as written - annual internal review and definitely not an annual external audit.

response Noted.

Thank you for providing this comment.

Please check the response to comment No 45 for further information.



comment

636

comment by: *Kevin Meehan*

AMC1 BTO.GEN.210 ANNUAL INTERNAL REVIEW (page 47)

I support the requirement to have an annual internal review and support the contents of the review.

This review should help the BTO assess its performances and safety records and lead to a better safety culture without excessive oversight from the competent authority.

response

Noted.

Thank you for providing this comment.

Please check the response to comment No 45 for further information.

comment

664

comment by: *Tonny Henriksen*

NPA page 47 AMC1 BTO.GEN.210 Annual internal review  
The Danish Ballooning Association supports annual audits with content as described.

response

Noted.

Thank you for providing this positive feedback.

comment

764

comment by: *UK CAA*

**Page No:** 47

**Paragraph No:** AMC1 BTO.GEN.210 (a)

**Comment:** The Annual internal review should be attended by the representative, the HT and the safety advisor (whereas the text states the HT or the safety advisor).

**Justification:** For the Annual internal review meeting to be meaningful it is important all these people attend.

**Proposed Text:** Amend to read:

“The representative, the HT **and** the safety advisor should attend the annual internal review meeting”



response

Not accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The text proposed for AMC1 BTO.GEN.210 has been moved to the new AMC1 DTO.GEN.270(a). As the position of a safety adviser has been deleted from the entire text (see response to comment No 382), the text of this AMC has been adapted accordingly to only state that the representative should carry out the review and may be assisted by other persons. In many cases, the head of training will assist, but, however, it was decided not to be too prescriptive in this regard, bearing in mind that the overall responsibility for safety and legal compliance lies with the representative.

comment

765

comment by: UK CAA

**Page No:** 47**Paragraph No:** AMC1 BTO.GEN.210 (b) (1) (ii)

**Comment:** The UK CAA does not agree with this sub-paragraph which requires the internal review to include completeness of the initial BTO application. We recommend that it should be deleted.

**Justification:** This is a one off activity and will not be part of the internal review once the BTO is approved.

**Proposed Text:** Delete sub-paragraph (b)(1)(ii)

response

Accepted.

Thank you for providing this comment.

The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

However, when adapting the documents to the new DTO concept, the text proposed for AMC1 BTO.GEN.210 has been moved to the new AMC1 DTO.GEN.270(a). When doing so, the need to review the initial BTO application has been deleted.

comment

766

comment by: UK CAA

**Page No:** 47

	<p><b>Paragraph No:</b> AMC1 BTO.GEN.220</p> <p><b>Comment:</b> The wording ‘has completed their training’ could be misinterpreted to indicate that training records are only kept on completion of training and not during the training.</p> <p><b>Justification:</b> Clarity.</p> <p><b>Proposed Text:</b> Amend AMC1 BTO.GEN.220 as follows:</p> <p>“The training records should be kept in electronic or paper format by the BTO where the candidate <b>is conducting the training.</b>”</p>
response	<p>Accepted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of ‘declared training organisations’ (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>The requirement in BTO.GEN.220 has been moved to DTO.GEN.220. When doing so, the text has been amended to clarify that records shall be kept out throughout the training course. Draft AMC1 DTO.GEN.220 has be reworded accordingly.</p>
comment	<p>809 <span style="float: right;">comment by: <i>Allie Dunnington</i></span></p> <p>AMC1 BTO GEN 210</p> <p>I am in favour of the Annual Internal Review as this is not so expensive and will cost much less than an external review.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 45 for further information.</p>
comment	<p>826 <span style="float: right;">comment by: <i>Ian Wadey</i></span></p> <p>I eagerly support a <b>Basic Training Organisation</b> for the <b>ballooning</b> fraternity with an <b>Annual Internal Review</b> keeping the cost proportionate to the benefits to safety and the small number of balloonists involved.</p>
response	<p>Noted.</p> <p>Thank you for providing this positive feedback.</p>

comment	859	comment by: <i>Slowfly</i>
	I fully support this	
response	Noted. Thank you for providing this positive feedback.	
comment	992	comment by: <i>Hermann Spring</i>
	<a href="#">See Comments under Draft Regulation (Draft EASA Opinion) — BTO.GEN.210</a>	
response	Noted. Thank you for providing this comment. We assume you refer to your comment No 973. Thank you for providing this positive feedback.	
comment	1077	comment by: <i>Aero-Club of Switzerland</i>
	Page 47/49 by EPFU/AeCS/MFVS/SFVS: AMC1 <span style="float: right;">BTO.GEN.210</span> As such, this AMC1 is ok for us, we just prefer an RTO... We do not oppose against the content of the AMC, only against the idea of having to prepare this quite voluminous set of documents just for storage..	
	Rationale: This workload is not justified as long as there are no particulars accidents or incidents to be investigated.	
response	Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.  Having regard to the new DTO.GEN.220 (b), the requirements for storage of documents are deemed to be appropriate.	
comment	1095	comment by: <i>Phil Dunnington</i>
	An annual internal review is entirely adequate.	



response Noted.  
Thank you for providing this positive feedback.

comment 1196 comment by: *Richard ALLEN*

An annual internal review seems sensible and proportionate, and will maintain standards while keeping costs down for the TO.

response Noted.  
Thank you for providing this positive feedback.

comment 1206 comment by: *Sandra WECHSELBERGER*

As stated in AMC1 BTO.GEN.210(a), the Representative **or** Head of training **or** Safety advisor should attend the annual internal review meeting. The attendance of other persons is not required.

Most of the BTOs will subsume all three responsibilities within one natural person. The question arises: Who will meet who in those cases? (which will be the standard case!)

response Noted.  
Thank you for providing this comment.  
The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.

The text proposed for AMC1 BTO.GEN.210 has been moved to the new AMC1 DTO.GEN.270(a). As the position of a safety adviser has been deleted from the entire text (see response to comment No 382), the text of this AMC has been adapted accordingly to only state that the representative should carry out the review and may be assisted by other persons.

comment 391 comment by: *DGAC France*



	<p><b>Subject:</b> AMC1 BTO.GEN.230 clarification</p> <p><b>Content:</b> The notion of "validated BTO training program" is not clear. It is not completely consistent with ARA.BTO.110.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p> <p>In the new DTO concept without approval, training programmes need to be sent to the competent authority together with the initial declaration and will be verified for Part-FCL compliance as part of the continuing oversight process (please check the draft rule text as published with Opinion 11/2016 for further information). Consequently, AMC1 BTO.GEN.230 was deleted.</p>
comment	<p>503 <span style="float: right;">comment by: <i>The Norwegian Air Sports Federation</i></span></p> <p>This provision seems unclear: What is meant by "a validated training programme"? Could it mean a training programme used by a JAR RF for the same license, issued by any JAR/EASA country? Can the NAA demand the training programme to be approved, if newly developed?</p> <p>In our view, existing training programs in use today for the same licenses/ratings should be perceived as validated through a quasi "grandfather's right" principle.</p>
response	<p>Noted.</p> <p>Thank you for providing this comment.</p> <p>Please check the response to comment No 391 for more information.</p>
comment	<p>993 <span style="float: right;">comment by: <i>Hermann Spring</i></span></p> <p>See comment above under <a href="#">Draft Regulation (Draft EASA Opinion) — BTO.GEN.230</a></p>
response	<p>Not accepted.</p> <p>Thank you for providing this comment.</p> <p>We assume you refer to your comment No 973. Please check the response to that comment for further information.</p>
comment	<p>1207 <span style="float: right;">comment by: <i>Sandra WECHSELBERGER</i></span></p> <p>The training programme, which was already approved for another BTO might still be</p>



	inappropriate for one other BTO – for example when the BTOs use different types/kinds/versions of aeroplanes, when there are different environmental conditions (mountainous area or not, etc.).
response	Noted. Thank you for providing this comment. Please check the response to comment No 391 for more information.

**4. References**

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comment	384	comment by: <i>KSAK - Swedish Royal Aero Club</i>
	On behalf of the Swedish Royal Aero Club I would like to thank the Agency and the task members for a good draft and we hope that it, with our proposed changes, will be passed by the commission. We also hope that this will be implemented well in advance of the ATO requirement opt-out.	
response	Noted. Thank you for providing this positive feedback.	

**5. Appendices**

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comment	322	comment by: <i>Jeremy Hinton</i>
	<p>Conclusion: BTO rather than ATO should be suitable for balloon training and licencing. This proposal suggests a significantly greater understanding of balloon training and safety requirements than the original proposal. The philosophy of minimum necessary rules is most welcome.</p> <p>So long as the ability to inspect, audit and oversee is not abused, and the 'proportionality' rules are applied appropriately, this proposal should be acceptable and hopefully have minimal negative impact on UK ballooning. (possibly positive impact? not sure).</p> <p>A BPL with a recently expired Class 2 medical and a valid LAPL medical should become and LAPL by default. If the BPL holder qualifies for a LAPL, let it be a LAPL rather than having to apply ab initio for a separate licence.</p> <p>Thank you,</p>	



response	<p>Jeremy L Hinton</p> <p>Noted. Thank you for providing this positive feedback.</p>
comment	<p>1133 <span style="float: right;">comment by: <i>Aero-Club of Switzerland</i></span></p> <p>Page 49/49 5. Appendix We studied art. 7 of Basic Regulation (EC) No 216/2008, in different languages. We also studied Recital (7). We still are of the opinion that an RTO perfectly fits today's regulatory framework.</p> <p>Rationale: Recital (7) sets out: "The Commission should be empowered to develop the necessary Implementing Rules for establishing the conditions for the issue of the certificate on the conditions for its replacement by a declaration of capability, taking into account the risks associated with the different types of operations, such as certain types of aerial work and local flights with small aircraft."</p> <p>We operate small aircraft, we are not a "third party risk", two additional elements supporting the RTO proposal of Option 1.</p>
response	<p>Noted. Thank you for providing this comment. The Agency would like to highlight that the Opinion will finally propose the introduction of 'declared training organisations' (DTOs) not requiring prior approval. Please check the response to comment No 353 for more information.</p>



#### 4. Appendix A — Attachments

 [SRG 113.pdf](#)

Attachment #1 to comment [#59](#)

 [AI 11- IP 04-Follow-up in Austrian contributions for horizontal issues.pdf](#)

Attachment #2 to comment [#1051](#)

 [AI 11 Presentation .pdf](#)

Attachment #3 to comment [#1051](#)

 [AI 06.pdf](#)

Attachment #4 to comment [#1051](#)

 [AI 06 - Presentation.pdf](#)

Attachment #5 to comment [#1051](#)

[AltMOC.pdf](#)

