



EUROPEAN AVIATION SAFETY AGENCY
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

Workshop on Reg. 1178/2011 and 290/2012 Lisboa, Portugal 18 - 19 September 2012

Helena Pietilä & Matthias Borgmeier / EASA Rulemaking
Flight Standards - Flight Crew Licensing Section

Your safety is our mission.





Today's Agenda

- **Introduction / Rulemaking process**
- **FCL.001 / Rule Structure**
- **Actual situation of implementation**
- **Different subparts of Part FCL**
- **Questions - comments**



Tomorrow's Agenda

- **Appendices / AMCs Part-FCL**
- **Structure OR-AR & Cover Regulation**
- **ARA.GEN & ARA.ATO**
- **Part-ORA**
- **Additional actual FCL issues**



EUROPEAN AVIATION SAFETY AGENCY
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

Workshop on Reg. 1178/2011 and 290/2012
Lisbon, Portugal
18 - 19 September 2012

Part 1: Introduction / Rulemaking Process / FCL.001 / Structure / Implementation

Matthias Borgmeier / EASA Rulemaking
Acting Head FCL Section

Your safety is our mission.





Agenda Part 1

- **Introduction**
- **Rulemaking Procedure**
- **FCL.001**
- **Regulation Structure**
- **Implementation Phase**



Before we start....

BR – Basic Regulation

ER – Essential Requirements

IR – Implementing Rule

AMC – Acceptable Means of Compliance

GM – Guidance Material

NPA – Notice of Proposed Amendment



Before we start....

ORA – Organisational Requirements Aircrew

ARA – Authority Requirements Aircrew

CC – Cabin Crew

LAPL – Light Aircraft Pilot Licence

MI – Mountain Instructor

S & B & As & Tilt-rotor



European Union and EFTA countries



27 EU states



4 EFTA states





Core Activities (1/2)



Product Certification

Rulemaking

Bundesrepublik Deutschland Bundesministerium für Verkehr und digitale Infrastruktur Lizenz für Piloten (Piloten)	Flugzeug Flugzeugtyp: Airbus A320neo Flugzeugnummer: 10107234 Flugzeugkategorie: Transportflugzeug Flugzeugkategorie: Transportflugzeug Flugzeugkategorie: Transportflugzeug	Flugzeug Flugzeugtyp: Airbus A320neo Flugzeugnummer: 10107234 Flugzeugkategorie: Transportflugzeug Flugzeugkategorie: Transportflugzeug Flugzeugkategorie: Transportflugzeug	Flugzeug Flugzeugtyp: Airbus A320neo Flugzeugnummer: 10107234 Flugzeugkategorie: Transportflugzeug Flugzeugkategorie: Transportflugzeug Flugzeugkategorie: Transportflugzeug	Flugzeug Flugzeugtyp: Airbus A320neo Flugzeugnummer: 10107234 Flugzeugkategorie: Transportflugzeug Flugzeugkategorie: Transportflugzeug Flugzeugkategorie: Transportflugzeug
---	--	--	--	--



Standardisation

Organisation Approvals



Safety Assessment of Foreign Aircraft



Core Activities (2/2)



Third Country Operators



Safety Analysis and
Research



European Aviation Safety
Programme

International Cooperation



Technical Training



Clarification of one important issue





- **Agency of European Union**

In partnership with Member States

In cooperation with Stakeholders

- **Regulating Aviation Safety**

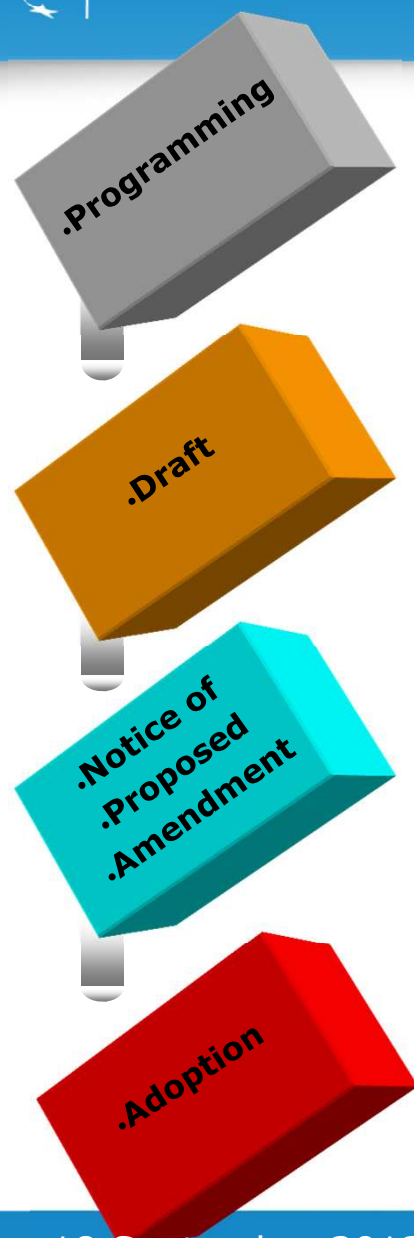


Agenda Part 1

- **Introduction**
- **Rulemaking Procedure**
- **FCL.001**
- **Regulation Structure**
- **Implementation Phase**



The EASA Rulemaking Process



Rulemaking Programme

Initiation

Drafting

Consultation

Review of Comments

CRD

**Executive Director
Decision**

**Agency
Opinion**

Publication



Agenda Part 1

- Introduction
- Rulemaking Procedure
- **FCL.001**
- Regulation Structure
- Implementation Phase



Task FCL.001



- **Rulemaking Group (experts)**
- **Different Subgroups**
- **“Consultation period”**
- **Last version of JARs**
 - JAR-FCL 1 Amendment 7
 - JAR-FCL 2 Amendment 6
 - JAR-FCL 3 Amendment 5
- **JAA NPAs - advanced adoption phase**
- **National Rules SPL/BPL/LAPL**

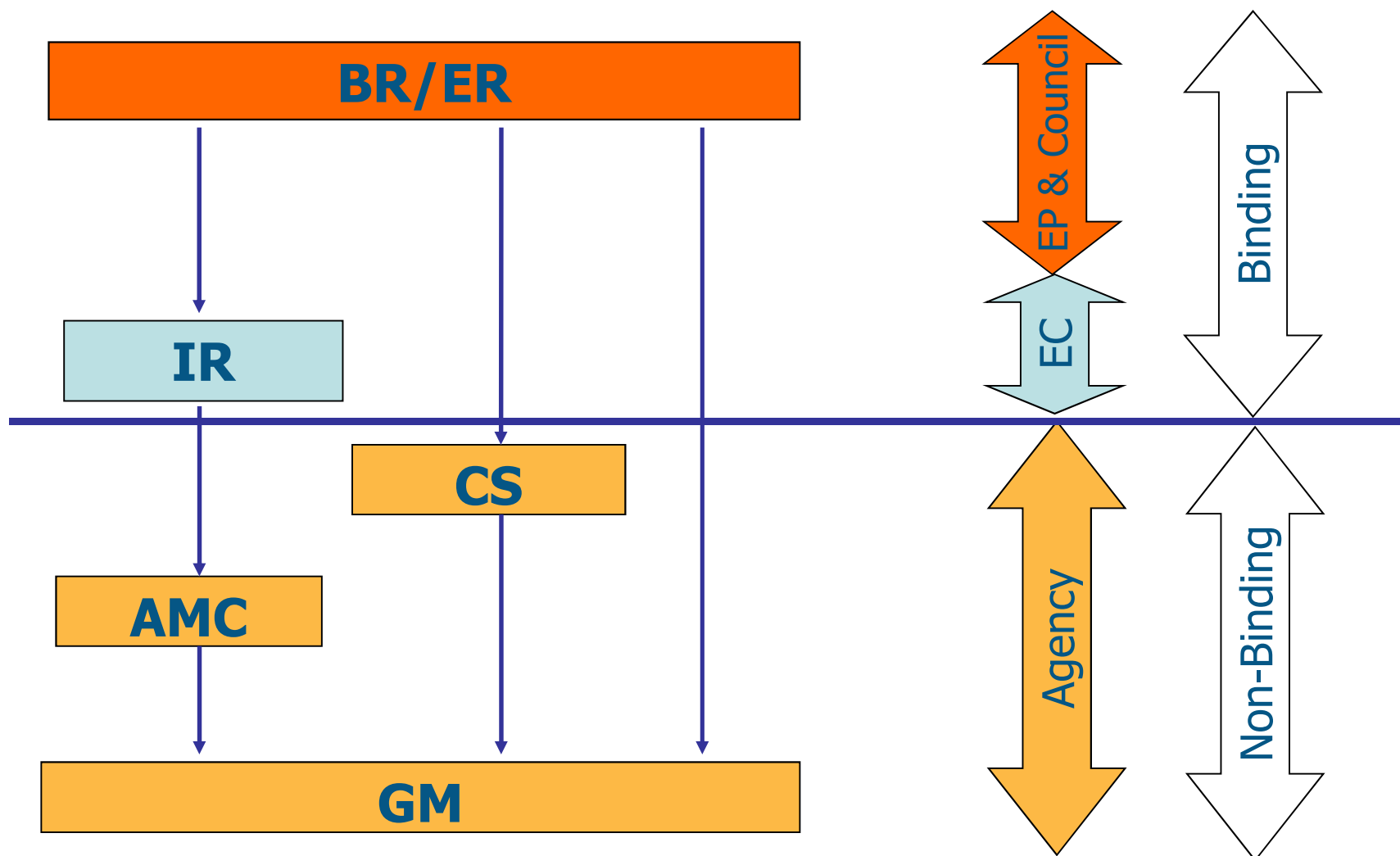


Today's subjects

- **Introduction**
- **Rulemaking Procedure**
- **FCL.001**
- **Regulation Structure**
- **Implementation Phase**

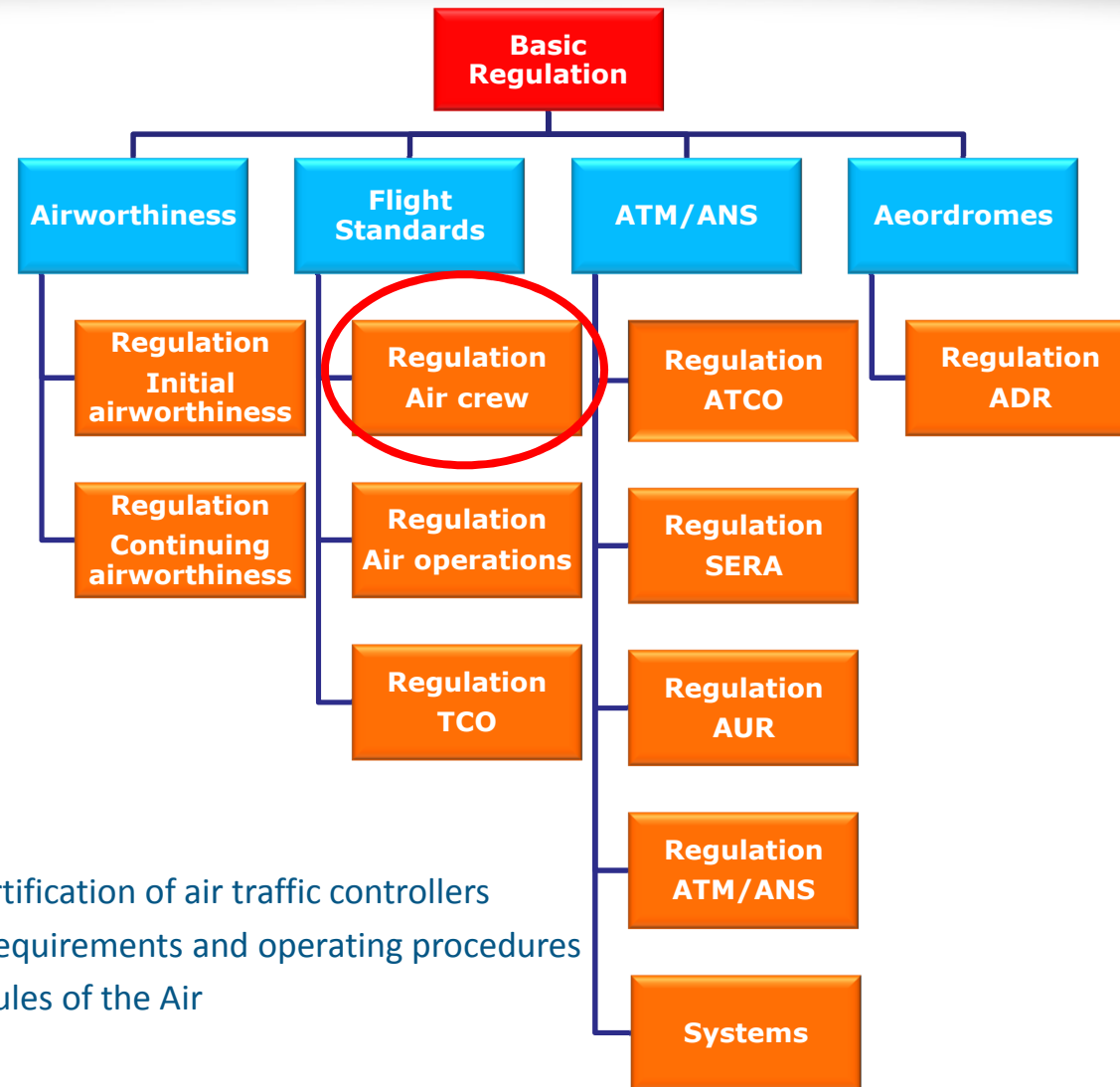


EASA regulatory frame-work





Rule Structure



ADR: Aerodromes

ATCO: licensing and medical certification of air traffic controllers

AUR: common airspace usage requirements and operating procedures

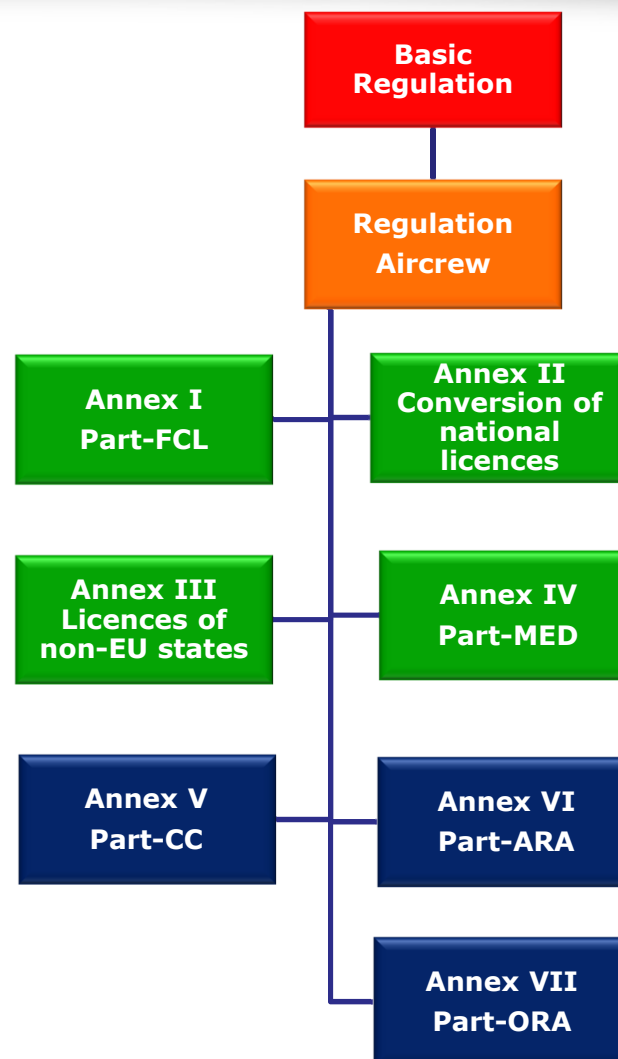
SERA: Standardised European Rules of the Air



Regulation on Aircrew



- Commission Regulation (EC) 1178/2011 published in November
- Contains Cover Regulation, Annexes I – IV
- Decision published in December

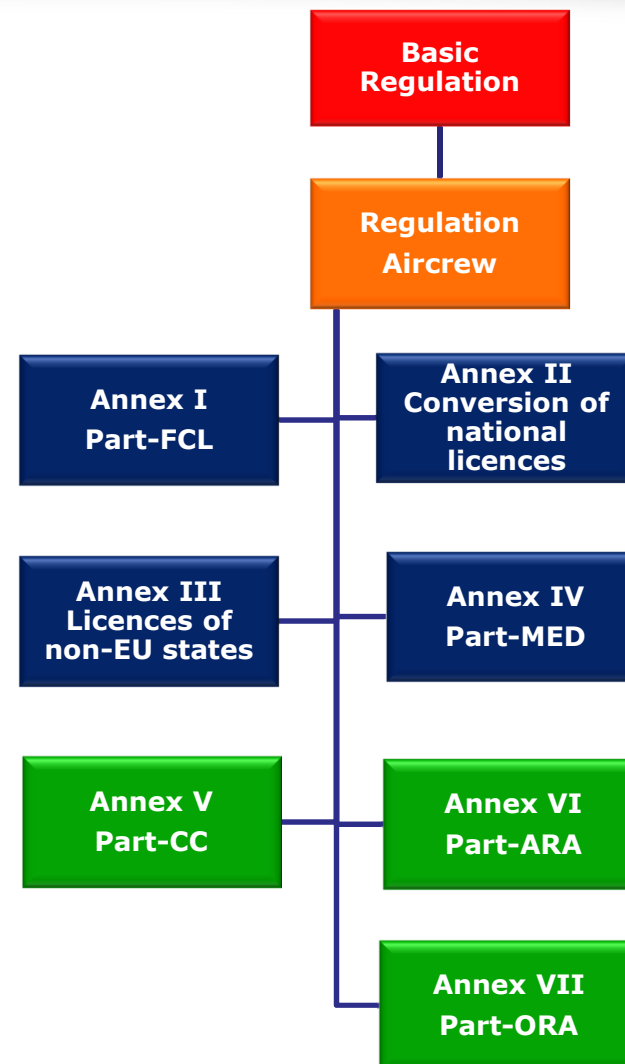




Regulation on Aircrew



- **Commission Regulation (EC) 290/2012 published as amending regulation**
- **Decision published in April**
- **Structure and content of first 12 articles has been changed by the amending regulation**





Annex I Part-FCL

Subpart A
General Rules

Subpart E
MPL

Subpart I
Additional Ratings

Subpart B
LAPL

Decision 2011/016
containing the
AMC & GM

Subpart J
Instructors

Subpart C
PPL / SPL / BPL

Subpart K
Examiners

Subpart D
CPL

Subpart H
Class & Type

Appendices to
Part-FCL



Today's subjects

- **Introduction**
- **Rulemaking Procedure**
- **FCL.001**
- **Regulation Structure**
- **Implementation Phase**



Where are we now ?



- **Amending regulation completes the Aircrew Regulation package**
- **All AMCs/GM published**
- **Part-FCL (plus 2 further Annexes)**
- **Part-MED, Part-ARA & Part-ORA**
- **“Cover Regulation”**



Transitional Periods



Cover Regulations contains the provisions for transition to the new system

The Aircrew Regulation is applicable as from 8 April 2012



Content (1)

Existing national pilot licences

Medical certificates & AME certificates

Conversion of flight test qualifications

Existing flight engineer's licences

Acceptance of third country licences



Content (2)

Credit for training

Credit for military licences

Cabin crew medical fitness

**Entry into force and application
(here the “opt-outs”)**



Horizontal opt-out



“By way of derogation a Member State may decide not to apply the provisions ... until 8 April 2013 “

So:

Implementation on 8 April 2013 at the latest

But:

In addition several other “opt-outs”



Other Opt-outs



► **By 8 April**

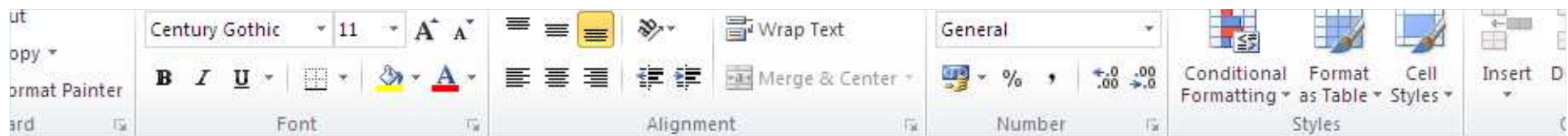
- **2014** – ATOs shall have adapted their management systems, training programmes, procedures and manuals to be compliant with Part-ORA
- **2014** – Non-JAR (A) & (H) and TC licences
- **2015** – LAPL (and medical) shall be introduced & all other TOs to be certified
- **2015** – additional ratings, some specific other requirements (e.g. MI or FTI)



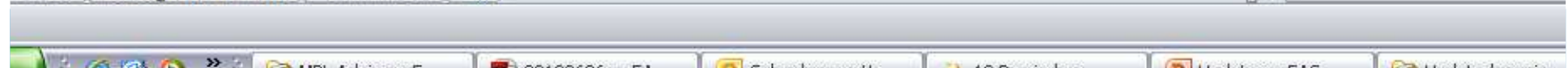
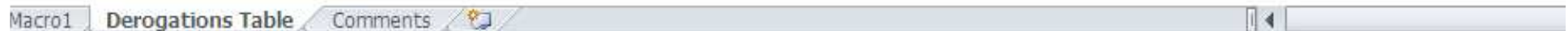
Grandfathering - Conversion



- **JAR-compliant** licences, ratings and certificates shall be deemed to have been issued in accordance with Regulation Aircrew
- They shall be replaced latest by 8 April 2018
- Other licences – conversion according Annex II or conversion report



EU Member States and EFTA States																															
Derogations	Austria	Belgium	Bulgaria	Cyprus	Czech Republic	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Iceland	Ireland	Italy	Latvia	Lichtenstein	Lithuania	Luxembourg	Malta	Norway	Poland	Portugal	Romania	Slovak Republic	Slovenia	Spain	Sweden	Switzerland	The Netherlands	United Kindgom
08 April 2013																															
Derogation to provisions of Annexes I to IV <i>Article 12(1b)</i> and Annexes V to VII <i>Article 2(2a)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	08.04.2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> See comment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> See comment	<input checked="" type="checkbox"/>	08.04.2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> See comment		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	01.01.2013	<input checked="" type="checkbox"/>	26.06.2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	01.06.2012	<input checked="" type="checkbox"/>	17.09.2012
08 April 2014																															
Conversion of non JAR-compliant aeroplane and helicopter licences. <i>Article 12(3)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Pilots holding licences and medical certificates issued by a third country involved in the non - commercial operation of aircraft <i>Article 12(4)</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	





Aircrew Implementation Phase



- **Support for review of the derogation notifications & conversion reports**
- **Interpretation support for MS and stakeholders**
- **Article 14 derogations and exemptions (13 FCL – 1 MED)**
- **Alternative Means of Compliance ?**



Conclusions



- The new rules are a challenge not only for MS authorities but also for stakeholders and EASA
- Transition measures to ensure smooth transition (still some open questions)
- Open issues will hopefully be solved with ongoing and future RM tasks
- EASA (S & R) will do it's best to provide support!
- NAA are the direct counterpart for ATOs



Where to find the documents?



EASA - Frequently Asked Questions - Windows Internet Explorer provided by European Aviation Safety Agency

http://easa.europa.eu/rulemaking/faq/r-frequently-asked-questions.php#

File Edit View Favorites Tools Help

EASA - Frequently Asked Questions

Citizens & General Information Aviation Professionals & Industry Authorities & Institutions

The Agency
What we do
Executive Director
Organisation structure
Management Board
Budget and accounts

Communications & External Relations
Environmental protection
Recruitment
Procurement

EASA Members / Links
Events
Safety Analysis & research
General publications
Technical publications
Contacts & FAQ

Learn More
Certification directorate
Rulemaking directorate
Approvals & Standardisation directorate
Regulations structure
SAFA

EASA Home » Rulemaking Directorate » Rulemaking - FAQ

Rulemaking Directorate
Rulemaking FAQ

Rulemaking - FAQ
Basic Regulation (EC) No 216/2008 - FAQ
Regulation (EC) No 1702/2003 - Initial Airworthiness - FAQ
Regulation (EC) No 2042/2003 - Continuing Airworthiness - FAQ
ATM and Aerodromes
Flight standards
Acceptable Means of Compliance (AMCs) - FAQ
International co-operation - FAQ

Most popular pages:
Regulations structure
Recruitment

Frequently Asked Questions

This page compiles Frequently Asked Questions related to Rulemaking.

Please note that abbreviations are frequently used at the **European Aviation Safety Agency**. A document which expands these abbreviations is available [here](#). The questions in this section are also listed on the Agency's General [FAQ](#) page.

Select one of the following themes to access the related FAQs:

- Rulemaking
 - [Basic Regulation 216/2008](#)
 - [Commission Regulation 1702/2003 - Initial Airworthiness](#)
 - [Commission Regulation 2042/2003 - Continuing Airworthiness](#)
 - In addition:
 - [ATM and Aerodromes](#)
 - [Flight Standards - Air operations and Aircrew](#)
 - [Acceptable Means of Compliance \(AMC\)](#)
 - International Co-operation



EUROPEAN AVIATION SAFETY AGENCY
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT



Thank you for your attention !

Questions – Comments ?

Your safety is our mission.