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Title	Implementing Rules for Pilot Licensing - Part-FCL
NPA Number	NPA 2008-17b

ECA- European Cockpit Association (ip@eurocockpit.be) has placed **121** unique comments on this NPA:

Cmt#	Segment description	Page	Comment	Attachments
4452	(General Comments)	0	ECA recognises the size of the task that the Agency has done, not only to transpose the JAR-FCL regulation, but also creating the subparts not yet harmonised. ECA understands that the regulatory process was initiated with the intention of using existing JAR material, reason why ECA comments do not focus on the text material already existing under JAA regulation, but only on those parts that have changed or that may affect the system in any way by the new regulatory material. The absence of comments on the parts of the text coming from JAA should not be understood by any mean as if ECA agrees with the content or meaning of the old JAR-FCL regulation. ECA did rise its concerns and disagreements on this text in JAA-LST meetings. As ECA intention has always been to collaborate in a positive manner with the regulator to increase safety, we understand this is not the time to undermine the good ending of the regulatory process to get a common FCL regulation, reason why ECA keeps these disagreements for future rulemaking proposals.	
4453	(General Comments)	0	Some Appendix 1 material is downgraded to AMCs and some Appendix 2 material is downgraded to GMs. ECA considers this as an exercise of deregulating, instead of leaving the requirements where they may well create an harmonised plain field for European Aviation. ECA cannot agree then on the text that has been transferred to non binding material.	
4455	(General Comments)	0	The use of terminology, e.g. "mass" is used when maybe "weight" should be used as in everyday operations we refer to maximum Take Off <u>Weight</u> (MTOW), Zero Fuel Weight (ZFW), Weight of Passengers, Cargo etc. Check consistency of the whole document of the NPA.	
4456	(General Comments)	0	There are some colloquialisms used, e.g. "idle leg – idle engine", this terminology should not be in a legislative document.	

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4458	(General Comments)	0	Many of the experience requirements are listed as amount of hours flown. Where these experience requirements are used to mean minimum hours, the amount expressed need to be preceded by the words, "at least", so the fact that they are minimum it is clearly stated in the document to avoid their use as if they were the usual, ideal, or best practice requirement. Its minimum safety requirement nature must lead to clear interpretation that they are not the safety best standards.	
6887	(General Comments)	0	<p><u>Incorporate ICAO Annexes:</u> <u>1.2.4 (CPL):</u> <u>2.3 (PPL):</u> <u>2.6 (ATP):</u> <u>2.7 (IR)</u> <u>to IR of PART FCL.</u></p> <p>Justification: The structure is confusing and it is unclear whether they are IRs or not. This is not acceptable. Parts of ICAO Annex I 2.3 2.4 2.6 2.7 regulation material is downgraded. If this is maintained, the ICAO members will have to file non compliance with ICAO Regulation.</p>	
4457	B. PART-FCL	3	All medical requirements are missing. We understand that the rules are in Part Medical and are not intentionally repeated in Part FCL, but the way the text is then spread all around different documents makes it very non user-friendly. As a rule, it may be nice, but the end user will have a difficult task when trying to find/know all related requirements.	
4459	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.010 Definitions	3 - 5	References to PART-21 were found many times in the document without explanation of what Part-21 means exactly. Nowadays, Part 21 does not contain anything related to these cross-references, as the 21.039 WG has not finish the rulemaking task yet. Therefore, ECA cannot agree on a text that leaves to or refers to requirements that currently are not in the regulation, as this then means the requirement is none. Unless Part 21 is finish with clear cross-references, any license related requirement should stay in Part FCL.	
4461	B. Draft Opinion Part-FCL - Subpart A: General Requirements -	3 - 5	Add the following definitions: <i>Conversion (of a licence):</i> The issue of a Part FCL licence on the basis of a licence issued by a third	

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	FCL.010 Definitions		<p>country.</p> <p>Private pilot: A pilot who holds a licence which prohibits the piloting of aircraft in operations for which remuneration is given.</p> <p>Professional pilot: A pilot who holds a licence which permits the piloting of aircraft in operations for which remuneration is given</p> <p>Justification: These are very important definitions, which are not defined in the rule anywhere else.</p> <p>There are some other definitions missing from JAR-FCL, that are really useful for clarifications, like SPIC. The proposal is to keep the rest of the definitions in JAR-FCL, as it helps interpretation of the rules. There is no safety reason to delete them.</p>	
4494	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.010 Definitions	3 - 5	<p>Delete word: 'Competency' means a combination of skills, and knowledge and attitude required to perform a task to the prescribed standard.</p> <p>Justification: When setting up requirements for a license, it must be very clearly defined what the meaning of key words . Either attitude is defined or there is a need to drop it. We can assess knowledge, we can test the skill, but without a definition of "attitude", how could we possible establish the competency based on something not measurable or with no defined criteria. Attitude is not a licence issue. In order to assess the competency of a pilot, clear understanding of what is required to pass fail the evaluation is a must.</p>	
4470	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.025 Theoretical knowledge examinations for the issue of licences	5 - 6	<p>Delet and change text:</p> <p>(ii) for the issue of a commercial pilot licence or instrument rating, for a period of 36 24 months;</p> <p>Justification: FCL.025 c) it is strange that a pilot with a CPL license must be checked every year, including theoretical examination (included within the proficiency check there is oral examination), and a person that only has a pass on the exams,</p>	

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			<p>the requirement allows him/her to get a license 3 years later. This should be changed. by changing one 1 year, the requirement is the same as for the holder of a license, and the safety standard, is more appropriate. At the same time this is an incentive for the ATO's to structure the course in such a way to link the theoretical and the flying phases. This way, everything is integrated and instructed in a continuous way. Same as in i) above, in which the period matches the validity period of the license</p>	
4471	<p>B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.025 Theoretical knowledge examinations for the issue of licences</p>	5 - 6	<p>025.c)2. Provided that the applicant holds an instrument rating, the completion of the airline transport pilot licence theoretical knowledge examinations will remain valid for a period of 7 years from the last validity date of the instrument rating entered in the commercial pilot licence for the issuance of an airline transport pilot licence.</p> <p>Justification There is no need to hold a CPL for the IR. Sometimes the applicant has only a PPL. While getting its CPL, he/she may have valid IR entered in the PPL license, and this could undermine his/her possibility of getting an ATPL later on.</p>	
4472	<p>B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.030 Practical skill test</p>	6	<p>Include new letter c): c) Upon completion of a skill test or proficiency check for the issue, revalidation or renewal of a licence or rating, the applicant shall, without delay, forward the relevant documentation to the competent authority.</p> <p>Justification: There is no provision for the treatment and forward of the documentation in this paragraph, nor in the AR</p>	
4475	<p>B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.035 Crediting of flight time and theoretical knowledge</p>	6 - 7	<p>Replace full with 50%, delete paragraph ii) FCL.035 a)3): (i) Except where otherwise determined in this Part, the holder of a pilot licence, when acting as copilot, is entitled to be credited with a50% of the copilot time towards the total flight time required for a higher grade of pilot licence. (ii) The holder of a pilot licence, when</p>	

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			<p>acting as copilot under supervision, shall be entitled to be credited in full with this flight time towards the total flight time required for a higher grade of pilot licence.</p> <p>Justifications: This is not compliance with ICAO, as Annex 1 gives credits only for the 50% of the hours. That's why many airlines ask for 3000 hours to become captain, instead of 1500 for the ATPL. It should be changed to comply with ICAO. Reg.</p> <p>216/2008 requires to comply with ICAO requirements, so any text in the IR or AMC that contravenes ICAO should be changed or deleted.</p>	
4489	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.050 Recording of flight time	7	<p>Add the following text (comming from AMC to FCL0.50</p> <p>2. The record of the flights flown should contain at least the following information:</p> <p>2.1 Personal details Name and address of the pilot;</p> <p>2.2 For each flight:</p> <p>a. Name of Pilotincommand;</p> <p>b. Date of flight;</p> <p>c. Place and time of departure and arrival;</p> <p>d. Type, including make, model and variant, and registration of the aircraft;</p> <p>e. Indication if the aircraft is single engine or multi engine;</p> <p>f. Total time of flight;</p> <p>g. Accumulated total time of flight;</p> <p>2.3 For each flight simulator or FNPT session:</p> <p>a. Type and qualification number of the training device;</p> <p>b. Synthetic training device instruction;</p> <p>c. Date;</p> <p>d. Total time of session;</p> <p>e. Accumulated total time;</p> <p>2.4 Details on pilot function, namely pilotincommand, including solo, student pilot in command and pilot in command under supervision time, copilot, dual, flight instructor or flight examiner;</p> <p>2.5 Operational conditions, namely if the operation takes place at night, or is conducted under instrument flight rules.</p> <p>3. Logging of time</p> <p>3.1. Pilot in command flight time</p> <p>a. The holder of a licence may log as pilotincommand time all of the flight time during which he is the pilotincommand.</p>	

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			<p>b. The applicant for or the holder of a pilot licence may log as pilotincommand time all solo flight time and flight time as student pilotincommand provided that such SPIC time is countersigned by the instructor. The holder of an instructor certificate may log as pilotincommand all flight time during which he acts as an instructor in an aircraft..</p> <p>d. The holder of an examiner’s certificate may log as pilotincommand all flight time during which he occupies a pilot’s seat and acts as an examiner in an aircraft.</p> <p>e. A copilot acting as pilotincommand under supervision on an aircraft on which more than one pilot is required under the type certification of the aircraft or as required by PartOPS provided such pilotincommand time under supervision is countersigned by the pilotincommand.</p> <p>f. If the holder of a licence carries out a number of flights upon the same day returning on each occasion to the same place of departure and the interval between successive flights does not exceed thirty minutes, such series of flights may be recorded as a single entry.</p> <p>3.2. Copilot flight time. The holder of a pilot licence occupying a pilot seat as copilot may log all flight time as copilot flight time on an aircraft on which more than one pilot is required under the type certification of the aircraft, or the regulations under which the flight is conducted.</p> <p>3.3. Cruise relief copilot flight time. A cruise relief copilot pilot may log all flight time as copilot when occupying a pilot’s seat.</p> <p>3.4. Instruction time. A summary of all time logged by an applicant for a licence or rating as flight instruction, instrument flight instruction, instrument ground time, etc. may be logged if certified by the appropriately rated and/or authorised instructor from whom it was received.</p> <p>3.5. PICUS (Pilotincommand under supervision). Provided that the method of supervision is acceptable to the Authority, a copilot may log as PIC flight time flown as PICUS, when all of the duties and functions of PIC on that flight were carried out, such that the intervention of the PIC in the interest of safety was not required.</p> <p>4. Format of the record. Details of flights flown under commercial air transport may be recorded in a</p>	

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			<p>computerised format maintained by the operator. In this case an operator should make the records of all flights operated by the pilot, including differences and familiarisation training, available on request to the flight crew member concerned. For other types of flight, the pilot should record the details of the flights flown in the following the logbook format in <u>AMC to FCL 0.050</u>.</p> <p>Justification:</p> <p>The intention of the JAR was to harmonise the log of flight time in a common, shared and understandable format to every Authority. ECA cannot agree that the whole rule is moved into AMC. Otherwise, we may end up not having the flight logs harmonized, so cross credits, oversight and inspections among different countries may become really difficult.</p>	
4576	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.055 Language proficiency	7 - 9	<p>Replace Words: (a) Pilots required to use the radio telephone shall not exercise the privileges of their licences and ratings unless they have a language proficiency endorsement on their licence in either English or the language used for air traffic control radio communications involved in the flight.</p> <p>Justification: The text, as it is written, does not reflect ICAO requirements, as it doesn't differentiate between ATC or any other communications. Following ICAO provisions, any person involved in radio communications should have the language proficiency. Pilots communicating with others than ATC should have the LPR, as it states the ICAO text copied bellow. So the rule cannot be restricted to ATC only, as it will leave a field where people can use the radios without complying with ICAO.</p> <p>ICAO text: 1.2.9.1 Aeroplane, airship, helicopter and powered-lift pilots and those flight navigators who are required to use the radio telephone aboard an aircraft shall demonstrate the ability to speak and understand the language used for radiotelephony communications. <i>Note.— Pursuant to Article 42 of the</i></p>	

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			<p><i>Convention on International Civil Aviation, paragraph 1.2.9.1 does not apply to personnel whose licences are originally issued prior to 5 March 2004 but, in any case, does apply to personnel whose licences remain valid after 5 March 2008.</i></p> <p>1.2.9.2 Air traffic controllers and aeronautical station operators shall demonstrate the ability to speak and understand the language used for radiotelephony communications.</p>	
4578	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.055 Language proficiency	7 - 9	<p>inset new paragraph e) (and rename current e) into d))</p> <p><u>New e) Where the language assessment referred to above meets the requirements stated in d), it may be used for the purpose of extending the radiotelephony privileges in English.</u></p> <p>Justification:</p> <p>There is no safety justification for not allowing the use of a combined assessment whenever it fulfills both requirements.</p>	
4588	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.060 Recent experience	9	<p>Editorial, delete word:</p> <p>b)4)When a pilot has the privilege to operate more than one type of noncomplex helicopter with similar handling and operations characteristics, as defined in accordance with Part21, the 3 takeoffs, approaches and landings required in (1) may be performed in only one of the types, provided that the pilot has completed at least 2 hours of flight in the all the relevant types of helicopter, during the preceding 6 months.</p>	
4698	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.060 Recent experience	9	<p>In the case of commercial air transport, the 90day period prescribed in subparagraphs (b)(1) and (2) above may be extended up to a maximum of 120 days, as long as the pilot undertakes line flying under the supervision of a type rating instructor or examiner or a person appropriately qualified to provide line training in accordance with PartMS.</p> <p>Justification:</p> <p>ECA has to oppose to this change in the old JAR-FCL with no safety justification. There is not such line training, but supervision. Training, under 216 (BR) must be done by an instructor, which could be either FI or</p>	

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			<p>FE, but not a person which is only entitle to make supervision. We are flying with passengers during line flying under supervision. Do you want to call it training with passengers?</p> <p>Also, in Part MS issued there is no provision about this requirements. Please clarify or delete the additional text.</p>	
4756	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.065 Curtailment of privileges of licence holders aged 60 years or more	9 - 10	<p>Delete and add word in FCL.065</p> <p>(a) Age 60–64. The holder of a pilot licence who has attained the age of 60 years shall not act as a pilot of an aircraft engaged in commercial air transport operations except: (1) as a member of a multi-pilot crew; and, (2) provided that such holder is the only pilot in the flight crew who has attained age 60.</p> <p>(a) Age 65. The holder of a pilot licence who has attained the age of 65 years shall not act as a pilot of an aircraft engaged in commercial air transport operations.</p> <p><u>(b) The authority shall determine whether and under which conditions the holder of a pilot licence who has attained the age of 60 years can act as a pilot engaged in commercial air transport operations.</u></p> <p><u>AMC to FCL O65</u></p> <p><u>Age 60–64. The holder of a pilot licence who has attained the age of 60 years should not act as a pilot of an aircraft engaged in commercial air transport operations except:</u></p> <p><u>(1) as a member of a multi-pilot crew; and,</u></p> <p><u>(2) provided that such holder is the only pilot in the flight crew who has attained age 60.</u></p> <p>Justification:</p> <p>ECA recognises that in various EU member states there are at present different age limits for flight crews licences. This situation is possible due to the non binding JAR rules. The transfer of JAR rules to EASA rules would otherwise make the age limit binding for all EU member states.</p> <p>ECA urges EASA to allow each member</p>	

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			state to retain its own age limit for pilot licensing.	
5680	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.065 Curtailment of privileges of licence holders aged 60 years or more	9 - 10	JAR FCL allowed a number of national variants to this rule. The rule was therefore not applied in all countries the same way. The draft opinion will represent a significant change for crews in countries with different rules on issues like pensions, employment etc which have not been properly assessed. This change has not undergone and been reflected in the necessary Regulatory Impact Assessment. Before adopting an ImplementingRule binding in all Member States a Regulatory Impact Assessment shall be carried out.	
4757	B. Draft Opinion Part-FCL - Subpart A: General Requirements - FCL.070 Revocation, suspension and limitation of licences, ratings and certificates	10	<p>Add Words, Request for clarification:</p> <p>(a) Licences, ratings and certificates issued in accordance with this Part shall be limited, suspended or revoked by the competent authority when the pilot doesn't comply with the requirements of this Part, PartMedical or PartOPS, <u>following due process and</u> in accordance with the conditions and procedures laid down in Part Authority Requirements.</p> <p>PartMedical or PartOPS, in accordance with the conditions and procedures laid down in Part Authority Requirements./* Font Definitions */ @font-face {font-family:"Cambria Math"; panose-1:2 4 5 3 5 4 6 3 2 4; mso-font-charset:0; mso-generic-font-family:verdana; mso-font-pitch:variable; mso-font-signature:-1610611985 1107304683 0 0 159 0;} /* Style Definitions */ p.MsoNormal, li.MsoNormal, div.MsoNormal {mso-style-unhide:no; mso-style-qformat:yes; mso-style-parent:""; margin:0cm; margin-bottom:.0001pt; mso-pagination:widow-orphan; font-size:10pt; font-family:"Times New Roman","serif"; mso-fareast-font-family:"Times New Roman"; mso-ansi-language:EN-GB;} .MsoChpDefault {mso-style-type:export-only; mso-default-props:yes; font-size:10pt; mso-ansi-font-size:10pt; mso-bidi-font-size:10pt;} @page Section1 {size:612.0pt 792.0pt; margin:72.0pt 72.0pt 72.0pt 72.0pt; mso-header-margin:36.0pt; mso-footer-margin:36.0pt; mso-paper-source:0;} div.Section1 {page:Section1;}</p>	

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			<p>(b) [describe precisely under which circumstances licenses may be limited or suspended or revoked]</p> <p>Justification: This paragraph is incomplete, as it doesn't say under which criteria the license may be revoked, suspended, etc. There are some national laws regarding the penalties for non compliance with the rule and the facts needed to apply a given sanction. These rules should be the same in the area covered by the regulation. The same fact can not result in a suspension in one Member State and a revocation in another.</p> <p>ECA does not agree on the content of AR.GEN. 350 c)1) and AR.FCL.250 and will make comments on the respective NPA.</p>	
4758	B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL	11	On the general comment on Subpart B, ECA thinks that a LPL is a non ICAO compliant licence. Therefore, LPL should be strictly limited for what its name says, leisure, and should not be mixed with ratings that require a higher degree of knowledge and experience, like the night flying and cloud flying. This is not correct and goes against any safety impact assessment that a pilot with such low experience could have such privileges. No RIA is done in a way that identifies the risks of giving this licence such privileges. The LPL licence must be clearly understood as a leisure licence, not as a way to have rating and privileges that belong to higher trained licences.	
4759	B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 1: Common Requirements - FCL.105 LPL - Privileges and conditions	11	Delete the word: <i>General</i> . The privileges of the holder of a LPL are to act without remuneration as pilot in command in noncommercial operations within the appropriate aircraft category engaged . Justification: For editorial purposes.	
4760	B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 2: Specific requirements for the Basic LPL - aeroplane and helicopter categories - FCL.110.BA/H	12 - 13	Comment: (a) <i>Aeroplanes</i> . Applicants for a Basic LPL for aeroplanes shall have completed at least 20 hours of flight instruction in aeroplanes or TMG, including at least: (1) 10 hours of dual instruction ; <u>20 hours</u>	

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	Basic LPL – Experience requirements and crediting		<p>of dual instruction, if one passenger on board is allowed.</p> <p>Justification: Due to the possibility of flying complex aircraft (e.g. variable pitch prop., retractable gear) even with the LPL licence with a passenger ECA recommends min. 20-hour dual instruction to increase safety. Especially when carrying a passenger, 20 hours of dual instruction should be minimum. Special consideration should be given to flying complex aircraft with this low amount of training. This should be done in a basic simple aircraft. This is not acceptable.</p>	
4770	B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 3: Specific requirements for the LPL for aeroplanes - FCL.140.A LPL(A) - Recency requirements	14	<p>Comment: (ii) 6 hours of flight time as pilot in command, including 6 takes offs and landings, and 1 training flight of at least one hour with an instructor; <u>and</u></p> <p>Justification: To make it clear that it does not mean "or", it needs to be added at the end of (ii) the "and".</p>	
4776	B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 2: Specific requirements for the PPL aeroplanes - FCL.205.A PPL(A) - Privileges	19	<p>Comment: delete the paragraphs: (a) The privileges of the holder of a PPL(A) are to act without remuneration as pilot in command or copilot of aeroplanes engaged in noncommercial operations. (b) Notwithstanding the paragraph above, the holder of a PPL(A) may receive remuneration for the provision of flight instruction for the LPL(A) or the PPL(A).</p> <p>Justification: To deliver an acceptable level of Training, an Instructor shall hold at least a C.P.L. in any case. This text is non ICAO compliant, differs from JARs with no safety justification. Private is private. That is why we have professional licenses. EASA needs, on the RIA about social aspects, to check legality of the paragraph. Same for FCL.205.H b) and 205.As b). This provision is illegal in many countries in the EU, not only by a safety law, but also other labour and social laws. All pilots who wish to be paid for their work have to have at least a CPL. ECA thinks that EASA cannot just derogate all these laws without justification.</p>	

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			See ECA general comments on Subpart J. Instructors	
4925	B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 2: Specific requirements for the PPL aeroplanes - FCL.210.A PPL(A) - Experience requirements and crediting	19	<p>Comment: delete paragraph (b):</p> <p>(a) Applicants for a PPL(A) shall have completed at least 45 hours of flight time in aeroplanes, 5 of which may have been completed in a FSTD, including at least:</p> <p>(1) 25 hours of dual instruction; and</p> <p>(2) 10 hours of supervised solo flight time, including at least 5 hours of solo crosscountry flight time with at least 1 crosscountry flight of at least 270 km (150 NM), during which full stop landings at two aerodromes different from the aerodrome of departure shall be made.</p> <p>(b) Specific requirements for applicants holding a LPL(A). Applicants for a PPL(A) holding a LPL(A) shall have completed at least 15 hours of flight time after the issue of the LPL(A), of which at least 10 shall be dual instruction completed in a training course at an approved training organisation.</p> <p>(c) Crediting. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilotincommand in such aircraft up to a maximum of 10 hours. In this case, the requirement for dual instruction in (a)(1) shall be reduced proportionally, but in any case to not less than 20 hours.</p> <p>Justification:</p> <p>It was clear from the beginning that the LPL was not going to receive credits towards the PPL. This is not acceptable as a shorter and less safer (as there is less training required) route is open to get a JAR license. ECA therefore requests to delete paragraph (b). The same comment will be done for FCL.210.H, including that the training must be done in a training course in a ATO, same as for aeroplane.</p> <p>Credits for higher licenses could only be granted if the training was done by professional pilots, not by LPL instructors, as a safety guaranty that the instructor has the competency necessary so when credits to instruction are given for a specific requirement, everything is taken into account. You cannot ask requirements for the instructors on parts of the PPL or CPL training (being CPL, certain amount of experience, ratings and training), when in</p>	

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			<p>another paragraph credits are given to training done by lower competent instructors, no matter if the type of training was the same, which actually is not even the case. This regulation lacks of consistency on the instructors requirements, just because of a wrong philosophy of letting each license to have its own instructors. Leadership, respect, liability and responsibility of the instructor cannot be achieved when you allow instructors holding such little amount of training, compared to the student.</p>	
4919	<p>B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 3: Specific requirements for the PPL helicopters - FCL.205.H PPL(H) - Privileges</p>	19	<p>Comment: delete paragraph: (a) The privileges of the holder of a PPL(H) are to act without remuneration as pilot in command or copilot of helicopters engaged in noncommercial operations. (b) Notwithstanding the paragraph above, the holder of a PPL(H) may receive remuneration for the provision of flight instruction for the LPL(H) or the PPL(H).</p> <p>Justification: Same justification as for comment 4776. To deliver an acceptable level of Training, an Instructor shall hold at least a C.P.L. in any case. This text is non ICAO compliant, differs from JARs with no safety justification; private is private. That is why we have professional licenses. EASA needs, on the RIA about social aspects, to check legality of the paragraph. This provision is illegal in many countries in the EU, not only by a safety law, but also other labour and social laws. All pilots who wish to be paid for their work have to have at least a CPL. ECA thinks EASA cannot derogate all these laws without justification. See ECA general comments on Subpart J. Instructors</p>	
4926	<p>B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 3: Specific requirements for the PPL helicopters - FCL.210.H PPL(H) - Experience requirements and crediting</p>	20	<p>Comment: delete paragraph (b): (a) Applicants for a PPL(H) shall have completed at least 45 hours of flight time in helicopters, 5 of which may have been completed in a FSTD, including at least: (1) 25 hours of dual instruction, including at least 5 hours instrument dual instruction time; and (2) 10 hours of supervised solo flight time, including at least 5 hours of solo crosscountry flight time with at least 1 crosscountry flight of at least 185km (100 NM), with full stop landings at two</p>	

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			<p>aerodromes different from the aerodrome of departure.</p> <p>(b) Specific requirements for applicant holding a LPL(H). Applicants for a PPL(H) holding a LPL(H) shall complete 5 hours of dual instrument instruction time.</p> <p>(c) Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilotincommand in such aircraft up to a maximum of 6 hours.</p> <p>Justification: It was clear from the beginning that the LPL was not going to receive credits towards the PPL. This is not acceptable as a shorter and less safer (as there is less training required) route is open to get a JAR license. ECA therefore requests to delete paragraph (b). This is the same comment as for FCL.210.A, including that the training must be done in a training course in a ATO, same as for aeroplane. Credits for higher licenses could only be granted if the training was done by professional pilots, not by LPL instructors, as a safety guaranty that the instructor has the competency necessary so when credits to instruction are given for a specific requirement, everything is taken into account. You cannot ask requirements for the instructors on parts of the PPL or CPL training (being CPL, certain amount of experience, ratings and training), when in another paragraph credits are given to training done by lower competent instructors, no matter if the type of training was the same, which actually is not even the case. This regulation lacks of consistency on the instructors requirements, just because of a wrong philosophy of letting each license to have its own instructors. Leadership, respect, liability and responsibility of the instructor cannot be achieved when you allow instructors holding such little amount of training, compared to the student.</p>	
4921	B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence	20	<p>Comment: delete paragraph</p> <p>(a) The privileges of the holder of a PPL(As) are to act without remuneration as pilotincommand or copilot of airships engaged in noncommercial operations.</p> <p>(b) Notwithstanding the paragraph above,</p>	

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	(BPL) - Section 5: Specific requirements for the PPL airships - FCL.205.As PPL(As) - Privileges		<p>the holder of a PPL(As) may receive remuneration for the provision of flight instruction for the PPL(As).</p> <p>Justification: Same justification as for comment 4776. To deliver an acceptable level of Training, an Instructor shall hold at least a C.P.L. in any case. This text is non ICAO compliant, differs from JARs with no safety justification; private is private. That is why we have professional licenses. EASA needs, on the RIA about social aspects, to check legality of the paragraph. This provision is illegal in many countries in the EU, not only by a safety law, but also other labour and social laws. All pilots who wish to be paid for their work have to have at least a CPL. ECA thinks EASA cannot derogate all these laws without justification. See ECA general comments on Subpart J. Instructors</p>	
4927	B. Draft Opinion Part-FCL - Subpart D: Commercial Pilot Licence - CPL - Section 2: Specific requirements for the aeroplane category - FCL.305.A CPL(A) - Privileges in commercial air transport	24	<p>Comment: change paragraph (c): (c) The holder of a CPL(A) shall only act as pilotincommand in commercial air transport in multipilot operations <u>on single pilot aeroplanes</u> provided that he/she has completed the command course prescribed in Subpart OPS of part MS.</p> <p>Justification: If the underlined text is not included, then it may be understood that a CPL could act as PIC in any type of aircraft in multi-pilot operations, provided that the requirements of part OPS and MS are met.</p>	
4948	B. Draft Opinion Part-FCL - Subpart D: Commercial Pilot Licence - CPL - Section 3: Specific Requirements for the helicopter category - FCL.305.H CPL(H) - Privilege to act in commercial air transport	25	<p>Comment: change paragraph (a)(1) as follows: (a) The holder of a CPL(H) shall only act as pilotincommand in commercial air transport on a singlepilot helicopter provided that: (1) When operating under IFR, he/she has a minimum of 700 hours total flight time on helicopters, including 300 hours as pilotincommand. These hours shall include 100 hours under IFR. The 300 hours as pilotincommand may be substituted by hours operating as copilot within an established multipilot crew system prescribed in the Operations Manual on the basis of two hours of flight time as copilot for one hour flight time as pilotin command. (1) For operations under IFR, he/she has a</p>	

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			<p>minimum of: (i) 1000 hours total flight time on helicopters, of which at least 300 hours as pilot-in-command. These hours shall include 100 hours under IFR; or (ii) 800 hours as co-pilot within an established multi-pilot crew system prescribed in the Operations Manual of an operator;</p> <p>Justification: This requirement doesn't match the actual JAR requirement. There is a downgrade on the number of hours with no safety justification. ECA therefore requests to change to old requirements. There is no safety assessment for the reductions.</p>	
4953	B. Draft Opinion Part-FCL - Subpart E: Multi-Crew Pilot Licence - MPL	26	<p>Comment: ECA recommends to add into the IR the rules related to the Advisory Board and all MPL ICAO requirements (step-by-step approach, FTO-operator linkage, etc.).</p> <p>Justification: These are all ICAO requirements. ECA cannot understand why EASA is deleting from the JAR-FCL text all these requirements. They are not additional requirements, but ICAO ones. Text like the JAR-FCL 1.535 and its two appendixes: guarantees are needed that the AB is going to continue, to ensure the monitoring of the correct implementation of the MPL. We already have examples how some NAA and FTOs do not fully comply with the regulation (step by step, ATC environment, ab-initio entrant,...). An MPL course is a complex enterprise and EASA should not allow only partial implementation of it that is why monitoring is of utmost importance. Furthermore, monitoring is also for purposes of information collection. ICAO is looking for an information collective bodies. MPL monitoring boards exist i in Australia and other parts.</p>	
6857	B. Draft Opinion Part-FCL - Subpart E: Multi-Crew Pilot Licence - MPL	26	<p>New rule:</p> <p><u>FCL.420A Implementation Monitoring – Multi-Crew Pilot Licence Advisory Board</u></p> <p><u>An exchange of information between National Aviation</u></p>	

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			<p><u>Authorities, training organizations and operators that are involved in MPL(A) training and pilot representative bodies is required to achieve the successful implementation of the MPL. An advisory panel, designated the "MPL Advisory Board is established to use this information to provide guidance to Authorities and Interested Parties on the implementation and improvement of MPL(A) training courses.</u></p> <p><u>Training organizations approved to give MPL(A) training courses shall provide regular feedback, in accordance with the approval conditions, to the Authority.</u></p> <p><u>Insert Appendix 2 to JAR FCL 1.535 into Appendix 5.</u></p> <p>Justification: MPL Advisory Board acc. JAR FCL 1.535 & Appendix 2 to JAR FCL 1.535 is missing in EASA FCL IR Subpart E. This is not acceptable.</p> <p>The absence of the Monitoring makes the MPL license non-ICAO compliant. The MPL advisory board is part of the ICAO PANS TRNG Doc. and therefore part of the MPL training program and structure. If it is not implemented within the EASA FCL the MPL training program will not be fulfilling the ICAO requirements.</p> <p>The deletion of the Monitoring Board has not gone through safety analysis or regulatory impact assessment.</p>	
4956	B. Draft Opinion Part-FCL - Subpart E: Multi-Crew Pilot Licence - MPL - FCL.410.A MPL – Training course and Theoretical knowledge examinations	26	<p>Comment: change paragraph (b) as follows: (b) Examination. An applicant for an MPL shall have demonstrated a level of knowledge appropriate to the holder of an ATPL(A) <u>in accordance to FCL.515</u> and of a multi-pilot type rating.</p> <p>Justification: It is not clear that the examination must be the same one as for the ATPL(A) theoretical knowledge, and needs to comply with the same test and other requirements. ECA</p>	

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			recommends to add the underlined text to clarify the text and avoid misinterpretations.	
4959	B. Draft Opinion Part-FCL - Subpart F: Airline Transport Pilot Licence - ATPL - Section 1: Common Requirements - FCL.505 ATPL - Privileges	27	<p>Comment: delete paragraph (a)(3): (a) The privileges of the holder of an ATPL are to, within the appropriate aircraft category: (1) exercise all the privileges of the holder of a PPL and a CPL; (2) act as pilot in command in aircraft engaged in commercial air transportation; (3) for the aeroplane category, to exercise all the privileges of an IR(A).</p> <p>Justification: Even though this privilege is included in the actual JAR, the privilege of flying IR is given by the IR rating, not by the license. According to this paragraph, the holder of an ATPL license with an out of date IR rating could still exercise the privileges of the IR, which is not acceptable.</p>	
4964	B. Draft Opinion Part-FCL - Subpart F: Airline Transport Pilot Licence - ATPL - Section 2: Specific requirements for the aeroplane category - FCL.515.A ATPL(A) - Theoretical knowledge instruction – Modular course	28 - 29	<p>Comment: The hours in relation to the reductions set out in JAR are wrong. Change text as follows:</p> <p>(b) complete at least the following hours of theoretical knowledge instruction within a period of 18 months: (1) for applicants holding a PPL(A): 650 hours; (2) for applicants holding a CPL(A): 400 450 hours; (3) for applicants holding an IR(A): 500 hours; (4) for applicants holding a CPL(A) and an IR(A): 250 300 hours.</p> <p>Justification: It is unacceptable a larger reduction of the training hours, when reality shows that these are minimum hours that, in many cases, show themselves as insufficient to properly train the students in all the subjects.</p>	
6912	B. Draft Opinion Part-FCL - Subpart F: Airline Transport Pilot Licence - ATPL - Section 3: Specific requirements for the	29 - 30	<p>Comment: The hours in relation to the reductions set out in JAR are wrong. Change text as follows:</p>	

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	helicopter category - FCL.515.H ATPL(H) - Theoretical knowledge instruction – Modular course		<p>(b) Applicants for an ATPL(H)/IR that complete their theoretical knowledge instruction at a modular course shall hold at least a PPL(H) and complete at least the following hours of instruction within a period of 18 months:</p> <p>(1) for applicants holding a PPL(H): 650 hours;</p> <p>(2) for applicants holding a CPL(H): 400 450 hours;</p> <p>(3) for applicants holding an IR(H): 500 hours;</p> <p>(4) for applicants holding a CPL(H) and an IR(H): 250 300 hours.</p> <p>Justification: It is unacceptable a larger reduction of the training hours, when reality shows that these are minimum hours that, in many cases, show themselves as insufficient to properly train the students in all the subjects.</p>	
4965	B. Draft Opinion Part-FCL - Subpart G: Instrument Rating - IR - Section 1: Common Requirements	31	Nowhere it is established on which type of aircraft the IR may be flown. For example, a balloon pilot could ask for an IR complying with the general requirements; the same for a glider. Only requirement that could be used in order to allow IR only in aeroplanes, helicopters, or airships, is on FCL.610, where it is asked to have at least a PPL license. Balloons and gliders are not considered PPLs, so they could not apply for an IR. Clarification is needed.	
4966	B. Draft Opinion Part-FCL - Subpart G: Instrument Rating - IR - Section 1: Common Requirements - FCL.610 IR - Pre-requisites	31	<p>Comment: ECA recommends to include ICAO requirement of min 40h of instrument flying prerequisite (2.7.3.2 b) of ICAO annex 1.</p> <p>Justification: This is non ICAO compliant, as a Copy-paste of JAR FCL1.190, which was not ICAO compliant. EASA needs to fix this discrepancy.</p>	
4967	B. Draft Opinion Part-FCL - Subpart G: Instrument Rating - IR - Section 1: Common Requirements - FCL.625 IR - Validity, revalidation and renewal	32	<p>Comment: editorial change underlined in (b)(2):</p> <p>(2) An applicant who fails <u>to</u> pass the relevant section of an IR proficiency check before the expiry date of the IR shall not exercise the IR privileges until he/she has passed the proficiency check.</p>	

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4968	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 1: Common Requirements - FCL.710 Class and type ratings - Variants	34	Comment: See also ECA General comment on Part 21 references. Cross-reference to "Part 21": this Part (Regulation 1702/2003) does not contain anything about Difference of Familiarisation Training. Generic Cross- reference without specific numbers is not acceptable. As long as there is nothing established in "Part 21" this regulation is not valid.	
4970	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 1: Common Requirements - FCL.725 Requirements for the issue of class and type ratings	34 - 35	Comment: See also ECA General comment on Part 21 references. Cross-reference to "Part 21": this Part (Regulation 1702/2003) does not contain anything about Difference of Familiarisation Training. Generic Cross- reference without specific numbers is not acceptable. As long as there is nothing established in "Part 21" this regulation is not valid.	
4972	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 1: Common Requirements - FCL.725 Requirements for the issue of class and type ratings	34 - 35	Comment: Paragraph (d) should be included also for aeroplanes. Justification: There is no safety justification for not including the aeroplane category in this paragraph. A pilot who flies an aircraft knows it, independently of the position occupied while flying. In this cases, the theoretical knowledge should also be credited.	
4974	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 2: Specific Requirements for the aeroplane category - FCL.720.A Experience requirements and pre-requisites for the issue of class or type ratings - aeroplanes	35 - 36	Comment: ECA requests to include a definition on the Single-Pilot High Performance Aeroplane. Justification: Single-Pilot High Performance Aeroplane is not defined, so ECA cannot understand which aeroplanes are affected by this regulation. Same comment on references to Part 21.	
4979	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 2: Specific Requirements for the aeroplane category - FCL.720.A Experience requirements and pre-requisites for the	35 - 36	Comment: add the following text after paragraph (c)(4)(iv): (4) Except when the type rating course is combined with a multicrew cooperation (MCC) course: (i) hold a certificate of satisfactory completion of an MCC course in aeroplanes; or (ii) hold a certificate of satisfactory completion of MCC in helicopters and have	

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	issue of class or type ratings - aeroplanes		<p>more than 100 hours of flight experience as a pilot of multipilot helicopters; or (iii) have at least 500 hours as a pilot of multipilot helicopters; or (iv) have at least 500 hours as a pilot in multipilot operations on singlepilot multiengine aeroplanes, in commercial air transport operations, <u>in compliance with Part OPS.</u></p> <p>Justification: The requirement was to have flown these hours under our own regulation, not under third countries' one. There is no assurance that those hours have been flown under certain safety requirements. As there is no justification for this change, ECA recommends to keep the old JAR-FCL text.</p>	
4982	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 2: Specific Requirements for the aeroplane category - FCL.720.A Experience requirements and pre-requisites for the issue of class or type ratings - aeroplanes	35 - 36	<p>Comment: add the following paragraph (d): (d) <i>Additional multi-pilot type ratings.</i> An applicant for the issue of additional multi-pilot type ratings shall hold a multi-engine instrument rating.</p> <p>Justification: The requirements laid down in (c) are for the first type rating. JARs required a valid IR to make an additional type rating course. ECA cannot understand why this requirement is lost. The course for a type rating is, on ECA's opinion, enough sort not to have to spend time on the training requirement for renewal of the IR, which should be additional to the type rating course.</p>	
4984	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 2: Specific Requirements for the aeroplane category - FCL.720.A Experience requirements and pre-requisites for the issue of class or type ratings - aeroplanes	35 - 36	<p>Comment: add paragraph (e) (actual JAR paragraph): (e) An aeroplane class or type rating may be issued to an applicant who meets the requirements for that rating of a non-EU State, provided the revalidation requirements of this subpart are met. Such a rating will be restricted to aeroplanes registered in that non-EU State, or operated by an operator of that non-EU State. The restriction may be removed when the holder has completed at least 500 hours of flight as a pilot on the type/class and complied with the revalidation requirements.</p> <p>Justification: In ECA's opinion, point 5 of the old JARFCL 1.240 should be kept. This allows a FCL pilot to work in non EU countries with</p>	

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			<p>his/her license. If the pilot goes to a third country in which an EU license is accepted, even though he/she does not accept theirs, the pilot takes the course for a rating but only has his/her FCL license to note the rating in, so there should be a way of permitting those cases.</p> <p>In this case, if inserted, paragraph 1.245 e)4) of JAR should also be inserted in FCL.H.1.726 as paragraph f)</p>	
4985	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 2: Specific Requirements for the aeroplane category - FCL.730.A Specific requirements for pilots undertaking a zero flight time type rating (ZFTT) course - aeroplanes	36	<p>Comment:</p> <p>Lack of consistency. References should be changed to be in line with above cross-references: here, the cross-reference is to 1702/2003, which is equivalent to Part 21, as referenced above.</p> <p>Besides, 1702/2003 does not relate to Part 25.</p>	
5487	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 2: Specific Requirements for the aeroplane category - FCL.730.A Specific requirements for pilots undertaking a zero flight time type rating (ZFTT) course - aeroplanes	36	<p>Comment: add the following paragraph (c) to FCL.730.A (see also ECA comment 5481):</p> <p>(c) when a pilot is changing from a turboprop to a turbojet aeroplane or from a turbojet to a turboprop aeroplane, additional simulator training should <u>shall</u> be required.</p> <p>Justification:</p> <p>This paragraph is in the AMC to FCL.730.A but ECA recommends to put in IR, as this requirement is a must and should not be left to the discretion of anyone.</p>	
4986	B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 2: Specific Requirements for the aeroplane category - FCL.735.A Multi-crew cooperation training course- aeroplanes	36 - 37	<p>Comment: change paragraphs (a) and (b) as follows:</p> <p>(a) The multicrew cooperation (MCC) training course shall comprise at least:</p> <p>(1) 25 hours of theoretical knowledge instruction and exercises; and</p> <p>(2) 20 hours of practical MCC training, or 15 hours in the case of students attending an ATP integrated course.</p> <p>When the MCC training is combined with the initial type rating training for a multipilot aeroplane, the practical MCC training may be reduced to no less than 10 hours if the same FSTD is used for both the MCC and type rating training. A FNPT II or a FFS shall be used.</p> <p>(b) The MCC training course shall be</p>	

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			<p>completed within six months at an approved training organisation. A FNPT II or a FFS shall be used.</p> <p>Justification: The Course of a type rating is given in a FS, so if the MCC course is given combined with a type rating, the same device used for the type rating must be used for this combination, not the other way around, downgrading the requirement for the type rating device.</p>	
4988	<p>B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 2: Specific Requirements for the aeroplane category - FCL.740.A Revalidation of class and type ratings - aeroplanes</p>	37	<p>Comment: add at the end of paragraph (a)(3): (a) Revalidation of type ratings and multiengine class ratings. For revalidation of type ratings and multiengine class ratings, the applicant shall: (3) A pilot working for a commercial air transport operator that has passed the operators proficiency check combined with the proficiency check for the revalidation of the type or class rating shall be exempted from complying with the requirement in (2), in compliance with Part OPS.</p> <p>Justification: The requirement was to be in compliance with JAR-OPS, so the operation is always under our own regulation, not under third countries' one. There is no assurance that those hours have been flown under certain safety requirements.</p>	
4989	<p>B. Draft Opinion Part-FCL - Subpart H: Class and Type Ratings - Section 4: Specific Requirements for the powered-lift aircraft category - FCL.740.PL Revalidation of type ratings – powered-lift aircraft</p>	40	<p>Comment: add at the end of paragraph (a)(3): (a) Revalidation. For revalidation of poweredlift type ratings, the applicant shall: (3) A pilot working for a commercial air transport operator who has passed the operators proficiency check combined with the proficiency check for the revalidation of the type rating shall be exempted from complying with the requirement in (2), in compliance with Part OPS.</p> <p>Justification: The requirement was to be in compliance with JAR-OPS, so the operation is always under our own regulation, not under third countries' one. There is no assurance that those hours have been flown under certain safety requirements.</p>	
4990	<p>B. Draft Opinion Part-FCL - Subpart I:</p>	42	<p>Ratings of Towing and Banners cannot be flown by any pilot not holding a CPL as a</p>	

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	Additional Ratings		minimum. CPL brings with it greater knowledge and experience. ECA considers that any lower license does not assure the minimum knowledge and skills to safely perform these activities. The likelihood of these organisations or operators (doing these activities) not being commercial operators is so low, there is no justification to let PPLs to perform this high risk activities.	
4991	B. Draft Opinion Part-FCL - Subpart I: Additional Ratings - FCL.800 Aerobatic rating	42	<p>Comment: change text as follows: (a) Holders of a pilot licence <u>other than an LPL</u> for aeroplanes, helicopters or sailplanes shall only undertake aerobatic flights when they hold the appropriate rating.</p> <p>Justification: LPL license holders are not allowed to fly aerobatics, towing or over mountains. This license is intended for recreational flight. Giving privileges that are from another license (PPL) is not a good idea. ECA cannot agree on the whole picture for LPLs. This was not the initial intention when creating this license. Indeed, this license is not ICAO compliant, we therefore have to be careful on what privileges we give them.</p>	
4992	B. Draft Opinion Part-FCL - Subpart I: Additional Ratings - FCL.805 Sailplane towing and banner towing ratings	42	<p>Comment: change text as follows: (a) Holders of a pilot licence <u>other than an LPL with privileges to fly aeroplanes or touring motor gliders</u> shall only tow sailplanes or banners when they hold the appropriate sailplane towing or banner towing rating.</p> <p>Justification: LPL license holders are not allowed to fly aerobatics, towing or over mountains. This license is intended for recreational flight. Giving privileges that are from another license (PPL) is not a good idea. ECA cannot agree on the whole picture for LPLs. This was not the initial intention when creating this license. Indeed, this license is not ICAO compliant, we therefore have to be careful on what privileges we give them.</p>	
6936	B. Draft Opinion Part-FCL - Subpart I: Additional Ratings - FCL.805 Sailplane towing and banner towing ratings	42	<p>Comment: change text as follows: (b) Applicants for a towing rating shall <u>hold at least a CPL license and</u> have completed:</p> <p>Justification: Any Flight Instructors should hold a CPL as</p>	

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			<p>an absolute minimum. As the CPL brings with it greater knowledge and experience purely by the fact that the FI has had to do more training to obtain a CPL. As an industry regulator, EASA should be striving for the highest possible standards. CPL FI is more likely to provide higher standards of instruction than a PPL holder.</p> <p>Ratings of Towing and Banners cannot be flown by any pilot not holding a CPL as a minimum, so instructors must hold at least the same license. CPL brings with it greater knowledge and experience. ECA considers that any lower license does not assure the minimum knowledge and skills to safely perform these activities. The likelihood of these organisations or operators (doing these activities) not being commercial operators is so low, there is no justification to let PPLs to perform this high risk activities.</p>	
4994	B. Draft Opinion Part-FCL - Subpart I: Additional Ratings - FCL.810 Night rating	42 - 43	<p>Comment: change text as follows: (a) Aeroplanes, touring motor gliders, airships. If the privileges of a LPL or a PPL for aeroplanes, touring motor glider or airships are to be exercised in VFR conditions at night, applicants shall complete at least 5 additional hours of flight time in the appropriate aircraft category at night, comprising 3 hours of dual instruction, including at least 1 hour of crosscountry navigation and 5 solo takeoffs and five solo fullstop landings.</p> <p>Justification: This paragraph seems to allow a LPL to fly at night. This license is intended for recreational flight. Giving privileges that are from another license (PPL) is not a good idea. ECA cannot agree on the whole picture for LPLs. This was not the initial intention when creating this license. Indeed, this license is not ICAO compliant, we therefore have to be careful on what privileges we give them. Besides, ECA does not understand why there is a difference between a LAL A and H, so that the H cannot (in good logic) fly at night.</p>	
4998	B. Draft Opinion Part-FCL - Subpart J: Instructors	45	Any Flight Instructors (with the <u>possible</u> exception of LAFIs) should hold a CPL as an absolute minimum. The CPL brings with it greater knowledge and experience purely by	

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			<p>the fact that the FI has had to do more training to obtain a CPL. ECA realises that there is a high turnover in the industry but, needless to say, we oppose the recommendation that PPL Flight Instructors be allowed to be paid as proposed in this legislation.</p> <p>This provision is illegal in many EU countries, going against some social and labour laws. All pilots who wish to be paid for their work have to have at least a CPL. As an industry regulator, EASA should be striving for the highest possible standards. It seems clear that a CPL FI has more experience and can offer higher standards of training to students than a PPL FI.</p>	
6868	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 1: Common Requirements - FCL.900 Instructor certificates	45	<p>Add words:</p> <p>(a) General. A person shall not carry out: (1) flight instruction in aircraft unless he/she holds:</p> <p>(i) <u>for helicopter and airplanes instruction</u>, a pilot licence issued or accepted in accordance with this Regulation;</p> <p>Justification: Any Flight Instructors (with the <u>possible</u> exception of LAFIs) should hold a CPL as an absolute minimum. As the CPL brings with it greater knowledge and experience purely by the fact that the FI has had to do more training to obtain a CPL. ECA realises that there is a high turnover in the industry. However, the recommendation that PPL Flight Instructors be allowed to be paid as proposed in this legislation is not acceptable. This provision is illegal in many EU countries, going against some social and labour laws. All pilots who wish to be paid for their work have to have at least a CPL. As an industry regulator, EASA should be striving for the highest possible standards. A CPL FI is more lhas more experience and would in principle provide higher quality instruction than a PPL holder.</p>	
4999	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 1: Common Requirements - FCL.915 General requirements for instructors	45	<p>Add words:</p> <p>(1) hold <u>a CPL License and</u> at least the licence and, if applicable, the rating for which instruction is to be given;</p> <p>LPL should not be allowed to become instructors of their own licenses, and then</p>	

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			<p>to have credits towards a professional license.</p> <p>For clarification, read general comments on Instructors, along with comments on the Subpart B (LPL).</p> <p>This is completely against safety and a RIA is needed to make clear who will be responsible for such a water down in the safety training regulatory measures.</p>	
5000	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 1: Common Requirements - FCL.915 General requirements for instructors	45	<p>New paragraph (b) (iii) for FI (s) and FI(B) have met the theoretical knowledge requirements for a CPL license in the appropriate aircraft category (except for the LPLI).</p> <p>This missing paragraph from JAR-FCL has disappeared, without explanation, safety assessment or or RIA justifying its deletion, or safety assessment. ECA proposes to keep it, as it gives the necessary knowledge to the instructor. To be an instructor, you need to know more than just basic PPL knowledge.</p>	
5013	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 1: Common Requirements - FCL.920 Instructor competencies and assessment	46	<p>Delete and add words:</p> <p>(b) <i>Assessment</i>. Except for the multicrew cooperation instructor (MCCI), the synthetic training instructor (STI) and the mountain rating instructor (MI), <u>at the completion of training and prior to the issue of a rating or authorisation</u>, the skill test for the issue of an instructor certificate shall include the assessment of the applicant's competences as described in (a). <u>an assessment of their competence in the role.</u></p> <p><u>Justification:</u> The requirement in current JAR FCL is not only to be assessed, but to do it after all the training is done, this is generally accepted. The skill test is the one specified in the appendixes, so it is not clear now the content of the exams.</p> <p>As there is no other requirement on the specific text for the FI, TRI, CRI, etc.,.. that establishes that the skill text must be done after all the training has been completed, a general statement, as proposed, is needed</p>	

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			in the general part.	
5014	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 1: Common Requirements - FCL.925 Instructors for the MPL	46	<p>Add words: have completed initial crew resource management training with a commercial air transport operator <u>approved under Part OPS</u>.</p> <p>Justification: Reference to an EU operator under PART OPS is necessary to ensure that training was done according to the approved standards in Europe.</p>	
5023	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 2: Specific requirements for the light aircraft flight instructor - FCL.905.LAFI LAFI - Privileges and conditions	47	<p>Delete following paragraphs: (d) the night rating in the appropriate aircraft category, provided the instructor is qualified to fly at night and has demonstrated the ability to instruct at night to an instructor qualified in accordance with (f);</p> <p>(e) towing and aerobatic ratings in the appropriate aircraft category, provided that the LAFI holds the appropriate rating and, in the case of aerobatics, has at least 20 hours of experience in aerobatic flying;</p> <p>Justification: A LPL should not have the privilege to to flight at night or doing aerobatics or mountain rating. Paragraphs d and e would allow a LAFI to instruct for a LPL, as the LAFI could hold a CPL with a LAFI certificate. FCL915 b)1) doesn't prevent the LAFI to teach for night qualification to a PPL or CPL, as it holds the ratings and licenses for the instruction given. The LAFI would not have received the adequate level of instruction in the instructor course for those licenses. The request is to delete both paragraphs.</p>	
5029	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 2: Specific requirements for the light aircraft flight instructor - FCL.910.LAFI LAFI - Restricted privileges	47	<p>Delete and replace number of hours of instruction:</p> <p>(1) in the case of a LAFI for aeroplanes, at least 50 hours of flight instruction in a singleengine piston aeroplane or TMG and has supervised at least 25 student solo flights.</p> <p>(2) in the case of a LAFI for helicopters, at least 50 hours of flight instruction in helicopters and supervised at least 25 student solo flight air exercises.</p>	

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			<p>Justification: 100 is the minimum number of hours commonly accepted as a safe number of hours. There are no real tests on the adequacy of this rating. The principle of precaution advises to set a reasonable limit.</p>	
5031	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 3: Specific requirements for the flight instructor - FCL.905.FI FI - Privileges and conditions	49 - 51	<p>Delete and Replace word: (b) class and type ratings for singlepilot, singleengine aircraft and class and group extensions, in the case of balloons;</p> <p>Justification: Clarification: there are two different requirements for two different categories of aircraft.</p>	
5049	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 3: Specific requirements for the flight instructor - FCL.905.FI FI - Privileges and conditions	49 - 51	<p>add words: <u>Provided that the FI holds a CPL License</u>, the privileges of a FI are to conduct flight instruction for the issue, revalidation or renewal of:</p> <p>Justification:</p> <p>Any Flight Instructor (with the <u>possible</u> exception of LAFIs) should hold a CPL as an absolute minimum. As the CPL brings with it greater knowledge and experience purely by the fact that the FI has had to do more training to obtain a CPL. ECA realises that there is a high turnover in the industry but we oppose the recommendation that PPL Flight Instructors be allowed to be paid for training without holding a CPL Licence, as proposed in this legislation. This provision is illegal in many EU countries, going against some social and labour laws. All pilots who wish to be paid for their work have to hold at least a CPL. As an industry regulator, EASA should be striving for the highest possible standards. This is achieved through imposing that all FI hold minimum a CPL licence.</p> <p>Not requiring a CPL as a minimum qualification for exercising the privileges of ,FI would represent a change to the current rules. This change has not been subject to safety assessment or regulatory impact analysis.</p>	
5058	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 3: Specific requirements for the flight instructor -	52	<p>Request for clarification Delete last paragraph in (b)(3):</p> <p>(ii) 10 hours in the case of sailplanes and balloons.</p>	

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	FCL.930.FI FI - Training course		<p>Justification:</p> <p>It is not clear if 75 hours credit are given towards the A and H certificate, or if there is an automatic credit allocated to the holders of the mentioned licenses. Furthermore, there is no consistency between the numbers: 125 hours for A,H, AS, 30 for B and S. On which bases are 75 hours credit given to other categories? The same question arises for the 10 hour credits given for balloons or sailplanes. Is a LPL (H) having credits towards a professional instructor certificate for CPL's in another category of aircraft? What is the justification for that, when the knowledge of such instructors is completely different?</p> <p>It is acceptable to give credits between a type rating instructor in H or A. However, we think it is not possible for a FI (B) to get only 10 hours for the FI rating.</p>	
5319	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 4: Specific requirements for the type rating instructor - FCL.930.TRI TRI - Training course	55	<p>Add text:</p> <p>(c) Applicants holding or having held an instructor certificate <u>in the same aircraft category</u> shall be fully credited towards the requirement of (b)(1).</p> <p>Justification:</p> <p>FI(B) or LPL(S) shall not have full credit towards the TRI rating. It is not acceptable to give credits for a TRI certificate to lower types of licenses and instructors of different aircraft category to train professional pilots.</p>	
5334	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 4: Specific requirements for the type rating instructor - FCL.935.TRI TRI - Skill test	55	<p>Add text:</p> <p>(a) An applicant for a TRI certificate shall pass a skill test to demonstrate, to a type rating examiner qualified for this purpose, his ability to instruct a pilot to the level required for the issue of a type rating, including preflight, postflight and theoretical knowledge instruction in accordance with the requirements of Appendix 12 to this Part. <u>The assessment shall consist on at least 3 hours of flight instruction related to the duties of a TRI on the applicable type of aircraft or flight simulator.</u></p> <p>Justification:</p>	

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			<p>This was the old requirement from JAR. Doing the test of Appendix 12 may be an option, but most of the TRI functions are different from a FI; The test to become TRI is different.</p>	
5340	<p>B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 4: Specific requirements for the type rating instructor - FCL.940.TRI TRI - Revalidation and renewal</p>	55 - 56	<p>Delete (editorial) and add words:</p> <p>(a) (3) pass, as a proficiency check, the relevant sections of the skill test <u>in each of the types of aircraft in which instruction will be given</u> in accordance with Appendix 12 to this Part.</p> <p>(d) (3) pass, as a proficiency check, the relevant sections of the skill test <u>in each of the types of aircraft in which instruction will be given</u> set out in accordance with Appendix 12 to this Part.</p> <p>Justification:</p> <p>The TRI is not a general instructor rating. It gives privileges for a particular type of aircraft so the skill test must be passed on EACH of the types he instructs on, and not only one.</p> <p>Justification:</p> <p>The TRI is not a general instructor rating. It gives privileges for a particular type of aircraft so the skill test must be passed on EACH of the types he instructs on, and not only one.</p>	
5321	<p>B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 5: Specific requirements for the class rating instructor - FCL.930.CRI CRI - Training course</p>	56	<p>Add text:</p> <p>(c) Applicants holding or having held an instructor certificate <u>in the same aircraft category</u> shall be fully credited towards the requirement of (b)(1).</p> <p>Justification:</p> <p>FI(B) or LPL(S) shall not have full credit towards the TRI rating. It is not acceptable to give credits for a TRI certificate to lower types of licenses and instructors to train professional pilots.</p>	
5323	<p>B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 6: Specific requirements for the instrument rating instructor -</p>	58	<p>Editorial, rename paragraph and add text:</p> <p>(ed) Applicants holding or having held an instructor certificate <u>in the same aircraft category</u> shall be fully credited towards the requirement of (b)(1).</p>	

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	FCL.930.IRI IRI - Training course		Justification: FI(B) or LPL(S) shall not have full credit towards the TRI rating. It is not acceptable to give credits for a TRI certificate to lower types of licenses and instructors to train professional pilots.	
5342	B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 7: Specific requirements for the synthetic flight instructor - FCL.935.SFI SFI - Skill test	59	Delete and add words: The assessment shall consist of at least 3 hours of flight instruction related to the duties of an SFI on the applicable FFS or FTD 2/3 <u>in each of the types on which the SFI instructs.</u> Justification: The privileges of the SFI are to instruct in a Flight simulator. Even though the training may be done in a FNPT II or FTD 2/3, if you give the pilot the privilege to instruct in a higher more sophisticated device, the test must be taken only in the FS. This is a deviation from current understanding of the experts and no safety analysis, RIA or justification is provided for the change. Tests must be performed on the type/class on which the SFI instructs.	
5379	B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements - FCL.1000 Examiner certificates	64	Add words: (a) General. Holders of an examiner certificate shall: (1) hold a licence and rating at least equal to the licence, <u>certificate</u> or rating for which they are authorised to conduct skill tests or proficiency checks and the privilege to instruct for this licence, <u>certificate</u> or rating; Justification: As the instructors ratings have been changed with certificates, those certificates should be included in the paragraph, otherwise the examiners will not be allowed to examine for instructor or examiners certificates.	
5387	B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements - FCL.1030 Obligations for examiners	65 - 66	Add words: (d) Upon request by the competent authority <u>that issued the examiner certificate</u> , or the authority referred to in (b)(1), examiners shall submit all records and reports, and any other information, as required for oversight activities.	

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			Justification: For clarification purposes.	
5391	B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 2: Specific requirements for flight examiners - FCL.1005.FE FE - Privileges and conditions	66 - 67	Add words: (b)(2)(iv) for the LPL(H), <u>provided that the examiner has completed at least 500 hours of flight time as pilot of helicopters, including at least 150 hours of flight instruction.</u> Justification: The added text is proposed to be consistent with the aeroplane requirements.	
5401	B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 2: Specific requirements for flight examiners - FCL.1010.FE FE - Pre-requisites	67	Delete paragraph (b) (b) Applicants wishing to conduct examinations only for the issue, revalidation and renewal of LPL shall be required to hold only a LPL and a LAFI certificate in the appropriate aircraft category. Justification: This paragraph together with FCL.1005 would mean that the only requirement to be a FE for LAPL is to hold a LAPL and a LAFI. A person with this experience only, with no extra requirements, would not be prepared to assess other pilots, even for LAPL applicants. It is not acceptable to allow unexperienced pilots to perform a skill tests.	
5411	B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 3: Specific requirements for type rating examiners - FCL.1005.TRE TRE - Privileges and conditions	67 - 68	Add words: (a)(4) skill tests for MPL issue, <u>provided that the examiner has complied with the requirements of paragraph FCL.925:</u> Justification: It should be clear that the requirement is to have the instructional privileges for the license or rating to be tested.	
5447	B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 7: Specific requirements for the flight instructor examiner - FCL.1010.FIE FIE - Pre-requisites	71	Add words: (3) Have at least 100 hours of flight time instructing applicants for an FI(A), <u>LAFI(A), CRI(A), IRI(A) or SFI(A) certificate as applicable.</u> Justification: It depends on what type of instructor examiner he/she is willing to become certified.	
5522	B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 7: Specific	71	Renumber (editorial) and add text: (b) (4) Have at least 100 hours of flight time instructing applicants for an FI(H),	

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	requirements for the flight instructor examiner - FCL.1010.FIE FIE - Pre-requisites		<p>TRI(H) or IRI(H) certificate, as applicable;</p> <p>Justification: Editorial and for clarification</p>	
5529	B. Draft Opinion Part-FCL - Appendix 1: Crediting of Theoretical Knowledge	72 - 73	<p>Delete text:</p> <p>1.1 For the issue of a LPL, the holder of a LPL in another category of aircraft shall be fully credited with theoretical knowledge on the common subjects established in FCL.120(a)(1).</p> <p>1.1 Without prejudice to the paragraph above, for the issue of a LPL, PPL, BPL or SPL, the holder of a licence in another category of aircraft shall pass theoretical knowledge examinations to the appropriate level in the following topics:</p> <p>Aircraft</p> <p>General Knowledge;</p> <p>Flight</p> <p>Performance and Planning;</p> <p>Operational</p> <p>Procedures and Principles of Flight.</p> <p>1.1.2 For the issue of a PPL, BPL or SPL, the holder of a LPL in the same category of aircraft shall be credited in full.</p> <p>Justification: A person with a LPL sailplane, or balloon, has not received at all the theoretical training needed for the issue of a PPL, even with that the proposed extra training. Furthermore, it is not acceptable that a lower level license, with less training, gives full credits to a higher license. ECA cannot agree on the transfer of credits from LPL's to JAR licenses. If paragraphs 1.1.1 & 1.1.2 stay, the rule would allow students to bypass the PPL theoretical training by getting credits from LPL. This is not an acceptable way forward.</p>	
5546	B. Draft Opinion Part-FCL - Appendix 2: Theoretical knowledge syllabus for the ATPL, CPL and IR - A. Aeroplanes and helicopters	74 - 77	<p>Chapter "AIR LAW AND ATC PROCEDURES" missing.</p> <p>This chapter was in JAR FCL Appendix 1 to JAR FCL 1.470 or NPA 2008-17b App. 2 B. (As)</p> <p>This must be a lost text when transferring the text from the old JAR's, but it's clear that this subject cannot be deleted from the theoretical knowledge.</p>	

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5556	B. Draft Opinion Part-FCL - Appendix 3: Training courses for the issue of a CPL, an ATPL and an IR - A. ATP integrated course – aeroplanes	82 - 83	<p>Delete and add text : GENERAL</p> <p>3 The applicant shall complete the course within a maximum period of 36 months a period of 12 to 36 months. Special arrangements may be made with the approval of the Authority to extend the course beyond 36 months where additional flying training or ground instruction is provided by the ATO.</p> <p>Justification: The proposed text deviates from current JARS. The original intention of this requirement is to state that 12 months is the minimum time to complete the course, and to allow for extensive periods, if required by the amount of training. Why precluding a better training, if agreed by the two parts, ATO and the student? The previous wording in JAR. is preferred and it allows an ATO to give extra training.</p>	
5005	B. Draft Opinion Part-FCL - Appendix 5: Integrated MPL training course	106 - 108	<p>Comment: add at the end of paragraph 7, the following: 7 An approved MPL theoretical knowledge course shall comprise at least 750 hours of instruction. <u>Additionally to the 750 hours, the theoretical knowledge instruction for the type rating shall be in accordance with Appendix 1 to JAR-FCL 1.261(a) or new reference AMC 1 and 2 to FCL.725 (a).</u></p> <p>Justification: The type rating training is not included in the 750 hours, so the text must reflect that this type rating theoretical knowledge is in addition to the 750 hours (as in JAR). ECA recommends to include the underlined text, as stated in the old point 9 of the appendix.</p>	
5562	B. Draft Opinion Part-FCL - Appendix 5: Integrated MPL training course	106 - 108	<p>Add paragraphs: <u>(3)The general approach is to use the existing ATP(A) integrated training course as a reference and to implement progressively the MPL integrated training course and specifically the transfer from actual flight to simulated flight.</u></p> <p><u>(4)This transfer should be organised in a way that is similar to the approach used for ETOPS. Successive evolutions of the training syllabus introduce progressively a higher level</u></p>	

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			<p><u>of simulated flight and a reduction of actual flight. Change from one version to the next should only take place after enough experience has been gained and once its results, including those of airline operator conversion courses, have been analysed and taken into account.</u></p> <p><u>Renumber rest of paragraphs and delete from page 602 GM to Appendix 5</u></p> <p>Justification: point 1. c and d of the JAR regulation should be kept in the rule. This is a fundamental point in the MPL implementation. It is ICAO wording, and reflects something the NAA's must take into account prior to the approval of any MPL program.</p>	
5009	B. Draft Opinion Part-FCL - Appendix 6: Modular training courses for the instrument rating - A. IR(A) – Modular flying training course	109 - 110	<p>Comment: change text in paragraph 10 as follows (editorial change):</p> <p>10</p> <p>10.1 The holder of a CPL(A) or of a Course Completion certificate for the Basic Instrument Flight Module may have the total amount of training required in paragraphs 9 7 or 40 8 above reduced by 10 hours.</p> <p>10.2 The holder of an IR(H) may have the total amount of training required in paragraphs 9 7 or 40 8 above reduced to 10 hours.</p> <p>10.3 The total instrument flight instruction in aeroplane shall comply with paragraph 9 7 or 40 8, as appropriate.</p>	
5010	B. Draft Opinion Part-FCL - Appendix 7: IR skill test - A. Aeroplanes	115 - 117	<p>Comment: Table Section 1 contains a spelling mistake at row f:</p> <p>f) Taxiing</p>	
5015	B. Draft Opinion Part-FCL - Appendix 7: IR skill test - A. Aeroplanes	115 - 117	<p>Comment on Appendix 7, Section 5 related to FCL.620 (a):</p> <p>ECA recommends to add requirements for circling approaches.</p> <p>Justification: This requirement exists in other regulations. This is a very complex and risky manoeuvre. Therefore a rating cannot allow the pilot to perform such a manoeuvre when it has never been tested the competency to do so. This was a lack of JAR regulation and need to be fixed.</p>	
6883	B. Draft Opinion Part-FCL - Appendix	115 - 117	<u>MOVE JAR-FCL 1.520 AND 1.525 TO</u>	

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	7: IR skill test - A. Aeroplanes		<p><u>APPENDIX 5 TO FCL</u></p> <p>Justification Appendix I JAR FCL 1.520 & 1.525 was moved to GM to Appendix 5 is now downgraded. This is not acceptable.</p>	
5366	B. Draft Opinion Part-FCL - Appendix 9: Skill test and proficiency check for ATPL, . Type and class ratings and proficiency check for instrument ratings	123	<p>Comment on Appendix 9, points 14-18, change title as follows: SPECIFIC REQUIREMENTS FOR THE SKILL TEST FOR MULTIPILOT AIRCRAFT TYPE RATINGS, <u>MPL</u> AND FOR ATPL</p> <p>Justification: This should apply also to MPL</p>	
5020	B. Draft Opinion Part-FCL - Appendix 9: Skill test and proficiency check for ATPL, . Type and class ratings and proficiency check for instrument ratings - A. General	123 - 124	<p>Comment on paragraph 4: ECA recommends to be more specific on "similar aircraft types", i.e. B757/B767, Airbus FBW, etc.</p> <p>Justification: Current terminology uses "types", "variants", but not "similar". Clarification must be in the wording, to avoid any mis-interpretation. This text must be made very clear, as it will be used for cross-crediting among aircraft that may have similarities, like two wings, two engines, three wheels, etc.</p>	
5052	B. Draft Opinion Part-FCL - Appendix 9: Skill test and proficiency check for ATPL, . Type and class ratings and proficiency check for instrument ratings - A. General	123 - 124	<p>Comment on point 6: change text as follows: 6 The examiner may choose between different skill test/proficiency check scenarios containing simulated <u>relevant line</u> operations developed and approved by the competent authority.</p> <p>Justification: This requirement applies also to non-commercial operations. It is therefore not necessary to apply "<i>line operations scenarios</i>"? It is not appropriate to ask the Authority to develop line operations scenarios. The operator should develop them and have them approved by the Authority; if developed by the Authority (e.g non-commercial ratings), there is no requirement for approval. In case of commercial ratings, scenarios should be developed by the operator and then approved by the Authority.</p>	
5022	B. Draft Opinion Part-FCL - Appendix 9: Skill test and	124 - 125	<p>Comment on paragraph (e): (e) maintain control of the aeroplane at all times in such a manner that the successful</p>	

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	proficiency check for ATPL, . Type and class ratings and proficiency check for instrument ratings - B. Specific requirements for the aeroplane category		<p>outcome of a procedure or manoeuvre is <u>always assured</u> never in doubt;</p> <p>Justification: Text should be written in a positive way, rather than in a negative way.</p>	
5024	B. Draft Opinion Part-FCL - Appendix 9: Skill test and proficiency check for ATPL, . Type and class ratings and proficiency check for instrument ratings - B. Specific requirements for the aeroplane category - 1. Single-pilot aeroplanes	125 - 128	<p>Comment: change paragraphe as follows: An FSTD <u>flight simulator or FNPT II</u> shall be used for practical training for type or multiengine class ratings if the FSTD <u>flight simulator or FNPT II</u> forms part of an approved type or class rating course. The following considerations will apply to the approval of the course:</p> <ul style="list-style-type: none"> (a) the qualification of the FSTD <u>flight simulator or FNPT II</u> as set out in Part-MS; (b) the qualifications of the instructors; (c) the amount of FSTD <u>flight simulator or FNPT II</u> training provided on the course; <p>and</p> <ul style="list-style-type: none"> (d) the qualifications and previous experience on similar types of the pilot under training. <p>Justification: This should go back to the JAR requirement. The use of other FSTDs than FNPT II or flight simulators for training on types of aeroplanes will jeopardize safety. In principle, the training is based on the goodness of the instructor and the tools used. In Aviation, the tools are the aeroplanes or FSTDs. When giving general skills training, other lower devises may be sufficient, but not when trying to teach the performances and specifics of a particular type of aircraft.</p>	
5025	B. Draft Opinion Part-FCL - Appendix 9: Skill test and proficiency check for ATPL, . Type and class ratings and proficiency check for instrument ratings - C. Specific requirements for the helicopter category	134 - 139	<p>Comment: change paragraph on page 136 as follows: An FSTD <u>A flight simulator or FNPT II</u> shall be used for practical training and testing if the FSTD <u>flight simulator or FNPT II</u> forms part of an approved type-rating course. The following considerations will apply to the approval of the course:</p> <ul style="list-style-type: none"> (a) the qualification of the FSTD <u>flight simulator or FNPT II</u> as set out in Part-MS; (b) the qualifications of the instructors and examiners; (c) the amount of FSTD <u>flight simulator or FNPT II</u> training provided on the course; (d) the qualifications and previous 	

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			<p>experience on similar types of the pilot under training; and (e) the amount of supervised flying experience provided after the issue of the new type rating.</p> <p>Justification: This should go back to the JAR requirement. The use of other FSTDs than FNPT II or flight simulators for training on types of aeroplanes will jeopardize safety. In principle, the training is based on the goodness of the instructor and the tools used. In Aviation, the tools are the aeroplanes or FSTDs. When giving general skills training, other lower devices may be sufficient, but not when trying to teach the performances and specifics of a particular type of aircraft.</p>	
5046	B. Draft Opinion Part-FCL - Appendix 9: Skill test and proficiency check for ATPL, . Type and class ratings and proficiency check for instrument ratings - D. Specific requirements for the powered-lift category	140 - 146	<p>Comment on paragraph 8: 8 Flight Simulation Training Devices <u>Flight simulator of FNTP II</u> shall be used for practical training and testing if they form part of an approved typerating course. The following considerations will apply to the approval of the course: a) the qualification of the flight simulation training devices as set out in Part FSTD <u>flight simulator of FNTP II</u>; b) the qualifications of the instructor;</p> <p>Justification: This should go back to the JAR requirement. The use of other FSTDs than FNPT II or flight simulators for training on types of aeroplanes will jeopardize safety. In principle, the training is based on the goodness of the instructor and the tools used. In Aviation, the tools are the aeroplanes or FSTDs. when giving general skills training, other lower devices may be sufficient, but not when trying to teach the performances and specifics of a particular type of aircraft.</p>	
5048	B. Draft Opinion Part-FCL - Appendix 9: Skill test and proficiency check for ATPL, . Type and class ratings and proficiency check for instrument ratings - E. Specific requirements for the	146 - 152	<p>Comment on paragraph 5, page 148: text should be changed as follows: Flight Simulation Training Devices <u>Flight simulator or FNPT II</u> shall be used for practical training and testing if they form part of an approved typerating course. The following considerations will apply to the approval of the course: a) the qualification of the flight simulation</p>	

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	airship category		<p>training devices as set out in Part FSTD <u>Flight simulator or FNPT II</u>;</p> <p>b) the qualifications of the instructor;</p> <p>Justification: This should go back to the JAR requirement. The use of other FSTDs than FNPT II or flight simulators for training on types of aeroplanes will jeopardize safety. In principle, the training is based on the goodness of the instructor and the tools used. In Aviation, the tools are the aeroplanes or FSTDs. when giving general skills training, other lower devices may be sufficient, but not when trying to teach the performances and specifics of a particular type of aircraft.</p>	
5381	B. Draft Opinion Part-FCL - Appendix 10: Course of additional theoretical knowledge for a class or type rating for high performance single-pilot aeroplanes	153 - 154	<p>Comment on point 2, page 154, change text as follows: <u>2 The holder of an ICAO ATPL(A) or a pass in the theoretical knowledge examinations at ATPL(A) level is credited with meeting the requirement of this appendix.</u> A pass in any theoretical knowledge subjects as part of the HPA course will not be credited against meeting future theoretical examination requirements for issue of a CPL(A), IR(A) or ATPL(A).</p> <p>Justification: This was old crediting from JAR and there is no safety justification to delete them. Paragraphs 1, 2, 3 and 4 of the old JAR appendix should be kept.</p>	
5384	B. Draft Opinion Part-FCL - Appendix 12: Skill test, proficiency check and verbal theoretical knowledge examination for the instructor certificate	156 - 158	<p>Comment: There needs to be clarification on the "Authority", whether it is the National Authority or EASA.</p> <p>Justification: ECA guesses it will be the national authority, but there is a need to include more text for clarification. ECA suggests to change text as follows: by the <u>competent</u> authority.</p>	
5388	B. Draft Decision Part-FCL - AMC and GM - Subpart B: Leisure pilot licence LPL	189	<p>Comment: AMC to FCL.120 and 125, AMC 1 and 2 to FCL.125, AMC 1 and 2 to 125 and 235, AMC to FCL 215 and 220, AMC 1 and 2 to FCL 220, AMC 3 to 235, AMC 1 to FCL205.S(c), AMC 1 to FCL.205.B(c), AMC 3 to FCL.135B, AMC to FCL825, all these AMCs should be appendixes.</p>	

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			<p>Justification: To be consistent with the rest of the text, these AMCs should be appendixes, as they are the legal bases from which the examiners will have the criteria to fail or pass the applicant. If there remain AMCs, then the examiner will not have any legal basis to fail an applicant.</p>	
5390	B. Draft Decision Part-FCL - AMC and GM - Subpart B: Leisure pilot licence LPL - AMC to FCL.115 and FCL.120 - Syllabus of theoretical knowledge for the LPL - I. Common subjects	189 - 190	Comment: editorial comment: There is hidden text in the table and therefore needs reformatting.	
5393	B. Draft Decision Part-FCL - AMC and GM - Subpart B: Leisure pilot licence LPL - AMC No 1 to FCL.110.BA/H - Flight instruction for the basic leisure pilot licence - Basic LPL (A)	209 - 216	Comment on paragraph 1.1.: the following paragraph should be in the Part OR: 1. ENTRY TO TRAINING 1.1 Before being accepted for training an applicant should be informed that the appropriate medical certificate must be obtained before solo flying is permitted.	
5396	B. Draft Decision Part-FCL - AMC and GM - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - AMC No 1 to FCL.210 and FCL.215 - Syllabus of theoretical knowledge for the private pilot licence – aeroplanes and helicopters	269	<p>Comment: change text as follows: The following tables contain the syllabi for the courses of theoretical knowledge, as well as for the theoretical knowledge examinations for the PPL(A) and (H). The training and examination should cover aspects related to nontechnical skills in an integrated manner, taking into account the particular risks associated to the licence and the activity.</p> <p>Justification: Due to the low requirements of the examiners for the PPL, and the lack of training in assessment of NTS, ECA considers that the examination of NTS cannot be done when the instructor for a PPL cannot instruct on this. If you don't train the instructors on how to develop NTS, they will not be able to train for this. Furthermore, a person cannot be examined about something he/she hasn't received.</p>	
5516	B. Draft Decision Part-FCL - AMC and GM - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot	272 - 279	Comment on line 021 11 03 01, page 277: There should be crosses in the "PPL" and "bridge" boxes also for Aeroplane, as Diesel engines are now available for light aircraft.	

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	Licence (SPL) and Balloon Pilot Licence (BPL) - AMC No 1 to FCL.210 and FCL.215 - Syllabus of theoretical knowledge for the private pilot licence – aeroplanes and helicopters - 021 00 00 00 - Aircraft general knowledge - airframe and systems, electrics, powerplant, emergency equipment		Justification: The danger of using the wrong type of fuel should be taught. It is not clear that this part is only taught in H.	
5399	B. Draft Decision Part-FCL - AMC and GM - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - AMC to FCL.210.H - Flight Instruction for the Private Pilot Licence (Helicopter)	338 - 348	Comment: editorial comment on 3rd line, page 246: – omni bearing selector (OMBS)	
5400	B. Draft Decision Part-FCL - AMC and GM - Subpart G: Instrument Rating: AMC to FCL.625(c) - Renewal of Instrument Rating - Refresher Training	361	Comment: Requirement for minimum duration of training session (i.e. 3 hours) should be added. Justification: The amount of training given in a training sessions should be made clear. ECA recommends to add a definition or clarification of the training time. This clarification should also be applicable to all other parts in the regulation where training sessions are referred to and no amount is defined.	
5402	B. Draft Decision Part-FCL - AMC and GM - Subpart H: Class and Ratings - AMC No1 to FCL.725(a) - Syllabus of theoretical Knowledgeinstruction for class/type ratings - B. Single and multi-engine helicopters	368 - 372	Comment on paragraph 1.10.2, line 4: delete "VLF Omega": – communication and navigation system (e.g. HF, VHF, ADF, VOR/DME, ILS, marker beacon) and area navigation systems (e.g. GPS, VLF Omega) Justification: This system is no longer in use nowadays, so there is no need to train about it.	
5404	B. Draft Decision Part-FCL - AMC and	373 - 375	Comment: There is no AMC to FCL.725 on flight	

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	GM - Subpart H: Class and Ratings - AMC No 2 to FCL.725(a) -Flight Instruction for Type Ratings - Helicopters		training for a type rating in aeroplanes and powerlift. ECA considers that AMC 2 to FCL.725 (a) must be an appendix, not an AMC due to the relevance and importance of this course, mainly designed for commercial transportation. We haven't even seen the course for the type ratings in aeroplanes. There is an appendix for the course for additional training for high performance aircraft (appendix 10), but no appendix for the course for type rating of commercial aeroplanes. This is contradictory and there is no safety justification for this. An appendix reflecting the old Appendix 1 to JAR-FCL 1.261(a) is missing.	
5414	B. Draft Decision Part-FCL - AMC and GM - Subpart H: Class and Ratings - AMC to FCL.740(b)(1) Renewal of class and type ratings – refresher training	375	<p>Comment: ECA recommends to define the amount of time a training session means.</p> <p>Justification:</p> <p>As for the comment on page 361, this AMC does not reflect how much time the sessions last (1 hour, 2, 4, 15 minutes?). Also, there is no difference between types of aeroplanes. We should differentiate between the renewal of class-rating for Single engine from renewal of an A-380 rating, as the amount of systems and emergencies to be reviewed are much more.</p> <p>The AMC needs to reflect much more training for complex aircraft (like type ratings for CAT). These trainings are the minimum trainings needed for small aircraft, but when talking about refreshment training for complex aircraft, it is not realistic to review all the systems, emergencies and normal procedures in just one session.</p>	
5481	B. Draft Decision Part-FCL - AMC and GM - Subpart H: Class and Ratings - AMC to FCL.730.A - Requisites for pilots undertaking a zero flight time type rating (ZFTT) course	376	<p>Comment: delete the whole paragraph and put it in IR (see comment on page 36): AMC to FCL.730.A Requisites for pilots undertaking a zero flight time type rating (ZFTT) course When a pilot is changing from a turboprop to a turbojet aeroplane or from a turbojet to a turboprop aeroplane, additional simulator training should be required.</p> <p>Justification: This requirement is a must and should not be left to the discretion of anybody.</p>	
5495	B. Draft Decision	515 -	Comment: change text in the "proficiency	

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	Part-FCL - AMC and GM - Subpart J: Instructors - GM to FCL.940.FI(a) and FCL.940.LAFI - Flight instructor and Light Aircraft Flight Instructor certificate - Revalidation and renewal form - A. Aeroplanes	516	<p>check" below box should be changed as follows:</p> <p>.....(Name of applicant) has given proof of flying instructional ability during a proficiency check flight. This was done to my <u>satisfaction required standard.</u></p> <p>Justification: The checks are done to comply with minimum standards, not to satisfy any particular person. It is more accurate to reflect the requirement as to comply with a required standard.</p>	
5496	B. Draft Decision Part-FCL - AMC and GM - Subpart J: Instructors - GM to FCL.940.FI(a) and FCL.940.LAFI - Flight instructor and Light Aircraft Flight Instructor certificate - Revalidation and renewal form - B. Helicopters	516 - 517	<p>Comment: change text in the "proficiency check" below box should be changed as follows:</p> <p>.....(Name of applicant) has given proof of flying instructional ability during a proficiency check flight. This was done to my <u>satisfaction required standard.</u></p> <p>Justification: The checks are done to comply with minimum standards, not to satisfy any particular person. It is more accurate to reflect the requirement as to comply with a required standard.</p>	
5497	B. Draft Decision Part-FCL - AMC and GM - Subpart J: Instructors - GM to FCL.940.FI(a) and FCL.940.LAFI - Flight instructor and Light Aircraft Flight Instructor certificate - Revalidation and renewal form - C. Airships	518 - 519	<p>Comment: change text in the "proficiency check" below box should be changed as follows:</p> <p>.....(Name of applicant) has given proof of flying instructional ability during a proficiency check flight. This was done to my <u>satisfaction required standard.</u></p> <p>Justification: The checks are done to comply with minimum standards, not to satisfy any particular person. It is more accurate to reflect the requirement as to comply with a required standard.</p>	
5498	B. Draft Decision Part-FCL - AMC and GM - Subpart J: Instructors - GM to FCL.940.FI(a) and FCL.940.LAFI - Flight instructor and Light Aircraft Flight Instructor certificate - Revalidation and renewal form - D.	519 - 520	<p>Comment: change text in the "proficiency check" below box should be changed as follows:</p> <p>.....(Name of applicant) has given proof of flying instructional ability during a proficiency check flight. This was done to my <u>satisfaction required standard.</u></p> <p>Justification:</p>	

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	Sailplanes		The checks are done to comply with minimum standards, not to satisfy any particular person. It is more accurate to reflect the requirement as to comply with a required standard.	
5499	B. Draft Decision Part-FCL - AMC and GM - Subpart J: Instructors - GM to FCL.940.FI(a) and FCL.940.LAFI - Flight instructor and Light Aircraft Flight Instructor certificate - Revalidation and renewal form - E. Balloons	520 - 521	<p>Comment: change text in the "proficiency check" below box should be changed as follows:</p> <p>.....(Name of applicant) has given proof of flying instructional ability during a proficiency check flight. This was done to my satisfaction <u>required standard</u>.</p> <p>Justification: The checks are done to comply with minimum standards, not to satisfy any particular person. It is more accurate to reflect the requirement as to comply with a required standard.</p>	
5505	B. Draft Decision Part-FCL - AMC and GM - Subpart J: Instructors - AMC No 1 to FCL.930.TRI - TRI training course - aeroplanes	521 - 523	<p>Comment: change text on "Synthetic Device Training", point 5 as follows:</p> <p>5 The applicant for a TRI(A) certificate should be taught and made familiar with giving instruction from the seat <u>from all operating positions normally occupied by the copilot</u>, including demonstrations of appropriate handling exercises.</p> <p>Justification: The instructor may be instructing a pilot in command or a co-pilot, so he/she should be entitled to act from any position in the cockpit.</p>	
5510	B. Draft Decision Part-FCL - AMC and GM - Part-FCL Appendices - GM to Appendix 5 MPL – Integrated Multi-Crew Pilot Licence training course	602	<p>Comment: This part should be upgraded to IR, as the requirements come from ICAO Annex 1, 2.5.</p> <p>Justification: Almost all parts of ICAO Annex I 2.5 regulation material were downgraded to GM to Appendix 5 (e.g. ETOPS approach). This is unacceptable. It must be upgraded to IRs. For this EASA has to file non compliance with ICAO Regulation. This is not acceptable. See also comment of requirement related to Appendix 5.2 on page 106, and general comment on subpart E.</p>	
5514	B. Draft Decision Part-FCL - AMC and GM - Part-FCL Appendices - GM to	614	Comment: delete the whole point on "Principles of Threat and Error Management", i.e., pages 614 to 620 included.	

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	Appendix 5 MPL – Integrated Multi-Crew Pilot Licence training course - Principles of threat and error management		<p>Justification:</p> <p>Some sections should be only referred to, not covered as a subject, i.e. Threat and Error Management (TEM) (p.614 onwards). This should be left for the classroom, simulator or aircraft. TEM should be taught in the classroom/aircraft. It is not the job of a regulatory document to expound the relative merits of TEM. It should only be referred to as subject to be taught.</p>	