



**COMMENT RESPONSE DOCUMENT (CRD)  
TO NOTICE OF PROPOSED AMENDMENT (NPA) 2008-17B**

**for an Agency Opinion on a Commission Regulation establishing the Implementing  
Rules for the licensing of pilots**

**and**

**a draft Decision of the Executive Director of the European Aviation Safety Agency on  
Acceptable Means of Compliance and Guidance Material on the licensing of pilots**

***“Implementing Rules for Pilot Licensing”***

**c.8 - Subpart J**

**c.9 - Subpart K**

**B. Draft Opinion Part-FCL — Subpart J: Instructors**

p. 45

comment

89

comment by: Lauri KARJALAINEN

**FCL.905.LAFI LAFI Privileges and conditions Light Aircraft Flight Instructor***(50 h theoretical knowledge and 25 h instructional techniques)***FCL.905.FI FI Privileges and conditions Flight Instructor***(125 h theoretical knowledge including the instructional techniques)*

FCL.905.TRI TRI Privileges and conditions Type Rating Instructor

*(25h+10h theoretical knowledge, missing the basic instructional techniques)*

FCL.905.CRI CRI Privileges and conditions Class Rating Instructor

*(25h+10h theoretical knowledge, missing the basic instructional techniques)*

FCL.905.IRI IRI Privileges and conditions Instrument Rating Instructor

*(25h+10h theoretical knowledge, missing the basic instructional techniques)***FCL.905.SFI SFI Privileges and conditions Synthetic Flight Instructor***(content TRI 25h+10h theoretical knowledge, missing the basic instructional techniques)***FCL.905.MCCI MCCI Privileges and conditions Multi Crew Co-Operation Instructor***(25h theoretical knowledge, missing the basic instructional techniques)*

FCL.925 Instructors for the MPL Multi Pilot License

FCL.905.STI STI Privileges and conditions Synthetic Training Instructor

*(missing all instructional techniques)*

FCL.905.MI MI privileges and conditions Mountain rating Instructor

**FCL.1005.FE FE Privileges and conditions Flight Examiner**

FCL.1005.TRE TRE Privileges and conditions Type Rating Examiner

FCL.1005.CRE CRE Privileges Class Rating Examiner

FCL.1005.IRE IRE Privileges Instrument Rating Examiner

FCL.1005.SFE SFE privileges and conditions Synthetic Flight Examiner

FCL.1005.FIE .FIE Privileges and conditions Flight Instructor Examiner

**Too many instructor- and examiner types.**We need only with bold marked instructors and examiners (LAFI,FI,MCCI,SFI and FE).Start point for the system is LAFI- and FI-ratings. From all other instructor schooling programs is missing the most important item - INSTRUCTIONAL TECHNIQUES.

response

*Partially accepted*

In relation to your comment that some categories of instructors and examiners are not needed, the Agency cannot agree. The categories of instructors and examiners included in the NPA follow the already existing categories of JAR-FCL, with a few additions to take into account the extended scope, and the Agency sees no reason to change this.

In relation to the inconsistency you point out between the several categories of instructors in what relates to the requirements for instructional techniques, the Agency agrees that this inconsistency should be solved. Therefore, the wording for the several training courses has been amended to ensure consistency.

comment

1306

comment by: Tag Aviation SA

[Comment also copied to NPA 2008-17a]

NPA 2008 17a IV §17

NPA 2008 17b fcl 900 (a)(2)

Implementation of TRI/TRE certified by EASA would close down industries like Tag Aviation.

Indeed Tag Aviation is a big charter air taxi operator in Europe but not big enough to buy or influence third party to have simulator installed in Europe.

The main problem is that we do operate many aircrafts but none are alike. So it is difficult to build up a team of TRI and TRE onto every fleet. And evermore it is impossible to have the few TRI / TRE of our company go oversee and take the check ride of every individual pilot.

The idea of having to certify the US licensed SFI / SFE by giving them CRM training and additional training checking as per special request of EASA will prove impossible. Our main subcontractor FlightSafety has numerous instructors. It would be an outrageous price to have them qualified by sending every one to individual courses and training.

On top of that this company has shown being very competent for the training; many times even more experienced than any TRI in the JAR environment. TAG Aviation has elected a couple of years ago to take FlightSafety as a provider because we were not (and I know it is still true) satisfied by some competitors. I know that in the future we might have to change to other subcontractors because they might hold aircraft type that FlightSafety doesn't manage but this would be the only because of that and not because of the fact they might be in Europe or not.

Although it is illusory to think that we can substitute with provider in European country. Indeed, most of the general aviation is in the USA so simulators are built there. Training organization in the USA checks out the numbers of aircraft around the world to guide them for implementation and we as air taxi operator are not able to change the course of that. The few aircraft flying in Europe don't justify implementation of simulator types in Europe for most of their kind.

This is a long explanation to let you know our business is relying on third party contract to do type ratings and recurrent trainings as well as proficiency checks. We have no choice and business like ours have all the same problems.

Even though I understand the regulation wants to improve the equity among training organizations in Europe; nobody is able to finance that kind of training for business jets. When talking about type rating, this is not the same problem as for the PPL / CPL / IR basic training and checking.

I suggest that the every aircraft type ratings of business jet is pulled out of this mandatory certifying TRI/TRE as long as there is nothing equivalent in EASA member states. Even then you need to be careful as I have seen total nonsense from France DGAC in the past:

they were considering only the type and not the variant.

Example: French pilot were training onto a Falcon 900 B simulator in Paris in order to qualify Falcon 900EX because they didn't want to qualify the simulator 900 EX in USA.

I am flying such a type of aircraft myself and I can tell you the training in Paris doesn't allow the pilot to familiarize with electronics events onto a 900 EX.

In order to show you the complexity of our fleet, I give you herewith the kind and numbers of aircraft Tag Aviation Geneva is managing:

On a commercial certificate in our AOC:

1 Global Epress  
 2 Falcon 900B  
 2 Falcon 900EX  
 2 Falcon 2000  
 3 G200  
 1 Citation X  
 1 Citation XL  
 1 CJ1  
 1 CJ1+  
 1 CRJ  
 1 Challenger 300

On a private certificate only:

CJ1+  
 1 CJ3  
 2 Falcon 2000 LX Easy  
 1 Falcon 900DX  
 1 CL 601  
 1 Global Epress  
 1 Global 5000  
 1 G550  
 1 GIV SP

Laurent Dupraz-Dange  
 Crew Training Manager  
 TAG Aviation S.A.

response

*Not accepted*

The Agency acknowledges your comment.  
 However, we cannot take your proposal to exclude the requirement for type rated TRI/TREs. This is a requirement that is already coming from JAR-FCL, where it was introduced for safety reasons.

comment

2028

comment by: *Eduard WISMETH*

Simplifying flight instruction

Situation

To my knowledge in Germany flight instructors can not instruct a student independently. Flight training must be done only within a training facility (flight school, flying club etc.). This may have advantages in some cases, but in other cases it might complicate the training effort. Furthermore, in Germany every aircraft used for pilot-training must, in addition to its Certificate of Airworthiness, obtain an extra authorization for being user for training. I can not see any necessity or advantage in this rule. (a higher insurance rate during training, however, is understandable). Within the area of responsibility of German Aviation Authorities, an airplane owner could not just hire a flight instructor and receive flight training on his own airplane.

Proposal

Aside from instruction in training facilities, which some students may prefer, it should also be possible to conduct flight training outside these facilities.

There should be the simple principle of

- a) a qualified flight instructor, a student, and a suitable airplane with dual controls should basically be all needed for teaching how to fly an aircraft
- b) a flight instructor can train a student up to the qualification he is holding himself (including IFR, if the instructor possesses this rating)
- c) the instructor will produce a training plan, based on the official syllabus and provide access to all required training means.
- d) the examination and check flight conducted by an official authority at the end will prove and hopefully confirm the student's qualification.

The only important fact is, that a flight student at the end of his training is well qualified; not so important is the way he got there.

- e) Any aircraft with a Certificate of Airworthiness and dual control may be used for training, if the instructor considers it suitable.

Impact and improvement

- f) Qualifying a person as flight instructor, means that he is permitted to teach flying. It must be his decision to do this with or without the support of a training facility. Giving an instructor the freedom of this decision adds to this authority and standing.
- g) Reducing flight training requirements to the basic principles can eliminate training obstacles and reduce training cost considerable without influencing its quality.
- h) Students who prefer the support of a training facility have the choice of training there.

response *Noted*

The Agency acknowledges your comments, but cannot agree with it. In fact, it is the Agency's view that in the case of pilot training, and with only a few, very limited exceptions, only training within the management system of an approved training organisation can guarantee the quality of the training and safety of the applicant.

comment 2760 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FFA takes note that the expression "certificate" is used for all instructor ratings.

response *Noted*

The Agency acknowledges your comment.

comment 2879 comment by: *richard benham*

*I would have thought that it would be seriously advantageous for BOTH a Flight Instructor AND a LAFI to be allowed to instruct for both types of flying licence. Surely they would have the necessary skills. May be a differential matter could be that a LAFI could not be paid for their instruction, whereas a Flight Instructor COULD BE re-imbursed*

I would strongly suggest that the proposal for this be modified from the current proposal - surely if it is broken into smaller chunks, it would be

possible for an instructor to train future pilots to certain levels after just 15 hours or so of classroom training (e.g. could train certain aspects, but still not authorise a solo balloon flight - this would be allowed after completing the further and final 15hrs of suggested training).

If you try to get a continued and growing band of instructors, but implement this LAFI training in one whole chunk of 30 hrs, I would be personally GREATLY DISCOURAGED from doing it - trying to get 30hrs currently with work and life balance before I could do ANY authorisation at all would be difficult and I wouldn't be able to put back into the sport, what I have got out so far.

It would appeal to me more if I wanted to become an instructor, to do 2 or 3 equal chunks and give me authority for certain aspects at each gate point of 10 or 15 hours.

If not, even more new entrants to the sport hobby will be prevented from taking it up due to Instructor red tape and the sport will die out in the UK.

r.benham

response *Noted*

Thank you for providing your opinion.

In your first comment you are addressing the fact that an LAFI(B) will not be allowed to instruct for a BPL licence. The Agency is aware that most of the prerequisites, contents of the training course and privileges are the same but as a general principle the instructor has to hold at least the licence and rating he/she is instructing for. The Agency does not see a problem in asking an instructor who wishes to conduct flight instruction for the BPL to upgrade his/her LPL licence to a BPL licence (medical standards are different).

Your second proposal concerns theoretical training as a part of the training course. Nothing prevents the ATO offering such a training course to offer the required training in different 'chunks' as needed. Especially for ballooning, the weather related factors will ask for some breaks of the classroom teaching in order to do the practical training. As the practical training includes at least three dual instruction flights, this flight training has to be completed anyway before the future FI(B) will be allowed to do his/her examination. To divide the 30 hours of theoretical knowledge instruction required in 2 or even more 'chunks' is allowed and foreseen. The Agency does not understand the problem.

comment 2977

comment by: *BMVBS (German Ministry of Transport)*

To replace the proven, worldwide known concept of an "instructor rating" by an "instructor certificate" is risky and unnecessary. With this new approach Europe runs the risk of becoming incompatible with other systems around the world, and only time can tell, whether such decision will have been a good one. The fact that the basic regulation uses the term "certification" should not be misconstrued that all FIs and FEs need to hold a separate certificate. According to the basic regulation a certification is any form of recognition...as well as the issuance of the relevant certificate attesting such compliance. This not necessarily implies a separate document. An instructor rating as part of a licence would very well fit under the basic regulation. Compliance will be attested by including the rating in the pilot licence, which constitutes an

	issuance of the relevant certificate.  If one would, however, conclude that a separate certificate is what the basic regulation requires, then the basic regulation should be amended asap, rather than following through with what might turn out to be a mistake.
response	<i>Noted</i>  The fact that the instructor rating is now called a certificate does not necessarily imply that a separate document needs to be issued. In fact, NPA 2008-22b allows both possibilities (see page 16, AR.FCL.200 (d)).
comment	<i>3134</i> <span style="float: right;">comment by: <i>Jim Ellis</i></span>  The proposal to allow PPL FI's to be remunerated is good and will encourage the return of the career flying instructor and improve continuity. This proposal needs to be implemented as soon as possible. I appreciate that the remuneration of PPL FI's is implicit in the wording of this subpart but in my view it would be wise to include specific reference to this for the avoidance of doubt.
response	<i>Noted</i>  Thank you for your positive feedback.
comment	<i>3943</i> <span style="float: right;">comment by: <i>David Lisk</i></span>  As a pilot who has progressed quickly through the BGA badges, I feel that the BGA instructor rating was a logical step in the future to becoming an instructor. Removal of this rating will affect hundreds of volunteer instructors across the UK and remove this stepping stone which I would have taken. EASA claim that this rating will be integrated into the new licensing categories, however no information regarding how this will be done has been given. This is extremely disappointing.
response	<i>Noted</i>  The Agency acknowledges your comment. However, our proposals already include a new category of instructor, with less stringent requirements and more limited privileges than the FI: the LAFI. The Agency sees no need to include further categories of instructors, with even more limited privileges or less stringent requirements.
comment	<i>4006</i> <span style="float: right;">comment by: <i>DGAC FRANCE</i></span>  ADD a NEW SECTION Number 11 about FLIGHT TEST RATING INSTRUCTOR (FTRI)  Section 11 content is added to comply with 216 Annex III § 1.i  <b><u>SECTION 11</u></b>  <b><u>Flight test rating instructor - FTRI</u></b>  <b><u>FCL.905.FTRI FTRI – privileges and conditions</u></b>  <b><u>The privileges of an FTRI are to carry out instruction for the issue of a</u></b>

**flight test rating****FCL.915.FTRI FTRI prerequisites for the FTRI training course****Before attending the FTRI training course the applicant shall :**

- - **hold a valid flight test rating :**
- - **have completed at least 200 flight test hours**

**FCL.930.FTRI FTRI training course****An applicant for a FTRI shall have completed an appropriate training course at an approved flight test training organisation****FCL.940.FTRI Validity – revalidation and renewal of the FTRI certificate****FTRI certificate shall be valid for a period of 3 years****For revalidation and renewal, the proficiency check shall include a test flight with a flight test rating examiner.**

response *Partially accepted*

Based on the comments received, and the input provided by flight test experts, the Agency has decided to create a new category of instructor for flight test. Please see new text in Subpart J.

comment

4389

comment by: *Irish Aviation Authority*

**NPA 2008-17b  
Part FCL  
SUBPART J, APPENDIX 12 and AMC's**

***[PROPOSAL: To amend SUBPART J as follows.]***

**SUBPART J  
INSTRUCTORS**

**FCL.915** (b) (2) (i) *[should say "and" instead of "or". All Instructors should have passed a test or check as well as having experience on type.]*

**FCL.920(a)** *[should include:]*

- i. Preparation of resources
- ii. Creating a climate conducive to training
- iii. Presentation of knowledge by demonstrating:
  - a. good visual presentation techniques
  - b. technical accuracy
  - c. Clear explanation of the subject matter
  - d. Clarity of speech
  - e. Sound instructional technique
  - f. Use of models and training aids
- iv. Integrate threat/error management and Crew resource management
- v. Manage time to achieve training objectives
- vi. Facilitate learning and active participation of the students
- vii. Assess trainee performance.

- viii. Monitor and review performance.
- ix. Evaluate training sessions.
- x. Report outcome.

**FCL.930 Training Course** [*Should be added:*]

(a) Applicants for an Instructor Certificate shall have completed a course of theoretical knowledge and flight instruction at one or more approved training organisations.

(b) The course shall include, at least:

- (1) Theoretical Knowledge Instruction
- (2) Instructional Techniques
- (3) Flight Instruction, given by an instructor nominated by the training organisation for this purpose

**FCL.935 Skill test** [*Should be added:*]

An applicant for an Instructor Certificate shall pass a skill test to demonstrate to an examiner the ability to instruct a student pilot to the level required for the issue of the appropriate Licence or Rating including pre-flight, in-flight, post-flight and theoretical knowledge instruction, in accordance with the requirements of Appendix 12 to this Part.

*[If FCL.930 and FCL.935 are added, then the subsequent changes below naturally occur and the text will become clearer to the reader. The NPA text includes many different phrases for the parts of Instructor Training and becomes confusing. E.g. "Theoretical Knowledge", "theoretical knowledge instruction", "instructional techniques", "classroom / simulator instructional skills", "practical instruction", "flight instruction", "flight training".*

*Furthermore, the requirements for TRI, SFI, MCCI and STI do not reflect the amount of training currently being applied for these functions. MCCI and STI should be subject to a test or check.]*

**SECTION 2 Specific requirements for the light aircraft flight instructor LAFI** [*should be deleted. All light aircraft Instruction should be performed by a FI.*]

**FCL.930.FI FI - Training course** [*Should be amended as follows:*]

(a) The course shall include:

(1) Theoretical knowledge and instructional techniques

(i) In the case of an FI (A), (H) and (As), at least 125 hours of theoretical knowledge instruction, including progress tests;

(ii) In the case of an FI(B) or FI(S) at least 30 hours of theoretical knowledge instruction, including progress tests;

(2) Flight Instruction

- (i) In the case of an FI (A) and (H), at least 30 hours of flight instruction, of which 25 hours shall be dual instruction, of which 5 may be conducted in a FFS, an FNPT I or II or an FTD 2/3;
- (ii) In the case of an FI(As), at least 20 hours of flight instruction, of which 15 hours shall be dual instruction;
- (iii) In the case of an FI (S), at least 10 hours or 20 takeoffs;
- (iv) In the case of an FI(B), at least 3 hours including 3 takeoffs;

(b) Pilots holding or having held an FI certificate on any other category of aircraft shall be credited towards the requirement of (a)(1) above with:

- (1) 75 hours, in the case of aeroplanes, helicopters and airships;
- (2) 10 hours in the case of sailplanes and balloons.

**FCL.935.FI FI – Skill test** [*Can be deleted. See FCL.935 above, FCL.905.FI and FCL.910.FI.*]

**FCL.940.FI FI - Revalidation and renewal** [*Should be amended as follows:*]

(c) *Renewal* . If the FI certificate has lapsed, the applicant shall:

- (1) within a period of 12 months before renewal receive refresher training as an FI at an approved training organisation;
- (2) pass a proficiency check in accordance with Appendix 12 to this Part.

**FCL.930.TRI TRI - Training course** [*Should be amended as follows:*]

(a) The course shall include, at least:

- (1) 25 hours of theoretical knowledge; and
- (2) 10 hours of instructional techniques, including revision of technical knowledge, the preparation of lesson plans and the development of classroom / simulator instructional skills; and
- (3) for single-pilot aircraft, 5 hours of flight instruction in the appropriate aircraft or a simulator representing that aircraft; or
- (4) for multi-pilot multi-engine aircraft ,10 hours of flight instruction in the appropriate aircraft or a simulator representing that aircraft, which shall include at least the complete syllabus of the type rating course. This may be combined with (2) to give an integrated 20 hour course.

(b) An applicant holding or having held an FI, TRI, CRI, IRI, SFI or MCCI certificate shall be fully credited towards the requirement of (a)(1).

(c) An applicant for a TRI certificate who holds an SFI certificate shall be fully credited for TRI restricted to instruction in simulators.

**FCL.935.TRI TRI - Skill Test** [*Should be amended as follows:*]

(a) If the test is conducted in a simulator, the TRI certificate shall be restricted to instruction in simulators.

**FCL.940.TRI TRI – Revalidation and Renewal** [*Should be amended as follows:*]

(d) *Renewal.* If the certificate has lapsed, the applicant shall:

- (1) within a period of 12 months before renewal receive refresher training as a TRI at an approved training organisation;
- (2) pass, as a proficiency check, the relevant sections of the skill test set out Appendix 12 to this Part.

**FCL.930.CRI CRI - Training course** [*Should be amended as follows:*]

(a) The course shall include, at least:

- (1) 25 hours of theoretical knowledge instruction;
- (2) 10 hours of instructional techniques, including revision of technical knowledge, the preparation of lesson plans and the development of classroom/simulator instructional skills;
- (3) 5 hours of flight instruction for multi-engine aeroplanes, or 3 hours of flight instruction for single-engine aeroplanes.

(b) Applicants holding or having held an FI, TRI, CRI, IRI, SFI or MCCI certificate shall be fully credited towards the requirement of (a)(1).

**FCL.935.CRI CRI – Skill test** [*Can be deleted. See FCL.935 above and the content of FCL.905.CRI.*]

**FCL.940.CRI CRI Revalidation and renewal** [*Should be amended as follows:*]

(d) *Renewal.* If the certificate has lapsed, the applicant shall:

- (1) within a period of 12 months before renewal receive refresher training as a CRI at an approved training organisation;
- (2) pass, as a proficiency check, the relevant sections of the skill test set out Appendix 12 to this Part.

**FCL.930.IRI IRI – Training course** [*Should be amended as follows*]

(a) The course shall include, at least:

- (1) 25 hours of theoretical knowledge instruction;
- (2) 10 hours of instructional techniques, including revision of instrument theoretical knowledge, the preparation of lesson plans and the

development of classroom instructional skills;

- (3) (i) for the IR(A), at least 10 hours of flight instruction on an aeroplane, FFS, FTD 2/3 or FPNT II. In the case of applicants holding an FI(A) certificate, these hours are reduced to 5;
- (ii) for the IRI(H), at least 10 hours of flight instruction in a helicopter, FFS, FTD 2/3 or FNPT II;
- (iii) for the IRI(As), at least 10 hours of flight instruction in an airships, FFS, FTD 2/3 or FNPT II.

(b) Applicants holding or having held an FI, TRI, CRI, IRI, SFI or MCCI certificate shall be fully credited towards the requirement of (a)(1).

**FCL.935.IRI IRI – Skill test** *[can be deleted. See FCL.935 above and the content of FCL.905.IRI.]*

**FCL.930.SFI SFI – Training course** *[Should be amended as follows. See FCL.930.TRI above and FCL.915.SFI:]*

(a) The course shall include the content of the TRI training course.

(b) An applicant for an SFI certificate who holds a TRI certificate for simulator but whose licence is no longer valid shall be fully credited for SFI.

**FCL.935.SFI SFI – Skill test** *[Can be deleted. See FCL.935 above and the content of FCL.905.SFI, FCL.905.TRI and FCL.910.TRI.]*

**FCL.940.SFI SFI – Revalidation and renewal** *[Should be amended as follows. See FCL.940.TRI above and FCL.915.SFI:]*

(a) *Revalidation.* For revalidation of an SFI certificate the applicant shall:

(1) within the 12 months preceding the expiry date of the certificate have passed in the FFS, FTD 2/3 or FNPT II on which instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate type or class of aircraft, and;

(2) within the validity period of the certificate, fulfil 2 of the following requirements:

(i) complete 50 hours as an instructor or an examiner in FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the certificate;

(ii) attend an instructor refresher seminar;

(iii) pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with Appendix 12 to this Part.

(b) For the first and at least each alternate subsequent revalidation of an SFI certificate, the holder shall have to fulfil (a)(2)(iii)

(c) *Renewal.* If the certificate has lapsed, the applicant shall:

(1) within a period of 12 months before renewal receive refresher training as a SFI at an approved training organisation;

(2) within the 12 months preceding the expiry date of the certificate have passed in the FFS, FTD 2/3 or FNPT II on which instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate type or class of aircraft;

(3) pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with Appendix 12 to this Part.

**FCL.930.MCCI MCCI – Training course** *[Should be amended as follows. See FCL.930 above and FCL.915.MCCI:]*

(a) The course shall include, at least:

(1) 25 hours of theoretical knowledge instruction, including instructional techniques;

(2) Technical training related to the type of FSTD in which the applicant wishes to instruct;

(3) 10 hours of practical instruction, which may be flight instruction or MCC instruction on the relevant FNPT, FTD 2/3 or FFS, which shall include at least the complete syllabus of the MCC course. This may be combined with (2) to give an integrated 14 hour course.

(b) Applicants holding or having held an FI, TRI, CRI, IRI, SFI or MCCI certificate shall be fully credited towards the requirement of (a)(1).

*[AMC to FCL.930.MCCI should be amended accordingly]*

**FCL.935.MCCI MCCI – Skill test** *[Should be added:]*

(a) An applicant for an MCCI certificate shall pass a skill tests to demonstrate to a synthetic flight or type rating examiner his ability to instruct a pilot to the level required for the issue of a MCC certificate, including pre-flight, in-flight, post-flight and theoretical knowledge instruction, in accordance with Appendix 12 to this Part.

**FCL.940.MCCI MCCI – Revalidation and renewal** *[Should be amended as follows.]*

(a) *Revalidation.* For revalidation of an MCCI certificate the applicant shall, within the validity period of the certificate, fulfil 2 of the following requirements:

(1) complete 50 hours as an MCC instructor, of which at least 15 hours shall be within the 12 months preceding the expiry date of the certificate;

(2) attend an instructor refresher seminar;

(3) pass, as a proficiency check, the relevant sections of the MCCI skill

test, in accordance with Appendix 12 to this Part.

(b) For the first and at least each alternate subsequent revalidation of an MCCI certificate, the holder shall have to pass, as a proficiency check, the relevant sections of the MCCI skill test, in accordance with Appendix 12 to this Part.

(c) *Renewal*. If the certificate has lapsed, the applicant shall:

(1) within a period of 12 months before renewal receive refresher training as a MCCI at an approved training organisation;

(2) pass, as a proficiency check, the relevant sections of the MCCI skill test, in accordance with Appendix 12 to this Part.

**FCL.930.STI STI – Training course** [*Should be amended as follows.*]

(a) The course shall comprise at least 3 hours of flight instruction related to the duties of a STI in a FFS, FTD 2/3 or FNPT II, under the supervision of a flight instructor nominated by the training organisation for this purpose.

(b) For applicants for an STI(H), the course shall also include the FFS content of the applicable TRI course.

**FCL.935.STI STI - Skill Test** [*Should be added as follows:*]

(a) If the test is conducted in a BITD, the STI certificate shall be restricted to instruction in a BITD only.

**FCL.940.STI Revalidation and renewal of the STI certificate** [*Should be amended as follows.*]

(a) *Revalidation*. For revalidation of an STI certificate the applicant shall have, within the last 12 months of the validity period of the certificate:

(1) conducted at least 3 hours of instruction in a FFS or FNPT II or BITD, as part of a complete CPL, IR, PPL or class or type rating course; and

(2) passed in the FFS, FTD 2/3 or FNPT II on which instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate type or class of aircraft.

For an STI(A) instructing on BITDs only, the proficiency check shall include only the exercises appropriate for a skill test for the issue of a PPL(A).

(b) *Renewal*. If the certificate has lapsed the applicant shall:

(1) within a period of 12 months before renewal receive refresher training as a STI at an approved training organisation;

(2) pass in the FFS, FTD 2/3 or FNPT II on which instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate type or class of aircraft.

For an STI(A) instructing on BITDs only, the proficiency check shall include only the exercises appropriate for a skill test for the issue of a PPL(A).

(3) pass, as a proficiency check, the relevant sections of the STI skill test, in accordance with Appendix 12 to this Part.

response *Partially accepted*

FCL.915 (b)(2)

Not accepted. This requirement is not only a requirement to obtain an instructor's certificate, but an experience requirement in a certain class or type of aircraft to be complied by holders of an instructor certificate. This was already a requirement in JAR-FCL. The drafting of the paragraph will be amended to make this clear.

FCL.920

Not accepted. The drafting of this paragraph is coming from Draft NPA-FCL 36. The Agency considers that the level of detail presented is sufficient and the wording is sufficiently clear. Further details can be found in AMC to FCL.920.

FCL.930 and FCL.935

Partially accepted. New paragraphs will be added.

SECTION 2 Specific requirements for the light aircraft flight instructor LAFI

Not accepted. The Agency considers that this new category of instructor is needed.

FCL.930.FI

Partially accepted. Text of all training course paragraphs has been amended to ensure consistency.

FCL.935.FI, FCL.935.CRI, FCL.930.IRI, FCL.935.SFI

Accepted. Paragraph will be deleted for all categories of instructor, since with the introduction of the general paragraph on skill tests it becomes redundant.

FCL.940.FI

Not accepted. The Agency's proposal follows closely the text of JAR-FCL, and the Agency does not intend to change it at this time without a dedicated assessment.

FCL.930.TRI, FCL.930.CRI, FCL.930.IRI, FCL.930.MCCI

Deletion of paragraph (a) accepted, since with the new general paragraph FCL.930 it becomes redundant.

New paragraph (b), the deletion of the LAFI is not accepted, since the LAFI course includes more than enough hours of theoretical knowledge to allow the credit to be given. However, this credit should be given towards the instructional techniques element. The text will be amended to reflect this.

FCL.930.TRI (b)(4)

Not accepted. The Agency's proposal follows closely the text of JAR-FCL, and the Agency does not intend to change it at this time, without a dedicated assessment.

FCL.930.TRI (c)

Partially accepted. Text has been amended accordingly.

FCL.935.TRI

Accepted. Text has been amended accordingly.

FCL.940.TRI

Not accepted. The text proposed by the Agency is coming from JAR-FCL 2. The Agency tried to harmonise the requirements for all categories of aircraft, and it was considered that the requirements of JAR-FCL were the most adequate.

FCL.940.CRI

Not accepted. The text proposed follows the requirements of JAR-FCL 1.385. The Agency does not intend to change them at this time.

FCL.930.SFI

Partially accepted.

The Agency does not accept the deletion of the need to cover the FFS content of the type rating course.

As for your proposal of a new paragraph (c), it has been partially accepted. Please see amended text.

FCL.940.SFI

Noted. The Agency has amended the text of this paragraph, as a result of comments received. Please see amended text.

FCL.935.MCCI

Not accepted. The MCCI may not hold a licence, and therefore it doesn't make sense to require a skill test. In this case, the instructor will be assessed on the elements of FCL.920 during the training course.

FCL.940.MCCI

Not accepted. Please see the reply above. However, please note that the text of this paragraph has been amended as a result of the comments received. Please see amended text.

FCL.930.STI and proposed FCL.935.STI

Not accepted. The STI may not hold a licence, and therefore it doesn't make sense to require a skill test.

FCL.940.STI.

Partially accepted. A requirement for refresher training has been included. Please see the amended text.

comment

4998

comment by: *ECA- European Cockpit Association*

Any Flight Instructors (with the possible exception of LAFIs) should hold a CPL as an absolute minimum. 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, needless to say, we oppose the recommendation that PPL Flight Instructors be allowed to be paid 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 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.

response	<p><i>Not accepted</i></p> <p>The Agency considers this proposal disproportionate. It goes beyond what is required in ICAO Annex 1 and what was established in JAR-FCL.</p> <p>The issue of the remuneration of PPL holding instructors should be treated as a separate issue, and not be used as a justification to increase the safety requirements applicable to instructors.</p>
comment	<p>5543 <span style="float: right;">comment by: <i>R Gyselynck</i></span></p> <p>Balloons - LAFI and FI should be able to instruct for both LPL and BPL licences (but LAFI unpaid). Anything else is an unnecessary complexity.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the reply to comment 2879 above.</p>
comment	<p>5755 <span style="float: right;">comment by: <i>UK CAA</i></span></p> <p><b>Paragraph:</b> Subpart J <b>Page No:</b> 45 <b>Comment:</b> Although it would require a significant rewrite of this subpart there are significant advantages to restricting CRI and SFI to class rating instruction and to reallocate SPA types to TRIs. <b>Justification:</b> HPA are increasingly complex and require type specific knowledge and qualification. The TRI training and testing requirements already exist for Helicopters (single and multi –pilot) and MP Aeroplanes. This would allow courses including type ratings courses and their instructor and examiners to be tailored to the specific types.</p>
response	<p><i>Partially accepted</i></p> <p>The Agency acknowledges your input. Please see the replies to your dedicated comments in the relevant segments.</p>
comment	<p>5811 <span style="float: right;">comment by: <i>UK Department for Transport</i></span></p> <p>The UK Department for Transport endorses the comments by the UK CAA as the UK's independent aviation safety regulator, on the proposals for flight instructors.</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges the information provided.</p>
comment	<p>5826 <span style="float: right;">comment by: <i>UK Department for Transport</i></span></p> <p>The UK Department for Transport is concerned at the potential negative economic impact on EU Flight Training Organisations of the decision not to transfer the JAR provisions that permit training third countries by overseas-qualified instructors. In particular, in the absence of the bilateral aviation safety agreement with the US the Department would urge the agency to work with the flight training sector to address this issue.</p>

response

*Noted*

The Agency acknowledges you input.

After carefully reviewing the several comments received regarding the issue of training outside of the EU and specifically the qualification of instructors, the Agency has decided to amend its initial proposals.

The requirement for instructors providing instruction for Part-FCL licences, ratings and certificates outside the territory of the Member States will be:

- to hold an ICAO compliant licence and ratings conferring the privileges to fly the aircraft used for instruction and covering the privileges for which instruction is being sought;
- to hold the relevant instructor certificate issued in accordance with Part-FCL, with a few additional requirements to ensure that they have the same level of instructional competence as instructors holding a Part-FCL licence.

For more details please see the explanatory note to the CRD and the amended text. The Agency considers that this solution is proportionate and ensures an adequate level of safety.

comment

6932

comment by: *Roger B. Coote*

There appears to be no place in the EASA structure for the BI rating. It has been suggested that if the SPL or LPL allow passenger carrying, then BI training will no longer be necessary. I disagree and as a BGA regional examiner who has been closely involved with the introduction and development of the BI rating, I believe that rating has served a useful purpose and that the BGA needs to retain the authority, at club level, to continue to provide further training above solo status before passenger carrying and basic instruction can take place.

response

*Noted*

The Agency acknowledges your comment.

However, our proposals already include a new category of instructor, with less stringent requirements and more limited privileges than the FI: the LAFI. The Agency sees no need to include further categories of instructors, with even more limited privileges or less stringent requirements.

comment

7554

comment by: *Needwood Forest Gliding Club*

In UK Gliding we have a qualification of Basic Instructor. It is seen as a stepping stone towards a full rating. To obtain that rating the pilot must have the necessary experience and demonstrated the required competence in a flying test and oral examination.

We support any proposal that see the continuation of this scheme.

response

*Noted*

The Agency acknowledges your comment.

However, our proposals already include a new category of instructor, with less stringent requirements and more limited privileges than the FI: the LAFI. The Agency sees no need to include further categories of instructors, with even more limited privileges or less stringent requirements.

comment	7849 <span style="float: right;">comment by: Europe Air Sports, VP</span>
	<p>EAS prefers the ICAO compliant "traditional" wording for the qualification to instruct and that is the word "rating." It is difficult to understand why this had to be changed to certificate.</p>
response	Noted
	<p>It was already explained in the Explanatory Note why this change was made (to comply with the expression used in the Basic Regulation) and that it didn't change the status of instructors, nor did it require the issue of a separate document (see comment 2977 above).</p>
comment	7958 <span style="float: right;">comment by: FAA</span>
	<p><b>Comment:</b> The term "accept" is not included in the Definitions sections of Regulation (EC) No. 216/2008 or this NPA (FCL.010). The means of <i>acceptance</i> of the pilot license permitted in FCL.900 (a) (1) (i) should be clarified. Appendix 1 to JAR-FCL 1.300 previously addressed the issue by defining requirements for instructors not holding a JAR-FCL license who wished to instruct in training organizations outside of JAA Member States. However, Appendix III – Cross-Reference Tables (page 49) to this NPA indicates that Appendix 1 to JAR-FCL 1.300 is not applicable. It, instead, refers the reader to Article 7 of Regulation (EC) No. 216/2008. Article 7, ¶1, indicates that pilots shall comply with the relevant "essential requirements" laid down in Annex III of (EC) No. 216/2008. The Annex states that flight and flight simulation instruction must be given by appropriately qualified instructors and defines a set of qualifications. It does not specifically note the issuance of an EASA license.</p> <p>The FAA interprets this to mean that flight and flight simulation instructors are not required to hold a pilot's license issued under EASA FCL if they meet the essential requirements defined in Annex III of (EC) No. 216/2008 but must be acceptable (to the Authority). This interpretation is consistent with the US requirements defined in 14 CFR 142.</p> <p><b>Proposed change:</b> Edit FCL.900 (a) (1) to clearly indicate the means of acceptance of the instructors by including the provisions of Appendix 1 to JAR-FCL1.300 in the new FCL regulation. This long-standing provision in the JAA effectively provided training to European pilots for many years. Regarding this last point, Explanatory Note 52 for Subpart J (page 30 of NPA 2008/17a) indicates that special conditions in FAR-FCL for instructors working for training organizations outside EU Member States' territories were not kept because the Basic Regulation did not foresee unilateral acceptance of instructor certificates. This does not preclude the acceptance of instructor certificates. In addition, Note 52 is silent on the acceptance of pilot's licenses.</p> <p>As written, the regulation could result in a loss or reduction in available training for European pilots. This could have a significant impact on European pilots and operations. For example, US training organizations received over 12,000 requests for training from EU Member State pilots in 2008; over 44,000 requests since October 2004. The cost of obtaining these approvals will have a significant economic impact on US industry and may not be economically viable for some organizations. Taking up the training load will overburden the current European system and could compromise safety.</p>

response

*Noted*

Please see the reply to comment 5826 above.

comment

8141

comment by: *AOC holder. High Adventure Balloon Flights*

Page 45 – 53 & 394 – 395 EASA Proposals for Instructors

The existing UK training system is much more practical than the proposed. 30 hours of classroom teaching prior to practical instruction is likely to be a real disincentive to new applicants for Instructor rating. Perhaps if the time was to be split to allow earlier practical training the disincentive would be removed.

response

*Noted*

Thank you for providing your opinion.

However, the Agency does not agree that the required 30 hours of theoretical knowledge instruction and instructional techniques (which will lead to 4 days classroom instruction) could be seen as a disincentive. On the contrary, the Agency would like to emphasise that a well-founded theoretical knowledge and the mentioned instructional techniques are absolutely necessary as a basis for a safe and solid work as an instructor.

It should be also mentioned that the instructor has to achieve the competencies mentioned in Annex III of the Basic Regulation (1.i.) and explained in detail in FCL.920 and the related AMCs. This cannot be reached without a proper training.

The Agency has evaluated several existing national systems for the training of instructors. The proposal is based on these national requirements and it was never questioned during the drafting phase of these requirements that this specific theoretical training must be a key element of the instructor qualification.

The proposal to split the time is not understood because the theoretical and the practical instructor training (for the balloon category 3 hours of dual flight instruction) has to be combined anyway in a practicable way. A split of the required training lessons can be done at any time in order to start with the practical instructor training.

comment

8259 ❖

comment by: *Queen's University Gliding Club*

[This comment has also been copied to NPAs 2008-17a and 2008-17c]

Dear Sir/Madam,

I am the writing on behalf of the Queen's University Gliding Club, Northern Ireland as Treasurer in relation to the EASA proposals for licensing, medical requirements and privileges detailed in NPA 2008-17.

Our University Gliding Club has currently around 65 members, the vast majority of which are students. I would like to bring to your attention several of the proposals in NPA 2008-17 which very likely to affect the viability of continuing operation of our club. I chose to respond by letter as the comment response tool did not offer the flexibility required to fully express our situation and viewpoint.

From reading the proposed document, it was very unclear as to how the medical requirements might be fulfilled. We feel it is necessary that the GP medical is recognised, as a requirement to visit an AME would prohibit many of our members going solo due to expense.

Secondly, the removal of cloud flying privileges will affect the sport in many ways. Reduction of the height band within which we can operate will adversely affect safety, as this more constricted airspace will now be shared with GA traffic. In addition, cloud base is generally much lower in the UK including Northern Ireland than mainland Europe. As a result, much of the glider pilot's time will be in selecting fields as opposed soaring.

**These two issues alone will discourage many from participating which will have a serious impact on our club and could lead to its demise.**

Our club fully supports the BGA's viewpoint on all of the remaining issues they have raised, including the minima for aerotowing and aerobatics which seem excessive; the removal of the Basic Instructor rating which will affect hundreds of volunteer instructors across the UK with no clear statement of how this will integrate into the new licence categories, and the existence of two licences with identical instructional requirements yet different instructor privileges: LPL (S) and SPL.

We are very disappointed that the above matters concerning glider pilots have not been given more thought by EASA, as in addition to the problems stated, the transition process alone has caused a considerable amount of hassle and incurred significant costs for the club through the submission of a great deal of paperwork.

I would like to see a resolution to the above issues with the goal of promoting the sport of gliding within the UK, such that it continues to attract participants as it has done for many years.

Yours faithfully,  
David Lisk (Treasurer)

Aby Rushton (Chairperson)

response

*Noted*

The Agency acknowledges your opinion and the information provided.

As regards your first point on medical requirements, the Agency confirms that its proposals include, in accordance with article 7(2) of the Basic Regulation, the possibility, in the case of the LAPL, of a specific medical certificate that takes into account the medical history of the applicant and that may be issued by GMPs, if so permitted under national law. For those who wish to have commercial activities and/or to fly outside Europe, there is also a possibility to apply for a sailplane licence (SPL) with privileges in accordance with ICAO, thus requiring a Class 2 medical certificate to be issued by an AME or AeMC.

As regards your second point, the issue of cloud flying and IMC conditions is currently being discussed within the scope of a separate rulemaking task: FCL.008. This was already indicated in NPA 2008-17a. The comments received on A-NPA 14-2006 and on this NPA dealing with the issue of the Cloud Flying Rating will be taken into account by this working group. The task FCL.008 will result in an NPA which will be submitted to public consultation, and on which you will be able to make your comments.

Some other issues are mentioned very briefly in your comment. With a general reference to one of the BGA comments, but without proposing any change, the requirements, the towing rating, the aerobatic rating, the categories of instructors and the proposal for two systems of sailplane licences are criticised. Please check the responses given by the Agency to the BGA comments on these segments.

The Agency would like to highlight that the proposals for the different ratings are based on an evaluation of the existing requirements in different Member States. Taking into account the comments received, some of the prerequisites for the different ratings will be amended.

Regarding your comment on the different categories of instructors, it should be mentioned that the Agency has proposed an LAFI category which should fulfil the needs of a 'Basic Instructor' category. The conversion of national licences or instructor ratings will be done by the Member States, in accordance with the transition measures presented in the draft cover regulation published with this CRD.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 1: Common Requirements**

p. 45

comment

691

comment by: *Waikato Aviation Cluster*

Attachment [#44](#)

The special conditions in JAR-FCL for instructors working for training organisations outside a Member States (Appendix 1 to Part FCL52) are no longer supported in the new rules. This is at odds with the stated desire for the new rules to be based as much as possible on the JAA rules, and will have a negative impact on the availability of new pilots. Please see attached letter, the text of which is included below.

15th October 2008

Mr. Patrick Goudou  
Executive Director  
European Aviation Safety Agency  
Postfach 10 12 53  
D-50452 Köln, Germany

Re: Proposed Pilot Licensing NPA No 2008-17a and 2008-17b

Dear Mr. Goudou:

The Waikato Aviation Cluster, based in Hamilton, New Zealand, is an active aviation industry group that encourages the growth of the aviation industry in the region. The Cluster is backed by two leading economic development organisations, The Katolyst Group and New Zealand Trade & Enterprise. It has come to our attention that the proposed Pilot Licensing NPA No 2008-17a and 2008-17b will have an adverse effect on pilot training organisations that are not located within an EU Member State. I am writing to you to express our concerns in this matter.

New Zealand flight conditions are very conducive to training pilots. We have less congestion of air space and greater availability of general aviation airports than most other countries. From an EU perspective, we have a variety of weather conditions and terrain that are similar to those that the pilots will encounter in Europe. It is an ideal environment to train and present to you a well-prepared pilot who will succeed at an EU-based commercial carrier.

As an example of the quality of the pilots, I would like to point to the outstanding track record of CTC Aviation Training Limited (CTC) in Hamilton. CTC Hamilton is a member of the Waikato Aviation Industry Cluster, and is a subsidiary of CTC Aviation Group plc in the UK. The New Zealand business trains over 200 pilots per annum, most destined for major European airlines. As an indication of the quality of the training, 98.8% of these pilots pass all of their exams on the first attempt with an average pass mark of 92.5%.

The pilot shortage is a much deeper issue than the quantity of pilots. It is a shortage of well-qualified pilots who are well-trained and competent on the one hand, and who are mature, responsible professionals who will meet industry expectations. With the selection process and educational methods used by CTC, the EU-based airline can be certain to receive a new pilot who will match these criteria and exceed their expectations. The CTC-trained pilot is a valuable long-term asset for the EU, and its loss will have a negative impact that far exceeds standard economic calculations.

Our concern is that the EU will no longer be able to receive the benefits of the pilot training being done in New Zealand. The proposed rules no longer provide for standardisation of 3rd-country instructors to the EU rules, as was previously provided in Appendix 1 to JAR-FCL1.300. We interpret this to mean that New Zealand instructors can no longer be brought to EU standards through additional training. One conclusion is that CTC will only be able to employ instructors who have been trained through the EASA licensing system, thus excluding New Zealand trained instructors. This could further exacerbate the current situation where there is a shortage of instructors to train the pilots required by the airlines.

We are concerned that the rules will have a significant impact on EU-based airlines by dramatically restricting the flow of new pilots to them. The pilot shortage is an incontrovertible worldwide fact that cannot be resolved simply by re-employing pilots who have recently lost jobs through airline failures and/or mergers. If the proposed rules go into effect, and NZ can no longer provide the EU with pilots, then the EU will incur hundreds of millions of additional costs to replicate the facilities and runways already in existence in New Zealand and to train pilots in an already congested EU airspace. We believe that this action is not in the best interests of the EU, and respectfully suggest that the provisions for standardising 3rd country instructors to EU standards be added to FCL.900(a)(1). As part of the standardisation, we suggest that the instructors be granted the EU licences and ratings equivalent to the NZ ones that they possess, to be able to instruct in accordance with the provisions of FCL.915(b)(c).

We do not ask for any special considerations relative to the level of proficiency and competency of the instructors, nor of the pilots who graduate from our flight schools. Rather, we expect New Zealand instructors and pilots to be at least as proficient and competent as those trained in the EU. We want our reputation to be a country which provides a superior quality pilot to our EU customer-partners, and to the EU as a whole. We want to work in partnership,

	<p>and are open to suggestions of ways to enhance this cooperation.</p> <p>I will also be lodging the concerns raised in this letter on the required EASA website.</p> <p>Kind Regards,</p> <p>John Jones Chairman of the Waikato Aviation Industry Advisory Board</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges you input.</p> <p>After carefully reviewing the several comments received regarding the issue of training outside of the EU and specifically the qualification of instructors, the Agency has decided to amend its initial proposals.</p> <p>The requirement for instructors providing instruction for Part-FCL licences, ratings and certificates outside the territory of the Member States will be:</p> <ul style="list-style-type: none"> <li>— to hold an ICAO compliant licence and ratings conferring the privileges to fly the aircraft used for instruction and covering the privileges for which instruction is being sought;</li> <li>— to hold the relevant instructor certificate issued in accordance with Part-FCL, with a few additional requirements to ensure that they have the the same level of instructional competence as instructors holding a Part-FCL licence.</li> </ul> <p>For more details please see the explanatory note to the CRD and the amended text. The Agency considers that this solution is proportionate and ensures an adequate level of safety.</p>
comment	<p>3391 <span style="float: right;">comment by: <i>Peter MEECHAM</i></span></p> <p>With balloons LAFI and FI should both be able to instruct for each licence.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>However, as a general principle the instructor has to hold at least the licence (and/or rating) he/she is providing flight instruction for. This is a commonly agreed standard and the Agency cannot see a reason to change this.</p> <p>This is also in compliance with paragraph 2.8.1 of Annex 1 to the Convention on International Civil Aviation (ICAO).</p>
comment	<p>6657 <span style="float: right;">comment by: <i>Kevin Ison</i></span></p> <p>30 hours classroom training will discourage some people from applying. Please split this down to 2x15 Level 1&amp;2</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Your proposal concerns the theoretical training as a part of the training course. Nothing prevents the ATO offering such a training course to offer the required</p>

training in different parts divided as needed. Especially for ballooning, the weather related factor will ask for some breaks of the classroom teaching in order to do the practical training. As the practical training includes at least three dual instruction flights, this flight training has to be completed anyway before the future FI(B) will be allowed to do his/her examination. To divide the 30 hours of theoretical knowledge instruction required in 2 or even more 'chunks' is allowed and foreseen. The Agency does not understand the problem.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 1: Common Requirements — FCL.900 Instructor certificates**

p. 45

comment

188

comment by: *Aero-Club of Switzerland*

If the the name of the certificate is "Light Aircraft Flight Instructor", there is no reason for the pilots licence carrying another name. Once again, we repeat that we do absolutely not like the name Leisure Pilot Licence. This licence has to be named "Light Aircraft Pilot Licence".

Justification: The word "leisure" is not part of the aviation vocabulary, and there is no "leisure car driver licence". We know, however, that the character of the licence is written in the Basic Regulation which we cannot change for the moment, but we will never support to the name "Leisure Pilot Licence".

For FCL.905.LAFI (f) (2) we think that 100 hours of instruction in the appropriate aircraft category is sufficient.

Justification: If someone is not able to instruct correctly after 100 hours, this person will never be able.

response

*Partially accepted*

Thank you for providing your opinion.

The name Leisure Pilot Licence (LPL) was used in the NPA based on the term which was introduced by the Basic Regulation. Reviewing all the comments received on this issue, the Agency realised that the wording 'Leisure' is not well-accepted by General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change its proposal and call this licence Light Aircraft Pilot Licence (LAPL), but to make clear through a definition in the cover regulation that this licence is the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be amended accordingly. The name LAFI will be kept for this Subpart.

Regarding your second issue, the Agency has carefully reviewed the comments received and agrees that the amount of flight instruction required in (f)(2) could be lowered slightly. However, the Agency does not agree that 100 hours of flight instruction would be sufficient as the experience requirement in order to instruct for a LAFI certificate, as the instructors providing this kind of training should have reached a high level of experience. Please see the resulting text.

comment	<p data-bbox="351 201 414 235">521</p> <p data-bbox="1005 201 1457 235" style="text-align: right;">comment by: FOCA Switzerland</p> <p data-bbox="351 257 502 324">J/Section 1 FCL.900</p> <p data-bbox="351 347 1436 481">A licence holder should get the instructor rating(s) endorsed on his licence. Only in cases of instructors not holding a licence a specific certificate or authorisation should be issued. Avoid unnecessary deviation from ICAO standards.</p> <p data-bbox="351 504 1021 548">Clarification concerning instruction outside EASA.</p> <p data-bbox="351 571 470 616">Remark:</p> <p data-bbox="351 638 1436 705"><b>OR.ATO.145 refers to such training but there are no precise requirements mentioned. Needs to be clarified.</b></p> <p data-bbox="351 728 782 772"><b>(b) (1) add: Vintage aircraft</b></p>
response	<p data-bbox="351 784 438 817"><i>Noted</i></p> <p data-bbox="351 840 1308 884">Your first suggestion is allowed in Part-AR. Please check NPA 2008-22.</p> <p data-bbox="351 907 1436 1041">It is clear that instruction can take place outside of the EU. Please see article 21(1)(b) of the Basic Regulation. The requirements are the same as for training inside the EU, with the exception of some slight variation in relation to the instructor's certificate.</p> <p data-bbox="351 1041 1021 1086">Please see also the reply to comment 559 below.</p> <p data-bbox="351 1108 1436 1198">Vintage aircraft are included in Annex II to the Basic Regulation; they are therefore excluded from the scope of Community competence and consequently from this Part.</p>
comment	<p data-bbox="351 1254 414 1288">559</p> <p data-bbox="957 1254 1457 1288" style="text-align: right;">comment by: Aviation New Zealand</p> <p data-bbox="351 1310 582 1355">Attachment <a href="#">#45</a></p> <p data-bbox="351 1366 1436 1568">The special conditions in JAR-FCL for instructors working for training organisations outside a Member States (Appendix 1 to Part FCL52) are no longer supported in the new rules. This is at odds with the stated desire for the new rules to be based as much as possible on the JAA rules, and will have a negative impact on the availability of new pilots. Please see attached letters, the text of which is included below.</p> <p data-bbox="351 1568 582 1601">16 October 2008</p> <p data-bbox="351 1624 805 1803">Mr. Patrick Goudou Executive Director European Aviation Safety Agency Postfach 10 12 53 D-50452 Köln, Germany</p> <p data-bbox="351 1825 1197 1870">Re: Proposed Pilot Licensing NPA No. 2008-17a and 2008-17b</p> <p data-bbox="351 1892 598 1926">Dear Mr. Goudou,</p> <p data-bbox="351 1948 1436 2024">I am writing to you about concerns that Aviation New Zealand has relative to NPA No. 2008-17a and 2008-17b, and to potential interpretation of the Basic</p>

Regulation 216/2008 (BR) published by EASA.

Aviation New Zealand, a wholly owned subsidiary of the Aviation Industry Association of New Zealand, champions the international development of New Zealand's aviation exports, and connects international customers with appropriate solutions developed in New Zealand. Its functions are supported by the New Zealand Government.

Several New Zealand flight training organisations ("FTOs") prepare new pilots for professional careers with EU-based commercial carriers. Citizens of EU Member States are trained in New Zealand to EU standards with New Zealand instructors standardised to EU requirements. Our pilot training organisations have produced more than 500 high-quality graduates, all of whom have successfully secured a job flying for an EU commercial airline. We are proud that we have had a positive role in addressing the pilot shortage in the EU.

Today training is in accordance with JAR standards, under the special conditions in JAR-FCL for instructors working for FTOs outside the territory of the EU Member States. In New Zealand, FTO compliance with the JAR training standards is a top priority, to ensure that the organisation is run properly and that pilots receive the proper training. We support the need to be rigorous in adhering to both the letter and the spirit of these rules. Given our track record of success, we can conclude that our efforts have been successful.

In all the documentation used by EASA prior to the published NPA it was stated that the new pilot licensing rules would be based upon JAR-FCL, with minimal changes only where necessary. Given the success of the training programs, it was logical to expect that the new rules would allow FTOs to continue the existing procedures for partial pilot training outside EU Member States. However, the proposed rules do not appear to provide for acceptance of instructor certificates issued by 3<sup>rd</sup> countries, nor do they provide an avenue for instructors to be trained to EU standards.

If the above conclusion is correct, New Zealand FTOs will only be able to employ instructors who have been trained through the EASA licensing system. A pilot with a New Zealand instructor's licence may have to repeat most of their training with an EU-licensed instructor, progressing through commercial, multi-engine, instrument, and instructor ratings, before they could provide instruction to pilots destined to fly for a major European airline.

This change presents a significant issue for New Zealand FTOs which currently train under the present EU regulations, and also for FTOs that could train pilots for European airlines in the future. We believe that the new rules would reduce the flow of pilots into the European airlines at a time when they are already short of qualified pilots. A further possible interpretation of the changes suggests that existing highly-qualified and experienced air transport pilots would not have their licences recognised by EASA. This would mean that they could not fly for a European carrier. These new rules and possible interpretations could impact adversely on the development of an internationally competitive aviation industry in the EU and could place the EU at a significant disadvantage compared to other countries.

The new rules, in our view, would adversely impact the future efficient development of the pilot training industry world-wide. The concept that pilots for the EU can only be trained by EASA licensed pilots is inconsistent with stated EU trade policies. It might appear that since EASA does not, under these proposals, recognise that a New Zealand licensed pilot is suitably qualified then

is the natural next step to require all airline pilots flying in or out of the EC to hold an EASA Licence?

Aviation New Zealand requests that EASA urgently review its interpretation of the proposed rules and asks that the content of Appendix 1 to JAR-FCL1.300 be retained.

I will also be lodging the concerns raised in this letter on the required EASA website.

Sincerely,

John Nicholson  
Chief Executive

response

*Noted*

The Agency acknowledges your input.

After carefully reviewing the several comments received regarding the issue of training outside of the EU and specifically the qualification of instructors, the Agency has decided to amend its initial proposals.

The requirement for instructors providing instruction for Part-FCL licences, ratings and certificates outside the territory of the Member States will be:

- to hold an ICAO compliant licence and ratings conferring the privileges to fly the aircraft used for instruction and covering the privileges for which instruction is being sought;
- to hold the relevant instructor certificate issued in accordance with Part-FCL, with a few additional requirements to ensure that they have the same level of instructional competence as instructors holding a Part-FCL licence.

For more details please see the explanatory note to the CRD and the amended text. The Agency considers that this solution is proportionate and ensures an adequate level of safety.

comment

634

comment by: *British Microlight Aircraft Association*

Accepted

response

*Noted*

Thank you for providing this feedback.

comment

1003

comment by: *CAA Belgium*

QUESTION: in order to avoid the issue of a separated document, can the Instructor Certificate be issued to a pilot by writing on the pilot licence "FI" under the item "Qualifications" ?

(a) (1)(ii) It seems not clear enough who is the competent authority for issuing an instructor certificate. Should it be the authority having issued the pilot licence of the applicant or could it be any other competent authority ?

(b) What means exactly "*In the case of introduction of a new aircraft*" ?

- *new in the world* ?

	<ul style="list-style-type: none"> <li>• <i>new in the EU ?</i></li> <li>• <i>new in a Member State ?</i></li> <li>• <i>new in a company ?</i></li> </ul> <p><i>It is not clear who is the competent authority in those cases.</i></p>
response	<p><i>Noted</i></p> <p>The reply to your question is yes. This is allowed in Part-AR. Please check NPA 2008-22.</p> <p>(a)(1)(ii) It is the same authority that issued the licence of the pilot that is requesting the instructor certificate. This is clear from the text of FCL.015.</p> <p>(b) The Agency agrees that the paragraph is not clear enough. This paragraph intended to transpose JAR-FCL 1.300(a)(2)(1) and 2.305(a)(2)(i), which text was also not clear. Taking into account the comments received on this issue, and after consulting experts on what the intention of the paragraphs in JAR-FCL was, the Agency decided to amend its initial proposal. Please see amended text. As for who is the competent authority in these cases, please see the reply to your second question.</p>
comment	<p>1122 <span style="float: right;">comment by: <i>GFD-OES</i></span></p> <p>FCL.900 why is this paragraph starting with ...<b>shall not</b>...? I like it positive, like in FCL.1000! I would change FCL.900 to read:</p> <p>FCL.900 Instructor certificates</p> <p>(a) General. Holders of an instructor certificate shall:</p> <p>(1) for flight instruction in aircraft</p> <p>(i) hold a license and rating at least equal to the license and rating for which they are authorized to instruct and which is issued or accepted in accordance with this regulation</p> <p>(ii) be qualified to act as pilot-in-command</p> <p>(2) for synthetic flight instruction or multi-crew cooperation instruction hold an instructor.....</p>
response	<p><i>Partially accepted</i></p> <p>Text has been amended to be formulated in a positive manner.</p>
comment	<p>1362 <span style="float: right;">comment by: <i>George Knight</i></span></p> <p>FCL.900</p> <p>There is a particular issue with respect to instructing for the proposed sailplane towing rating in either aeroplanes or TMGs. The assumption made in this NPA is that flight instructors qualified on either aeroplanes or TMGs as appropriate must teach for this rating. Then problem is that very few aeroplane flying-instructors have any skill, experience or knowledge of either gliding or aerotowing operations. The current practice in gliding clubs (in the UK) is that the most senior tow pilot in the club is appointed as Chief Tug Pilot and is responsible for (among other things):</p>

- Selection of candidates from applicants (most gliding clubs are frequently approached by PPL holders looking for cheap flying). The preference is for experienced pilots who are already glider pilots and thus familiar with glider operations and their limitations and know where lift is to be expected so that they can tow gliders to the most appropriate places.
- Training of tow pilots.
- Maintenance of standards with annual refresher / check flights.

There are many aspects of glider towing that are outside the knowledge and experience of general aeroplane flying instructors (gliding operations, where lift is to be found, engine handling after release from to avoid cylinder-head cracking etc. There needs to be way to accredit aeroplane and TMG PPL/LPL holders with appropriate experience with a certificate to enable them to instruct and examine for this specialised rating without them needing to hold a full instructor certificate.

I propose a combined Sailplane Towing Rating Instructor Certificate and Examiner Certificate. The privileges would be to instruct for, examine and renew this rating only. The requirement would be at least 250 hours on aeroplanes and/or TMG; having done at least 250 aero tows and having undergone a two-day training seminar to review and become familiar with the training organisation's syllabus.

(a) (1) ...flight instruction *for the purpose of gaining a rating or certificate...*

There is the risk of inadvertently making it illegal for a pilot carrying a friend - perhaps another pilot who has a rating in another type or class - to touch the flying controls. Clearly any such activity would not count towards gaining a rating or certificate.

FCL.900

There is a particular issue with respect to instructing for the proposed sailplane towing rating in either aeroplanes or TMGs. The assumption made in this NPA is that flight instructors qualified on either aeroplanes or TMGs as appropriate must teach for this rating. Then problem is that very few aeroplane flying-instructors have any skill, experience or knowledge of either gliding or aerotowing operations. The current practice in gliding clubs (in the UK) is that the most senior tow pilot in the club is appointed as Chief Tug Pilot and is responsible for (among other things):

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There are many aspects of glider towing that are outside the knowledge and experience of general aeroplane flying instructors (gliding operations, where lift is to be found, engine handling after release from to avoid cylinder-head cracking etc. There needs to be way to accredit aeroplane and TMG PPL/LPL holders with appropriate experience with a certificate to enable them to instruct and examine for this specialised rating without them needing to hold a full instructor certificate.

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There is the risk of inadvertently making it illegal for a pilot carrying a friend - perhaps another pilot who has a rating in another type or class - to touch the flying controls. Clearly any such activity would not count towards gaining a rating or certificate.

response

*Not accepted*

Thank you for providing your opinion.

The key message of your comment is that 'very few aeroplane flying instructors have any skill, experience or knowledge of either gliding or aerotowing operations'.

Your proposal is to introduce a specific new 'Sailplane Towing Rating Instructor Certificate' and an 'Examiner Certificate' for this purpose. You propose as prerequisites 250 hours flight time in aeroplanes and/or TMG and at least 250 aero tows. This should be followed by a two-day training seminar but without any need to hold one of the proposed instructor certificates.

At this time the Agency does not believe that new elements like the one proposed by you should be added without a proper assessment. These subjects (creation of a specific towing instructor and examiner rating) may be subject to a future rulemaking task.

Based on the comments received on this issue (see also the responses provided to some comments to Subpart I dealing with the same issue), the Agency has decided to keep the specific privilege for the LAFI and the FI but to introduce the demonstration of the ability to instruct for the towing rating to an FI qualified in accordance with (j), like it was introduced for the night rating already under JAR-FCL.

The reasoning behind this change is based on the fact that the Agency is of the opinion that the LAFI or FI will gain the necessary skill, experience or knowledge of either gliding or aerotowing operations already when receiving the training for the towing rating (see FCL.805). The Agency cannot see why an experienced instructor (for aeroplanes or for sailplanes) would need an additional 2-days course in order to provide this training for this rating.

However, the Agency agrees that the LAFI/FI should have some experience in towing themselves before providing the instruction for this rating. As it is always very difficult to define a certain number of towing flights or hours (see the responses to the comments dealing with the aerobatic rating), the Agency decided to introduce as an experience requirement an additional demonstration which has to be done with a highly qualified instructor. This will ensure that the LAFI/FI has the experience needed.

Regarding your second proposal to add 'for the purpose of gaining a rating or certificate' in FCL.900 (a)(1), the Agency does not agree as this is a general requirement for all instructors and should not exclude a certain instruction

activity. The Agency does not understand what this requirement has to do with the case described by you that the requirement in (a)(1) as proposed would make 'it illegal for a pilot carrying a friend ... to touch the flying controls'. The Agency would like to highlight that FCL.900 clarifies that only persons holding an instructor certificate will be allowed to carry out flight instruction. The Agency does not see a need for a change.

comment 1556 comment by: IAAPS

" competent authority "

Who is the competent authority for instructors, for examiners, who might hold licences issued by a different authority than the one who approves the FTO, and different from the one who registered the aircraft flown? A definition for competent authority is necessary.

response Noted

The competent authority is the same authority that issued the licence of the pilot that is requesting the instructor certificate. This is clear from the text of FCL.015.

comment 1571 comment by: IAAPS

under (b) insert Special condition (3) training conducted outside member states by instructors not holding an instructor certificate issued under this Subpart. Copy Appendix 1 to JAR-FCL 1.300 transferring the text to AMC does not make provision for the conduct of training by instructors who do not hold an EASA instructor certificate

response Noted

Please see the reply to comment 559 above.

comment 1579 comment by: Swiss Aviation Training-FTO

*(b) Special conditions*

JAR-FCL 1.300 provided special conditions for instructors not holding a JAR-FCL licence to instruct in a TRTO outside JAA Member States or in a FTO partial training outside JAA Member States in accordance with Appendix 1b to JAR-FCL 1.055.

This practice has proved beneficial to the JAA training organisations in several areas including safety, capacity, flexibility, economy and environmental factors.

To prevent disproportionate restrictions in future training activities of EASA ATOs and TRTOs, a comparable special condition should be included in FCL.900(b).

response Noted

Please see the reply to comment 559 above.

comment 1714 comment by: Sven Koch

	Muss gültige Pilotenlizenz und Fluglehrerberechtigung haben
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion, but the Agency does not understand the meaning behind this comment.</p> <p>It seems to be only a more or less exact German translation of some elements contained in FCL.900.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2218</p> <p>Page 45 FCL 900 (a) (I) (ii) does not make provision for the conduct of training by instructors who do not hold an EASA instructor certificate.</p> <p>Proposal: under (b) add Special condition (3): In the case of training conducted outside member states, instructors not holding an instructor certificate issued under this Subpart shall be qualified to an equivalent level. Transfer text of Appendix 1 to JAR-FCL 1.300 into new EASA AMC to FCL 900 (a) (I) (ii) to cover criteria for equivalent qualification..</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 559 above.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2219</p> <p>FCL 915 (b) (i) does not make provision for the conduct of training by instructors who do not hold an EASA instructor certificate.</p> <p>Proposal: insert text after "given" "or comply with FCL 900 (b) (3)" (refernce comment to FCL 900 (a) (I) (ii)</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 559 above.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2241</p> <p>Comment 1: For these special conditions, provisions are needed to allow manufacturer or ATO instructors of a third country for the training of instructors.</p> <p>Proposal :Proposal :Add in (b) (1), This specific certificate can be issued after</p>

an instructor course done in a manufacturer or ATO of a third country. AMC 900 Special Conditions 2.2 refers

In addition,

Comment 2: The (b)(1) sentence is too vague. It's when an operator introduces new type of aircraft in his fleet that the special conditions are useful and not only when a new type certificate is issued.

Proposal: Proposal : Precise in (b)(1) : in the case of (i) introduction of a new aircraft type or (ii) introduction of new aircraft into an operators or ATOs fleet

response *Noted*

Please see the replies to comments 559 and 1003 above.

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, 2386 IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

### **FCL 900 (b) (2) Instructor certificates**

Comment: Those requirements are new. There is nothing in JAR-FCL subpart H on this subject.

Justification: To fulfil the instructor renewal requirements for a pilot holding a special authorization is unnecessary. In case of application for a TRI rating, this special authorization will be used during a short period for the purpose is for the introduction of a new aircraft. The requirements on the pre requisites are enough to change a special authorization holder into a full TRI.

Proposal: Change (b) (2) to read: "The holder of a certificate issued in accordance with (b)(1) who wishes to apply for an instructor certificate shall comply with the prerequisites established for that category of instructor."

response *Noted*

The purpose of this paragraph is to allow instructors that hold a certificate limited to specific conditions to obtain a full instructor certificate without having to comply with the requirements for the initial issue of that certificate. The Agency considers that the requirement to demonstrate the prerequisites as well as compliance with revalidation requirements is adequate and proportionate in this case. Please note also that since nothing was foreseen in JAR-FCL, this possibility of credit was not there.

comment

2522

comment by: *ETPS CI*

### 17b FCL 900 (a)

*A person shall not carry out:*

*(1) flight instruction in aircraft unless he/she holds:*

- (i) a pilot licence issued or accepted in accordance with this Regulation;*
- (ii) an instructor certificate appropriate to the instruction given,*

**Comment 3:** ETPS currently flies and instructs under military regulations.

	<p>Instructors are rigorously monitored and examined but do not necessarily hold civilian licenses. ETPS would seek either an exemption or an Acceptable Means of Compliance (AMC) for this rule, i.e. an acceptance of UK MOD regulation equivalence which would lead to ETPS becoming an EASA "accepted flight test training organisation".</p>
response	<p><i>Noted</i></p> <p>Provisions on the conversion of military qualifications and training into Part-FCL qualifications have been included in the cover regulation. Please see text as published with this CRD.</p> <p>Please note also that nothing prevents a military school from applying for a civil approval, as long as the civil requirements are met.</p>

comment	<p>2550 <span style="float: right;">comment by: Airbus</span></p>
	<p><b>THIS COMMENT IS SUBMITTED ON BEHALF OF ASD</b></p> <p><b><u>AFFECTED PARAGRAPH:</u></b>  <b><u>FCL.900 Instructor certificates</u></b></p> <p><b><u>PROPOSED CHANGE:</u></b></p> <p><b>Add a new subparagraph (c), as follows:</b></p> <p><i>(c) Pilots holding a flight test rating and having been involved in the development and certification flight tests for an aircraft type, including at least 10 hours as pilot in command, and holding an instructor certificate (for any other aircraft type), shall be entitled to get an instructor certificate for that aircraft type.</i></p> <p><b><u>JUSTIFICATION:</u></b>  The type rating of instructors having flown, as test pilots, the aircraft for its development and certification needs to be addressed as a special case</p>
response	<p><i>Partially accepted</i></p> <p>Please see amended text.</p>

comment	<p>2762 <span style="float: right;">comment by: French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</span></p>
	<p>FCL 900 (a) (1) (i) :</p> <p>FFA underscores the words "a licence ... accepted in accordance with this Regulation", which require clarification.</p> <p>Should these words mean a licence issued by a NSA prior to the entry in force of this regulation and converted into an EU-FCL licence, they should apply to the instructor certificate as well.</p> <p>Accordingly, FFA proposes to introduce a general principle in the appropriate chapter saying that licences, ratings and certificates once converted are fully considered as EU-FCL licences, ratings and certificates and to delete in this specific subparagraph the words "or accepted ... this regulation".</p>

response

*Noted*

This expression refers to licences issued by third countries and accepted in accordance with Annex III to the licensing cover regulation; not to EU national licences that will be converted into licences issued in accordance with Part-FCL.

Please see also the reply to comment 559 above.

comment

2826

comment by: CAE

FCL.900(b) does not retain the condition granted under JAR-FCL 1.300 for synthetic flight instruction by instructors outside a member state that do not hold a JAA/EASA license. We understood the text of JAR-FCL was supposed to be used as the basis of EASA part FCL unless the basic regulation directed otherwise or a change would have a positive effect on European aviation safety. We see nothing in the basic regulation that would indicate the commission's intent to remove this specific authorization and it can be argued that FCL 900(b) as written adds nothing to the safety of the European Aviation community.

Therefore, we request that JAR-FCL 1.300 (a) (2) (iii) be included in FCL.900 (b) as follows:

"FCL.900 (b)(3) Training conducted outside member states by instructors not holding an instructor certificate issued under this Subpart, who otherwise hold equivalent ICAO member state instructor authority.."

Reference comment #2828

response

*Noted*

Please see the reply to comment 559 above.

comment

3058

comment by: PPL/IR Europe

Our comment in this section also concerns the approval of TRTOs which is not covered in this part. We have read the input of the British Business and General Aviation Association on this subject, in respect of FCL900, AMC to FCL900 and NPA22c, and fully endorse and support their comments.

The current wording of this section seriously impacts operators of both specialised aircraft types, and general-purpose types with very small fleet sizes based in Europe. In Europe, there may not be type-experienced Instructors or type-specific Training Devices available. It may not be practical or economic for instructors to qualify for EASA certificates, for non-European training organisations to gain EASA approval, or for non-EASA Flight Training Devices to be EASA approved.

In its current form, EASA FCL will force operators of such aircraft to either

- conduct initial and recurrent training with less experienced instructors and organisations
- conduct Type Rating training in actual aircraft, rather than FTDs/Sims

The latter outcome, in particular, would be highly perverse, and in no stakeholders interest. Forcing training to take place in an aircraft rather than an FTD/Sim has safety, cost and environmental penalties which we need not

emphasise, because they are so well established.

We are aware of the EU legal framework within which EASA must develop Implementing Rules. We refer to our comment on FCL.035 in this respect. We believe EASA is obliged to seek solutions that meet stakeholders interest within this framework, and not to use it as a crude bludgeon. Just as there is a "special condition" for the introduction of new aircraft which is, presumably in compliance with the BRs/ERs, we believe a special condition can be made for existing aircraft types which lack EASA approved Training organisations, as per the existing provisions of JAR FCL 1.055 and 1.300

Annex III of the BRs, section 1.i.2 states that:

*Flight instructors must also be entitled to act as pilot in command on the aircraft for which instruction is being given, except for training on new aircraft types.*

However, we do not interpret this as precluding Instructors who are qualified to act as PIC on an existing aircraft type under a non-EASA ICAO register to conduct training under such a special condition. Our suggestion as to the spirit and intent to be achieved in FCL is to add the following to FCL.900.(b)

*(3) In the case of existing aircraft, when compliance with the requirements established in this Subpart is not possible due to the small fleet size operating in Europe, the competent authority shall issue a specific certificate giving privileges for flight instruction. Such a certificate shall be limited to the instruction flights necessary for type-specific initial and recurrent training, and its validity shall not, in any case, exceed 3 years.*

response *Noted*

Please see the reply to comment 1003 above and the amended text.

comment

3129

comment by: OAA Oxford

The provisions of JAR-FCL 1.055 (a) (1), Appendix 1b to JAR-FCL 1.055, JAR-FCL 1.300 (a) (2) (iii) and Appendix 1 to JAR-FCL 1.300 (1) have not been incorporated.

Proposed text for FCL.900

(a) General. A person shall not carry out:

(1) Flight Instruction in aircraft unless he/she holds:

(i) a pilot licence issued or accepted in accordance with this Regulation and an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart; or

(ii) a specific authorisation granted by an EU national authority and an instructor certificate issued by that authority where training is conducted outside EU states by instructors not holding an EU licence (see AMC to FCL.900)

Proposed text for AMC to FCL.900

2 Special conditions

## 2.4

(a) Instructors seeking to instruct for an EU licence including class and instrument ratings shall:

(i) hold at least a CPL and ratings issued in accordance with ICAO Annex 1 required by the respective non EU state for the instruction to be given on aircraft registered in that state;

(ii) have completed at least 500 hours of flight time as a pilot of aeroplanes of which at least 200 hours shall be as a flight instructor, including experience in the role of instruction to be given, and meet the experience requirements of FCL.905.FI as appropriate;

(iii) have completed in accordance with EU Part FCL the approved relevant course(s) of theoretical instruction and flight training. The course may be modified, as approved by the Authority, taking into account the previous training and the experience of the applicant, but shall comprise at least 30 hours of ground instruction and 15 hours of dual flight instruction performed by a flight instructor holding a EU FCL licence and certificate in accordance with FCL.905.FI (j);

(iv) have passed the skill test set out in FCL.935.FI;

(v) validity period of the certificate and authorisation is three years

(vi) revalidation or renewal of any certificate and authorisation issued in accordance with para (i) - (iv) above shall be in accordance with FCL.940.FI.

(b) the authorisation will be restricted as follows:

(i) no instruction for the issue of any instructor ratings;

(ii) no instruction within a EU member state;

(iii) instruction to students only who have sufficient knowledge of the language in which instruction is given;

(iv) to those parts of the ATP integrated course where the instructor can demonstrate the experience relevant to the intended training according to paragraph 2.4 a 0 (ii);

(v) no instruction for MCC training

response *Partially accepted*

Please see the reply to comment 559 above.

comment 3449

comment by: *Boeing*

**Boeing Commercial Airplanes comments re:  
NPA 2008-17b**

Page: 45

Paragraph: FCL.900 (a)(1)

Boeing suggests that the following changes be made: Add a new subparagraph (a)(1)(iii) that states:

*“(iii) or is an instructor employed by a manufacturer or a manufacturer’s ATO, in which case an ICAO-accepted license, type rating, and instructor authorization is required without further satisfying (i) and (ii).”*

**JUSTIFICATION:** Safe introduction of new airplanes possibly needs to be done by the manufacturers or manufacturers’ ATOs’ instructors. This is consistent with BR 216/2008.

response *Noted*

Please see the reply to comment 559 above and the replies to comments on Annex III to the cover regulation.

comment

3636

comment by: *M Wilson-NetJets*

FCL900 (a) (1)

- The implication for UK and European FTOs with training centres outside of Europe is that all FIs would have to be given EU licences and FI certificates. Under the current and proposed system, this would involve each FI studying for and sitting the 14 theoretical exams and meeting all CPL flying requirements, since Annex III to the IRs as published at NPA-17a only permit “acceptance” of a foreign licence for a maximum of one year. A full-time course of study for these exams takes 6 months and FIs would be non-productive during this time. Moreover, there is doubt over whether professional FIs from overseas would be prepared to undertake this commitment – or to bond themselves for the costs involved. Hence, the training schools may well not be viable under the current proposals.

Within the north west of Europe the poor weather, congested airspace and airports, lack of a pool of FIs and high costs would make it very difficult for FTOs to compete with overseas schools; hence the EASA proposal is both highly damaging and anti-competitive – shifting the balance away from the level playing field to those states in Europe with favourable conditions for FTOs.

No RIA has been performed on this limitation of existing trading arrangements, which will have severe implications on the sector of the European training industry which relies on non-European training establishments. AN EU/US bilateral would ease the situation, but this is by no means guaranteed before the 2012 deadline. There needs to be a contingency plan for the eventuality that such a bilateral is not in place before this date.

Our belief is that this restriction is due to a misinterpretation of the intent of Basic Regulation 216/2008.

Suggestion:

The provisions of JAR FCL 1.055 and JAR FCL 1.300 should be reinstated; namely:

JAR FCL 1.055 (a) (1):

“...Part of the training may be performed outside the JAA member States”.

Appendix 1 b to JAR FCL 1.055 "Partial Training outside JAA Member States" lists the requirements that FTOs must comply with: Sub para (e): "Instruction may only be given under the direct control of a CFI(A) or nominated deputy holding a JAR-FCL licence and instructor rating .... who is to be present when training is given in the non JAA Member State."

JAR FCL 1.300 (a):

"A person shall not carry out the flight instruction required for the issue of any pilot licence or rating unless that person has....(2) A specific authorisation granted by a JAA Member State in cases where...(iii) training is conducted outside JAA Member States by instructors not holding a JAR-FCL licence.."

Appendix 1 to JAR-FCL 1.300 "Requirements for a specific authorisation for instructors not holding a JAR-FCL licence to instruct in a TRTO outside JAA Member States or in a FTO partial training outside JAA Member States in accordance with Appendix 1 to JAR-FCL 1.055". This lays down various conditions that the instructors must fulfil, for instance undertaking a course of instruction, under a JAR FI, of 30 hours theory and 15 hours flying. There are also conditions, for example, no instruction by the FI within a JAA

replace "this Regulation" with "ICAO Annex 1"  
add "or ICAO requirements"

FCL900 (a) (2)

- Training in synthetic Training Devices need not be limited to current holders of EASA licenses. There needs to be provision for equivalents

Suggestion:

Add new para (b) (3) as follows: "SFI's and STI's are exempt from medical requirements relating to the issuance of aircraft licenses"

response *Noted*

Please see the replies to comment 559 and 3686.

comment *3686*

comment by: *OAA Oxford*

Training in Synthetic Training Devices need not be limited to current holders of EASA licences. There needs to be provision for equivalents. Suggestion: Add new paragraph (b) (3) as follows: SFIs and STIs are exempt from medical requirements relating to the issuance of aircraft licenses.

response *Not accepted*

This is already clear from the text of the proposal. SFIs and STIs do not necessarily need to hold a licence. Since the medical certificate is related to the licence, and not to the instructor certificate, if the pilot does not hold a licence, he/she does not need a medical certificate.

comment *3845*

comment by: *Luftfahrt-Bundesamt*

FCL.900:

The basic regulation has defined that a licence is a certificate and that a rating (i.e. instructor rating) might be entered on a licence.

An additional instructor certificate might only be necessary if the instructional personnel is not required to hold a licence any more, e.g MCCI, SFI or STI,

who have been issued an authorisation under JAR-FCL. The general deletion of instructor ratings to be replaced by instructor certificates is not supported.

A licence („certificate“) holder should get the instructor rating(s) endorsed on his licence. Only in cases of instructors not holding a licence a specific certificate or authorisation should be issued. Avoid unnecessary deviation from ICAO and other international standard terminology about instructor ratings. Avoid unnecessary bureaucratic consequences on issuing additional certificates. EASA seems to have focused only on article 7(5) and thereby overlooked or put aside article 3.

response *Noted*

Part-AR establishes that an instructor certificate can either be issued as a separate document, or endorsed on the pilot licence. Please check NPA 2008-22.

comment 4482

comment by: AEA

**Relevant Text:**

FCL 900 (b) (2) Instructor certificates (b) *Special conditions*

(1) (2) *The holder of a certificate issued in accordance with (b)(1) who wishes to apply for an instructor certificate shall comply with the prerequisites and revalidation requirements established for that category of instructor.*

**Comment:**

Those requirements are new. There is nothing in JAR-FCL subpart H on this subject

**Justification:** To fulfil the TRI renewal requirements for a pilot holding a special authorization is unnecessary. In case of application for a TRI rating, this special authorization will be used during a short period for the purpose is for the introduction of a new aircraft. The requirements on the pre requisites are enough to change a special authorization holder into a full TRI.

**Proposal:**

(2) The holder of a certificate issued in accordance with (b)(1) who wishes to apply for an instructor certificate shall comply with the prerequisites ~~and revalidation requirements established~~ for that category of instructor.

response *Noted*

Please see the reply to comment 2386 above.

It is true that this paragraph did not exist in JAR-FCL. The intention of the Agency when adding it was to allow the pilots who hold a specific instructor authorisation to apply directly for the instructor certificate. If nothing was said, like in JAR-FCL, then they would have to comply with all the requirements once the special authorisation would be over.

comment 4493

comment by: Max Heinz Katzschke

Unter Beachtung meines Kommentars zu NPA 2008-17a Comt#328-2):  
....."Das Vergeben der **Erlaubnisse LPL(S) und SPL** halte ich für einen unnötigen bürokratischen Aufwand. Die Unterschiede der daraus resultierenden Befähigungen sind so gering (das Recht, gegen Bezahlung zu fliegen; die

	<p>Komformität zu ICAO-Regeln), dass es keiner gesonderten Erlaubnis bedarf"... sollte bei der Vergabe nur einer Lizenz zum Führen von Segelflugzeugen (also entweder LPL(S) oder SPL) hier entsprechend korrigiert werden.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. However, as a general principle the instructor has to hold at least the licence (and/or rating) he/she is providing flight instruction for. This is a commonly agreed standard and the Agency cannot see a reason to change this.</p> <p>This is also in compliance with paragraph 2.8.1 of Annex 1 to the Convention on International Civil Aviation (ICAO).</p>
comment	<p>4551 <span style="float: right;">comment by: AEA</span></p> <p><b>Relevant Text:</b> <i>(b) Special conditions</i> (1) In the case of introduction of new aircraft, when compliance with the requirements established in this Subpart is not possible, the competent authority shall issue a specific certificate giving privileges for flight instruction. Such a certificate shall be limited to the instruction flights necessary for the introduction of the new type of aircraft and its validity shall not, in any case, exceed 3 years. <b>Comment:</b> The (b)(1) sentence is too vague. It's when an operator introduces new type of aircraft in his fleet that the special conditions are useful and not only when a new type certificate is issued. <b>Proposal:</b> Precise in (b)(1) : introduction of a new aircraft in an operator's fleet</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 1003 above.</p>
comment	<p>4560 <span style="float: right;">comment by: AEA</span></p> <p><b>Relevant Text:</b> <i>(b) Special conditions</i> (1) In the case of introduction of new aircraft, when compliance with the requirements established in this Subpart is not possible, the competent authority shall issue a specific certificate giving privileges for flight instruction. Such a certificate shall be limited to the instruction flights necessary for the introduction of the new type of aircraft and its validity shall not, in any case, exceed 3 years. <b>Comment:</b> For these special conditions, provisions are needed to allow manufacturers' instructors of a third country for the training of instructors. <b>Proposal :</b> Add in (b) (1), This specific certificate can be issued after an instructor course done in a third country manufacturer.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 559 above and to the replies to comments on Annex III to the cover regulation.</p>

comment	<p>4636 <span style="float: right;">comment by: <i>Diether Memmert</i></span></p> <p>(a)(1) Auf dem Sektor Segelflug/TMG fehlt eine Uebergangsbestimmung</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not understand the meaning behind your comment. FCL.900 is dealing with the instructor certificates and (a)(1) explains only that an instructor shall hold a pilot licence and an instructor certificate. The Agency cannot see the link for some kind of a transition measure for FI(S) with TMG.</p>
comment	<p>5308 <span style="float: right;">comment by: <i>AEA</i></span></p> <p>Relevant Text:</p> <p style="padding-left: 40px;">(a) (a) <i>General</i>. A person shall not carry out:</p> <p style="padding-left: 40px;">(1) flight instruction in aircraft unless he/she holds:</p> <p style="padding-left: 80px;">(i) (i) a pilot licence issued or accepted in accordance with this Regulation;</p> <p style="padding-left: 80px;">(ii) an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart;</p> <p style="padding-left: 80px;">(1) (2) synthetic flight instruction or multicrew cooperation instruction unless he/she holds an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart.</p> <p style="padding-left: 40px;">(b) (b) <i>Special conditions</i></p> <p style="padding-left: 40px;">(1) In the case of introduction of new aircraft, when compliance with the requirements established in this s Subpart is not possible, the competent authority shall issue a specific certificate giving privileges for flight instruction. Such a certificate shall be limited to the instruction flights necessary for the introduction of the new type of aircraft and its validity shall not, in any case, exceed 3 years.</p> <p><b>Comment:</b></p> <p>Appendix 1 to JAR–FCL 1.300 Requirements for a specific authorization for instructors not holding a JAR–FCL licence to instruct in a TRTO outside JAA Member States or in a FTO partial training outside JAA Member States in accordance with Appendix 1b to JAR-FCL 1.055 is missing. Special conditions for instructors that existed in JAR-FCL appendix 1.300 have not been kept. This would have a lot of unexpected consequences</p> <ol style="list-style-type: none"> <li>1. Environmental: 161000 flying hours flown outside EU states have to be undertaken in a limited and crowded airspace. 500.000 take offs and landings have to take place on EU airports with the noise and pollution effects associated.</li> <li>2. Social: the result will be a lack of professional pilots in the near future.</li> <li>3. Economy: It will be a disadvantage for EU operators due to lack of pilots and a higher cost of ab initio flight training.</li> <li>4. Competition: All the airlines outside of EU territory will have an advantage for they</li> </ol>

	<p>can easily assess training facilities at lower costs.</p> <p>5. Safety The present system has produced a high level of safety for many major European airlines for more than 30 years.</p> <p><b>Proposal :</b> The agency should provide special certificates for instructors not holding EASA certificates and providing training for European pilots on the same way that the one described in Appendix 1 to JAR-FCL 1.300</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 559 above.</p>
comment	<p>5311 <span style="float: right;">comment by: AEA</span></p> <p><b>Relevant text</b> (b) <i>Special conditions</i> (1) In the case of introduction of new aircraft, when compliance with the requirements established in this Subpart is not possible, the competent authority shall issue a specific certificate giving privileges for flight instruction. Such a certificate shall be limited to the instruction flights necessary for the introduction of the new type of aircraft and its validity shall not, in any case, exceed 3 years. (2) The holder of a certificate issued in accordance with (b)(1) who wishes to apply for an instructor certificate shall comply with the prerequisites and revalidation requirements established for that category of instructor.</p> <p><b>Comment:</b> This paragraph doesn't have provisions for instructors who do not hold a EASA instructors certificate like in Appendix 1 of JAR-FCL 1. 300.</p> <p><b>Proposal:</b> Add 3) In the case of training outside Member States for EU applicants, instructors not holding an instructor certificate issued under this SubPart shall be qualified to an adequate level.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 559 above.</p>
comment	<p>5423 <span style="float: right;">comment by: CAA Belgium</span></p> <p>The basic regulation has defined that a licence is a certificate and that a rating (i.e. instructor rating) might be entered on a licence. An additional instructor certificate might only be necessary if the instructional personnel is not required to hold a licence any more, e.g MCCI, SFI or STI, who have been issued an authorisation under JAR-FCL. The general deletion of instructor ratings to be replaced by instructor certificates is not supported.</p> <p>A licence („certificate“) holder should get the instructor rating(s) endorsed on his licence. Only in cases of instructors not holding a licence a specific certificate or authorisation should be issued. Avoid unnecessary deviation from ICAO and other international standard terminology about instructor ratings. Avoid unnecessary bureaucratic consequences on issuing additional certificates. EASA seems to have focused only on article 7(5) and thereby overlooked or put aside article 3.</p>

response	<p><i>Noted</i></p> <p>Please see the reply to comment 3845 above.</p>
comment	<p>5695 comment by: <i>FNAM (Fédération Nationale de l'Aviation Marchande)</i></p> <p>Specify which Authority is allowed to deliver authorizations. All the IR must explicit clearly who is the competent authority, including EASA may be such an authority. Considering instruction/testing of a pilot with a license delivered by authority A, with an instructor/examiner with a license delivered by authority B and TRE/TRI potentially delivered by authority C, performing instruction on behalf of an ATO authorized by authority D on a simulator approved by EASA outside Europe: Who is the competent authority ?</p> <p>Moreover the case of a training conducted by an instructor not holding an EASA instruction certificate is not provisioned: we request this issue to be addressed. To that extent please add</p> <p>(b) Special conditions (3): "Training conducted outside member states by instructors not holding an instructor certificate issued under this subpart." Copy appendix 1 to JAR-FCL 1.300 transferring the test to AMC"</p>
response	<p><i>Noted</i></p> <p>In relation to who is the competent authority, please see the reply to comment 1003 above.</p> <p>In relation to the issue of training outside of the EU, please see the reply to comment 559 above.</p>
comment	<p>5951 comment by: <i>Dassault Aviation</i></p> <p><i>Comment from Dassault-Aviation/ DGAC-DSOF NPA 2008-17b Subpart J FCL 900 (a)(2)</i></p> <p><u>Text</u> (2) <i>synthetic flight instruction or multicrew cooperation instruction unless he/she holds an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart.</i></p> <p><u>Comments</u> Dassault Aviation is concerned with the impossibility for Synthetic Flight Instructor (SFI) to continue providing EASA/JAA instruction if this SFI does not hold an instructor certificate issued in accordance with EASA rule. From our understanding of this NPA, a SFI should hold or have held a JAA/EASA professional pilot license to be allowed to provide EASA training. As the great majority of these SFIs cannot comply with medical requirements, they could not be eligible to an European professional pilot license which constitutes a prerequisite to become SFI.</p> <p>As of today around 50% of Falcon JAA/EASA trainings are currently provided by instructors who are not able to hold a full JAA/EASA license (no medical for instance). To cope with this situation, training providers would have two solutions: 1- They hire full EASA licensed personnel, assuming they find some in the market. This would create a huge and unrealistic impact on cost. 2- They use the remaining instructor resources to train the EASA pilots. This</p>

would have a tremendous impact on aircraft deliveries as the Falcon EASA training capacity would not meet the EASA pilot demand.

Proposal

As there is no apparent added training value to these proposed changes nor added safety benefit, Dassault Aviation proposes a grandfather rule for current instructors providing JAA/EASA training, or a bilateral agreement between FAA and EASA concerning SFI license validation.

response *Noted*

Grandfathering measures for instructors currently holding JAR-FCL qualifications have been included in the cover regulation. Please see text published with this CRD.

In what relates to training outside of the EU, please see the reply to comment 559 above.

comment

6056

comment by: *Bristow Academy*

My comment # 298 refers to instruction outside the EU and the following are Suggested Amendments to NPA17b to continue the JAR 1.055/2.055/1.300 and Appendix 1 to JAR-FCL 2.305 Provisions

The following suggests specific amendments that might be made to NPA17b in order to incorporate the provisions of JAR FCL 1.055/2.055/1.300 and Appendix 1 to JAR-FCL 2.305

NPA17b:

Subpart J – Instructors

FCL 900

General. A person shall not carry out:

(1) flight instruction in aircraft unless he/she holds:

(a) A pilot licence issued or accepted in accordance with this regulation

(b) An instructor certificate appropriate to the instruction given, issued in accordance with this Subpart

**or**

**(c) where training is to take place outside an EU Member State, a specific Authorisation granted by an EU national authority.**

**(d) complies with the requirements of the country in which the training takes place**

response *Noted*

Please see the reply to comment 559 above.

comment

6142

comment by: *British Airways*

The sentence b (1) does not specifically refer to the introduction of a new aircraft type into an operators fleet.

Suggestion add in bold:

In the case of the introduction of a new aircraft **type into an operators fleet**

response *Partially accepted*

Please see the reply to comment 1003 above.

comment	<p>6330 <span style="float: right;">comment by: <i>Naples Air Center. Inc.</i></span></p> <p>In refence to FCL.900 instructor certificates, an ammendment to NPA17b is suggested to incorporate provisions made by JAR 1.055/2.055/1.300 and appendix 1 to JAR 2.305. These provisions are such to allow ICAO instructors to conduct training under this part with special authorisation by JAA licencing state for FTO's approved to conduct training in their nation outside of JAA member states.</p> <p>Suggestions for ammendments to this part would read as follows:</p> <p>FCL 900 Instructor Certificates</p> <p>a. General. A person shall not carry out:</p> <p>1. flight instruction in an aircraft unless he/she holds:</p> <p>(i) a pilots licence issued or accepted in accordance with this regulation;</p> <p>(ii) an instructor certificate appropriate to the instruction given, issued in accordance with this subpart; or</p> <p>(iii) where training is to be conducted at an EASA approved FTO outside of EASA member states, a specific authorisation be granted to allow ICAO licence holders of that State to conduct training under this subpart</p> <p>(iv) complies with the requirements of the country in which the training is conducted.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 559 above.</p>
comment	<p>6868 <span style="float: right;">comment by: <i>ECA- European Cockpit Association</i></span></p> <p>Add words:</p> <p>(a) General. A person shall not carry out:</p> <p>(1) flight instruction in aircraft unless he/she holds:</p> <p>(i) <b><u>for helicopter and airplanes instruction,</u></b> a pilot licence issued or accepted in accordance with this Regulation;</p> <p>Justification:</p> <p>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>
response	<p><i>Not accepted</i></p> <p>The proposal made in this comment exceeds what is foreseen in ICAO Annex 1, and what was established in JAR-FCL.</p>

The Agency considers that requiring an FI that is providing instruction for a PPL, for example, to hold a CPL is disproportionate.

comment

7270

comment by: ECOGAS

Attachment [#46](#)

Current wording:

"A person shall not carry out:

(1) flight instruction in aircraft unless he/she holds:

(i) a pilot licence issued or accepted in accordance with this Regulation;

(ii) an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart;"

Issue:

The implication for European FTOs with training centres outside of Europe is that all FIs would have to be given EU licences and FI certificates. Under the current and proposed system, this would involve each FI studying for and sitting the 14 theoretical exams and meeting all CPL flying requirements, since Annex III to the IRs as published at NPA-17a only permit "acceptance" of a foreign licence for a maximum of one year. A full-time course of study for these exams takes 6 months and FIs would be non-productive during this time. Moreover, there is doubt over whether professional FIs from overseas would be prepared to undertake this commitment – or to bond themselves for the costs involved. Hence, the training schools may well not be viable under the current proposals.

European schools process at least 1500 professional pilots per year through non-EU facilities, safely, under the provisions of JAR 1.055 and JAR 1.300. There is no safety case to shift the balance away from the level playing field which exists today.

No RIA has been performed on this limitation of existing trading arrangements, which will have severe implications on the sector of the European training industry which relies on non-European training establishments. Bilaterals are not a solution to this issue, as multiple countries are involved and there is not time to obtain the required bilaterals before 2012.

Our belief is that this restriction is due to a misinterpretation of the intent of Basic Regulation 216/2008. The attached document, submitted to the European Commission by ECOGAS, examines this issue in detail.

Suggestion:

The provisions of JAR FCL 1.055 and JAR FCL 1.300 should be reinstated; namely:

(a) General. A person shall not carry out:

(1) Flight Instruction in aircraft unless he/she holds:

(i) a pilot licence issued or accepted in accordance with this Regulation and an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart; or

(ii) a specific authorisation granted by an EU national authority and an instructor certificate issued by that authority where training is conducted outside EU states by instructors not holding an EU licence (see AMC to FCL.900)

Proposed text for AMC to FCL.900

2 Special conditions

2.4

(a) Instructors seeking to instruct for an EU licence including class and

instrument ratings shall:

(i) hold at least a CPL and ratings issued in accordance with ICAO Annex 1 required by the respective non EU state for the instruction to be given on aircraft registered in that state;

(ii) have completed at least 500 hours of flight time as a pilot of aeroplanes of which at least 200 hours shall be as a flight instructor, including experience in the role of instruction to be given, and meet the experience requirements of FCL.905.FI as appropriate;

(iii) have completed in accordance with EU Part FCL the approved relevant course(s) of theoretical instruction and flight training. The course may be modified, as approved by the Authority, taking into account the previous training and the experience of the applicant, but shall comprise at least 30 hours of ground instruction and 15 hours of dual flight instruction performed by a flight instructor holding a EU FCL licence and certificate in accordance with FCL.905.FI (j);

(iv) have passed the skill test set out in FCL.935.FI;

(v) validity period of the certificate and authorisation is three years

(vi) revalidation or renewal of any certificate and authorisation issued in accordance with para (i) - (iv) above shall be in accordance with FCL.940.FI.

(b) the authorisation will be restricted as follows:

(i) no instruction for the issue of any instructor ratings;

(ii) no instruction within a EU member state;

(iii) instruction to students only who have sufficient knowledge of the language in which instruction is given;

(iv) to those parts of the ATP integrated course where the instructor can demonstrate the experience relevant to the intended training according to paragraph 2.4 a 0 (ii);

(v) no instruction for MCC training

response *Partially accepted*

Please see the reply to comment 559 above.

comment

7273

comment by: *ECOGAS*

Para (a)(2)

Current wording

"synthetic flight instruction....unless he/she holds an instructor certificate appropriate to the instruction given, issued in accordance with this Subpart."

Issue

Training in synthetic Training Devices need not be limited to current holders of EASA licenses. There needs to be provision for appropriately-eligible candidates who are not current licence holders.

Suggestion

Add new para (b) (3) as follows: "SFI's and STI's are exempt from medical requirements relating to the issuance of aircraft licenses"

response *Not accepted*

Please see the reply to comment 3886 above.

comment

7516

comment by: *Graham PHILPOT*

	<p>As far as balloon instruction is concerned I believe the difference between a an LAFI and an FI is that FI is able to charge for instruction and will have a 'commercial' licence. LAFIs and FIs should be able to instruct for both an LPL and BPL</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. However, as a general principle the instructor has to hold at least the licence (and/or rating) he/she is providing flight instruction for. This is a commonly agreed standard and the Agency cannot see a reason to change this.</p> <p>This is also in compliance with paragraph 2.8.1 of Annex 1 to the Convention on International Civil Aviation (ICAO).</p>
comment	<p>7530 <span style="float: right;">comment by: <i>FlightSafety International</i></span></p> <p>Does not make provision for the conduct of training by instructors who do not hold an EASA licence or instructor certificate. Many organizations use instructors and facilities outside the EU and there are no safety impact with the training. The intent of the EC is to replicate the current JAR-FCL in Part FCL.</p> <p>In (b) insert Special condition (3) for training conducted outside member states by instructors not holding an instructor certificate issued under this Subpart. Copy Appendix 1 to JAR-FCL 1.300 transferring the text or in the AMC</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 559 above.</p>
comment	<p>7631 <span style="float: right;">comment by: <i>Atlantic Training Support</i></span></p> <p>FCL.900 (a)(1) The provisions of JAR-FCL 1.055 and 1.300 should be re-instated, namely: (a) General. A person shall not carry out: (1) Flight instruction in an aircraft unless he/she holds: (i) a pilot licence issued or accepted in accordance with this regulation, and an instructor certificate appropriate to the instruction given, issued in accordance with this sub-par; or (ii) a specific authorisation granted by an EU National Authority and an instructor rating issued by that Authority where training is conducted outside EU States by instructors not holding an EU licence (see AMC to FCL900)</p> <p>Proposed test for AMC to FCL 900 2. Special Conditions 2.4 (a) Instructors seeking to instruct for an EU licence, including Class and Instrument Ratings, shall : (i) hold at least a CPL and ratings issued in accordance with ICAO Annex1 required by the respective non-EU State for the instruction to be given on aircraft registered in that State. ; (ii) have completed at least 500 hours of flight time as pilot of aeroplanes of which at least 200 hours shall be as a flight instructor, including experience in the role of instruction to be given, and meet the experience requirements of FCL.905 F.I. as appropriate; (iii) have completed in accordance with EU Part FCL the approved relevant courses of theoretical instruction and flight training. The course may be</p>

	<p>modified, as approved by the Authority, taking into account the previous training and the experience of the applicant, but shall comprise at least 30 hours of ground instruction, and 15 hours of dual flight instruction performed by a flight instructor holding a EU FCL licence and certificate in accordance with FCL.905 FI(j);</p> <p>(iv) have passed the skill test as set out in FCL935 FI.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 559 above.</p>
comment	<p>7640 <span style="float: right;">comment by: <i>Atlantic Training Support</i></span></p> <p>FCL.900 (a)(2) Add new para (b)(3) as follows: SFI's and STI's are exempt from medical requirements relating to the issue of licences.</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 3886 above.</p>
comment	<p>7703 <span style="float: right;">comment by: <i>BBAC 6824</i></span></p> <p>The current UK system of the training of pilots being supplemented by training flights carried out under the supervision of qualified pilots rather than instructors gives the trainee the benefit of extra hours of hands-on experience over and above instructor flights. This is to be commended and the new proposals will result in fewer hours of training in practice - a bad thing.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency has understood that balloon licence holders in the UK can actually conduct flight instruction without being an instructor. The comment is right when stating that the future system will not allow this as the Basic Regulation requires having always an instructor for providing flight instruction.</p> <p>First of all the Agency would like to express that, in its opinion, the training provided by an instructor who fulfils the prerequisites, who received the training provided in the training course, who passed the skill test and who did the instructing under supervision of an experienced instructor afterwards will be clearly on a better level and more standardised as the training provided by just a licence holder, who has usually no specific knowledge in teaching and learning elements or the practical experience how to react in specific situations during the practical training (e.g. emergency exercises).</p> <p>Secondly, the Agency does not understand the logic behind the last conclusion which says that the new proposals 'will result in fewer hours of training in practise'. This would only be true if the actual training requirements in the UK for a ballooning licence and the average flight training provided nowadays would be on a much higher level than in the future. For the future the NPA has proposed to provide 16 hours of dual flight training. When evaluating the different national requirements for balloon instruction in Europe during the drafting phase (UK requirements were part of the evaluation), the Agency could identify that a similar level of training is actually required for most of the Member States. The Agency has no indication so far that these requirements</p>

will result in fewer training hours.

comment 8239 comment by: AOPA Sweden

General. In the case an instructor is holding multiple instructor ratings, the instructor should only be required to perform one instructor supervision/PC per 3 year period. There are many different instructor requirements and therefore, to reduce the cost, the requirements for revalidation should be able to be cross-credited after an evaluation. Many instructors now have to do different checks every year for their different instructor ratings. there has been no analysis provided to AOPA that shows that all the different requirements and checkflights are necessary. For an active flight instructor, one check per 3 year period is enough according our experience

response *Noted*

Thank you for providing this feedback.

In JAR-FCL there was no provision for a crediting of checks for the revalidation of instructor certificates. The Agency does not intend to change this at this time, without a dedicated safety assessment.

This could, however, be subject to a future rulemaking task.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 1: Common Requirements — FCL.915 General requirements for instructors**

p. 45

comment 90 comment by: Lauri KARJALAINEN

(a) *General*. An applicant for an instructor certificate shall be at least 18 years of age.

**This age for FI should be same as for ATPL, 21 years of age. How he/she can start with FI schooling, when they just started to fly?**

response *Not accepted*

This minimum age proposed is in compliance with what was established in JAR-FCL 1.320 and 2.310(a)(1). The Agency sees no reason to change this requirement at this time.

comment 145 comment by: GFD-OES

To make it clear:

FCL.915 (c) (2) ...shall be credited in full towards revalidation requirements for **all** instructor certificates held.

response *Accepted*

Editorial correction accepted.

The text will be amended accordingly.

comment 393 comment by: Peter SCHMIDLEITNER

Considering comment # 392 it might also be necessary to amend FCL.915 (b) (1) as follows:

FCL.915 General requirements for instructors  
 (a) General. An applicant for an instructor certificate shall be at least 18 years of age.  
 (b) Additional requirements for flight instructors. An applicant for an instructor certificate with privileges to conduct flight instruction in an aircraft shall:  
 (1) hold at least the licence ~~and, if applicable,~~ **or** the rating for which instruction is to be given;

Justification: An instructor (e.g. holding a PPL) should also be permitted to instruct a pilot holding a higher licence (CPL, ATPL) for a rating he holds (e.g. SEP, MEP, TMG) .

response *Not accepted*

It is a general principle that an instructor should have at least the licences/qualifications that the student intends to obtain.

This is also in compliance with paragraph 2.8.1 of Annex 1 to the Convention on International Civil Aviation (ICAO).

comment 635 comment by: *British Microlight Aircraft Association*

Accepted

response *Noted*

Thank you for providing this feedback.

comment 913 comment by: *Lufthansa Flight Training*

### **Subpart J, Instructors**

#### **Section 1, Common requirements**

According to FCL.900 (b) (1) and AMC to FCL.900 (2.1) special conditions may exist where it is not possible to comply with certain requirements of the regulation. Only one such special condition (the introduction of new aircraft) is defined in FCL.900 (b) whereas in fact several such conditions exist. This applies especially for situations when new regulations are developed and implemented. It may then not always be possible to comply with certain new requirements.

Such a condition also exists for FTOs who perform partial training outside JAA Member States under the existing regulations of JAR-FCL 1.

It is however important that the presently achieved safety standard fully meets the required safety standard defined in the new regulation.

response *Noted*

Your comment seems to refer to FCL.900. Please see the replies to comments on that segment.

comment 1555 comment by: *IAAPS*

pages 45 to 63

All training courses should be in AMC for added flexibility. As an example, MCCI

	requirements (1500 hours of multi pilot operations) are too stringent and alternative ways should be developed.
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Details on the training courses for instructors are indeed included in AMC. However, general principles and requirements on the course have been maintained in the rule.</p> <p>The example that you mention seems to be related to the prerequisites for the instructor certificate, not to the course. In this case the Agency considers that these requirements should be in the rule.</p>
comment	<p>1572 <span style="float: right;">comment by: IAAPS</span></p> <p>insert text after "given" "or comply with FCL 900 (b) (3)" (reference comment to FCL 900 (a) (1) (ii))</p>
response	<p><i>Not accepted</i></p> <p>The Agency considers that the insertion of your suggestion is superfluous, since paragraph FCL.900 is already generally applicable to all the requirements in subpart J.</p>
comment	<p>1715 <span style="float: right;">comment by: Sven Koch</span></p> <p>Muss 18 Jahre sein. Hat 15 Std auf dem Muster; hat Eingangstest oder Prüfercheckflug</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion, but the Agency does not understand the meaning behind this comment. It seems to be only a more or less exact German translation of some elements contained in FCL.915.</p>
comment	<p>2011 <span style="float: right;">comment by: Regierung von Oberbayern-Luftamt Südbayern</span></p> <p>Der Prüfer des Anwärters für ein "Instructor Certificate" sollte von der zuständigen Behörde in jedem Einzelfall benannt werden.</p> <p>Im Gegensatz zur "normalen" praktischen Prüfung eines Anwärters für eine Pilotenlizenz handelt es sich bei der Fluglehrerprüfung um ein grundsätzlich höherwertiges Prüfungsniveau. Hier sollte die gesamte Prüfung, insb. die Bestimmung des jeweiligen Prüfers daher nicht vollkommen von der Behörde "weg-dezentralisiert" werden.</p> <p>Vor allem wird dann gewährleistet, dass der zu prüfende Anwärter keinerlei Einfluss auf die Auswahl des jeweiligen Prüfers ausüben kann und diese von einer "neutralen" Stelle außerhalb der Luftsportvereine vorgenommen wird.</p> <p>Der dadurch entstehende zusätzliche Verwaltungsaufwand dürfte angesichts der überschaubaren Anzahl von Fluglehreranwärtern gering sein und lässt sich mit dem Zugewinn an Sicherheit rechtfertigen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p>

However, the future system for pilot examination does not foresee such an intervention by the competent authorities. The Agency does not see the reason why the FIE in the explained case (skill test or proficiency check for the FI) should be assigned by the authority.

The Agency is of the opinion that the required prerequisites, the standardisation, the revalidation criteria and the proposed obligations for examiners as well will ensure the necessary level of impartiality and independence.

Please see also the responses provided to the comments in the appropriate segments of subpart K and the resulting text.

comment 2120

comment by: *Nigel Roche*

**(a) General. An applicant for an instructor certificate shall be at least 18 years of age.**

In my and my flying instructor colleagues appreciate that there has to be a minimum age but in our view, 18 years of age is too young. While it might be unlikely that many 18 year olds will apply to become instructors setting the minimum at this age means that it can be possible, therefore likely to happen at some time. As the 18 year olds flying experience will be somewhat limited and life experience will mainly be that of a child, teenager I do not see how they will possess the maturity and experience and authority to deal with an older business man who is in his 40/50s is used to giving instructions to "boy & girls" and now finds his instructor 22/32 years his junior.

I would suggest that the minimum age for a flying instructor is raised to 21 years.

response *Not accepted*

This minimum age proposed is in compliance with what was established in JAR-FCL 1.320 and 2.310(a)(1). The Agency sees no reason to change this requirement at this time.

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*  
2239

Comment: §(3) Suggests that only a Pilot with the type rating as Captain [Pilot in Command] not as Co-Pilot may hold a TRI Rating. This is not correct and is only necessary when instruction is undertaken in an aircraft.

Proposal: modify (b) (3) to read: "be entitled to act as pilot in command of the aircraft during instruction in an aircraft".

response *Partially accepted*

Text has been amended to improve clarity.

comment 2446

comment by: *Dr. Horst Schomann*

	<p>Subparagraph (b) (2)</p> <p>Problem: The reason for the 15 hour requirement is unclear.</p> <p>Proposed solution: Delete</p> <p>Justification: The requirements for instructors should be well arranged (as for pilots): pre-requisites for LAFI / FI training course, training course, revalidation and renewal. No additional "side requirements" please.</p>
response	<p><i>Not accepted</i></p> <p>The requirement proposed is in compliance with what was established in JAR-FCL 1.310(a)(ii) and 2.310(a)(6). This paragraph is also in compliance with the requirements set in chapter 2.8 of Annex 1 to the Convention on International Civil Aviation (ICAO). The Agency sees no reason to change this requirement at this time.</p>
comment	<p>2523 <span style="float: right;">comment by: <i>ETPS CI</i></span></p> <p><u>17b FCL.915 (b)</u></p> <p><i>Additional requirements for flight instructors. An applicant for an instructor certificate with privileges to conduct flight instruction in an aircraft shall:</i></p> <p style="padding-left: 40px;"><i>(1) hold at least the licence and, if applicable, the rating for which instruction is to be given;</i></p> <p style="padding-left: 40px;"><i>(2) have:</i></p> <p style="padding-left: 80px;"><i>(i) completed at least 15 hours of flight as a pilot on the class or type of aircraft on which instruction is to be given, of which a maximum of 7 hours may be in an FSTD, if applicable; or</i></p> <p style="padding-left: 80px;"><i>(ii) passed a skill test or proficiency check for the relevant category of instructor on that class or type of aircraft;</i></p> <p><b>Comment 4:</b> ETPS currently flies and instructs under military regulations. Instructors are rigorously monitored and examined but do not necessarily hold civilian licenses. ETPS would seek either an exemption or an Acceptable Means of Compliance (AMC) for this rule, i.e. an acceptance of UK MOD regulation equivalence which would lead to ETPS becoming an EASA "accepted flight test training organisation".</p>
response	<p><i>Noted</i></p> <p>Provisions on the conversion of military qualifications and training into Part-FCL qualifications have been included in the cover regulation. Please see text as published with this CRD.</p>
comment	<p>2666 <span style="float: right;">comment by: <i>barry birch</i></span></p> <p>In the section for Instructor Certificates it would be better to allow new instructors after 15 hours of classroom training to instructor to a certain standard i.e. up to recommendation for General Flight Test and then after another 15 hours classroom training they can acquire the full instructor priveleges. This will encourage more pilots to become involved as instructors. Barry Birch (member BBAC).</p>
response	<p><i>Not accepted</i></p>

The requirement proposed is in compliance with what was established in JAR-FCL 1.310(a)(ii) and 2.310(a)(6). This paragraph is also in compliance with the requirements set in chapter 2.8 of Annex 1 to the Convention on International Civil Aviation (ICAO).

The Agency sees no reason to change this requirement at this time.

comment

2677

comment by: *Luftamt Nordbayern*

Der Prüfer des Anwärters für ein "Instructor Certificate" sollte, wie auch alle übrigen Prüfer, von der Behörde für den Einzelfall zugewiesen werden.

Im Vergleich zur normalen praktischen Prüfung eines Anwärters für eine Pilotenlizenz handelt es sich bei der Fluglehrerprüfung nochmals um ein höherwertiges Prüfungsniveau. Hier sollte insbesondere die Bestimmung des jeweiligen Prüfers daher nicht vollkommen freigegeben werden.

Vor allem wird dann gewährleistet, dass der zu prüfende Anwärter keinerlei Einfluss auf die Auswahl des jeweiligen Prüfers ausüben kann und diese von einer unabhängigen Stelle außerhalb der Luftsportvereine vorgenommen wird.

Der dadurch entstehende zusätzliche Verwaltungsaufwand dürfte angesichts der überschaubaren Anzahl von Fluglehreranwärtern gering sein und lässt sich durch den Zugewinn an Sicherheit rechtfertigen.

Die freie Prüferwahl könnte zu einem gefährlichen Trend bei der Prüfungsqualität führen. Ein bekannt sorgfältiger bzw. "strenger" Prüfer wird zukünftig evtl. Probleme haben ausreichend Prüflinge "anzuwerben". Es würden, zu Lasten der Sicherheit, zukünftig gerade die Prüfer besonderen Zulauf verzeichnen, die als großzügig bekannt sind. Ein solcher freier Wettbewerb des Prüfungspersonals um die Gunst der Flugschüler ist deshalb nicht wünschenswert. Die EASA ist offenbar der Ansicht, der funktionierende Wettbewerb bei den Fluglehrern/Flugschulen könne auf die Prüfer übertragen werden. Dies ist aber nicht der Fall. Während ein Flugschüler bei der Auswahl des Fluglehrers im eigenen Interesse auf dessen Qualifikation und ein hohes Ausbildungsniveau achten wird, geht es bei der Prüfung i.d.R. hauptsächlich um das sichere Bestehen. Es ist lebensfremd davon auszugehen, ein Prüfling fordere freiwillig eine anspruchsvolle Prüfung um seinen Leistungsstand beweisen zu können.

response

*Noted*

Thank you for providing your opinion.  
Please see the reply to comment 2011 above.

comment

2763

comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FCL 915 (b) (1) :

For FFA, the requirement to hold at least the licence for which the instruction is given is acceptable.

Please notice that the requirement is not fully correct in the case the instruction is given to Basic LPL student pilots. In such a case, the instructor hold a LPL licence or more.

response

*Noted*

Thank you for your positive feedback.

comment 2816 comment by: Clare GRANGE

Eighteen years of age is far too young. Someone of that age does not have the experience or maturity to teach people to fly!

response *Noted*

This minimum age proposed is in compliance with what was established in JAR-FCL 1.320 and 2.310(a)(1). The Agency sees no reason to change this requirement at this time.

comment 2829 comment by: CAE

FCL.915 (b) (1) Change to read:

"Hold at least the license and, if applicable, the rating for which instruction is to be given or comply with FCL.900 (b) (3)"

Reference comment #2826

response *Not accepted*

Please see the reply to comment 1572 above.

comment 3366 comment by: DGAC FRANCE

FCL 915 (b)

These requirements must be met at any time when the pilot acts as flight instructor and not only when he applies for the certificate.

(b) *Additional requirements for flight instructors. **The holders of an applicant** for an instructor certificate with privileges to conduct flight instruction in an aircraft shall:*

(1).....

response *Partially accepted*

Thank you for your comment.

The text will be amended to also include holders of a certificate.

comment 3968 comment by: Bayerisches Staatsministerium für Wirtschaft, Infrastruktur, Verkehr und Technologie

Der Prüfer des Anwärters für ein "Instructor Certificate" sollte, wie auch alle übrigen Prüfer, von der zuständigen Behörde für den Einzelfall zugewiesen werden.

Im Vergleich zur normalen praktischen Prüfung eines Anwärters für eine Pilotenlizenz handelt es sich bei der Fluglehrerprüfung nochmals um ein höherwertigeres Prüfungsniveau. Hier sollte insbesondere die Bestimmung des jeweiligen Prüfers daher nicht vollkommen freigegeben werden.

Vor allem wird dann gewährleistet, dass der zu prüfende Anwärter keinerlei

Einfluss auf die Auswahl des jeweiligen Prüfers ausüben kann und diese von einer unabhängigen Stelle außerhalb der Luftsportvereine vorgenommen wird.

Der dadurch entstehende zusätzliche Verwaltungsaufwand dürfte angesichts der überschaubaren Anzahl von Fluglehreranwärtern gering sein und lässt sich durch den erheblichen Zugewinn an Sicherheit rechtfertigen.

Es wird darauf hingewiesen, dass die freie Prüferwahl zu einem gefährlichen abwärts gerichteten Trend bei der Prüfungsqualität führen könnte. Ein bekannt sorgfältiger bzw. "strenger" Prüfer wird zukünftig möglicherweise Probleme haben, ausreichend Prüflinge "anzuwerben". Es würden, zu Lasten der Sicherheit, zukünftig gerade die Prüfer besonderen Zulauf verzeichnen, die eher als "großzügig" bekannt sind. Ein solcher freier Wettbewerb des Prüfungspersonals um die Gunst der Flugschüler ist deshalb nicht wünschenswert. Der funktionierende Wettbewerb bei den Fluglehrern/Flugschulen ist schon aus Sicherheitsgründen nicht auf die Prüfer übertragbar. Während ein Flugschüler bei der Auswahl des Fluglehrers im eigenen Interesse auf dessen Qualifikation und ein hohes Ausbildungsniveau achten wird, geht es bei der Prüfung i.d.R. hauptsächlich nur um das sichere Bestehen. Es ist daher nicht realistisch davon auszugehen, der Prüfling fordere freiwillig eine anspruchsvolle Prüfung, um seinen Leistungsstand beweisen zu können.

response *Noted*

Thank you for providing your opinion.  
Please see the reply to comment 2011 above.

comment 3998

comment by: *Airbus*

**Page 45 FCL.915 (b)(1)**

**Comment:** text says: hold at least the licence and, if applicable, the rating for which instruction is given. There is no guidance material related to the "if applicable", and it is Airbus understanding that this applies only in the case of introduction of new aircraft in relationship of FCL.900 (b)(1). I would be wise to propose a GM to avoid any misuse.

**Proposal** to insert GM that would use similar text to the one of AMC to FCL.900 2.1, to explain that in such a case via this special provision the rating on the type is not required for issuance of the "specific Instructor certificate".

response *Partially accepted*

The expression 'if applicable' does not refer to FCL.900 (b).  
It refers to the fact that it in some cases no rating will be needed; for example, in the case of the LPL, there are no class or type ratings; therefore, in the case of instruction for the LPL, the instructor does not need to hold any ratings.  
Please note that the text will be amended to try to increase clarity.

comment 4120

comment by: *Bernd Hein*

Statt Instrumentenflug wäre CVFR sinnvoll.

response *Noted*

Thank you for providing your comment.

However, as it seems that the comment should have been addressed to another segment (this paragraph FCL.915 does not contain any reference to instrument flying); therefore, the Agency is not able to provide a substantiated reply.

comment 4999 comment by: *ECA- European Cockpit Association*

Add words:

(1) hold a CPL License and at least the licence and, if applicable, the rating for which instruction is to be given;

LPL should not be allowed to become instructors of their own licenses, and then to have credits towards a professional license.

For clarification, read general comments on Instructors, along with comments on the Subpart B (LPL).

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.

response *Not accepted*

The proposal included in your comment is much more restrictive than the provisions of ICAO Annex 1 and JAR-FCL.

It is not considered that there is any safety reason for asking that all instructors hold at least a CPL.

comment 5000 comment by: *ECA- European Cockpit Association*

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).

This missing paragraph from JAR-FCL has disappeared, without explanation, safety assessment 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.

response *Not accepted*

Your comment seems to refer to FCL.915.FI, where the prerequisites for the FI are included.

The Agency recognises that ICAO Annex 1 requires CPL theoretical knowledge for FIs. However, the Agency believes that this requirement cannot apply to sailplanes and balloons. In fact, in ICAO Annex 1 there is no provision for a CPL for those categories of aircraft; therefore, the requirement in Annex 1 for CPL knowledge for FIs has to be interpreted as logically excluding sailplanes and balloons.

The same applies to Part-FCL; the Agency has followed the system of ICAO Annex I, and no CPL has been created for those aircraft. There is only a generic licence whose privileges may be extended to commercial operations after some additional criteria are met.

Therefore, the Agency cannot accept your comment.

comment	<p>5269 <span style="float: right;">comment by: CAA Belgium</span></p> <p>FCL 915 (b)          These requirements must be met at any time when the pilot acts as flight instructor and not only when he applies for the certificate.          (b)  <i>Additional requirements for flight instructors. <b>The holders of an applicant for</b></i>  <i>an instructor certificate with privileges to conduct flight instruction in an aircraft shall:</i>          (1).....</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 3366 above.</p>
comment	<p>5297 <span style="float: right;">comment by: AEA</span></p> <p>Relevant Text:  <i>b) Additional requirements for flight instructors.</i>  <b>Comment:</b>          Please, precise what kind of flight instructors is concerned by those requirements. FI or all the instructors.  <b>Proposal:</b>          c)Additional requirements for flight instructors</p>
response	<p><i>Noted</i></p> <p>It means all instructors providing flight instruction in an aircraft.          Text has been amended to increase clarity.</p>
comment	<p>5700 <span style="float: right;">comment by: FNAM (Fédération Nationale de l'Aviation Marchande)</span></p> <p>To be coherent with our second comment to FCL900(a)(2), (a)(3), we ask to add "(b)(1) hold at least the license and if applicable, the rating for which instruction is to be given <b><u>or comply with FCL.900(b)(3)</u></b>"</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 1572 above.</p>
comment	<p>5730 <span style="float: right;">comment by: Jeff Roberts</span></p> <p>There seems to be no good reason why a LAFI and a FI can't instruct for both types of licences, it is accepted that only a FI can be paid for instruction/training.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The general principle is that an instructor shall hold at least the licence for which instruction is being provided. This means a licence with at least the same privileges. The holder of an LAFI certificate who holds an LPL has lower privileges than the FI holding a PPL (or an SPL/BPL in the case of sailplanes and balloons). Furthermore the prerequisites and the content of the training course for the LAFI(A) and (H) and the FI(A) and FI(H) are different. Therefore, the LAFI cannot provide instruction for a PPL.</p>

Due to the fact that the prerequisites and the content of the training course for the LAFI(S) and LAFI(B) are the same, the Agency will incorporate an additional requirement which provides appropriate credits for LAFI(S)/(B) holders.

The proposed Implementing Rules already contain a requirement which will allow the FI to provide flight instruction for the LPL. See FCL.905.FI (a).

comment 5756 comment by: UK CAA

**Paragraph:** FCL.915

**Page No:** 45 of 647

**Comment:**

The title doesn't cover the content of the paragraph adequately because the paragraph includes pre-requisites.

**Justification:** Clarity

**Proposed Text: (if applicable)**

Title to read "**General pre-requisites and requirements for instructors**".

response *Accepted*

Text has been amended accordingly.

comment 5758 comment by: UK CAA

**Paragraph:** FCL.915 (b)

**Page No:** 45 of 647

**Comment:** The title is mis-leading and does not require a check of competence.

**Justification:** Where training is required a check of competence should be required to meet EASA philosophy.

**Proposed Text: (if applicable)**

*Additional pre-requisites for flight instructors.*

(b)(2)(i) change 'or' to 'and'

(b)(2)(ii) passed an assessment of competence for the .....

response *Partially accepted*

(b)(2)(i)

Not accepted. The intention is to create an alternative requirement to the 15 hours of experience. The Agency considers that this is proportionate and ensures an adequate level of safety.

(b)(2)(ii)

Accepted. Text amended accordingly.

comment 6013 comment by: Icelandic CAA

Flight instructor should as a minimum meet the theoretical knowledge requirements for a CPL ref. ICAO Annex 1 2.8.1

response *Noted*

Please see the replies to comments on FCL.915.FI and to comment 5000 above.

comment	6561	comment by: <i>IAOPA Europe</i>
	IAOPA support the initiative to remove the CPL requirement for a PPL-FI.	
response	<i>Noted</i>	
	Please see the replies to comments on FCL.915.FI and to comment 5000 above.	
comment	6589	comment by: <i>Light Aircraft Association UK</i>
	Paragraph b)1). The LAA accepts the requirement to hold at least the licence for which the instruction is given.	
response	<i>Noted</i>	
	Thank you for your positive feedback.	
comment	6641	comment by: <i>CAA Finland</i>
	FCL.915(b)(1) ref FCL.905.LAFI(a) and (b): Possible contradiction with FCL.105, FCL.105.BA/H,A,H, S and B. Compare to for example FCL.205.A(b). There is no contradiction, if principle is that PPL or higher with FI may be remunerated, but BA/H or LPL with FI shall instruct without remuneration. The instructor should have at least PPL/SPL/BPL, subpart C.	
response	<i>Noted</i>	
	There is no contradiction. Holders of a PPL, BPL, SPL with an FI may receive remuneration. The same cannot apply to the LPL, since it is expressly excluded by the Basic Regulation. They can still instruct, but they cannot be remunerated for it. This was the system in JAR-FCL also for the PPL.	
comment	6674	comment by: <i>Kevin Ison</i>
	30 hours classroom training will discourage some people from applying. Please split this down to 2x15 Level 1&2  There are two types of instructor proposed.  LAFI & FI should both be allowed to instruct for both LPL & BPL, the only difference should be an FI can be paid and a LAFI cannot.	
response	<i>Noted</i>	
	Thank you for providing your opinion.  As regards the first comment, please see the reply on your comment proposing the same split of the theoretical knowledge instruction in another segment.  As a second issue, you propose allowing an LAFI(B) to instruct for the BPL. The general principle is that an instructor shall hold at least the licence for which instruction is being provided. This means a licence with at least the same privileges. The holder of an LAFI certificate who holds an LPL has lower privileges than the FI holding a PPL (or an SPL/BPL in the case of sailplanes	

and balloons). Therefore, the LAFI cannot provide instruction for a BPL.

Due to the fact that the prerequisites and the content of the training course for the LAFI(S) and LAFI(B) are the same, the Agency will incorporate an additional requirement which provides appropriate credits for LAFI(S)/(B) holders.

The proposed Implementing Rules already contain a requirement which will allow the FI to provide flight instruction for the LPL. See FCL.905.FI (a).

comment

6754

comment by: *Viehmann, Regierungspräsidium Kassel*

Der Prüfer des Anwärters für ein "InstructorCertificate" sollte, wie auch alle übrigen Prüfer, von der zuständigen Behörde für den Einzelfall zugewiesen werden.

Im Vergleich zur normalen praktischen Prüfung eines Anwärters für eine Pilotenlizenz handelt es sich bei der Fluglehrerprüfung nochmals um ein höherwertigeres Prüfungsniveau. Hier sollte insbesondere die Bestimmung des jeweiligen Prüfers daher nicht vollkommen freigegeben werden.

Vor allem wird dann gewährleistet, dass der zu prüfende Anwärter keinerlei Einfluss auf die Auswahl des jeweiligen Prüfers ausüben kann und diese von einer unabhängigen Stelle außerhalb der Luftsportvereine vorgenommen wird.

Der dadurch entstehende zusätzliche Verwaltungsaufwand dürfte angesichts der überschaubaren Anzahl von Fluglehreranwärtern gering sein und lässt sich durch den erheblichen Zugewinn an Sicherheit rechtfertigen.

Es wird darauf hingewiesen, dass die freie Prüferwahl zu einem gefährlichen abwärts gerichteten Trend bei der Prüfungsqualität führen könnte. Ein bekannt sorgfältiger bzw. "strenger" Prüfer wird zukünftig möglicherweise Probleme haben, ausreichend Prüflinge "anzuwerben". Es würden, zu Lasten der Sicherheit, zukünftig gerade die Prüfer besonderen Zulauf verzeichnen, die eher als "großzügig" bekannt sind. Ein solcher freier Wettbewerb des Prüfungspersonals um die Gunst der Flugschüler ist deshalb nicht wünschenswert. Der funktionierende Wettbewerb bei den Fluglehrern/Flugschulen ist schon aus Sicherheitsgründen nicht auf die Prüfer übertragbar. Während ein Flugschüler bei der Auswahl des Fluglehrers im eigenen Interesse auf dessen Qualifikation und ein hohes Ausbildungsniveau achten wird, geht es bei der Prüfung i.d.R. hauptsächlich nur um das sichere Bestehen. Es ist daher nicht realistisch davon auszugehen, der Prüfling fordere freiwillig eine anspruchsvolle Prüfung, um seinen Leistungsstand beweisen zu können.

response

*Noted*

Thank you for providing your opinion.  
Please see the reply to comment 2011 above.

comment

6830

comment by: *UK CAA*

**Paragraph:** FCL.915(b)(2)(ii)

	<p><b>Page No:</b> 45 of 647</p> <p><b>Comment:</b> If the applicant has passed the skill test or proficiency check for the relevant category of instructor, he doesn't need to apply for the course. I think this was meant to read that the applicant should undertake an "assessment of competence" prior to starting an instructor course.</p> <p><b>Justification:</b> Clarity and safety related.</p> <p><b>Proposed Text: (if applicable)</b> Change sub paragraph to read "(ii) passed an assessment of competence with an FIE or TRE authorised for this purpose for the relevant...."</p>
response	<p><i>Not accepted</i></p> <p>The assessment of competence referred to in this paragraph is not the same one as the prerequisite for the entry into the training course, in FCL.915.FI (a). It is the assessment for the issue or revalidation of an instructor's certificate.</p>
comment	<p>7211 <span style="float: right;">comment by: OAA Oxford</span></p> <p>FCL.915. (b) (3) remove requirement in respect of MPL. Basic phase of MPL is not flown in aircraft and does not require instructor PIC role.</p>
response	<p><i>Not accepted</i></p> <p>This paragraph establishes a general requirement for instructors providing training in an aircraft. If the instructor is not providing instruction in an aircraft but in a simulator, then the requirement does not apply.</p>
comment	<p>7212 <span style="float: right;">comment by: OAA Oxford</span></p> <p>FCL.915. (b) (1) Cannot hold the MPL licence as this is a new licence. Suggestion: remove requirement in respect of MPL course.</p>
response	<p><i>Not accepted</i></p> <p>The requirement is not that an instructor for an MPL needs to hold an MPL. What is said is that the instructor has to hold at least the licence for which instruction is being given: this means any licence that has at least the same privileges or higher than that licence. For the purposes of this paragraph it is considered that the CPL is equivalent to the MPL.</p>
comment	<p>7531 <span style="float: right;">comment by: FlightSafety International</span></p> <p>Does not make provision for the conduct of training by instructors who do not hold an EASA licence or instructor certificate. Many organizations use instructors and facilities outside the EU and there are no safety impact with the training. The intent of the EC is to replicate the current JAR-FCL in Part FCL.</p> <p>In (b)(1) insert Special condition (3) training conducted outside member states by instructors not holding an instructor certificate issued under this Subpart. Copy Appendix 1 to JAR-FCL 1.300 transferring the text or in the AMC</p>
response	<p><i>Noted</i></p> <p>Your comment seems to refer to FCL.900. Please see the replies to comments on that segment.</p>

comment	<p>7842 <span style="float: right;">comment by: <i>Tim FREEGARDE</i></span></p> <p>FCL915(a)(1) The similarities between SPL and LPL(S) should allow instruction to be offered for both by either.</p>
response	<p><i>Not accepted</i></p> <p>The general principle is that an instructor shall hold at least the licence for which instruction is being provided. This means a licence with at least the same privileges. The privileges of an LPL(S) are lower than the privileges of an SPL; therefore, the holder of an LPL(S) cannot provide instruction for an SPL.</p>
comment	<p>7929 <span style="float: right;">comment by: <i>General Aviation Manufacturers Association / Hennig</i></span></p> <p><b><u>GAMA Comments about Synthetic Flight Instructors and Medical Requirement:</u></b></p> <p>GAMA recommends that EASA clarify the connection between FCL.915 and FCL.905.SFI as it relates to the requirement for holding a medical certificate.</p> <p>FCL.915(b)(3) states that the general requirements for instructors is to “be entitled to act as pilot-in-command of the aircraft during such instruction.” GAMA understands this is intended to address in-airplane flight instruction provided by the instructor who then may act as pilot-in-command.</p> <p>However, synthetic flight instructor requirements outlined in Section 7 is silent about requiring a medical certificate.</p> <p>GAMA believes and EASA should recognize that there is not a safety justification to require synthetic flight instructors to hold a medical certificate, since there is not a safety of flight issue in place for synthetic flight instruction.</p> <p>GAMA requests that EASA confirm the agency’s intent not to require Synthetic Flight Instructors (SFIs) to meet the requirements of FCL.915 to be entitled to act as pilot-in-command, since this could be seen as inferring a requirement to hold a medical certificate.</p>
response	<p><i>Noted</i></p> <p>The privileges of the SFI are to conduct synthetic flight instruction. They are not conducting instruction in an aircraft, but in an FSTD. Therefore, FCL.915(b) does not apply to them.</p> <p>The requirement in FCL.905.SFI is clear: they need to hold or have held a licence. If they hold a licence, they need to have the related medical certificate. But if they do not hold a licence, no medical certificate is required.</p>
comment	<p>8180 <span style="float: right;">comment by: <i>H.D.BAUER-HIMMELSBACH</i></span></p> <p>In Deutschland wird der Ehrenamtsgedanke politisch stark gefördert. Der Flugsport als solcher wird vorwiegend im Vereinsrahmen angeboten und abgewickelt. Somit ist die Fliegerei auch auch für Bevölkerungskreise erschwinglich, die sich diesen Sport im gewerblichen Sektor von Flugschulen und Charterfirmen finanziell nicht leisten könnten. Diese Funktion des Ehrenamtes im gemeinnützigem Verein wird aber nur dann zu erhalten sein, wenn man dem "Funktionsträger" Fluglehrer auch weiterhin die Möglichkeit eröffnet seine Lizenz innerhalb des Luftsportverbandes zu erwerben und zu</p>

erhalten. Nur dann erhalten und behalten wir Fluglehrer, die diese Funktion neben ihrer übrigen Ausbildung und beruflichen Tätigkeit ehrenamtlich ausüben können.

Muß ein Fluglehreranwärter bzw. ein Fluglehrer gewerbliche Flugschulen in Anspruch nehmen für den Erwerb bzw. die Erhaltung seiner Lizenzen, dann werden wir nur noch Fluglehrer bekommen und behalten, die damit "ihre Brötchen" verdienen. Dies hat aber natürlich negative Auswirkungen auf die gesamte Struktur der Flugsportlandschaft in Deutschland. Ohne die heutige Vielzahl von Fluglehrern in den Vereinen ist die breite Flugsportausbildung und der Flugsport selbst nicht mehr in dem Rahmen zu gewährleisten, wie er derzeit noch vorhanden ist. Auch dient dieser Fakt ganz entschieden der Flugsicherheit. Kennen die Fluglehrer doch "ihren Pappenheimer Flugkamerad". Sie sehen, wie oft er fliegerisch tätig ist oder auch nicht, wie sicher er die Vereinsflugzeuge führt. Damit hat der Vereinsfluglehrer eine viel bessere Übersicht über den Leistungsstand eines Piloten, als ein fremder Fluglehrer bzw. Prüfer, der einen Pilot nur alle zwei Jahre beim Checkflug begleitet.

Ich habe an anderer Stelle bereits ausgedrückt, dass ich bereits seit 40 Jahren ausschließlich als Freizeitsportlehrer meiner fliegerischen Tätigkeit nachgehe. Zu Beginn meiner Ausbildung hatten wir nur einen Fluglehrer im Verein. Der Flugsport war uns Deutschen erst wenige Jahre zuvor wieder erlaubt worden. Entsprechend unzuverlässig war die Möglichkeit der Flugausbildung. Mal hatten wir Flugschüler einen Lehrer, mal eben nicht. Theorie - daran hatte dieser Fluglehrer auch kein Interesse. Heute hingegen ist es in meinem Verein Gesetz, dass der Flugschüler erst erfolgreich interne Theorieprüfungen zu bestehen hat, bevor er weitere praktische Ausbildungsabschnitte absolvieren darf. Durch diese erfolgreiche Verbandsarbeit und die breite Schulung in den Vereinen haben wir, verglichen mit meinen frühen fliegerischen Lehrjahren, heute eine super Struktur und ich befürchte, dass mit den beabsichtigten Änderungen der Zertifizierung von Fluglehrern, die Zuführung von Fluglehrern in die Vereine aus der eigenen Mitgliederstruktur heraus versiegt.

Die Fliegerei wird dann wieder etwas für die, die "es sich leisten können" und bleibt damit breiten Bevölkerungskreisen verschlossen.

response

*Noted*

Thank you for providing your comment and the additional explanations about the system in place in your country and your club.

However, the Agency does not understand your area of concern. It seems that the term 'certification of instructors' is only used in a very general way as one factor which could cause problems in the future. As these problems are not mentioned nor justified, the Agency is not able to provide a response.

Please see also the replies provided to the more specific comments in Subpart J and see also the resulting text.

comment

8187

comment by: *H.D.BAUER-HIMMELSBACH*

Die vorgesehenen Vorschriften zur Erlangung der Lehrerlizenzen lehne ich ab. Das heutige System der Fluglehrausbildung im Verband ist vorbildlich. Der Aspirant sollte das Interesse mitbringen und alles weitere wird in der gängigen Vorauswahl und anschließenden Fluglehrausbildung geregelt. Solange wir ausreichend viele Fluglehrer haben funktioniert dies auch, da der Fluglehreraspirant schon frühzeitig eingebunden wird in den Ausbildungsbetrieb

und dabei von einem Fluglehrer betreut werden kann. Die vorhandene und zu erhaltende breite Fluglehrerbasis ist entscheidend! Sonst bekommen wir, ähnlich negativ wie beim Medizinstudium mit seinem vorgeschaltetem Numerus Clausus, teuer ausgebildete Berufsfluglehrer, die aber mit dem Flugschüler, der ja meist auch noch selbst Schüler oder Auszubildender ist, nichts anfangen kann. Die vorgesehenen Voraussetzungen verzögern ausserdem ganz entscheidend den Beginn der Fluglehrerausbildung, womit mancher Interessierte, und oft auch dafür sehr Begabte, keine Ausbildung mehr aufnehmen wird.

In unserem Verein wird meist derjenige Fluglehrer, der in frühen Jahren seine Ausbildung zum Flieger begonnen hat, selbst noch ganz "heiß" ist aufs Fliegen und entsprechend viel fliegt. Um dann - ganz entscheidend – *relative* schnell nach seinem eigenem Flugscheinwerb, noch mit frischem Theoriewissen und altersmäßigem Kontakt zu den Neulingen im Verein – selbst zum Fluglehrer zu mutieren!

Resume - nicht die Ansammlung einer Unmenge von eigenen Flugstunden in einem langem Zeitraum befähigt den Fluglehrer aspirant, sondern eher die Ansammlung von entsprechend weniger Flugstunden, diese aber in einem kurzem Zeitraum erfolgen.

Wir haben in unserem Verein einige Beispiele von Fluglehrern, die in *absolute* jungen Jahren bereits diese Lizenz erworben haben und die einen guten Job machen. Für Einige war dies auch ein Step auf deren beruflicher fliegerischer Erfolgsleiter.

Wichtig ist es auch den Erhalt der Fluglehrerlizenz dem Personenkreis des ehrenamtlichen Fluglehrers zu ermöglichen. Denn gerade in dem von mir altersmäßig geschildertem Personenkreis gibt es private Unterbrechungen wegen z.B.: Ausbildungsabschluß, beruflicher Anforderung, Familiengründung, Hausbau etc. Von daher muss demjenigem Fluglehrer auch die Möglichkeit einer Pause in seiner Fluglehr-Tätigkeit eingeräumt werden, ohne dass er gleich seine Lizenz verliert! Es sollte also jeweils immer insgesamt 3 Jahre und nicht noch zusätzlich 12 Monate zurück geschaut werden.

Generell sollten also die Hürden für die Erlangung und den Erhalt der Lehrlizenz nicht erhöht werden, sonst fehlt uns schlagartig der Nachwuchs, um unsere Struktur, die eine Erfolgsgeschichte im Nachkriegsdeutschland darstellt, zu erhalten.

response

*Noted*

Thank you for providing your opinion and the additional information.

Please see the reply to your comment 8180.

In this case again you did not specify the problems with the proposed requirements for instructors, nor does your comment contain any proposals for changes.

The Agency is not able to provide a reply.

The Agency would like to highlight that the national requirements for prerequisites and training courses were evaluated during the drafting phase of this NPA. Please check and compare the German requirements for the non-JAR instructors and the requirements proposed with these draft implementing rules. The Agency is of the opinion that some of the statements provided with this comment must be revised and amended if such a comparison would be

made.

comment 8189 comment by: *H.D.BAUER-HIMMELSBACH*

Es soll weiterhin die "Verbandsflugschule" mit "Außenstelle" Flugsportverein als vollwertiger Ausbildungsbetrieb erhalten bleiben (siehe meine Ausführungen und Begründungen am Anfang meines Kommentars).

response *Noted*

Thank you for your general comment about training organisations.  
Please be aware that the term 'approved training organisation' used is only a general expression for the training organisation. It is the Agency's view that in the case of initial training for a licence, rating or certificate only training within the management system of an approved training organisation can guarantee the quality of the training and safety of the applicant.  
The different level of ATOs or the additional organisational framework (e.g. the question if your existing system of a central core ATO with connected satellite ATOs can be kept like it is) will be regulated in the Implementing Rules (and AMCs) for organisational requirements (published as NPA 2008-22).  
This question cannot be answered within the framework of this NPA.

comment 8286 comment by: *Paul Mc G*

Part-FCL - Subpart J: Instructors - Section 1: Common Requirements - FCL.915 General requirements for instructors  
P47 Part-FCL - Subpart J: Instructors - Section 1: Common Requirements - FCL.940 Validity of instructor certificate  
Part-FCL - Subpart J: Instructors - Section 2: Specific requirements for the light aircraft flight instructor - FCL.905.LAFI LAFI - Privileges and conditions  
This is repetitive and very confusing. Could you rewrite this sensibly.  
The LAFI test every nine years should be amended to every 5 years.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree that the mentioned structure or the content of the mentioned paragraphs is confusing as the structure used is already in place with JAR-FCL (only the additional licences added).

The system is quite easy to understand and the following logic is used:  
Section 1 contains 5 common requirements for all instructor categories. Therefore, the two mentioned paragraphs (FCL.915 and FCL.940) have to be studied by all instructors. As these are two pages only, the Agency cannot see any problem or repetition which could cause confusion.

In Section 2 you will find the specific requirements for the LAFI. FCL.905.LAFI contains especially the privileges of the four LAFI categories.

The Agency will not rewrite this as the reason for confusion is not justified.

Regarding the issue of the proficiency check for all instructor categories, the Agency has carefully reviewed the comments received and decided to delete these requirements in FCL.940.LAFI and FCL.940.FI.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 1: Common Requirements — FCL.920 Instructor competencies and assessment**

p. 46

comment	78	comment by: <i>Michel Lacombe AF TRTO</i>
	<p>FCL 920  (b) Assessment : The competencies as describes in paragraph a) are the roots of any instructor's work.  So even if all the instructors shouldn't have all of them, they should have some.  During the skill test we should have to assess the appropriates ones for MCCI, STI, MI and all of them for the others instructors.  The text should be written :  Except for the multi-crew cooperation instructor (MMCI), the synthetic training instructor (STI) and the mountain instructor (MI), the skill test for the issue of an instructor certificate shall include the assessment of all the competencies as described in (a).</p>	
response	<p><i>Noted</i></p> <p>The reason for the exclusion of the MCCI, STI and MI from this paragraph is that for these categories of instructors there is no requirement to pass a skill test.  For these categories of instructors, the assessment of competences will be done as part of the training course. See FCL.930.MCCI (b) (3), FCL.930.STI (b), FCL.930.MI.</p>	
comment	526	comment by: <i>FOCA Switzerland</i>
	<p>J/Section 1  FCL.920</p> <p>Proposal:  <b>(b) Delete: ".. and the mountain rating instructor (MI).."</b></p>	
response	<p><i>Noted</i></p> <p>Please see the reply to comment 78.</p>	
comment	636	comment by: <i>British Microlight Aircraft Association</i>
	<p>Accepted</p>	
response	<p><i>Noted</i></p> <p>Thank you for providing this feedback.</p>	
comment	1363	comment by: <i>George Knight</i>
	<p>FCL.920  (a) Integrated Threat and Error Management (TEM) and crew resource management is not appropriate to gliding instructors. (Nor to instructors teaching for other LPLs and PPLs.)</p>	
response	<p><i>Not accepted</i></p>	

Principles of TEM are applicable to all licences.

comment

1940

comment by: *Prof. Dr. Alfred Ultsch*

"- Integrate Threat and Error Management (TEM) and crew resource management"  
is too restrictive with respect to the  
EC Regulations 216/2008 on common rules in civil aviation (Basic Regulations)

Proof:

1) Annex II 1.b1. (xi) of the Basic Regulations  
call for the knowledge of

" non-technical skills, including the recognition and management of threats and errors."

2) §(16) of the Basic Regulations principles  
claim for a "promotion of a "culture of safety""

3) TEM is a special technique not accepted by all. More modern and general  
accepted techniques exist (see my comments on TEM, error and error  
management)

4)

Proposal:

Exchange

"- Integrate Threat and Error Management (TEM) and crew resource  
management"

by

"- Integrate non-technical skills with regard to flight safety"

Where

"non-technical skills with regard to flight safety" is to be defined in the  
Definitions section as Cooperation, Leadership & Managerial Skills, Situation  
Awareness, and Decision Making including crew resource management, the  
promotion of a culture of safety and the recognition and management of  
threats and errors

see

Flin, R.; Goeters, K.-M.; Hörmann, H.-J.; Martin, L. (1998): A Generic  
Structure of Non-Technical Skills for Training and Assessment; 23rd  
Conference of the European Association for Aviation Psychology, Wien, 14.-18.  
September 1998

response

*Noted*

The issue of non-technical skills, and specifically their assessment, was never  
solved at JAR-FCL level. Before including more detailed provisions in Part-FCL,  
the issue needs to be carefully assessed, and should be subject to further  
work, in a separate rulemaking task.

We suggest that you submit a rulemaking proposal on this issue to the Agency.

comment

2227

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group*

	<i>Airlines)</i>
	<p>FCL920 (b)  Comment: The competency assessment methodology should be applicable to all instructor certificates. There should be no exemption for MI, MCCI, STI  Proposal: Delete the sentence, "except for" until "(MI)" and replace the phrase "skill test" with "competency assessment"</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 78.</p>
comment	<p>3713 <span style="float: right;">comment by: DGAC FRANCE</span></p> <p>FCL 920</p> <p>It's very important to consider that instructor competencies described on FCL.920(a) must be assessed during the MI skill test proposed in another comment.</p> <p><b>FCL.920 Instructor competencies and assessment</b></p> <p>(a) <i>General.</i> All instructors shall be trained to achieve the following competences:  Prepare resources;  Create a climate conducive to learning;  Present knowledge;  Integrate Threat and Error Management (TEM) and crew resource management;  Manage time to achieve training objectives;  Facilitate learning;  Assess trainee performance;  Monitor and review progress;  Evaluate training sessions;  Report outcome.</p> <p>(b) <i>Assessment.</i> Except for the multicrew cooperation instructor (MCCI), the synthetic training instructor (STI) <del>and the mountain rating instructor (MI)</del>, the skill test for the issue of an instructor certificate shall include the assessment of the applicant's competences as described in (a).</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 78.</p>
comment	<p>3846 <span style="float: right;">comment by: Luftfahrt-Bundesamt</span></p> <p>FCL.920:  There seems to be a mix of the terms "assessment" and "skill test" for the same purpose. Such a mix should be avoided for standards in order to enhance the acceptance. The term assessment is not part of the FCL-definitions, whereas skill test and/or proficiency check are defined (duties related to examiner privileges).</p> <p>Compared to existing JAR-FCL 1 or 2 amend 7 resp. 6 FI (A) or (H) requirements, FCL.920 (plus the appropriate AMC) is editorially a new requirement (different approach of theoretical contents to instructors privileges/competences/courses, i.e. TEM, CRM etc.), whereas FCL</p>

930.FI(b)(1) is a copy of former requirements according to JAR-FCL 1 and JAR-FCL2, respectively. Therefore, the course contents in FCL.930.FI and the assessment/skill test in FCL.920(b)/ FCL.935.FI does not seem to be consistent.

A requirement in order to “upgrade” holders of instructor ratings issued in accordance with former JAR-FCL requirements (non competency based) seems to be missing (see i.e. additional requirements for instructors on MPL-courses). Is this personnel allowed to instruct future applicants for FI rating(s) under EASA requirements? The question remains open, which existing instructor is going to instruct new applicants for instructor ratings under the new requirement?

FCL.920, FCL.920.FI and the appropriate AMC-Material and FCL.935.FI FI do not really appear to be consistent (some might be considered as incomplete) and should be harmonized.

response *Noted*

In relation to your first point, please see the reply to comment 78.

In relation to your second point, the requirements in FCL.920 were part of the Draft NPA FCL-36, which was one of the NPAs that was at an advanced stage of adoption in the JAA system and therefore agreed to be included in this NPA.

As for your last issue, it is related to transition measures. As was explained in NPA 2008-17a (Explanatory Note), the intention of the Agency is to establish that licences, ratings or certificates issued in accordance with JAR-FCL shall be grandfathered.

comment

4067 comment by: *CRM Advisory Panel to the United Kingdom Civil Aviation Authority*

**Comment:** To be effective, the implementing rules must convey a clear and unambiguous understanding of the required Non-technical Skills (NTS) training and competence standards for Instructors and Examiners.

Flight Instructors must also be familiar with the concepts of Non-technical Skills and be able to integrate them into training.

**Proposal:**

1. Adopt and define the single term '**Non-technical Skills (NTS)**', to describe the non-technical knowledge, skills and behaviours required for pilot licensing and Instructor training and testing.

**New Definition:** Non-technical skills - Non-technical skills (NTS) refers to the skills and behaviours required for the safe, effective and efficient operation of the flight that are by definition not technical in nature, such as Teamwork, Decision Making and Threat and Error Management.

**Ammend text to read**

**FCL.920 Instructor competencies and assessment**

(a) *General.* All instructors shall be trained to achieve the following competences:

Prepare resources;

	<p>Create a climate conducive to learning; Present knowledge; <i>Integrate Non-technical Skills including Threat and Error Management (TEM) and crew resource management;</i></p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 1940 above.</p>
	<p>5013 <span style="float: right;">comment by: <i>ECA- European Cockpit Association</i></span></p> <p>Delete and add words: (b) <i>Assessment</i>. Except for the multicrew cooperation instructor (MCCI), the synthetic training instructor (STI) and the mountain rating instructor (MI), <b><u>at the completion of training and prior to the issue of a rating or authorisation</u></b>, the skill test for the issue of an instructor certificate shall include <del>the assessment of the applicant's competences as described in (a).</del> <b><u>an assessment of their competence in the role.</u></b></p> <p><b><u>Justification:</u></b> 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 in the general part.</p>
response	<p><i>Partially accepted</i></p> <p>The text of FCL.030 (b) will be amended to make clear that an applicant shall only be recommended for a skill test once he/she has completed the training.</p>
comment	<p>5424 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>There seems to be a mix of the terms "assessment" and "skill test" for the same purpose. Such a mix should be avoided for standards in order to enhance the acceptance. The term assessment is not part of the FCL-definitions, whereas skill test and/or proficiency check are defined (duties related to examiner privileges).</p> <p>Compared to existing JAR-FCL 1 or 2 amend 7 resp. 6 FI (A) or (H) requirements, FCL.920 (plus the appropriate AMC) is editorially a new requirement (different approach of theoretical contents to instructors privileges/competences/courses, i.e. TEM, CRM etc.), whereas FCL 930.FI(b)(1) is a copy of former requirements according to JAR-FCL 1 and JAR-FCL2, respectively. Therefore, the course contents in FCL.930.FI and the assessment/skill test in FCL.920(b)/ FCL.935.FI does not seem to be consistent.</p> <p>A requirement in order to "upgrade" holders of instructor ratings issued in accordance with former JAR-FCL requirements (non competency based) seems to be missing (see i.e. <u>additional requirements for instructors on MPL-courses</u>). Is this personnel allowed to instruct future applicants for FI rating(s) under EASA requirements? The question remains open, which existing instructor is going to instruct new applicants for instructor ratings under the new requirement?</p>

response	<p>FCL.920, FCL.920.FI and the appropriate AMC-Material and FCL.935.FI FI do not really appear to be consistent (some might be considered as incomplete) and should be harmonized.</p>
	<p><i>Noted</i></p>
	<p>Please see the reply to 3846 above.</p>
comment	<p>5628 comment by: <i>CRM Advisory Panel to the United Kingdom Civil Aviation Authority</i></p>
	<p>Attachment <a href="#">#47</a></p>
	<p><b>FCL.920 Instructor competencies and assessment</b></p>
	<p><b>Comment:</b> Instructors should be familiar with the concept and use of a behavioural marker system for the training of Non-technical Skills</p>
response	<p><i>Noted</i></p>
	<p>Please see the reply to comment 1940 above.</p>
comment	<p>5760 comment by: <i>UK CAA</i></p>
	<p><b>Paragraph:</b> FCL.920 (a)</p>
	<p><b>Page No:</b> 46 of 647</p>
	<p><b>Comment:</b> This paragraph states the competences that instructors shall be trained to achieve, however Threat and Error Management (TEM) and Crew Resource Management (CRM) are not in the Teaching and Learning (T&amp;L) syllabus for the Instructor in the AMC.</p>
	<p><b>Justification:</b> The T&amp;L syllabus is pre-JAR and never been updated to include TEM and CRM and now requires amendment to include these items.</p>
	<p><b>Proposed Text: (if applicable)</b></p>
	<p>Include TEM and CRM elements with the associated enabling objectives into the Instructor T&amp;L syllabus.</p>
response	<p><i>Noted</i></p>
	<p>TEM and CRM are included in FCL.920. Further details can be found in the AMC to this paragraph. The different AMCs with the content of the training courses for instructors refer to this AMC to FCL.920.</p>
comment	<p>5953 comment by: <i>ENAC TLP</i></p>
	<p>The draft does not prescribe any training requirements or the competency standards that an Examiner or an Instructor should demonstrate in the area of non-technical/CRM skills and TEM assessment. This will lead to the possibility of poor practical training in this area and misapplication of the assessment process due to subjectivity, bias, and poor inter-rater reliability that will undermine confidence in licensing rules and diminish the training value of assessment.</p>
	<p><b>Needs</b> training or competence requirements for Instructors and Examinersf in the area of Non-technical/CRM Skills and TEM assessment .</p>
	<p><b>Proposal:</b></p>
	<p>Under the label of Human Performance contained in syllabiFlightcrew must be trained in the concepts, use and application of NTS in support to TEM, CRM and Airmanship. Examiners and Instructors shall undergo</p>

specific training in the use of a behavioral marker system for the purpose of non-technical skills assessment. Examiners shall demonstrate competence in the assessment of non-technical skills to the relevant competent authority as part of the Instructor rating and Examiner authorisation process.

### FCL 920 Instructor Competencies and assessment

#### (a) General

#### page 46

4th dot to be modified as follows (*italic*)

- *Integrate TEM, CRM and NTS into technical training* instead of just "Integrate TEM and CRM"

response *Noted*

Please see the reply to comment 5760 above.

comment 6139 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FCL.920 Instructor competencies and assessment.

(b) *Assessment*...training instructor (STI) ~~and the mountain rating instructor (MI)~~, the skill test for the issue...

**Justification** :French Mountain Pilot Association and the FFA ask to remove the mountain rating instructor exception, as they consider very important that instructor competencies described in FCL.920 (a) must be assessed again in the MI skill test proposed in an other comment on FCL.935.MI *MI skill test*.

response *Noted*

Please see the reply to comment 78 above.

comment 7068 comment by: *UK CAA*

**Paragraph:** FCL.920

**Page No:** 46 of 647

**Comment:** The list of competencies for an instructor includes TEM. However, this is part of non-technical skills and therefore the term NTS should be used instead.

**Justification:** Consistency throughout the document.

**Proposed Text: (if applicable)**

- Present knowledge
- *Integration of Non-Technical Skills*
- ....

response *Noted*

Please see the reply to comment 1940 above.

## B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 1: Common Requirements — FCL.925 Instructors for the MPL

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comment 377 comment by: *REGA*

**STATEMENT**

response	<p>MPL instructors for helicopter don't exist in the proposed regulation.</p> <p><b>PROPOSAL</b> Development of the MPL instructor for helicopters according the requirements for MPL instructor aeroplane.</p> <p><i>Not accepted</i></p> <p>The MPL is a licence for aeroplanes only. Therefore, there is no need for MPL Instructors for helicopters.</p>
comment	<p>1611 <span style="float: right;">comment by: <i>Helikopter Air Transport GmbH / Christophorus Flugrettungsverein</i></span></p> <p><b>STATEMENT</b> MPL instructors for helicopter do not exist in the proposed regulation.</p> <p><b>PROPOSAL</b> To develop the MPL instructor (helicopters) according the requirements for MPL instructor airplane.</p> <p><i>Not accepted</i></p> <p>Please see the reply to comment 377 above.</p>
comment	<p>2121 <span style="float: right;">comment by: <i>Nigel Roche</i></span></p> <p>From (a) (2) (ii) have completed initial crew resource management training with a <b>commercial air transport operator</b>.</p> <p>I fully understand the logic of requiring an MPL Instructor to have experience in multi-crew operations and therefore have undertaken CRM as this is a prerequisite of Multi-crew operations.</p> <p>However I cannot understand the logic of requiring the prospective instructor to have undertaken the initial CRM training with a commercial air transport operator.</p> <p>The way this is written would invalidate a person from employment as an MPL instructor if he/she did not undertake the initial CRM with the operator.</p> <p>As an FTO (ATO) we offer CRM training to both our students and external CPL/IR holders as part of a programme to improve their abilities and improve their job prospects, it depends on the operator these as to whether they accept this as the initial CRM training. The validity of this CRM training for us and any ATO has just been put into question.</p> <p><b>I would suggest deleting this line as to have operated in a multi-crew environment the instructor must have undertaken initial CRM training and probable refresher training.</b></p> <p><i>Not accepted</i></p> <p>CRM is an operator specific training, that has to be conducted in accordance with the operator's procedures.</p>

comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2228</p> <p>FCL925(b) Comment: Wording should be changed for consistency</p> <p>Proposal: Delete the phrase "on completion of the training" with, "prior to undertaking instruction for MPL"</p> <p>FCL925(c) Comment: text should refer to MPL training "</p> <p>Propopsal: replace the phrase "competency based approach" with "MPL"</p>
response	<p><i>Not accepted</i></p> <p>FCL.925(b) Proposal not accepted. The assessment of competencies is to be passed at the end of the training, not before it takes place. This is not the same requirement as the requirements for a pre-entry skill test.</p> <p>FCL.925(c) Editorial correction not accepted. The paragraph is clear.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2230</p> <p>FCL925:</p> <p>Comment: rule material is inappropriate during the inception (early stages) of MPL. Criteria may be adjusted and also vary with different approaches to training.</p> <p>Proposal: move paras (b) (c ) (d) into EASA AMC</p>
response	<p><i>Not accepted</i></p> <p>During the initial phase of the introduction of the MPL, the Agency does not intend to change the requirements that were established in JAR-FCL 1. It is possible however, that these requirements could be subject to a future rulemaking task, once there is more data on the MPL implementation.</p>
comment	<p>3637</p> <p>comment by: <i>M Wilson-NetJets</i></p> <p>FCL.925(a)(1)</p> <ul style="list-style-type: none"> <li>• Although the proposed wording reflects JAR, the requirements are too tight</li> </ul> <p>Suggestion: Remove requirement for MCCI's and SFI's teaching basic phase of MPL to hold</p>

response	<p>or have held an FI rating, and add experience requirements for non-FI instructors teaching this basic phase</p> <p><i>Noted</i></p> <p>Please see the reply to comment 2230 above.</p>
comment	<p>3847 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>FCL.925: Regarding FCL.925 (b) (2), the following items need to be defined in order to provide 'a level playing field': Which kind of instructor examiner shall conduct the assessment for instructors for a MPL(A) licence? There is no instructor examiner for MPL-instructors (see FCL.1005.FIE (a)). Is that on purpose? What does the assessment comprise, what is the content? What documents are to be used during the assessment? What are the pass-or-fail criteria for the assessment? This also applies to FCL.925 (d)(2).</p>
response	<p><i>Noted</i></p> <p>In relation to your question on which examiner shall conduct the assessment, it is the same examiner that has the competence to assess the category of instructor in accordance with Subpart K; so an FIE or a TRE. As for your questions regarding the content of the assessment, please see paragraph (b)(2). Further details may be developed in a future rulemaking task.</p>
comment	<p>4067 ❖ <span style="float: right;">comment by: <i>CRM Advisory Panel to the United Kingdom Civil Aviation Authority</i></span></p> <p><b>Comment:</b> To be effective, the implementing rules must convey a clear and unambiguous understanding of the required Non-technical Skills (NTS) training and competence standards for Instructors and Examiners.</p> <p>Flight Instructors must also be familiar with the concepts of Non-technical Skills and be able to integrate them into training.</p> <p><b>Proposal:</b></p> <p>1. Adopt and define the single term '<b>Non-technical Skills (NTS)</b>', to describe the non-technical knowledge, skills and behaviours required for pilot licensing and Instructor training and testing.</p> <p><b>New Definition:</b> Non-technical skills - Non-technical skills (NTS) refers to the skills and behaviours required for the safe, effective and efficient operation of the flight that are by definition not technical in nature, such as Teamwork, Decision Making and Threat and Error Management.</p> <p style="text-align: center;"><b>Ammend text to read</b></p> <p><b>FCL.920 Instructor competencies and assessment</b> (a) <i>General.</i> All instructors shall be trained to achieve the following competences:</p>

	<p>Prepare resources;          Create a climate conducive to learning;          Present knowledge;  <i>Integrate Non-technical Skills including Threat and Error Management (TEM) and crew resource management;</i></p>
response	<p><i>Noted</i></p> <p>The issue of non-technical skills, and specifically their assessment, was never solved at JAR-FCL level. Before including more detailed provisions in Part-FCL, the issue needs to be carefully assessed, and should be subject to further work, in a separate rulemaking task.          We suggest that you submit a rulemaking proposal on this issue to the Agency.</p>
comment	<p>5014 <span style="float: right;">comment by: <i>ECA- European Cockpit Association</i></span></p> <p>Add words:          have completed initial crew resource management training with a commercial air transport operator <b><u>approved under Part OPS</u></b>.</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>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>5425 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>Regarding FCL.925 (b) (2), the following items need to be defined in order to provide 'a level playing field':          Which kind of instructor examiner shall conduct the assessment for instructors for a MPL(A) licence? There is no instructor examiner for MPL-instructors (see FCL.1005.FIE (a)). Is that on purpose?          What does the assessment comprise, what is the content?          What documents are to be used during the assessment?          What are the pass-or-fail criteria for the assessment?          This also applies to FCL.925 (d)(2).</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3847 above.</p>
comment	<p>5954 <span style="float: right;">comment by: <i>ENAC TLP</i></span></p> <p>The draft does not prescribe any training requirements or the competency standards that an Examiner or an Instructor should demonstrate in the area of non-technical/CRM skills and TEM assessment. This will lead to the possibility of poor practical training in this area and misapplication of the assessment process due to subjectivity, bias, and poor inter-rater reliability that will undermine confidence in licensing rules and diminish the training value of assessment.  <b>Needs</b> training or competence requirements for Instructors and Examinersf in the area of Non-technical/CRM Skills and TEM assessment .  <b>Proposal:</b></p>

Under the label of Human Performance contained in syllabiFlightcrew must be trained in the concepts, use and application of NTS in support to TEM, CRM and Airmanship. Examiners and Instructors shall undergo specific training in the use of a behavioral marker system for the purpose of non-technical skills assessment. Examiners shall demonstrate competence in the assessment of non-technical skills to the relevant competent authority as part of the Instructor rating and Examiner authorisation process.

**FCL. 925 Instructors for MPL**

**(a)(2)(ii)**

**page 46**

to be modified as follows (*italic*)

"have completed initial CRM *and Non Technical Skills assessment* training with a commercial air transport operator"

response *Noted*

Please see the reply to comment 4067 above.

comment

6466

comment by: CAA Finland

FCL.925:

The headline is not clear. Amended text proposal:

FCL.925 Additional training to instructors for the MPL

response

*Accepted*

The text will be amended accordingly.

comment

6472

comment by: CAA Finland

FCL.925(a)(2)(ii):

CRM courses are conducted by OPS operator. Pilots not involved in OPS operations may find it hard to be accepted in course. Training organisations that need those instructors give MCC training and MCC includes also CRM. Amended text proposal:

(ii) have completed initial crew resource management training with a commercial air transport operator **or respective course with approved training organization.**

response

*Noted*

Please see the replies to comments 2230 and 5014 above.

comment

7072

comment by: UK CAA

**Paragraph:** FCL.925 (a)(2)(ii)

**Page No:** 46 of 647

**Comment:** Flight Instructors should be familiar with the concept of NTS in order to prepare the candidates for their tests.

**Justification:** Clarification

**Proposed Text: (if applicable)**

Amend to read;

(ii) have completed *non-technical skills training to include* initial crew resource

response	management training with a commercial..... <i>Noted</i> Please see the reply to comment 4067 above.
comment	7278 <span style="float: right;">comment by: ECOGAS</span> Current wording: "(a) Instructors conducting training for the MPL shall: (1) have successfully completed an MPL instructor training course at an approved training organisation; and"  Issue: Although the proposed wording reflects JAR, the requirements are too tight and are not supported by an adequate safety case to preclude amendment as follows  Suggestion: Remove requirement for MCCI's and SFI's teaching basic phase of MPL to hold or have held an FI rating, and add experience requirements for non-FI instructors teaching this basic phase
response	<i>Noted</i> Please see the reply to comment 2230 above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 1: Common Requirements — FCL.940 Validity of instructor certificates**

p. 47

comment	637 <span style="float: right;">comment by: British Microlight Aircraft Association</span> Accepted
response	<i>Noted</i> Thank you for providing this feedback.
comment	1382 <span style="float: right;">comment by: Bristow Helicopters</span> <b>FCL.940</b> With the exception of the mountain rating instructor, and without prejudice to FCL.900(b)(2), instructor ratings shall be valid for a period of 3 years <b>in addition to the remainder of the month of issue.</b> Justification: Type ratings, instrument ratings and Operator Checks are valid to the end of the month. Instructor Certificate validity periods should be the same for simplicity.
response	<i>Noted</i> This provision is already included in Part-AR, in AR.FCL.215. This requirement needs to be read in conjunction with that requirement.
comment	1716 <span style="float: right;">comment by: Sven Koch</span> Lehrberechtigung 3 Jahre gültig
response	<i>Noted</i>

Thank you for providing your opinion, but the Agency does not understand the meaning behind this comment.  
It seems to be only a more or less exact German translation of some elements contained in FCL.940.

comment 1864 comment by: *Dr. Schreck*

FCL940.FI

Generell besteht auch hier keine Notwendigkeit zur Überprüfung durch einen Examiner. Ehrenamtlich tätige Fluglehrer in Vereinen würden dadurch hohe Kosten verursacht, wodurch sie eindeutig gegenüber an kommerziellen Flugschulen angestellten Fluglehrern benachteiligt. Die Motivation in Vereinen als Fluglehrer tätig zu sein, würde dadurch drastisch sinken. Somit würde genau wie unter FCL.930FI die Nachwuchsförderung nicht mehr möglich sein, da keine ausreichende Zahl an FI zur Verfügung steht.

Die Überprüfung könnte durch einen entsprechend qualifizierten Ausbildungsleiter durchgeführt werden.

response *Noted*

Thank you for providing your opinion.

It seems that you are referring to another paragraph as FCL.940 contains only the validity period of instructor certificate.

Please see the responses provided in the appropriate segment for FCL.940.FI. The requirements for the proficiency check for instructors are based on the JAR-FCL requirements. The Agency does not intend to change them at this time, without a dedicated safety assessment.

It should be mentioned also that such a proficiency check by definition cannot be conducted by an instructor. (Please see also Basic Regulation (EC) No 216/2008)

The proficiency checks for the LAFI were deleted.

comment 2127 comment by: *British International Helicopters*

**FCL.940** With the exception of the mountain rating instructor, and without prejudice to FCL.900(b)(2), instructor ratings shall be valid for a period of 3 years **in addition to the remainder of the month of issue**.

**Justification:** Type ratings, instrument ratings and Operator Checks are valid to the end of the month. Instructor Certificate validity periods should be the same for simplicity.

response *Noted*

Thank you for providing your opinion.

Please see the the reply to comment above.

comment 2765 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FFA agrees with the period of 3 years validity for FI, but in agreement with French Mountain Pilot Association, do not see any reason to limit to one year

	<p>the validity of the mountain instructor certificate MI(A). Consequently, we ask for deletion of the first part of this requirements, which will read as follows : <b>FCL.940 Validity of instructor certificates.</b> Without prejudice to FCL.900(b)(2), instructor certificates shall be valid for a period of 3 years.</p>
response	<p><i>Not accepted</i></p> <p>The exclusion of the MI from this provision does not mean that the MI certificate is only valid for 1 year. What is foreseen is that the MI certificate will be valid as long as the FI certificate and the mountain rating remain valid.</p>
comment	<p>3323 <span style="float: right;">comment by: DGAC FRANCE</span></p> <p>FCL .940</p> <p>Editorial</p> <p>With the exception of the mountain rating instructor, and without prejudice to <del>FCL.900 (b)(2)</del> <b>FCL.900(b)(1)</b>, instructor certificates.....</p>
response	<p><i>Accepted</i></p> <p>Editorial correction accepted. The text will be amended accordingly.</p>
comment	<p>3746 <span style="float: right;">comment by: ANPI</span></p> <p><b>FCL.940 Validity of instructor certificates p47</b> <b>With the exception of the mountain rating instructor, and without prejudice to FCL.900(b)(2), instructor certificates shall be valid for a period of 3 years.</b></p> <p><i>The mountain rating instructor keep his instructor certificate providing he holds a Pilot Mountain Rating according to FCL.815 Mountain ratings.</i></p> <p><i>Delete TRI and CRI that have nothing in common with mountain flying. The validity of the MI certificate is dependent on the validity of the FI, <del>TRI or CRI</del> certificate and the mountain rating.</i></p>
response	<p><i>Noted</i></p> <p>Please see the reply to comments on FCL.940.MI.</p>
comment	<p>4408 <span style="float: right;">comment by: Bond Offshore Helicopters</span></p> <p><b>FCL.940</b> With the exception of the mountain rating instructor, and without prejudice to FCL.900(b)(2), instructor ratings shall be valid for a period of 3 years <b>in addition to the remainder of the month of issue.</b> Justification: Type ratings, instrument ratings and Operator Checks are valid to the end of the month. Instructor Certificate validity periods should be the same for simplicity.</p>
response	<p><i>Noted</i></p>

Thank you for providing your opinion.  
Please see the reply to comment 1382 above.

comment

4645

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Es ist ausreichend, dass Fluglehrerlizenzen fuer Segelflug und TMG so lange gueltig bleiben, wie eine entsprechende gueltige Pilotenlizenz vorliegt, unter der Voraussetzung, dass eine Verpflichtung zum Besuch von Weiterbildungsveranstaltungen besteht und dieses nachgewiesen wird.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

***Aenderungen:***

Ergaenze fuer Fluglehrer Segelflug und TMG wie oben ausgefuehrt, streiche '3 years'.

response

*Not accepted*

Thank you for providing your standard comment. Please see the reply to your other similar comments.

Regarding your additional comment and the proposal to delete any additional validity period for sailplane and TMG instructor certificates, the Agency disagrees as there is no reason or justification given why this should be done.

The Agency is of the opinion that a certain instructing experience should be maintained by the instructor in order to be able to provide flight instruction. The mandatory refresher cause and the required 30 hours or 60 take-offs are

an important element for ensuring a high level of safety and some kind of standardisation. As similar requirements are actually in place in several Member States (e.g. in Germany), the Agency does not understand the reason for deleting this requirement especially for FI(S) and will not follow your proposal.

comment 4651 comment by: *Héli-Union*

**FCL.940** With the exception of the mountain rating instructor, and without prejudice to FCL.900(b)(2), instructor ratings shall be valid for a period of 3 years **in addition to the remainder of the month of issue.**

Justification:

Type ratings, instrument ratings and Operator Checks are valid to the end of the month. Instructor Certificate validity periods should be the same for simplicity.

response *Noted*

Thank you for providing your opinion.  
Please see the reply to comment 1382 above.

comment 4867 comment by: *HUTC*

**FCL.940** With the exception of the mountain rating instructor, and without prejudice to FCL.900(b)(2), instructor ratings shall be valid for a period of 3 years **in addition to the remainder of the month of issue.**

Justification:

Type ratings, instrument ratings and Operator Checks are valid to the end of the month. Instructor Certificate validity periods should be the same for simplicity.

response *Noted*

Thank you for providing your opinion.  
Please see the reply to comment 1382 above.

comment 5271 comment by: *CAA Belgium*

FCL .940  
Editorial

With the exception of the mountain rating instructor, and without prejudice to ~~FCL. 900 (b)(2)~~

**FCL.900(b)(1)**,  
instructor certificates.....

response *Noted*

Please see the reply to comment 3323 above.

comment 6591 comment by: *Light Aircraft Association UK*

The LAA agrees with a period of 3 years except for the Mountain Rating Instructor.

response *Noted*

Thank you for providing your positive feedback.

comment

6838

comment by: UK CAA

**Paragraph:** FCL.940

**Page No:** 47 of 647

**Comment:** The Implementing Rule dictates that the instructor rating shall have a validity period of three years exactly. This means to the day and not to the end of the month and it offers no period within which the instructor may revalidate his rating with no loss of time. For example, if the instructor rating is valid until 31 October, then most instructors will wait until the last few days of October to revalidate. This offers no leeway for problems e.g. weather or aircraft serviceability. If the check is completed in September, then the next three years starts from the date of the test and the period between the test and the end of October is lost. Better to permit the revalidation to be completed within the last three months and to continue the validity from the original expiry date.

**Justification:** Common sense and flexibility.

**Proposed Text: (if applicable)**

Change the paragraph to read ".....shall be valid for a period of 3 years in addition to the rest of the month *from the date of test, or date of expiry if revalidated within the last 3 months of the validity period.*"

response

Noted

Please see the reply to comment 1382 above.

comment

7119

comment by: CHC Europe EASA Ops Team - representing 550 pilots across Europe

**FCL.940** With the exception of the mountain rating instructor, and without prejudice to FCL.900(b)(2), instructor ratings shall be valid for a period of 3 years **in addition to the remainder of the month of issue.**

**Justification:**

Type ratings, instrument ratings and Operator Checks are valid to the end of the month. Instructor Certificate validity periods should be the same for simplicity.

response

Noted

Thank you for providing your opinion.

Please see the reply to comment 1382 above.

comment

8308 ❖

comment by: Bertram UNFRIED

Zur Vereinfachung der Termine bei der FCL, der verschiedenen Gültigkeiten von Dokumenten etc. sollte eine vernünftige Änderung eingebracht werden. Z.B. Gültigkeit der Dokumente 4 Jahre; Gültigkeit der Lehrberechtigung ebenfalls 4 Jahre; Verlängerung der Berechtigung nach 2 Jahren durch einen Fluglehrer. Damit würde dem Termin Wirrwarr der zur Zeit herrscht Einhalt geboten.

response

Noted

The different validity periods of the different pilot ratings and certificates were established in JAR-FCL. The Agency does not intend to change them at this

time without a dedicated safety assessment.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 2: Specific requirements for the light aircraft flight instructor**

p. 47

comment 663

comment by: *British Gliding Association*

**FCL.905.LAFi, Part B, Page 47**

Comment:

The proposals identify that the privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction for the issue, revalidation or renewal of a LPL but not an SPL. The logic of prohibiting a LAFI(S) from instructing for the issue of an SPL is understood, but the proposal takes this logic too far.

In particular:

- The flight instruction specified for LPL(S) and SPL are identical (AMC to FCL.110.S and to FCL.210.S)
- The skill tests specified for LPL(S) and SPL are identical (AMC No1 to FCL.125 and to FCL.235)
- LAFI(S) and FI(S) have identical pre-requisites for their training courses (FCL.915.LAFI (d) & FCL.915.FI (f))
- LAFI(S) and FI(S) undergo identical training courses (FCL.930.LAFI (b)(1) and (b)(2)(i) & FCL.930.FI (b)(1)(ii) and (b)(2)(iii))
- LAFI(S) and FI(S) restricted privileges are identical (FCL.910.LAFI & FCL.910.FI)
- LPL(S) and SPL recency requirements are identical (FCL.230.S)

There is, thus, no reason identified in the proposal why a LAFI(S) should not instruct for SPL, or why an FE LPL(S) should not examine for SPL.

For the proposed rules not to allow a LAFI(S) to instruct for the SPL would cause unjustified and serious logistical restrictions in gliding clubs - which are primarily run by volunteers - without any discernable safety case.

During the early part of training, when a pupil has not yet gone solo and so does not require a medical certificate, she or he may not even have decided what type of licence s/he wishes to train for.

Requiring an arbitrary choice between identical instructors makes no sense..

**BGA Proposal (Alternative text)**

**FCL.905.LAFI**

**(b) a LPL**

**(1) For sailplanes only, where instructor standards and flying training requirements are identical, a LAFI(S) may instruct for the issue, revalidation or renewal of an SPL.**

**FCL.1005.FE:(Page 66)**

**(g) (1) skill tests for the issue of the LPL(S) and, for sailplanes only, where instructor standards and flying training requirements are identical, skill tests for the issue of the SPL.**

**Should, however, EASA consider that it is legally forced to continue to pursue the current proposal, an amendment to FCL.210.S is proposed:**

**FCL.210.S**

**(b) Applicants for an SPL who have met all the requirements for the**

**issue of a LPL(S) shall be fully credited towards the requirements in (a) subject to the applicant meeting the SPL medical requirements.**

response *Not accepted*

Thank you for providing your opinion.

The comment is right when stating that most of the requirements (prerequisites, content training course, revalidation) will be the same for the LAFI(S) and for the FI(S). The only difference is the privileges connected with the two instructor certificates.

However, as a general principle, the instructor has to hold at least the licence (and/or rating) he/she is providing flight instruction for. This is a commonly agreed standard and the Agency cannot see a reason to change this. (please see FCL.915)

This is also in compliance with paragraph 2.8.1 of Annex 1 to the Convention on International Civil Aviation (ICAO).

comment *856*

comment by: *Heliswiss AG, Belg*

Flight instructors are the most important pilots in aviation because they train all future pilots. Therefore, highest quality is required when training flight instructors. Offering FI courses is very demanding business and therefore, applicants should not further be divided into FI und LAFI. Also Leisure Pilots may well be trained by the existing FI. It does not make sense to create yet another FI category.

response *Noted*

Thank you for providing your opinion.

However, the proposals are based on the input given by the drafting group. The experts see a clear need for a specific LAFI(H) as there are some differences like the different medical standards, the CPL knowledge requirement or the training course contents.

As no safety related justification is provided with this comment, the Agency does not agree and will keep the two instructor categories LAFI(H) and FI(H) as proposed.

comment *2023*

comment by: *Ray Partridge*

I see no merit in requiring an arbitrary and unnecessary choice of somebody who is not in a position to make an informed decision. Adopt the BGA proposal.

response *Noted*

The Agency acknowledges your opinion.

As there is no specific proposal provided with this comment (only a general reference to a BGA proposal), the Agency does not know to which requirement you are referring to. Please see all the responses to BGA comments in this and the other LAFI segments.

Additionally it should be mentioned that the experts involved in the drafting of

these proposals evaluated the actual requirements in place in different Member States and tried to find a safe, sound and for all Member States acceptable solution. To use simply the requirements which are in place in only one Member State is for sure not the ideal solution. The Agency is aware that for most of the Member States, especially the CAAs, the organisations, the training organisations, the instructors and also for the pilots the introduction of these new requirements will cause a lot of changes as it is always a solution based on compromises in order to find the best regulation for a common European system.

comment

2212

comment by: *Nigel Roche*

Throughout this LAFI section there has been no mention of Airships as in "Gas Airships" is this intentional? I ask this question because:

in **FCL.905.LAFI LAFI Privileges and conditions** helicopter and aeroplanes are mentioned in (a) and "appropriate aircraft category" in (b).

As an Airship is a category of aircraft it has not been either ruled in or out by FCL.905

in **FCL.910.LAFI LAFI Restricted privileges** (b) different types of aircraft are mentioned, but not Airships.

As Airships are not mentioned it either means that there are no restrictions/limitations, or it has been omitted for another reason.

in **FCL.915.LAFI Prerequisites for the LAFI training course**

- (b) In the case of a LAFI for aeroplanes:
- (c) In the case of a LAFI for helicopters:
- (d) In the case of a LAFI for sailplanes,
- (e) In the case of a LAFI for balloons,

Again Airships are not mentioned.

in **FCL.930.LAFI LAFI Training course**

- (a) For the LAFI for aeroplanes or helicopters:
- (b) For the LAFI for sailplanes or balloons:

Again Airships are not mentioned, but in Airships are mentioned in Appendix 12 to which this order refers

in **FCL.940.LAFI LAFI Revalidation and renewal**

- (1) (i) aeroplanes or helicopters, (ii) sailplanes, (iii) balloons,

Again in the above Airships are not mentioned

Under FCL105.B a holder of an LPL(B) cover hot air airships, which would allow a LAFI Balloons to cover Hot Air Airships, but this does not cover the **PPL As** holder who would like to become a LAFI.

If the intention is that the only FIs can instruct on airships then I suggest that a statement is made in FCL.905 to the effect that "Gas Airships" are excluded from the LAFI system.

If this was not the intention then I suggest that the orders shown above are

	amended to include "Gas Airships".
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>As you clearly demonstrate with all the references to different LAFI requirements, only the following four LAFI categories exist:</p> <p>LAFI for aeroplanes, LAFI for helicopters, LAFI for sailplanes, LAFI for balloons.</p> <p>As there is no LPL for airships (please see subpart B — Leisure Pilot Licence) there is no need to introduce a specific LAFI for gas airships. The Agency does not agree that this has to be mentioned specifically in FCL.905 because it is obvious that for all PPL licences (e.g. PPL(As) only an FI will be allowed to provide flight instruction (see also FCL.915).</p> <p>The specific case of hot-air airships which is a specific class of balloons is covered with the LAFI(B).</p>
comment	<p>2491 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>To be deleted entirely: LAFI is not in conformity with ICAO and is not foreseen in the basic regulation.</p>
response	<p><i>Not accepted</i></p> <p>The Agency acknowledges your opinion. However, it must be pointed out that the Leisure Pilot Licence is mentioned in Article 7 of the Basic Regulation.</p> <p>When drafting requirements for such a Leisure Pilot Licence, additional ratings and certificates were not excluded. As Annex III asks clearly for instructors and examiners, the Agency cannot see why this sub-ICAO licence (in this respect the comment is right) should not be in line with the Basic Regulation.</p> <p>The Agency is of the opinion that the leisure pilot system proposed will only have success and lead to the results expected (e.g. revitalise General Aviation) if also an instructor category based on this licence and different from the FI system will be introduced.</p> <p>As a consequence the LAFI will not be deleted.</p>
comment	<p>2627 <span style="float: right;">comment by: <i>Dieter Lenzkes</i></span></p> <p><b>General comment to subpart J, section 2 and 3.</b></p> <p>Die Verwendung des Begriffes „Light aircraft flight instructor LAFI“ ist verwirrend weil der Begriff „light aircraft“ nicht definiert ist. Darüber hinaus besteht zumindest im deutschen Sprachgebrauch eine Verwechslungsgefahr mit dem „Ultraleicht-Flugzeug“, was aber hier sicher nicht gemeint ist. Im Prinzip geht es doch um die Ausbildung der Freizeitpiloten für einen LPL, also um einen „Leisure pilot flight instructor“.</p> <p>Zumindest beim Segelflug macht es wenig Sinn bei den Fluglehrern hier noch</p>

nach LAFI(S) und FI(S) zu trennen. Die Voraussetzungen und Bedingungen sind für beide identisch. Die Ausbildungsinhalte für den LPL(S) und den SPL sind ebenfalls identisch. Der Unterschied liegt lediglich in den medizinischen Anforderungen an den auszubildenden Piloten, die an den Freizeitpiloten wegen des geringeren Risikos niedriger sein können als für einen kommerziellen Betrieb (Risikobegriff entsprechend DIN EN ISO 14121-1, **siehe auch Kommentar 1408 zu NPA 2008, 17c**). Die Unterscheidung bei den Fluglehrern bläht lediglich die Bürokratie auf. Bei den Prüfern wird diese Unterscheidung ja auch nicht mehr gemacht.

**Vorschlag.**

Die betreffenden Abschnitte dahingehend ändern oder zusammenfassen, dass ein Segelfluglehrer grundsätzlich für beide Lizenzen ausbilden kann, LPL(S) und SPL.

**Begründung:** Weniger bürokratischer Aufwand.

response

*Not accepted*

Thank you for providing your opinion.

Regarding your first issue, it must be highlighted that a huge amount of stakeholders asked for introducing the term 'Light Aircraft Pilot Licence' not only for the instructor but also for the pilot licence. Based on this input received, the Agency has carefully evaluated the issue and found a way to introduce the name LAPL (Light Aircraft Pilot Licence) for the pilot licence. This means also that the name LAFI will be kept.

Regarding your statement that the requirements for the LAFI(S) and FI(S) are nearly the same, the Agency agrees. However, as the medical standards and some of the privileges are different, the Agency will keep both certificates. The LAFI(S) will not be allowed to provide instruction for the SPL because as a general principle the instructor has to hold at least the licence (and/or rating) he/she is providing flight instruction for. This is a commonly agreed standard and the Agency cannot see a reason to change this (see also FCL.915).

This is also in compliance with paragraph 2.8.1 of Annex 1 to the Convention on International Civil Aviation (ICAO).

comment

2925

comment by: *AECA(SPAIN)*

Delete totally.

Justification: is not in accordance with ICAO Annex 1 and is not foreseen in the basic regulation.

response

*Not accepted*

Thank you for providing your opinion.

See response to comment No 2491 (CAA Belgium).

comment

3202

comment by: *Susana Nogueira*

Delete all this section and all references in other sections to the LAFI.

Justification: Is not in ICAO Annex 1

response

*Not accepted*

Thank you for providing your opinion.  
See response to comment No 2491 (CAA Belgium).

comment 3283 comment by: DGAC FRANCE

FCL section 2 LAFI

The difference between the LAFI (S) and the FI(S) is the medical certificate, it is the same between the LAFI (B) and the FI (B).

On the contrary, the training to obtain a LAFI (A) or (H) certificate is much lower than the training to a FI(A) or (H) certificate.

There is no justification in that difference of training. These 2 categories of instructors will have to perform the same kind of instruction, and the LAFI will have to achieve the training in less flight instruction hours to give to the applicants rather important privileges (to fly everywhere within the European territory in a rather complex airspace and various weather conditions, even if it is with an aircraft limited in weight, number of engine and number of passengers) which correspond to the activity of the great majority of the present PPL population. So, logically, the training given **by** a LAFI should be more efficient, and consequently the training given **to** the LAFI sharper.

Moreover, we don't have the impression that the present level of the FI is too high to perform their duties. And we think that the instructors' level may have a great impact on safety.

response *Noted*

Thank you for providing your opinion.

The proposals for the LAFI certificate are based on the input provided by the expert group developing the requirements for the LAFI(A) and (H).

The principle for all these requirements are formulated in recital 8 of the Basic Regulation which says:

'For non-commercial operations, the operational and licensing rules should be tailored to the complexity of the aircraft and a related definition should be set out.'

When reviewing the prerequisites, the training course content and some other requirements for the FI(A) and FI(H) (based on the JAR-FCL requirements), the drafting group members and the Agency came to the conclusion that some of the requirements like:

- medical standard
- CPL theoretical knowledge
- instrument flight time
- amount of practical training provided during the course
- revalidation criteria

would cause a lot of problems and additional financial burden for the typical leisure pilot instructor in General Aviation. Following the framework given by the Basic Regulation and trying to develop licensing requirements tailored to the complexity of this operation, the Agency is of the opinion that the standards required for the LAFI(A) and (H) are at a sufficiently high level and that there is no reason to have only one instructor certificate for both licence categories. The Agency agrees with your statement that the training given by

the LAFI should be at least as efficient as the training provided by the FI but does not agree with your proposal that the 'training given to the LAFI' should be even 'sharper'. Certain exercises are excluded from the syllabus and checking the necessary flight time for covering the whole syllabus the Agency came to the conclusion that the training proposed should be on the right level.

comment 4479 comment by: AOPA Switzerland

Since we do not support the introduction of LPL, no LAFI is required.

response *Noted*

The Agency acknowledges your opinion.

comment 4928 comment by: Chris Gowers

Delete all references to LAFI from this, and all other, EASA documents.

The whole concept of a "LAFI" is hugely misguided. Whilst the idea of a leisure pilots licence, enabling people to participate in light aviation with limited privileges, is a good one, the Light Aircraft Flying Instructor (LAFI) is not. There should be only one form of flying instructor rating, the FI.

Why should it take any less time to train a pilot to instruct to a lesser licence.....it does not. On FI courses, by far the bulk of the time is spent in the air learning the instructional techniques to teach the basic flying skills and there is little of these skills omitted from the LPL or BLPL syllabus. The current FI course is barely adequate to give the newly qualified FI(A)(R) the building blocks to teach himself how to instruct; the LAFI would not allow the new FI to be even close to competent.

The LAFI qualification is a recipe for poorly trained instructors to produce poorly trained pilots and there is likely to be a large increase in light aviation incidents and accidents as a result.

response *Noted*

The Agency acknowledges your opinion.

However, the proposals for the LAFI certificate are based on the input provided by the expert group developing the requirements for the Leisure Pilot Licence. It was discussed if a separate instructor certificate would be needed. Based on the fact that the Agency envisages to transfer the JAR-FCL FI directly into the new system, the experts voted for a separate instructor category. The reasons were mainly the relatively high level of requirements and the enormous costs involved to become an FI(A) or (H).

When reviewing the prerequisites, the training course content and some other requirements for the FI(A) and FI(H) (based on the JAR-FCL requirements), the drafting group members and the Agency came to the conclusion that some of the requirements like:

- medical standard required
- CPL theoretical knowledge
- Instrument flight time
- amount of practical training provided during the training course
- revalidation criteria

can be fulfilled only with difficulties by a typical leisure pilot instructor in General Aviation. Following the framework given by the Basic Regulation and trying to develop licensing requirements tailored to the complexity of this operation, the Agency is still of the opinion that the standards required for the LAFI(A) and (H) as proposed are at a sufficiently high level and that there is no reason to have only one instructor certificate for both licence categories. As no justification or example is provided with your comment, the Agency does not agree with the statement that the 'LAFI qualification is a recipe for poorly trained instructors' and will keep the concept of LAFI certificates.

comment

5208

comment by: Paul Morrison

The proposals identify that the privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction for the issue, revalidation or renewal of a LPL but not an SPL. The logic of prohibiting a LAFI(S) from instructing for the issue of an SPL is understood, but the proposal takes this logic too far.

In particular:

The flight instruction specified for LPL(S) and SPL are identical (AMC to FCL.110.S and to FCL.210.S)

The skill tests specified for LPL(S) and SPL are identical (AMC No1 to FCL.125 and to FCL.235)

LAFI(S) and FI(S) have identical pre-requisites for their training courses (FCL.915.LAFI (d) & FCL.915.FI (f))

LAFI(S) and FI(S) undergo identical training courses (FCL.930.LAFI (b)(1) and (b)(2)(i) & FCL.930.FI (b)(1)(ii) and (b)(2)(iii))

LAFI(S) and FI(S) restricted privileges are identical (FCL.910.LAFI & FCL.910.FI)

LPL(S) and SPL recency requirements are identical (FCL.230.S)

There is, thus, no reason, identified in the proposal why a LAFI(S) should not instruct for SPL, or why an FE LPL(S) should not examine for SPL.

During the early part of training, when a pupil has not yet gone solo and so does not require a medical certificate, she or he may not even have decided what type of licences/he wishes to train for. Requiring an arbitrary choice between identical instructors makes no sense.

I therefore fully endorse the alternative BGA Proposal: -

*FCL.905.LAFI*

*(b) a LPL*

*(1) For sailplanes only, where instructor standards and flying training requirements are identical, a LAFI(S) may instruct for the issue, revalidation or renewal of an SPL.*

*FCL.1005.FE: (Page 66)*

*(g) (1) skill tests for the issue of the LPL(S) and, for sailplanes only, where instructor standards and flying training requirements are identical, skill tests for the issue of the SPL.*

*Should, however, EASA consider that they are legally forced to continue to pursue the current proposal, an amendment to FCL.210.S is proposed:*

*FCL.210.S*

*(b) Applicants for an SPL who have met all the requirements for the issue of a LPL(S) shall be fully credited towards the requirements in (a).*

response	<i>Not accepted</i>	
	Thank you for providing your opinion. However, as it is only a copy of another comment please see the response to comment No 663 (BGA).	
comment	6017	comment by: <i>ENAC TLP</i>
	since we strongly recommend to delete LPL, we propose to delete LAFI rating as well.	
response	<i>Not accepted</i>	
	The Agency acknowledges your opinion. See also the response to comment No 4928.	
comment	6060	comment by: <i>Martyn Johnson</i>
	I have no specific expertise in this area. However, having read the response from the British Gliding Association, I fully support it.	
response	<i>Noted</i>	
	Thank you for providing your opinion. Please see the response to comment No 663 (BGA).	
comment	6091	comment by: <i>Icelandic CAA</i>
	We consider that section 2 concerning LAFI should be removed since the requirements do not fulfill ICAO Annex 1 (section 2.8) minimum standards for instructor rating.	
response	<i>Noted</i>	
	The Agency acknowledges your opinion. See response to comment No 2491.	
comment	6485	comment by: <i>Royal Swedish Aeroclub</i>
	KSAK support that LAFI is implemented as a new category of instructors. This category should be less attractive for the commercial market. It is today a big problem were the instructors often use their instructor time to gather flying time and competence in order to be able to fly commercial air transport. The result is a lack of instructors.	
response	<i>Noted</i>	
	Thank you for providing this positive feedback.	
comment	6604	comment by: <i>CAA Finland</i>
	General comment: As the privilege to fly in BA/H or LPL easier than the level of PPL, the requirement for the instructor should be at least the same or even higher. The expensive part of training(flight training) is only 5h less so the price of the course will not be much cheaper especially when the number of potential instructor students is divided into two courses (LAFI and FI).The	

response	<p>LAFI should be totally removed.</p> <p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 4928 above.</p>
comment	<p>6669 <span style="float: right;">comment by: <i>Croft Brown</i></span></p> <p>FCL.905.LAFi, Part B, Page 47 Comment: The proposals identify that the privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction for the issue, revalidation or renewal of a LPL but not an SPL. The logic of prohibiting a LAFI(S) from instructing for the issue of an SPL is understood, but the proposal takes this logic too far. In particular: The flight instruction specified for LPL(S) and SPL are identical (AMC to FCL.110.S and to FCL.210.S) The skill tests specified for LPL(S) and SPL are identical (AMC No1 to FCL.125 and to FCL.235) LAFI(S) and FI(S) have identical pre-requisites for their training courses (FCL.915.LAFI (d) &amp; FCL.915.FI (f)) LAFI(S) and FI(S) undergo identical training courses (FCL.930.LAFI (b)(1) and (b)(2)(i) &amp; FCL.930.FI (b)(1)(ii) and (b)(2)(iii)) LAFI(S) and FI(S) restricted privileges are identical (FCL.910.LAFI &amp; FCL.910.FI) LPL(S) and SPL recency requirements are identical (FCL.230.S) There is, thus, no reason, identified in the proposal why a LAFI(S) should not instruct for SPL, or why an FE LPL(S) should not examine for SPL. During the early part of training, when a pupil has not yet gone solo and so does not require a medical certificate, she or he may not even have decided what type of licence s/he wishes to train for. Requiring an arbitrary choice between identical instructors makes no sense.. BGA Proposal (Alternative text) FCL.905.LAFI (b) a LPL (1) For sailplanes only, where instructor standards and flying training requirements are identical, a LAFI(S) may instruct for the issue, revalidation or renewal of an SPL. FCL.1005.FE: (Page 66) (g) (1) skill tests for the issue of the LPL(S) and, for sailplanes only, where instructor standards and flying training requirements are identical, skill tests for the issue of the SPL. Should, however, EASA consider that they are legally forced to continue to pursue the current proposal, an amendment to FCL.210.S is proposed: FCL.210.S (b) Applicants for an SPL who have met all the requirements for the issue of a LPL(S) shall be fully credited towards the requirements in (a).</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. However, as it is only a copy of another comment please see the response to comment No 663 (BGA).</p>
comment	<p>7033 <span style="float: right;">comment by: <i>DGAC FRANCE</i></span></p>

**Section 2**Specific requirements for the light aircraft flight instructor - **LAFI**

Justification :

The difference between the LAFI (S) and the FI(S) is the medical certificate; it is the same between the LAFI (B) and the FI (B).

On the contrary, the training to obtain a LAFI (A) or (H) certificate is much lower than the training to a FI(A) or (H) certificate.

We can't find any justification to that difference of training. These 2 categories of instructors will have to perform the same kind of instruction. The LAFI will have to achieve the training in fewer flight instruction hours to give to the applicants rather important privileges (to fly everywhere within the European territory in a rather complex airspace and various weather conditions, even if it is with an aircraft limited in weight, number of engine and number of passengers). This corresponds to the activity of the great majority of the present PPL population. So, logically, the training given by a LAFI should be more efficient, and consequently the training given to the LAFI sharper.

Moreover, we don't have the impression that the present level training of the FI is too high to perform their duties. And we think that the instructors' level may have a great impact on safety.

Modification :

**Delete LAFI certificates**response *Not accepted*

Thank you for providing your opinion. However, it seems that a similar comment has already been sent.  
See also the response to your comment No 3283 above.

comment

7633

comment by: *Mike Armstrong*

Page 47 of 647 FCL 905.LAFI

I have been unable to differentiate between the pre-requirements/qualifications/syllabus/skill sets/etc of LAFI and FI. It seems unreasonable, therefore, to prevent an LAFI to instruct and test for SPL. Similarly for LAFE and FE. I would propose that LAFI and LAFE have the same privileges as FI and FE in terms of voluntary instructing and testing.

response *Not accepted*

Thank you for providing your opinion.  
Please see the response to comment No 663 (BGA).

comment

8024

comment by: *Andy Balkwill*

It is not clear why a LAFI(S) should be prevented from instructing or re-validating the licence of a pilot holding a SPL as the instruction specified for LPL(S) and SPL look that same, as do the skill tests specified for LPL(S) and SPL. The same applies to an FE LPL(S) examining a pilot for SPL.

response *Noted*

Thank you for providing your opinion.  
Please see the response to comment No 663 (BGA).

<b>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</b>	p. 47
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comment 398 comment by: Rod Wood

Remove all references to a Basic LPL(H) or LPL(H) rated pilot holding an instructor rating. This an unnecessary dilution of the standards and experience needed to control situations encountered whilst instructing on helicopters

response *Not accepted*

The Agency acknowledges your opinion.

However, the proposals for the LAFI certificate are based on the input provided by the expert group developing the requirements for the Leisure Pilot Licence. It was discussed if a separate instructor certificate would be needed. Based on the fact that the Agency envisages to transfer the JAR-FCL FI requirements directly into the new system, the experts voted for a separate instructor category. The reasons were mainly the relatively high level of requirements and the enormous costs involved to become an FI(A) or (H).

When reviewing the prerequisites, the training course content and some other requirements for the FI(A) and FI(H) (based on the JAR-FCL requirements), the drafting group members and the Agency came to the conclusion that some of the requirements like:

- medical standard
- CPL theoretical knowledge
- amount of practical training provided during the course
- revalidation criteria

Can be fulfilled only with difficulties by a typical leisure pilot instructor in General Aviation. Following the framework given by the Basic Regulation and trying to develop licensing requirements tailored to the complexity of this operation, the Agency is still of the opinion that the standards required for the LAFI(A) and (H) are at a sufficiently high level and that there is no reason to have only one instructor certificate for both licence categories. As no justification or example is provided with your comment, the Agency does not agree with your statement that this will cause 'an unnecessary dilution of the standards' and will keep the concept of LAFI certificates.

comment 524 comment by: Geschäftsführer Luftsportverband RP

In vielen Bereichen der Fliegerei wird von Selbstverantwortlichkeit gesprochen. Das Erreichen für LAFI certificate dauert hier zu lange. Im Windenbetrieb auf 50 Ausbildungsstunden zu kommen, kann recht lange dauern. Beim Motorflug wissen wir, dass die bei FCL ursprünglich geforderten 100 Ausbildungsstunden in drei Jahren von den meisten Fluglehrern nicht erfüllt werden konnten. Fliegerisches Talent wird vernachlässigt gegenüber nichtssagenden Stundenvorgaben. **Letztendlich hat jede Flugschule die Verantwortung für die Fähigkeiten seiner eingesetzten Fluglehrer.** Eine Stundenzahl sagt da gar nichts aus über Qualität.

Ich schlage nachfolgende Werte vor:

(f), (1) in case of a LAFI for sailplanes, has completed at least 50 hours or 100 launches of instruction ;

(f), (2) for all other aircraft categories, has completed at least 100 hours of instruction in the appropriate aircraft category;

Satz (f) (3) ändern, denn der Fluglehrer hat ja bereits eine Prüfung zur Schülersausbildung bestanden; warum soll er jetzt nochmals eine Prüfung machen, um auch Fluglehrer auszubilden. Was vielleicht im gewerblichen Flugbetrieb notwendig ist, kostet im Luftsport nur zusätzliches Geld ohne jeglichen Sicherheitsgewinn.

daher (f) (3) has demonstrated to a chief flight instructor .....with Appendix 12 to this Part.

response *Partially accepted*

Thank you for providing your comment.

The comment is aiming on the experience required for a LAFI in order to provide flight instruction for the LAFI certificate.

The Agency partially agrees with your first proposal to add a certain amount of launches in order to focus not only on the hours of instruction. The Agency will separate the ballooning requirements and will add 'or 150 launches' for the LAFI(S).

Regarding your second proposal, the Agency partially agrees that the amount of hours can be reduced. A minimum amount of 150 hours instructing time should be sufficient to gain the necessary level of experience in order to be able to demonstrate the ability to instruct for the LAFI certificate.

The Agency does not agree with your proposal to delete the assesment of competence (the wording was amended) required in (f)(3) as this is a general requirement for all instructors wishing to conduct flight instruction for the instructor certificate and will guarantee a certain standard and check of the experience level before starting to provide this training (new numbering: (e)(1)).

comment 527

comment by: FOCA Switzerland

J/Section 2  
FCL.905

Proposal

**(d) (e) There shall be no such ratings. Ratings such as stated shall only be possible for holder of a full PPL.**

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not see a reason (no justification is provided with this comment) to delete the references to the different ratings.

Based on the proposals of the experts, the Agency came to the conclusion that there is no reason to prevent the experienced LPL(A) pilot to start the training for the towing, night or aerobatic rating. After a careful review of the comments received there seems to be no safety related argument why these ratings should not be attached to the LPL licence.

Based on this, the privileges contained in (d) and (e) must be kept.

comment 547 comment by: *Norwegian Air Sports Federation*

Same comments as for FI related to aerobatic instructor training and skill test.

response *Noted*

Thank you for providing your opinion.  
Please see the response to your comment on the FI related to the aerobatic rating, the instructor training and the skill test.

comment 638 comment by: *British Microlight Aircraft Association*

(f) Question: Is (3) in addition to (1) or (2) or an alternative?

response *Noted*

Thank you for providing your comment and the question.  
Answer: (3) is in addition to (1) or (2) and not an alternative. Otherwise the word 'or' would have been used.

comment 870 comment by: *Stefan Kramer*

Die geforderte Ausbildungszeit von 250 Stunden ist deutlich zu hoch.  
Fluglehrer sind nach Eignung und Befähigung auszuwählen. Dies ist bereits bei deutlich geringerer Zeit ausreichend erkennbar.  
Diese Hohe Stundenzahl wird in Zukunft wohl kaum ein Fluglehrer im Freizeitbereich in angemessener Zeit erreichen. Es kann nicht die Absicht der Neuregelung sein, die Zugangsbarrieren derart hoch zu legen, dass der Luftsport, der ganz überwiegend den Zugang zur Materie der Berufsluftfahrt schafft, derart behindert wird.

response *Noted*

Thank you for providing your opinion.

However, it must be stated that the requirement in (f) is dealing with the privilege of providing training for the LAFI certificate (during the training course). Your proposal to choose the instructors for this task only based on the assessment of his/her qualification and competence is very difficult because this would mean that the decision would have to be made in a more or less subjective way. The Agency does not agree with this approach.

However, after careful consideration, the Agency agrees that the amount of hours can be reduced. A minimum amount of 150 hours instructing time should be sufficient to gain the necessary level of experience in order to be able to demonstrate the ability to instruct for the LAFI certificate.

comment	<p>884 <span style="float: right;">comment by: ASW-27B</span></p>
	<p>Warum reicht es nicht aus, wenn ein Prüfer die Eignung als Fluglehrer festgestellt hat?          Alles andere ist zu aufwändig und reduziert langfristig die Zahl der dringend benötigten Fluglehrer, die ehrenamtlich Freizeit opfern, um anderen das Fliegen beizubringen und denen es nicht zuzumuten ist, darüber hinaus noch eine so hohe Zahl an Ausbildungsstunden für ihre Berechtigung zu erbringen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.          Please see the response to comment No 870 above.</p>
comment	<p>972 <span style="float: right;">comment by: Alastair MacGregor</span></p>
	<p>Why should a LAFI not be able to instruct for SPL when they have the same skills?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree. As a general principle the instructor has to hold at least the licence for which instruction is being provided (see FCL.915 (b)(1)). This means clearly a licence with at least the same privileges. The privileges of an LPL(S) are lower than the privileges of an SPL; therefore, the holder of an LPL(S) cannot provide instruction for an SPL.</p>
comment	<p>1004 <span style="float: right;">comment by: CAA Belgium</span></p>
	<p>(e) the required flight experience of 20 hrs is far too low !          Such low minima will surely create a hazard to flight safety.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, based on the input received the Agency will delete the proposed 20 hours requirement but will introduce an additional demonstration of his/her ability to instruct aerobatics to an instructor qualified in accordance with (f). A similar privilege was already proposed for providing instruction for the night rating — this system is based on JAR-FCL.</p>
comment	<p>1016 <span style="float: right;">comment by: George Rowden</span></p>
	<p>Comment: Given the similarity of the requirements for LPL(S) &amp; SPL and LAFI(S) &amp; FI(S) There appears to be no reason why a LAFI(S) should not instruct for a SPL, or why an FE LPL(S) should not examine for a SPL.</p> <p>It is therefore proposed that this should be reflected in the document.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.          Please see the response to comment No 972 in the same segment.</p>

comment	<p>1176 <span style="float: right;">comment by: <i>Thomas Reusch</i></span></p> <p>Nein. Keine Vorgaben machen, da die Fluglehrerprüfung die Kompetenz des Fluglehrers bestätigt.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see also the response to comment No 870 above.</p> <p>As your comment seems to be a general comment on the privileges of an instructor, please be aware that the Agency does not agree that an instructor certificate automatically includes all the mentioned privileges without requiring any further training or the proposed demonstration of the ability to instruct for certain ratings or the LAFI certificate.</p> <p>To take an example: The additional experience requirements for providing aerobatic flight training are absolutely necessary as the 5 hours training for the LAFI to gain the rating himself/herself is definitely not sufficient to provide aerobatic training. A certain additional experience should be gained before providing the training. The Agency is confident that stakeholders will agree with this requirement based on the fact that the licensing experts involved in the review were also supporting the Agency's view.</p>
comment	<p>1202 <span style="float: right;">comment by: <i>Luftsportverband Rheinland Pfalz</i></span></p> <p>FCL 905 (f) (1 und 2) streichen</p> <p>Die Anzahl der Ausbildungsstunden erlaubt keine Aussage über die Eignung und Qualität eines Fluglehrers. Erst wenn ein Fluglehreranwärter Flugschüler erfolgreich vom Fußgänger bis zur bestandenen Prüfung ausgebildet hat ist (zusammen mit einer Prüfung nach f) eine Aussage über seine Eignung zum Fluglehrer möglich. Die Ausbildung muß alle Ausbildungsabschnitte umfassen.</p> <p>Formulierungsvorschlag: (f) (1) in the case of a LAFI fo sailplanes or ballons - erfolgreiche Ausbildung (instruction) unter Aufsicht erfahrener Fluglehrer (FE) in allen relevanten Ausbildungsabschnitten bzw. Ausbildungsinhalten- in the appropriate aircraft category</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, it seems that this comment is also aiming at the experience requirement in (f) in order to allow the LAFI to instruct for the LAFI certificate.</p> <p>Please see the response to comment No 525 (Geschäftsführer Luftsportverband) and No 870 (S. Kramer).</p> <p>The wording proposed in your comment is already covered with FCL.910.LAFI(b)(3). So this addition proposed makes no sense. In addition to this the experience level of an LAFI providing training during an instructor course should be higher than the one proposed by you.</p>

comment	1244	comment by: <i>Aeromega</i>
	Comments earlier about the LPL not being appropriate for helicopters still apply. However if LPL (H) remains, there is no justification for a lower standard of instructor for the LPL (H) compared to the PPL (H). There will be a 2 tier system and that usually means that the cheapest prevails - this will lead to increased accidents due to the proposed syllabus omissions.	
response	<i>Noted</i> Thank you for providing your opinion. See response to comment No 398 (Rod Wood) above.	
comment	1263	comment by: <i>Günter End</i>
	Als Segelfluglehrer 50 Stunden scheinen vertretbar. 250 Stunden als Motorfluglehrer scheint übertrieben 100 Stunden scheinen völlig ausreichend.	
response	<i>Noted</i> Thank you for providing your comment. Please see the response to comment No 524 (Geschäftsführer Luftsportverband)	
comment	1343	comment by: <i>Gerhard Hehl</i>
	Es sind keine Stundenvorgaben zu machen. Viele Flugstunden zu haben, muss nicht heißen, dass er gut ist. Das Talent wird letztendlich bei der Prüfung festgestellt.	
response	<i>Noted</i> Thank you for providing your opinion. Please see the response to comment No 870 above.  It should be mentioned that (f) is dealing with the privilege to instruct applicants for the instructor certificate. The Agency has received a lot of (multiple/copied) comments on this issue asking for a reduction or even for a deletion of a certain amount of instruction time. The Agency strongly disagrees with this idea that every instructor who is able and allowed to instruct for the basic pilot licence is also automatically the suitable and qualified person to provide training for applicants for the instructor certificate.  As your comment seems to be a general comment on the privileges of an instructor, please be aware that the Agency does not agree that an instructor certificate automatically includes all the mentioned privileges without requiring any further training or the proposed demonstration of the ability to instruct for certain ratings or the LAFI certificate. See also the response to comment No 1176 in the same segment above.	
comment	1400	comment by: <i>Wilfried Müller</i>
	My suggestion is to take the preconditions away. Only the talent of the applicant should be decisive. The applicant will be checked out in a selection workshop (assessment centre). Only the quality of a person combined with PPL knowledge and his /her airmanship should count.	

	Wilfried Müller 11-27-2008
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. However, the Agency does not agree. Please see the response to comment No 1343 above.</p> <p>It should be mentioned that the term 'selection workshop (assessment centre)' used is unknown and not part of the future requirements.</p>
comment	<p>1487 <span style="float: right;">comment by: <i>Andrew Sampson</i></span></p> <p>Surely there is no logical reason why a LAFI(S) should not instruct for SPL, or why an FE LPL(S) should not examine for SPL? There appears to be considerable ambiguity here as LAFI (S) and FI (S) seem identical in most respects.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 972 in the same segment.</p>
comment	<p>1507 <span style="float: right;">comment by: <i>Volker ENGELMANN</i></span></p> <p>250 hrs of instruction on all other aircraft categories is far to high and again no proper risk assesment toll as mentioned earlier before. Reccomendation: 100hrs</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>After careful consideration and based on the input received, the Agency agrees that the amount of hours in (f) can be reduced. A minimum amount of 150 hours instructing time should be sufficient to gain the necessary level of experience in order to be able to demonstrate the ability to instruct for the LAFI certificate.</p>
comment	<p>1535 <span style="float: right;">comment by: <i>Danish Balloon Organisation</i></span></p> <p><b>FCL.905.LAFI:</b> We suggest that the wording of FCL.905LAFI is amended to read: "The privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction <b>and proficiency checks</b> for the issue, revalidation or renewal of: ..."</p> <p>Justification: The Basic Regulation allows the following toolbox for demonstration of compliance: "Assessments, examinations, tests or checks". We therefore think that proficiency checks should be possible also with instructors to reflect the level of risk associated with the activity.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. However, as the proficiency checks are by definition conducted by examiners (see Basic Regulation and Implementing Rules Part FCL),this privilege cannot</p>

be included.

comment 1717 comment by: *Sven Koch*

LAFI darf ausbilden, verlängern und erneuern in seiner Flugzeug-Kategorie; muss haben wenn er LAFI ausbilden will: Als Segelfluglehrer 50 Ausbildungsstunden  
Als Motorfluglehrer 250 Ausbildungsstunden  
Hat im Einklang mit Anhang 12 einen Prüfercheck absolviert.  
Keine Vorgaben; Talent ist entscheidend und wird durch Fluglehrerprüfung festgestellt. Die Besten sind Fluglehrer bei einer Fluglehrerausbildung; viele Ausbildungsstunden sagen nichts über Qualität

response *Not accepted*

Thank you for providing your opinion but the Agency does not understand the meaning behind the first part of your comment.

It seems to be only a more or less exact German translation of some elements contained in FCL.905.LAFI.

In the second part you propose to delete the prerequisite minimum hours for the LAFI and the foreseen check before he/she will be allowed to act as an instructor instructing LAFI candidates (meaning instructing during an instructor course). The Agency cannot follow your logic that every LAFI 'with some talent' or 'simply the best ones' should be allowed to instruct for the LAFI training course. The Agency does not understand how you will decide on the 'talent' or on the criteria who is 'the best one' to do this. The Agency believes that some minimum requirements on the experience for such a task should be defined not to allow every instructor to train the future instructors.

comment 1750 comment by: *Stephan Johannes*

Sehr geehrte Damen und Herren,  
zur Eignung zum Fluglehrer ist mehr notwendig, als Flugstunden. Aus meiner Sicht ist entscheidend, ob der Fluglehreranwärter Talent hat. Dies wird im Verein zur eine Vorauswahl und im Fluglehrerlehrgang nachgewiesen.  
Bitte streichen Sie die Vorgaben und legen Sie Wert auf das Talent/die Eignung des Fluglehrers.

Mit freundlichen Grüßen  
Stephan Johannes

response *Not accepted*

Thank you for providing your opinion.

Please see the responses provided to the comments No 524, 870 and 1176 in the same segment above. These comments are dealing with the same issue.

comment 1862 comment by: *Dr. Schreck*

FCL.905.FI FI privilges and conditions  
500 Stunden Ausbildung sollten ausreichend sein zur Fluglehrer Ausbildung.  
Dieser sollte dann auch die entsprechende Erfahrung haben, um den proficiency check für Fluglehrer abnehmen zu können.

response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. However, it seems that your comment should be addressed to another segment as here in FCL.905.LAFI no requirement asks for 500 hours of instruction time. Your comment seems to aim at the required 500 hours for an FI to receive the privilege to provide training for an FI. As the 500 hours proposed are already incorporated in the NPA the comment is not understood. It should be added that the instructor will not receive the privilege to act as FIE. This is clearly a task of an examiner only. Please study the requirements to become an FIE.</p>
comment	<p>1988 <span style="float: right;">comment by: <i>Volker Reichl</i></span></p> <p>Cost Impact, Social impact: Due to the small differences between the LPS(S) and the SPL it should be considered to grant rights for a LAFI to exercise the rights of an instructor for SPL and vice versa.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response for comment No 972 in the same segment.</p>
comment	<p>1995 <span style="float: right;">comment by: <i>Felix.Reichl</i></span></p> <p>LAFI should instruct LPL(S) as well as SPL due to the fact that training is the same the only difference in the license is the medical requirement.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 972 in the same segment.</p>
comment	<p>2180 <span style="float: right;">comment by: <i>Oelschlaeger, Harald</i></span></p> <p>Keine Vorgaben; Talent ist entscheidend und wird durch eine Fluglehrerüberprüfung festgestellt. Die Besten sind Fluglehrer bei einer Fluglehrausbildung; viele Ausbildungstunden sagen nichts über die Qualität aus.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. As your comment is not specifying on which item you are commenting on, the Agency is not able to provide a direct response. Please see the responses provided to comments No 524, 870 and 1176 in the same segment above. These comments are dealing with the same issue.</p>
comment	<p>2447 <span style="float: right;">comment by: <i>Dr. Horst Schomann</i></span></p> <p>Subparagraph (f) (1)</p> <p>Problem: An alternative number of sailplane take-offs is missing.</p>

	<p>Proposed solution: ..., has completed at least 50 hours or 200 take-offs instructions ...</p> <p>Justification: Sailplane flight time is highly related to the thermal current environment. The necessary experience can be gained through a sufficient number of take-offs also.</p> <p>Subparagraph (f) (2)</p> <p>Problem: The number of hours of instruction appears to be a bit high compared to the related hours for FI(A).</p> <p>Proposed solution: Change to 200 hours.</p> <p>Justification: 200 hours of instruction flight provides a sufficient experience to enable to instruct LAFI candidates. The number of hours should be less than the related number for FI(A).</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment. Based on the comments received the Agency decided to add an additional alternative requirement in (f)(1) asking for 150 take-offs of instruction. Additionally, the required flight instruction hours required in (f)(2) will be reduced to 150 hours.</p>
comment	<p>2474 <span style="float: right;">comment by: <i>derekheaton</i></span></p> <p>As there are no differences within the EASA FCL in: - flight instruction or skills tests between LPL(S) and SPL or LAFI(S) and FI(S) training courses then there should be no reason why a LAFI(S) cannot instruct an SPL or why a FE LPL(S) should not examine a SPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 972 in the same segment.</p>
comment	<p>2524 <span style="float: right;">comment by: <i>ETPS CI</i></span></p> <p><u>17b FCL.905 (I)</u></p> <p><i>the instruction required to conduct flight tests, provided that the FI is qualified to conduct such flight tests.</i></p> <p><b>Comment 5:</b> ETPS currently flies and instructs under military regulations. Instructors are rigorously monitored and examined but do not necessarily hold civilian licenses. ETPS would seek either an exemption or an Acceptable Means of Compliance (AMC) for this rule, i.e. an acceptance of UK MOD regulation equivalence which would lead to ETPS becoming an EASA "accepted flight test training organisation".</p>
response	<p><i>Noted</i></p> <p>Based on the comments received and on the input provided by flight test experts, the Agency has decided to delete FCL.905.FI(I), and to create a specific category of flight instructor for flight tests. Please see amended text of</p>

Subpart J.

As for the issue of military schools, as it was already explained in the comments to FCL.820, nothing prevents a military school from requiring a civil approval and providing training for civil pilots, as long as the requirements are complied with.

comment 2768 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FCL 905 LAFI LAFI (c) :

FFA has no information about the "group extensions" mentioned here, which are not defined under FCL 010 Definitions.

FFA asks for clarification on this item.

response *Noted*

Thank you for providing your input.

It has to be highlighted that the term 'group' was introduced only for the aircraft category balloons. Please see the definition for 'group of balloons' in FCL.010 (Definitions) which will provide further information.

You will find also a paragraph about the extension to another group (e.g. FCL.225.B) and additional AMC material which contains the differentiation of these groups (AMC to FCL.225.B).

comment 2772 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FFA draws the Agency 's attention on the confusing numbering of the articles.

FFA suggests to re-consider the whole numbering of Part FCL or, at least, to change the proposed one into "FCL 905 LAFI - Privileges and conditions for LAFI".

response *Noted*

Thank you for providing your opinion.

However, the Agency does not fully understand the meaning of your comment. With your first general statement you are criticising the 'confusing numbering of the articles' but without explaining why the numbering is so confusing or providing any counter proposal.

The Agency has decided to assign a certain group of numbers for each subpart. Here are some examples:

Subpart A FCL.1XX

Subpart B FCL.2XX

Subpart C FCL.3XX

For instructors, as it is subpart J the numbering is FCL.9XX. In order to provide immediate information which section of subpart J is meant, the additional denominator of the specific instructor category was added. For this paragraph this principle means FCL.905.LAFI because it is a paragraph within the section for the LAFI. The Agency has not received a proposal with a better solution and

will therefore keep the numbering unchanged.

Regarding your second issue to change the wording of the header, the Agency reviewed the issue and will try to find a solution. So far the title in the instructor subpart mentioned the category first followed by the pure title. In this case the header of the paragraph is: LAFI — Privileges and conditions. As this seems to be the best way to address it, the Agency will keep this order but might enlarge the space between the number and the text of the header.

comment

2780

comment by: *David COURT*

As the training for a BPL and LPL(B) are exactly the same a LAFI should be allowed to instruct for both the BPL and LPL.

The only distinction should be that a LAFI cannot receive remuneration.

This will allow some very experienced Instructors to continue to instruct when they cannot pass a Class 2 medical or when the frequency of Class 2 medicals (due to age) makes holding a FI Certificate too expensive for them.

response

*Noted*

Thank you for providing your opinion.

However, the Agency does not agree. As a general principle the instructor has to hold at least the licence for which instruction is being provided (see FCL.915 (b)(1)). This means clearly a licence with at least the same privileges. The privileges of an LPL(B) are lower than the privileges of a BPL; therefore, the holder of an LPL(B) cannot provide instruction for a BPL.

Regarding your second issue of an instructor who is not able to pass the medical class 2 requirement, it should be mentioned that a BPL licence will be directly fully credited for an LPL(B). The instructor certificate will be kept also and the former FI(B) will be allowed to act as instructor for LPL(B) student pilots.

comment

2817

comment by: *Clare GRANGE*

No, No, No! If this route is followed standards will fall dramatically and they are already struggling. We need a stricter and more stringent method of training not this very amateur proposal. The idea appalls me and the idea of LPL pilots and instructors being able to fly at night and undertake aerobatics is frightening.

response

*Noted*

Thank you for providing your opinion.

However, the Agency does acknowledge your proposal for a 'stricter and more stringent method of training' but does not agree at all with your statement that the content of this paragraph is a 'very amateur proposal'. As the justification is missing completely the Agency can only assume that your comment is aiming at a certain way on the privilege of the LAFI to instruct for the night rating and the aerobatic rating if the requirement in (d) and (f) is fulfilled.

The Agency does not understand why the comment states that the proposed requirement should be 'frightening'. The system requires already that a

LAFI(A), who has completed 200 hours flight time and all the other prerequisites in FCL.915.LAFI before starting with the training course for the LAFI, who completed the training course and passed the skill test for being an instructor and who holds the appropriate rating shall demonstrate the ability to instruct at night to an instructor qualified with (f).The Agency does believe that this system will ensure that the LAFI will have a high level of competence and experience in order to safely provide all the training mentioned in FCL.905.A.

It seems that the comment is based on a misunderstanding of the proposed privileges.

comment 2935 comment by: Robert WORSMAN

Both LAFI and FI should be able to instruct for both LPL and BPL. A LAFI should not be restricted to only instruct for LPL. There is no logic to the EASA proposal.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree and would like to explain the logic behind it. As a general principle the instructor has to hold at least the licence for which instruction is being provided (see FCL.915 (b)(1)). This means clearly a licence with at least the same privileges. The privileges of an LPL(B) are lower than the privileges of a BPL; therefore, the holder of an LPL(B) cannot provide instruction for a BPL.

comment 2952 comment by: FEDERATION FRANCAISE D'AEROSTATION

**FCL. 915. LAFI Pré-requis pour le cours de formation  
Balloons**

Il ne nous semble pas nécessaire de faire un test en vol avant de suivre le cours de formation d'Instructeur car les compétences de pilotage peuvent être jugées au cours des 3 vols d'instruction. Par contre nous demandons de rajouter: ***avoir satisfait à un contrôle connaissances théoriques*** afin de s'assurer que cette partie est acquise avant le cours.

response *Not accepted*

Thank you for providing your opinion.

However, it seems that the comment should have been addressed to another segment as this segment is dealing with FCL.905.LAFI.

The Agency does not agree with the proposal to abolish the proposed pre-entry flight test before taking part in the training course for instructors. This pre-entry flight test was introduced by JAR-FCL for aeroplane and helicopter instructors and is widely accepted as a valuable tool during the process.

The reasoning behind such a test is mainly to identify possible training needs already before the training course starts in order to allow the instructor candidate to conduct some refresher training before starting the course.

Additionally it should be mentioned that only three flights are required during the training course. During these flights the instructor exercises should be trained — there would be not enough time to combine this with the required

test.  
The text will be kept unchanged.

comment 3013 comment by: *Deutscher Aero Club (DAeC)*

Add: The privileges of a FI are to conduct check flights, provided that the FI has completed 150 hours of dual instruction or 300 launches of dual instruction in case of sailplanes.  
Justification see comment No 3009.

response *Not accepted*

Thank you for providing your opinion.  
However, as the proficiency checks are by definition conducted by examiners (see Basic Regulation and Implementing Rules Part FCL) this privilege cannot be included.  
See also the response to your comment No 3009.

comment 3118 comment by: *Bernhard Büdke*

Die Ausbildungen zur LPL und zur oder SPL unterscheiden sich nur durch die Art des erforderlichen Medicals. Daher sollte auch der LAFI (Light Aircraft Flight Instructor) auch beide Lizenzen ausbilden dürfen!

response *Noted*

Thank you for providing your opinion.  
Please see the response for comment No 972 in the same segment.

comment 3123 comment by: *Axel Anschau*

Ein LAFI (Light Aircraft Flight Instructor) berechtigt entweder zur Ausbildung LPL(S) (Leisure Pilot License Sailplane) oder SPL (Sailplane Pilot License). Die beiden Lizenzen unterscheiden sich aber nur durch die Art des erforderlichen Medicals. Ich meine es wäre einfacher wenn der LAFI sowohl SPL als auch LPL(S) unterrichten kann denn ausbildungstechnisch besteht nur ein geringer Unterschied zwischen den Lizenzen.

response *Noted*

Thank you for providing your opinion.  
Please see the response for comment No 972 in the same segment.

comment 3165 comment by: *FOCA Switzerland*

J/Section 2  
FCL.905.LAFI

Proposal  
**Delete whole section**

response *Not accepted*

Thank you for providing your opinion.  
However, as explained already with the response to your general statement regarding the LAFI, the Agency has decided to keep the LAFI category. This will

mean also that this paragraph containing the privileges has to be kept.

comment 3329 comment by: DGAC FRANCE

FCL 905.LAFI (f)

Instructor training can't be considered as a leisure activity.

Delete the paragraph FCL 905.LAFI (f).

.....

~~(f) A LAFI certificate, provided that the instructor:~~

.....

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree because the LAFI has no privilege to get any remuneration for his/her activity or to provide the training in an instructor course as a commercial operation.

The Agency has evaluated several national systems for the training of instructors and came to the conclusion that especially in the balloon and sailplane environment most of the instructor training courses are pure leisure or club activities without any form of remuneration for the instructors providing the training. As there is no safety case at all connected to this activity, the Agency will keep this requirement to allow LAFIs with a certain experience to instruct for a LAFI certificate.

comment 3370 comment by: DGAC FRANCE

FCL.905. LAFI (c)

The notion of group exists only for the balloon category and the LPL (B) is only concerned by the smallest group. So it is not possible to extend to another group.

(c) class, type or group extensions to be endorsed on a LPL , in the appropriate aircraft category

response *Accepted*

Thank you for providing your opinion.

The Agency agrees with the comment and will change the text accordingly.

comment 3423 comment by: Royal Danish Aeroclub

According to our comment no3421 the text should be changed to:

**"The privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction and proficiency checks for the issue, revalidation or renewal of: ..."**

response *Not accepted*

Thank you for providing your opinion.

However, as the proficiency checks are by definition conducted by examiners (see Basic Regulation and Implementing Rules Part FCL) this privilege cannot be included.  
See also the response to your comment No 3421.

comment 3424 comment by: *Royal Danish Aeroclub*

In connection to comment No 3421 we suggest the text to read:

**"The privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction and conduct proficiency checks for the issue, revalidation or renewal of: ..."**

response *Not accepted*

The Agency acknowledges your comment but does not understand what the difference is between this comment and comment No 3423 above. Please see the response already provided to comment No 3423.

comment 3557 comment by: *Rory Worsman*

Allow a FI or a LAFI to instruct for both LPL and BPL. The LAFI may not charge for the instruction but allow the FI to charge.

This ruling is very badly thought out for ballooning - it looks contrived and is obviously trying to conform to other modes of flying.  
Please present something more sensible and thought out.

response *Noted*

Thank you for providing your opinion.  
See the response already provided to comment No 2953 (R. Worsman) in the same segment above.

comment 3583 comment by: *Swiss Power Flight Union*

Delete Section 2 completely.

We see no reason to introduce an additional flight instructor category (LAFI). That would be a retrograde step in the quality of training.

response *Not accepted*

Thank you for providing your opinion.  
However, as explained already with the response to your general statement regarding the LAFI, the Agency has decided to keep the LAFI category. This will mean also that this paragraph containing the privileges has to be kept.  
Please see also the response provided to your comment on the general segment for the LAFI.

comment 3634 comment by: *SHA Guido Brun*

Statement: the introduction of LPL carries some safety risks already. The quality and qualification of the instructors are therefore even more important to produce safe LPL pilots. Use standard FI's for the training of LPL.  
Proposal: delete LAFI

response

*Not accepted*

Thank you for providing your opinion.

However, as explained already with the response to your general statement regarding the LAFI, the Agency has decided to keep the LAFI category for several reasons. This will mean also that this paragraph containing the privileges has to be kept.

Please see also the response provided to your comment on the general segment for the LAFI.

comment

3921

comment by: *DCA Malta*

Delete the whole of Section 2 - Not in conformity with ICAO

response

*Not accepted*

Thank you for providing your opinion.

However, as explained already with the response to your general statement regarding the LAFI, the Agency has decided to keep the LAFI category. This will mean also that this paragraph containing the privileges has to be kept.

Please see also the response provided to your comment on the general segment for the LAFI.

comment

4054

comment by: *A. Mertz*

(f)(2): Für die 250h Ausbildung sollten Ausbildungszeiten in allen Luftfahrzeugkategorien (Segelflug, Motorflug, Helikopter, 3-achs-UL) zählen. Der Sinn der Stundenforderung soll ja wohl darin bestehen, dass die Fluglehrerlehrer genügend Lehrerfahrung haben. Das "Lehren" an sich, ist aber bei allen Luftfahrzeugkategorien identisch.

response

*Noted*

Thank you for providing your opinion.

However, the Agency does not agree at all. It is right to say that certain standard instructional techniques are similar but the required experience to provide flight training during an LAFI seminar should not be substituted by flight instruction time in another aircraft category. Following your proposal would mean that an FI(S) having completed already 250 hours of flight instruction on sailplanes would be allowed to instruct during an FI(A) instructor course directly when having received his/her FI(A) certificate without having any further instructing experience on aeroplanes. Especially the training from the right seat and the changed responsibilities during emergency exercises like simulated engine failure have to be exercised in the role of the instructor before being able to transfer this knowledge and skill and act as instructor for instructor candidates. The Agency will slightly lower the required amount of hours in the specific category in (f)(2) but will not follow your proposal of accepting flight time in other aircraft categories.

comment

4102

comment by: *SFVHE*

**Diese Bedingungen sind zu hoch. Die Tauglichkeit wird durch eine Fluglehrerprüfung festgestellt. Hundert Ausbildungsstunden innerhalb eines kurzen Zeitraumes mit nachweisbaren Ausbildungserfolgen**

**haben einen höheren Aussagewert als 250 Ausbildungsstunden, die erst über viele Jahre – wenn nicht Jahrzehnte (im Vereinsausbildungsbetrieb) erreicht werden.**

response *Noted*

Thank you for providing your opinion.  
As your comment is not specifying on which item you are commenting on, the Agency is not able to provide a direct response. Please see the responses provided to the comments No 524, 870 and 1176 in the same segment above. These comments are dealing with the same issue.

Based on the comments received the Agency has decided to change the requirement in (f)(2) for all other aircraft categories in order to read: ‘...150 hours of instruction in the appropriate aircraft category’.

comment 4220 comment by: *Deutscher Aero Club (DAeC)*

(b) a LPL or SPL, in the appropriate aircraft category;  
(c) class, type or group extensions to be endorsed on a LPL or SPL, in the appropriate aircraft category;  
Justification: Since the skills for an LPL(S) and an SPL are identical it is illogical that a LAFI cannot also function as instructor for SPL pilots.

response *Not accepted*

Thank you for providing your opinion.  
Please see the response to comment No 972 in the same segment.

comment 4222 comment by: *Deutscher Aero Club (DAeC)*

Comment: Number of launches is missing  
Proposal:  
(1) In the case of a LAFI for sailplanes or balloons, at least 50 hours of instruction (or 150 launches for a LAFI(S)) in the appropriate aircraft category;  
Justification: In case of sailplanes number of launches is appropriate criterion.

response *Accepted*

Thank you for providing your comment.

Based on the comments received and after further consideration, the Agency has decided to change the requirement in (f) for the LAFI(S) in order to read: ‘...50 hours or 150 launches/take-offs in the appropriate aircraft category’.

comment 4223 comment by: *Deutscher Aero Club (DAeC)*

Proposal  
(f)(2) for all other aircraft categories, has completed at least 100 hours of flight instruction. Of the 100 hours 50 hours of instruction shall be on the respective aircraft category.  
Justification: This would not allow to recruit sufficient number of instructors for LAFI certificates in the voluntarily organised environment of air sports. Credit must be given for instruction in other aircraft categories, as instructor skills are common across the categories. It is not appropriate that a person who has already instructed many hours on sailplanes is required to demonstrate the

	same number of instructing hours as a newcomer.
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment. Based on the comments received and after further consideration, the Agency has decided to change the requirement in (f)(2) for all other aircraft categories in order to read: '...150 hours of instruction in the appropriate aircraft category'. The Agency does not agree that only 50 hours should be required in the appropriate aircraft category as proposed in your comment.</p>
comment	<p>4310 comment by: <i>Baden-Württembergischer Luftfahrtverband</i></p> <p>FCL.905.LAFI(b)/(c) <b>Wording in the NPA</b> (b) a LPL, in the appropriate aircraft category; (c) class, type or group extensions to be endorsed on a LPL, in the appropriate aircraft category;</p> <p><b>Our proposal</b> <b>Change:</b> (b) a LPL <b>or SPL</b>, in the appropriate aircraft category; (c) class, type or group extensions to be endorsed on a LPL <b>or SPL</b>, in the appropriate aircraft category;</p> <p><b>Issue with current wording</b> There is no skill difference between LPL(S) and SPL therefore a LAFI should also be instructor for SPL applicants and holders.</p> <p><b>Rationale</b> Since the skills for an LPL(S) and an SPL are identical it is illogical that a LAFI cannot also function as instructor for SPL pilots. An LPL(S) pilot can be issued an SPL license without the need for an FI(S) instructor. So there may be SPL licensed pilots with no FI(S) around to provide instruction e.g. TMG extension or training flights. This has also been discussed in <b>general comment 3250 Nr. 8</b>.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response for comment No 972 in the same segment.</p>
comment	<p>4311 comment by: <i>Baden-Württembergischer Luftfahrtverband</i></p> <p>FCL.905.LAFI <b>Wording in the NPA</b> All occurrences of „the appropriate aircraft category“</p> <p><b>Our proposal</b> <b>Change:</b> Dependant on the context either remove this notion or be more specific</p> <p><b>Issue with current wording</b> The notion „the appropriate aircraft category“ is used across the whole paragraph and it is either unclear what is meant or it is superfluous and</p>

therefore confusing and may lead to all kinds of interpretations.

**Rationale**

The notion „the appropriate aircraft category“ implies that it is already clear what category is meant as otherwise the category would have to be specified. So using this notion leads to confusion since now the thought comes up if more is meant than what is already clear based on other parts of the regulation e.g. FCL.035(1). We strongly recommend to remove this notion or to be more specific.

response *Noted*

Thank you for providing your opinion.

Your proposal is to change or delete the term: ‘in the appropriate aircraft category’. The Agency does not understand why this wording should be unclear as the different aircraft categories are well-defined. Please see FCL.010 which contains all the definitions for the different aircraft categories. If such a wording is used in a general paragraph like FCL.905.LAFI (b) this means that the LAFI(A) has only the privilege to instruct for the issue of an LPL(A) and the LAFI(S) has the privilege to instruct in the appropriate aircraft category which is a sailplane (or powered sailplane).

However, based on your comment the Agency will consider this issue during the final editorial review of the whole text of this NPA. In FCL.905.LAFI (e)(2) the Agency will delete the term ‘in the appropriate aircraft category’ and will use the term ‘in sailplanes’.

comment

4312

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.905.LAFI(f)(2)

**Wording in the NPA**

(f)(2) for all other aircraft categories, has completed at least 250 hours of instruction in the appropriate aircraft category;

**Our proposal**

**Change:**

(f)(2) for all other aircraft categories, has completed at least **100** hours of **flight** instruction. **Of the 100 hours 50 hours of instruction shall be on the respective aircraft category.**

**Issue with current wording**

250 hours is a too excessive requirement. There must be credit for flight instruction on other categories.

**Rationale**

This would not allow to recruit sufficient number of instructors for LAFI certificates in the non commercial community. Also too much emphasis is put on the flight time instead of personality as discussed in our general comment 3250 Nr.7. 100 hours of instruction experience is sufficient to instruct for the LAFI certificate. Credit must be given for instruction in other aircraft categories as many instructor skills are common across the categories. It cannot be that a person who has already instructed many hours on sailplanes needs the same amount of hours instruction on aeroplanes as an applicant who has no other experience. We refer to our detailed reasoning in our general **comment 3250 Nr. 3.**

response *Partially accepted*

Thank you for providing your comment.  
Based on the comments received the Agency has decided to change the requirement in (f)(2) for all other aircraft categories in order to read: '...150 hours of instruction in the appropriate aircraft category'.  
The Agency does not agree that only 50 hours should be required in the appropriate aircraft category.

comment 4313 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.905.LAFI(f)(3)

**Wording in the NPA**

(f)(3) has demonstrated to an instructor examiner the ability to instruct for the LAFI certificate, during a skill test conducted in accordance with Appendix 12 to this Part in the appropriate aircraft category.

**Our proposal**

**Change:**

(f)(3) has demonstrated to **a chief flight instructor** the ability to instruct for the LAFI certificate, during a skill test conducted in accordance with Appendix 12 to this Part.

**Issue with current wording**

It is not practical to require an instructor examiner for this check.  
The notion „in the appropriate aircraft category“ is superfluous as discussed in our **general comment 3250 Nr. 6**

**Rationale**

Typically the chief instructor of a training organization will checkout a new instructor before he gives him the job as a Instructor for this task. This check should be sufficient and more meaningful than a check by an examiner.

response *Not accepted*

Thank you for providing your opinion.

The Agency does not agree with your proposal because as a general principle all the skill tests and proficiency checks have to be performed by examiners.

Additionally it should be clarified that the chief flight instructor (or better: head of training) of a training organisation has not necessarily experience in providing training during instructor courses.

Only the FIE has such an experience which means that he/she is the right person to perform these skill tests.

Regarding the notion: 'in the appropriate aircraft category' please see the response to your comment No.4311 in the same segment above.

comment 4381 comment by: *DC-AL*

If a LAFI is to instruct for an aerobatic rating he should only have that ability if he has demonstrated it to an appropriate examiner or qualified instructor.

response *Accepted*

Thank you for providing your opinion.

Based on the input received the Agency will delete the proposed 20 hours requirement but will introduce an additional demonstration of his/her ability to instruct aerobatics to an instructor qualified in accordance with (f). A similar privilege was already proposed for providing instruction for the night rating — this system is based on JAR-FCL.

comment 4490

comment by: Max Heinz Katzschke

Unter Beachtung meines Kommentars zu NPA 2008-17a Comt#328-2):  
 ...."Das Vergeben der Erlaubnisse LPL(S) **und** SPL halte ich für einen unnötigen bürokratischen Aufwand. Die Unterschiede der daraus resultierenden Befähigungen sind so gering (das Recht, gegen Bezahlung zu fliegen; die Komformität zu ICAO-Regeln), dass es keiner gesonderten Erlaubnis bedarf"... sollte bei der Vergabe nur einer Lizenz zum Führen von Segelflugzeugen (also entweder LPL(S) oder SPL) hier entsprechend korrigiert werden, also nur LAFI(S) oder FI(S).

response *Noted*

Thank you for providing your opinion.  
 Please see the response to comment No 972 in the same segment.

comment 4503

comment by: George Knight

**FCL.905.LAFi, Part B, Page 47**

The proposals identify that the privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction for the issue, revalidation or renewal of a LPL but not an SPL. The logic of prohibiting a LAFI(S) from instructing for the issue of an SPL is understood, but the proposal takes this logic too far.

In particular:

- The flight instruction specified for LPL(S) and SPL are identical.
- The skill tests specified for LPL(S) and SPL are identical.
- LAFI(S) and FI(S) have identical pre-requisites for their training courses.
- LAFI(S) and FI(S) undergo identical training courses.
- LAFI(S) and FI(S) restricted privileges are identical.
- LPL(S) and SPL recency requirements are identical.

There is, thus, no reason, identified in the proposal why a LAFI(S) should not instruct for SPL, or why an FE LPL(S) should not examine for SPL. During the early part of training, when a pupil has not yet gone solo and so does not require a medical certificate, she or he may not even have decided what type of licence s/he wishes to train for. Requiring an arbitrary choice between identical instructors makes no sense.

**I propose that for sailplanes only, where instructor standards and flying training requirements are identical, a LAFI(S) may instruct for the issue, revalidation or renewal of an SPL.**

**Alternatively change FCL.210.S (b) "Applicants for an SPL who have met all the requirements for the issue of a LPL(S) shall be fully credited towards the requirements in (a)."**

response *Not accepted*

Thank you for providing your opinion.  
Please see the response to comment No 972 in the same segment.  
To make sure that an FI(S) or FI(B) certificate holder who is going to change his/her licence from SPL/BPL to LPL will not lose the instructor privilege completely, the Agency decided to add a requirement in FCL.930.LAFI clarifying this issue. Please see the resulting text.

comment 4600

comment by: *Deutscher Aero Club*

FCL.905. LAFI

Comment:

The proposals identify that the privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction for the issue, revalidation or renewal of an LPL but not an SPL. The logic of prohibiting a LAFI(S) from instructing for the issue of an SPL is understood, but the proposal takes this logic too far. In particular:

- The flight instruction specified for LPL(S) and SPL are identical (AMC to FCL.110.S and to FCL.210.S)
- The skill tests specified for LPL(S) and SPL are identical (AMC No1 to FCL.125 and to FCL.235)
- LAFI(S) and FI(S) have identical pre-requisites for their training courses (FCL.915.LAFI (d) & FCL.915.FI (f))
- LAFI(S) and FI(S) undergo identical training courses (FCL.930.LAFI (b)(1) and (b)(2)(i) & FCL.930.FI (b)(1)(ii) and (b)(2)(iii))
- LAFI(S) and FI(S) restricted privileges are identical (FCL.910.LAFI & FCL.910.FI)
- LPL(S) and SPL recency requirements are identical (FCL.230.S)

There is, thus, no reason identified in the proposal why a LAFI(S) should not instruct for SPL, or why an FE LPL(S) should not examine for SPL.

For the proposed rules not to allow a LAFI(S) to instruct for the SPL would cause unjustified and serious logistical restrictions in gliding clubs - which are primarily run by volunteers - without any discernable safety case.

During the early part of training, when a pupil has not yet gone solo and so does not require a medical certificate, she or he may not even have decided what type of licence s/he wishes to train for.

Requiring an arbitrary choice between identical instructors makes no sense!

EGU Proposal:

FCL.905.LAFI

(b) a LPL

(1) For sailplanes only, where instructor standards and flying training requirements are identical, a LAFI(S) may instruct for the issue, revalidation or renewal of an SPL.

FCL.1005.FE: (Page 66)

(g) (1) skill tests for the issue of the LPL(S) and, for sailplanes only, where instructor standards and flying training requirements are identical, skill tests for the issue of the SPL.

EGU Alternative proposal:

If, however, EASA should consider that it is legally forced to continue to pursue the current proposal, an amendment to FCL.210.S is proposed:

FCL.210.S

b) Applicants for an SPL who have met all the requirements for the issue of an LPL(S) shall be fully credited towards the requirements in (a), subject to the

	applicant meeting the SPL medical requirements.
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response for comment No 972 in the same segment. To make sure that an FI(S) or FI(B) certificate holder who is going to change his/her licence from SPL/BPL to LPL will not lose the instructor privilege (but only for the LAFI), the Agency decided to add a requirement in FCL.930.LAFI clarifying this issue. Please see the resulting text.</p>
comment	<p>4601 <span style="float: right;">comment by: <i>Deutscher Aero Club</i></span></p> <p>FCL.905.LAFI (f) (1) in the case of a LAFI for sailplanes or balloons at least 50 hours of instruction in the appropriate aircraft category; Comment: Number of launches is missing EGU Proposal: 1) in the case of a LAFI for sailplanes or balloons, at least 50 hours of instruction (or 150 launches for a LAFI(S)) in the appropriate aircraft category;</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 870 in the same segment above.</p>
comment	<p>4608 <span style="float: right;">comment by: <i>FFK</i></span></p> <p>It looks strange that a instructor should have 250 hours instruction in a plane to educate. Is this also theoretical instruction?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Based on the comments received and after careful consideration the Agency decided to change this requirement and to ask for 150 hours of instruction. Theoretical knowledge instruction will not be counted as the text clearly asks for 'instruction in the appropriate aircraft category'.</p>
comment	<p>4693 <span style="float: right;">comment by: <i>Diether Memmert</i></span></p> <p>Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit <b>gegenüber Dritten unter Beachtung der Verhältnismäßigkeit</b> zu gewährleisten.</p> <p>Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!</p> <p>In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von</p>

Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Hier wird ebenfalls kein FIE benoetigt, ein erfahrener Fluglehrer reicht voellig.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(f)(1) '...for sailplanes', ergaenze: "und TMG"

(3) Streiche ersatzlos 'examiner'

response

*Not accepted*

The Agency acknowledges again your standard comment.

Please see the other responses already provided to several other segments.

Regarding your last three items:

For the proposal to perform a skill test with an instructor, see the response to comment No.4813 in the same segment above.

The proposal to add 'and TMG' in (f)(1) will not be introduced as the TMG experience should be the same as for aeroplanes.

Concerning your last proposal please see the response to comment No 4313 in the same segment above.

comment

4840

comment by: *Royal Danish Aeroclub*

see comment 3421.

response

*Noted*

See response to comment No 3421.

comment

4983

comment by: *Graham PHILPOT*

f1 - This time should be reduced to 15 or 20hrs, this requirement is excessive

response

*Noted*

Thank you for providing your opinion.

The Agency believes that the proposal seems to be based on a

misinterpretation of this requirement in (f). Subparagraph (f) defines the minimum experience for an instructor to receive the privilege which allows him/her to instruct during an instructor course. In (f) 1 a minimum experience of 50 hours of instruction is required for a LAFI(S) or (B) to fulfil this requirement. An active instructor (and this should be the group of instructors providing the training for future instructors) in a typical club environment will be able to gain this experience in 2 or 3 years. The Agency does not understand why this proposal should be 'excessive' and would like to highlight that the proposed instruction time of 15-20 hours (which could be reached with only 10 longer flights) cannot be sufficient.

As the number of take-offs and landings is also an important element to define a certain level of experience, the Agency has decided (based on several comments received) to incorporate also a certain number of launches/take-offs as an alternative requirement.

The required experience for the LAFI(S) will be: 50 hours or 150 launches. For the LAFI(B) the minimum experience will be: 50 hours or 50 take-offs and landings.

comment

5023

comment by: *ECA- European Cockpit Association*

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);~~

~~(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;~~

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.

response

*Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree and will keep the privileges for the LAFI to instruct LPL pilots for the night and the aerobatic rating if the required demonstration of the ability to instruct at night or for the aerobatic rating (will be introduced as already proposed for the night rating) has been performed.

What is needed for this kind of training is the basic knowledge and skill to act safely as an instructor and the necessary experience for the specific rating. The Agency strongly believes that an LAFI who has fulfilled the prerequisites in FCL.915.LAFI (pre-entry flight test/200 hours/3 hours instrument training/20 hours cross-country), has taken part in the LAFI training course (75 hours theory/15 hours flight training), has passed the instructor skill test, holds the rating and has demonstrated his ability to instruct for such a rating is

sufficiently trained to do this.

Regarding your concern that an LAFI holder could provide flight instruction for a certain rating to a PPL or CPL holder without holding such a licence it should be highlighted that FCL.915 (b)(1) clearly asks an instructor to conduct flight instruction only when holding at least the licence for which instruction is to be given. Although such a flight training is clearly not licence specific (the instruction for the night rating on an LPL is not different from the instruction for a night rating on the PPL) this principle clearly excludes the LAFI from providing flight instruction for such a rating to a PPL or CPL holder.

comment 5127

comment by: *Allen A.*

Für Segelflugzeuge sollte der LAFI auch Bewerber für einen SPL ausbilden können, da die Ausbildung identisch ist. Dies erleichtert die Ausbildung in Vereinen, die auf ehrenamtliche Fluglehrer angewiesen sind, deutlich.

response *Noted*

Thank you for providing your opinion.  
Please see the response to comment No 972 in the same segment.

comment 5178

comment by: *Pilar Munoz*

It is not very clear why a LAFI can only do instruction for SPL or LPL (S), as the differences of these two licences is just the medical. The instruction is the same, so the instructor can be also the same.

response *Noted*

Thank you for providing your opinion.  
Please see the response to comment No 972 in the same segment.

comment 5583

comment by: *Belgian Gliding Federation*

*FCL.905. LAFI, Part B*

Comment:

The proposals identify that the privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction for the issue, revalidation or renewal of an LPL but not an SPL. The logic of prohibiting a LAFI(S) from instructing for the issue of an SPL is understood, but the proposal takes this logic too far. In particular:

- The flight instruction specified for LPL(S) and SPL are identical (AMC to FCL.110.S and to FCL.210.S)
- The skill tests specified for LPL(S) and SPL are identical (AMC No1 to FCL.125 and to FCL.235)
- LAFI(S) and FI(S) have identical pre-requisites for their training courses (FCL.915.LAFI (d) & FCL.915.FI (f))
- LAFI(S) and FI(S) undergo identical training courses (FCL.930.LAFI (b)(1) and (b)(2)(i) & FCL.930.FI (b)(1)(ii) and (b)(2)(iii))
- LAFI(S) and FI(S) restricted privileges are identical (FCL.910.LAFI & FCL.910.FI)
- LPL(S) and SPL recency requirements are identical (FCL.230.S)

There is, thus, no reason identified in the proposal why a LAFI(S) should not

instruct for SPL, or why an FE LPL(S) should not examine for SPL.

For the proposed rules not to allow a LAFI(S) to instruct for the SPL would cause unjustified and serious logistical restrictions in gliding clubs - which are primarily run by volunteers - without any discernable safety case.

During the early part of training, when a pupil has not yet gone solo and so does not require a medical certificate, she or he may not even have decided what type of licence s/he wishes to train for.

Requiring an arbitrary choice between identical instructors makes no sense!

**Proposal:**

**FCL.905.LAFI**

**(b) a LPL**

**(1) For sailplanes only, where instructor standards and flying training requirements are identical, a LAFI(S) may instruct for the issue, revalidation or renewal of an SPL.**

**FCL.1005.FE:(Page 66)**

**(g) (1) skill tests for the issue of the LPL(S) and, for sailplanes only, where instructor standards and flying training requirements are identical, skill tests for the issue of the SPL.**

**Alternative proposal:**

If, however, EASA should consider that it is legally forced to continue to pursue the current proposal, an amendment to FCL.210.S is proposed:

**FCL.210.S**

**aApplicants for an SPL who have met all the requirements for the issue of an LPL(S) shall be fully credited towards the requirements in (a), subject to the applicant meeting the SPL medical requirements.**

response *Not accepted*

Thank you for providing this comment.  
Please see the response to comment No.4600 (Deutscher Aero Club)

comment

5586

comment by: *Belgian Gliding Federation*

*FCL.905.LAFI (f)*

*(1 (1)in the case of a LAFI for sailplanes or balloons at least 50 hours of instruction in the appropriate aircraft category;*

Comment:

Number of launches is missing

**Proposal:**

**1)in the case of a LAFI for sailplanes or balloons, at least 50 hours of instruction or 150 launches for a LAFI(S) in the appropriate aircraft category;**

response

*Accepted*

Thank you for providing this comment.  
Please see the response to comment No.4601 (Deutscher Aero Club)

comment	<p>5656 <span style="float: right;">comment by: Robert John</span></p> <p>(e) 20 hours is an excessive requirement for sailplane aerobatic instructors. This implies perhaps 120 aerobatic flights which is 100 more than necessary for a competent pilot (who can demonstrate his skill to an examiner).</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your input on the privilege of the LAFI(S) holding an aerobatic rating to provide instruction for this rating.</p> <p>Your proposal is to change the proposed minimum aerobatic experience based on the fact that aerobatics in sailplanes usually do not last very long.</p> <p>Based on your input and some other comments (some of them asking for an even higher amount of experience), the Agency decided to delete the experience requirement completely but to introduce a demonstration of the ability to provide flight instruction for the aerobatic rating to an instructor qualified in accordance with (f) as it was already proposed for the night rating instruction.</p>
comment	<p>5761 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL. 905 LAFI (F)(3)  <b>Page No:</b> 47 of 647  <b>Comment:</b> Refers to an 'instructor examiner' when the title in Subpart K Section 7 is Flight Instructor Examiner  <b>Justification:</b> Clarification  <b>Proposed Text: (if applicable)</b>  Change paragraph:  (3) has demonstrated to a <b>Flight Instructor Examiner</b> the ability...</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.  The Agency agrees that the wording 'instructor examiner' should be used to be consistent. The text will be amended accordingly (the same in FCL.905.FI).</p>
comment	<p>5783 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> 905.FI (j)(1)(i) and <b>905.LAFI (f) (2)</b>  <b>Page No:</b> 50/47  <b>Comment:</b> It seems strange that a LAFI can instruct for the issue of a LAFI (aeroplane or helicopter) with 250 hrs instructional time but an FI needs 500 hrs instructional time.  <b>Justification:</b>  <b>Proposed Text: (if applicable)</b>  Change the hours requirements for an FI to instruct for the issue of a LAFI to 250 hrs.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, as there are already several differences between the LAFI and FI (check also the prerequisites or the contents of the instructor course), the Agency is of the opinion that the requirement for 500 hours instructing time is</p>

not really necessary to prove that an instructor will be able to provide flight training during an LAFI course. The 500 hours for the FI are based on the JAR-FCL requirements (please see the responses and the resulting text on the FCL.0905.FI in the appropriate segment) whereas the proposed 250 hours were based on the input provided by the experts involved in the drafting of these requirements for the LAFI. As there is a slightly different syllabus (compared with the PPL) the Agency does believe that a lower amount of flight instruction time can be accepted.

Based on the huge amount of comments proposing an even lower amount of experience (see the comments and responses on this issue in this segment), and after a careful review of this issue the Agency decided to lower the number of hours in (f)(2). The assessment of competence to be done with an FIE will anyway decide if the LAFI or FI is able to provide this training or not.

It should also be mentioned that in FCL.905.FI an additional privilege will be added to instruct for the issue of an LAFI certificate if 150 hours instructing time have been completed.

comment 5871 comment by: EFLEVA

EFLEVA considers that the LAFI test every nine years and CRI/FI every sixyears is inconsistent. LAFI test should be changed to every 6 years.

response *Noted*

Thank you for providing your opinion.

However, it seems that your comment should have been addressed to FCL.940.LAFI as it mentions the required checks for the revalidation of the certificate.

Based on the huge amount of comments received, the Agency decided to delete the proficiency check and to delete FCL.940.LAFI(b).

comment 5903 comment by: *Professional Balloonists Netherlands*

Section 2 LAFI  
FCL.905.LAFI

In our opinion there must be more clearly indicated that a LAFI is competented to only the balloon group 'small'.

Proposal: This restriction has to be incorporated in the text.

response *Not accepted*

Thank you for providing your opinion.

Your statement that the LAFI will only be allowed to provide flight instruction on balloons of a certain envelope size is correct.

However, as no specific name of such a group is mentioned in the LPL subpart and as the term 'group' is only introduced for the BPL licence, no specific group has to be mentioned here. As a general rule the instructor is only allowed to provide flight instruction for the aircraft class or type he is allowed to fly himself/herself.

In the case of the LAFI(B) the pilot licence LPL allows to act as pilot-in-

command of balloons with a maximum envelope size of 3400m<sup>3</sup> (amended during the review). This means that the LAFI is only allowed to provide training on balloons of such an envelope size.

No clarification is needed here.

comment 6204 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FCL.905.LAFI (e) : French Mountain Pilot Association and the FFA propose to add a § on MI certificate written as follows :

***(e bis) Mountain ratings in the appropriate aircraft category, provided that the LAFI (A) holdsthe appropriate rating and a MI (A) certificate.***

response *Not accepted*

Thank you for providing your opinion.

However, as there is a specifically trained mountain instructor (MI) the pure LAFI holding a mountain rating will not be allowed to provide training for the Mountain rating. If he/she would like to extend the privileges he/she has to fulfil the requirements in section 10 of this subpart. At least 100 landings that require a mountain rating and the participation in a mountain training course have to be completed before the MI certificate can be obtained.

In the example provided with your comment the LAFI holds also a second instructor certificate which is the MI. With the MI certificate it is not a problem to instruct for the mountain rating. You will find the privileges of the MI in FCL.905.MI.

comment 6403 comment by: *peter Gray*

FCL.905.LAFI

Since all the requirements to teach to LPLS or to SPL are the same it is anomalous to define the privileges and conditions of the LAFI(S) and the FI(S) in different terms.

If all gliding instructors are FI(S) their pupils can elect to apply for a LPL(S) or SPL as they see fit though as the training requirements are the same the need for a LPL(S) seems redundant.

It appears the major difference is in the medical requirements where, once again, it is anomalous to have two different standards for in effect the same thing.

response *Noted*

Thank you for providing your opinion.

Please see the response for comment No 972 in the same segment.

comment 6595 comment by: *Light Aircraft Association UK*

The LAA observes that some sections are repetitive and unclear/confusing. The LAA recommends a simplification of the numbering and order sequence.

We further consider the LAFI test every nine years in comparison to the CRI/FI

	every six years to be inconsistent and should be amended to every 6 years.
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Regarding the first issue the comment does not provide an example or a justification. The Agency is not aware that some sections are repetitive or unclear. The recommended simplification of the numbering and order sequence is not explained in detail and no example is provided. The mentioned proficiency check will be deleted.</p>
comment	<p>6616 <span style="float: right;">comment by: <i>Oxford Gliding Club</i></span></p> <p>As as small club, with a low number of students it is difficult to see how Oxford Gliding Club could maintain instructors at both SPL and LPL levels. It also seems unlikely a student would know if they were aiming towards SPL or LPL level qualification, and thus be unable to choose an appropriate instructor.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 972 in the same segment above.</p>
comment	<p>7046 <span style="float: right;">comment by: <i>CAA Norway</i></span></p> <p>FCL.905.LAFI(e) The 20 hrs experience in aerobatics before being allowed to instruct for the aerobatic rating is very low, and in our view detrimental to flight safety! Aerobatic flying can be very demanding and potentially more dangerous than normal flight. Accordingly, the instructors should have considerable experience. 100 hrs is a more realistic number.</p>
response	<p><i>Noted</i></p> <p>Thank your for providing your opinion.</p> <p>However, based on the input received the Agency will delete the proposed 20 hours requirement but will introduce an additional demonstration of the instructor's ability to instruct aerobatics to an instructor qualified in accordance with(f). A similar privilege was already proposed for providing instruction for the night rating — this system is based on JAR-FCL.</p>
comment	<p>7185 <span style="float: right;">comment by: <i>Finnish Aeronautical Association - Kai Mönkkönen</i></span></p> <p>Requirement rules out instructors like LAFI(S) privilege to instruct for SPL. This is unlogical and unappropriate and cannot be justified by differences in the medical certificate required for those licenses. Privileges at least for LAFI(S) shall be given so that he/she has rights to instruct equally for LPL(S) and SPL.</p> <p>Justification: Training syllabus for LPL(S) and for SPL in the view of instructing is equal. Differences in medical certificate requirements for those licenses has nothing to do with training syllabus and shall not make separation to instructor ratings for those licenses. Medical certificate shall be only a question where to use your license. Furthermore, for renewal as in FCL.940.LAFI experience as in LAFI or FI can both be counted that is a correct equalization also.</p>

response	<p>Proposed text: Change the text of FCL.905.LAFI (b) to read: (b) a LPL, in the appropriate aircraft category and respectively for BPL and SPL</p> <p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 972 in the same segment above.</p>
comment	<p>7187 comment by: <i>Finnish Aeronautical Association - Kai Mönkkönen</i></p> <p>In connection with adding the sailplane cloud flying rating to FCL.8xx, add the requirements for LAFI(S) for giving instruction for sailplane cloud flying rating.</p> <p>Justification: Missing sailplane cloud flying rating is a special activity for unpowered sailplanes and LAFI(S) must have appropriate experience on sailplane cloud flying.</p> <p>Proposed text: Add requirements for LAFI(S) for sailplane cloud flying rating, after FCL.905.LAFI (e) as the following: (-) sailplane cloud flying rating in the unpowered sailplane, provided that the LAFI holds the sailplane cloud flying rating and has at least 10 hours of experience in sailplane cloud flying</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>As already indicated in the NPA (NPA 2008-17a) the Agency has launched an additional task with the title 'Qualifications for flying in IMC'. One of the objectives is to draft the specific requirements for a future European cloud flying rating (sailplanes).</p> <p>Together with these requirements for the rating the instructor privileges have to be amended.</p>
comment	<p>7276 comment by: <i>Aero-Club of Switzerland</i></p> <p>Delete Section 2 completely. Justification: We see no reason to introduce an additional flight instructor category (LAFI). That would be step backwards in the quality of training.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See also the response to comment No 389.</p>
comment	<p>7372 comment by: <i>Anja Barfuß</i></p> <p>For my understanding the LAFI for sailplane is not needed, because even the two licences for sailplane do not differ really. It only makes the rules much more complicating. I would prefer one Instructor licence for all different task when training for a sailplane licence.</p>

response	<i>Noted</i> Thank you for providing your opinion. See also the responses to comments No 389 and 972 in the same segment above.
comment	7416 <span style="float: right;">comment by: <i>Peter van Harten</i></span> Comment: make more clear that a LAFI is only allowed to instruct on maximum balloonclass small. (Balloonclass small in my opinion is a maximum 105.000 cu ft. balloon)
response	<i>Noted</i> Thank you for providing your opinion. Please see the response to comment No 5703.
comment	7429 <span style="float: right;">comment by: <i>Prof. Dr. Alexander Bubenik</i></span> FCL.905.LAFI (b) a LPL, in the ... category; <u>in case of a LAFI for sailplanes SPL flight instruction may be provided.</u>  There is no significant difference comparing the flight training of LPL (sailplane) and SPL. The projected provision appears somehow a bit illogical.
response	<i>Not accepted</i> Thank you for providing your opinion. Please see the response to comment No 972 in the same segment above.
comment	7509 <span style="float: right;">comment by: <i>Graham PHILPOT</i></span> How does someone instruct without an Instructor rating?? This should be one or two instructing flights observed by an examiner For Balloons 50 hrs is too long, it should not be measured in hours, this should be measured in observed training/instructing situations -example maximum of two- before being able to instruct alone.
response	<i>Noted</i> Thank you for providing your opinion on FCL.905.LAFI. However, the Agency does not understand the reasoning behind your comment. Your question asks how someone could instruct without instructor rating. The answer to this is simple as it will not be allowed to provide instruction without such a certificate. None of the privileges mentioned here could be carried out without such a certificate.  Regarding your second comment on the required 50 hours flight instruction for being allowed to provide flight instruction during the training course for the LAFI(B), the Agency will add as an alternative 50 instruction flights.
comment	7583 <span style="float: right;">comment by: <i>Reinhard Heineking</i></span> FCL.905.LAFI besagt in (f), dass zur Ausbildung von FI's i Segelflug 50 Ausbildungsstunden des FI, im Motorflug u.a.250 Ausbildungsstunden erforderlich sein sollen.

Die Anzahl der absolvierten Flugstunden als FI sagt wenig über die Qualität eines Ausbilders und über die Eignung zum Ausbilden von Fluglehreranwärtern aus. Diese Eignung bzw. das Talent sollte besser über eine Fluglehrerausbilder-Vorauswahlprüfung ermittelt werden. Ausserem sollten die Ausbildungsleiter der Vereine und Landesverbände aufgrund Ihrer persönl. Kenntnis der Anwärter zu Rate gezogen werden, um festzustellen wer als FI-Ausbilder geeignet ist.

Die fixierten Stundenanzahlen in FCL.905.LAFI.(f).(1) und FCL.905.LAFI.(f).(2) sollten daher ersatzlos gestrichen werden

Reinhard Heineking JARFCL FI PPL(A), TMG, GPL

response *Not accepted*

Thank you for providing your opinion.

Please see the responses to comments No 524 and 870 in the same segment above.

The Agency is of the opinion that a certain minimum amount of flight training should have been completed in order to be eligible for such an important task. The instructors for such an LAFI training course should have at least the required skill level. No real justification is provided why the instructing experience should be much lower. (See the agreed changes)

It should be highlighted that the mentioned pre-entry flight test was already introduced. See FCL.915 for this.

comment 7597 comment by: *Fédération Française de Planeurs Ultralégers motorisés*

By giving the power to a LAFI to conduct a LPL test to a student he had not instructed, EASA will simplify greatly the LPL process. LAFE will only be necessary for testing LAFI

response *Noted*

Thank you for providing your opinion.

However, as the assessment of pilot's skill is clearly defined as the task of the examiner and the proficiency check by definition has to be conducted by an examiner, the Agency will not introduce such a privilege.

comment 7613 comment by: *Stampa Hartwig*

The right to conduct flight instruction is only for LPL(S) and not for SPL. It's objective not usefull, because it's the same training.

Suggestion: Put in the word "SPL", because the training for both FIs ist just the same

response *Not accepted*

Thank you for providing your opinion.

Please see the response to comment No 972 in the same segment.

comment 7668 comment by: *Cristian Olinescu*

To be deleted entirely: LAFI is not in conformity with ICAO and is not foreseen

	in the basic regulation.
response	<p><i>Not accepted</i></p> <p>However, as explained already with the response to your general statement regarding the LAFI, the Agency has decided to keep the LAFI category. This will mean also that this paragraph containing the privileges has to be kept.</p>
comment	<p>7793 <span style="float: right;">comment by: <i>Oliver Garlt</i></span></p> <p>Fluglehrer (LAFI) sollten zum LPL(S) und zum SPL ausbilden dürfen. Die Lehrinhalte für beide Lizenzen sind identisch. Sie unterscheiden sich nur durch das medizinische Tauglichkeitszeugnis. Dies hat aber keinen Einfluss auf die Ausbildung.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 972 in the same segment above.</p>
comment	<p>7862 <span style="float: right;">comment by: <i>Graham Bishop</i></span></p> <p>There is no reason identified in the proposal why a LAFI (S) should not instruct for SPL, or why an FE LPL(S) should not examine for SPL</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 972 in the same segment above.</p>
comment	<p>7922 <span style="float: right;">comment by: <i>RSA</i></span></p> <p>FCL.905 and 910 - LAFI seems in contradiction</p> <p>On one hand the privileges of a LFI are limited to conduct flight instruction for revalidation or renewal of basic LPL, LPL, class , type on LPL ...</p> <p>On the other hand he can conduct flight instruction for the issue of a LPL ...</p> <p>What are finally the privileges of a LAFI</p> <p>We propose to precise in FCL.905 to add that</p> <p>"A LAFI can conduct light instruction for the issuance of a LPL"</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency must admit that the reasoning behind it is not understood. Please study the paragraph FCL.905.LAFI and you will discover that the wording used in the first sentence defines: 'The privileges of a ... LAFI are to conduct flight instruction for the issue, revalidation or renewal of ...'. This means that the training for the issue of a licence is already included. The Agency does not see any need for the proposed change.</p>

comment	7931 <span style="float: right;">comment by: <i>Europe Air Sports, VP</i></span>
	EAS recommends to add the privilege of instructing for the mountain rating to (e).
response	<i>Not accepted</i>
	<p>Thank you for providing your opinion.</p> <p>However, as it was decided to create a specific instructor category for such a rating, this privilege will not be included.</p>
comment	8084 <span style="float: right;">comment by: <i>European Sailplane Manufacturers</i></span>
	<p>An instructor for sailplanes is in some cases a little bit different to other light aircraft:</p> <p>FCL.905.LAFI (e) 20 hours of aerobatic flying is difficult to obtain if a typical glider aerobatic flight is over after some 5 minutes of aerobatics.... This must be lower or perhaps a better way is to allow fully self-responsible instructing after completion of a aerobatic course as instructor under supervision before.</p> <p>FCL.905.LAFI (f) Similar case for the 50 hours of instruction. In a club doing instruction only by winch launching we talk about a typical flight time of 5 - 10 minutes. Then you need 300 flights for 50 hours!!!! Simply not reasonable, please offer something more suitable. 150 flights might be a reasonable number.</p> <p>Add: The privileges of a FI are to conduct check flights, provided that the FI has completed 150 hours of dual instruction or 300 launches of dual instruction in case of sailplanes. Justification is that the creation of examiners instead of using the existing FI makes no sense.</p> <p>Last but not least: It should not make any difference if the instructor has a LPL(S) or SPL and/or the student aims for a LPL(S) or SPL. Both licences differ only in regard to the medical therefore instructing should be possible in all combinations of LPL(S) and SPL on both seats.</p>
response	<i>Partially accepted</i>
	<p>Thank you for providing your input on the different privileges of the LAFI(S).</p> <p>Your first comment is dealing with the proposed minimum aerobatic experience based on the fact that aerobatics in sailplanes usually do not last very long. Based on this and on other comments asking for an even higher amount of experience before being allowed to instruct, the Agency decided to delete the experience requirement completely but to introduce a demonstration of the ability to provide flight instruction for the aerobatic rating to an instructor qualified in accordance with (f) as it was already proposed for the night rating instruction.</p>

Regarding your comment on the requirement in (f), the Agency will add the term: 'or 150 launches/take-offs'.

The following proposal asks to introduce an additional privilege to carry out proficiency checks. The Agency does not agree as the proficiency checks by definition will be conducted only by examiners. The Agency does not understand the logic behind the justification saying 'the creation of examiners instead of using the existing FI makes no sense'. It seems that you have not taken into account the Implementing Rules and the AMC material for the examiner subpart. Please study the prerequisites, the training requirements and the obligations of an examiner to understand what the differences are between an examiner and an FI. Not every FI is automatically a 'good' examiner — especially not without having attended a standardisation seminar for examiners.

Concerning your last issue please see the response provided to comment No 972 in the same segment above.

comment

8296

comment by: Paul Mc G

The privileges of a light aircraft flight instructor (LAFI) are to conduct flight instruction for the issue, revalidation or renewal of a LPL but not an SPL. The logic of prohibiting a LAFI(S) from instructing for the issue of an SPL is understood, but the proposal takes this logic too far.

In particular: The flight instruction specified for LPL(S) are SPL are identical (AMC to FCL.110.S and to FCL.210.S)

The skill tests specified for LPL(S) and SPL are identical (AMC No1 to FCL.125 and to FCL.235) LAFI(S) and FI(S) have identical pre-requisites for their training courses (FCL.915.LAFI (d) & FCL.915.FI (f))

LAFI(S) and FI(S) undergo identical training courses (FCL.930.LAFI (b)(1) and (b)(2)(i) & FCL.930.FI (b)(1)(ii) and (b)(2)(iii))

LAFI(S) and FI(S) restricted privileges are identical (FCL.910.LAFI & FCL.910.FI) LPL(S) and SPL recency requirements are identical (FCL.230.S)

There is, thus, no reason identified in the proposal why a LAFI(S) should not instruct for SPL, or why an FE LPL(S) should not examine for SPL.

For the proposed rules not to allow a LAFI(S) to instruct for the SPL would cause unjustified and serious logistical restrictions in gliding clubs - which are primarily run by volunteers - without any discernable safety case.

During the early part of training, when a pupil has not yet gone solo and so does not require a medical certificate, she or he may not even have decided what type of licence s/he wishes to train for.

Requiring an arbitrary choice between identical instructors makes no sense. This is particularly strange when one licence could cover all cases and here it is examiners and instructors under consideration not general pilots and so in this case for instructors and examiners some simplification could be considered?

BGA Proposal

FCL.905.LAFI

(b) a LPL

(1) For sailplanes only, where instructor standards and flying training requirements are identical, a LAFI(S) may instruct for the issue, revalidation or

	renewal of an SPL.
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 972 in the same segment above.</p>

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 2: Specific requirements for the light aircraft flight instructor — FCL.910.LAFI LAFI — Restricted privileges</b>	p. 47
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comment	<p>48 <span style="float: right;">comment by: <i>Stefan JAUDAS</i></span></p>
response	<p><i>Noted</i></p> <p>Something went wrong with your comment. No text is provided.</p>
comment	<p>399 <span style="float: right;">comment by: <i>Rod Wood</i></span></p> <p>Remove all references to helicopter in this paragraph. See FCL.905 comment.</p>
response	<p><i>Not accepted</i></p> <p>The Agency acknowledges your opinion.</p> <p>As already explained in the response to your other comments dealing with the same issue, the Agency will keep the LPL and the LAFI for helicopters. Please see also the response to your comment on FCL.905.LAFI.</p>
comment	<p>927 <span style="float: right;">comment by: <i>Michel Lacombe AF TRTO</i></span></p> <p>To give the new opportunity for the PPL to receive remuneration for flight instruction when keeping the present level of safety obtained under JAR-FCL, we should only allow young LAFI to work (when getting their experience) under the control of FI.</p> <p>That needs to modify the FCL 910. LAFI LAFI - Restricted privileges, paragraph a</p> <p>FCL.910.LAFI LAFI Restricted privileges (a) A LAFI shall have his/her privileges limited to not acting as an instructor for first solo flights and first solo navigation flights and to only conducting flight instruction for the issue of a LPL under the supervision of a <del>LAFI</del> or FI for the same category of aircraft nominated by the training organisation for this purpose</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree with the proposal to only allow the FI to supervise the 'young LAFI' and to exclude the fully certified LAFI to do this. The justification provided doesn't seem to be a safety related issue and doesn't seem to be very practical. Please bear in mind that a certain training</p>

organisation is only providing training for the LPL and has no FI. This would mean that the 'young LAFI' with limited privileges would have to go to another training organisation in order to find an FI doing the supervision.

comment 956 comment by: Robert Cronk

The instruction requirements for SPL and LPL(S) appear to be identical; as such, any qualified instructor should be able to instruct for either licence (and a FE LPS(S) should be able to examine for SPL.

Before a new pilot goes solo, it is likely that the student will not know which licence version they will wish to obtain, and so it is not practical to differentiate between instructor types.

To restrict an instructor with one licence type from instructing/examining for the other stream makes no sense, and means that a CLub will need to roster instructors with both licence types for each flying day to enable students undertaking alternative licence versions to be taught.

response Noted

Thank you for providing your opinion.

However, the Agency does not agree. As a general principle the instructor has to hold at least the licence for which instruction is being provided (see FCL.915 (b)(1)). This means clearly a licence with at least the same privileges. The privileges of an LPL(S) are lower than the privileges of an SPL; therefore, the holder of an LPL(S) cannot provide instruction for an SPL.

comment 1718 comment by: Sven Koch

Keine Zustimmung zu erstem Alleinflug oder erstem Alleinüberlandflug bis er absolviert hat:  
 Motorflug 50 Ausbildungstunden und 25 Schüleralleinflug  
 Segelflug 15 Stunden oder 50 Starts Ausbildung

response Noted

Thank you for providing your opinion, but the Agency does not understand the meaning behind this comment.

It seems to be only a more or less exact German translation of some elements contained in FCL.910.LAFI.

comment 2158 comment by: Rüdiger Braun

b (1):  
 reduce 50 hours of flight instruction on aeroplane to 30 hours. 30 hours are conform with the requirements for LA license.

response Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to lower the required amount of flight time and will keep the requirement for the LAFI(A) in (b)(1)

which is asking for 50 hours of flight instruction.

The Agency carefully reviewed the comments received on this issue. It seems that a certain group of stakeholders asks for some further alleviations (as proposed in your comment: lowering to 30 hours) whereas a second group of stakeholders proposes to raise the number. The Agency firmly believes that 50 hours flight instruction under the supervision of an experienced LAFI nominated for this purpose should be sufficient in order to take away the limitation.

comment 2205 comment by: *Nigel Roche*

In (b) The limitations in (a) shall be removed from the certificate when the LAFI has completed:

There is no indication of Airships

**In FCL.905.LAFI LAFI Privileges and conditions**

(b) a LPL, in the appropriate aircraft category;

(f) (2) for all other aircraft categories, has completed at least 250 hours of instruction in the appropriate aircraft category;

response *Noted*

Thank you for providing your opinion.

The first issue mentioned is the fact that there is no LAFI certificate for the category airship developed. This conclusion is right as it was decided at an early stage that there is no need for a pure leisure pilot licence for the gas airship. Please see the PPL requirements for the airship (you will also find an FI(As) in subpart J). It should be mentioned however that the hot-air airships are treated as a class of balloons.

The Agency does not understand why FCL.905.LAFI is mentioned because none of the requirements mentions an LAFI for airships. If a term like 'for all other aircraft categories' is used it is not meant that there is an LAFI certificate for all other aircraft categories. FCL.905.LAFI contains only the privileges and conditions whereas the other paragraphs like FCL.920.LAFI or FCL.930.LAFI provide more information about the aircraft classes for the LAFI.

comment 2263 comment by: *Mike Grierson*

Para (b) 1 the LAFI only requires 50 hours of flight experience to remove the Restriction whereas a FI(R) who is higher qualified, more experienced and better trained requires 100 hours.

The purpose of this requirement is to gain the necessary experience to judge when it is SAFE to send a student solo. There can be no justification for having a 50 hour requirement for a lesser qualified Instructor.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to raise the required amount of flight time and will keep the requirement for the LAFI(A) in (b)(1) which is asking for 50 hours of flight instruction.

The Agency carefully reviewed the comments received on this issue. It seems that a certain group of stakeholders asks for some further alleviations whereas a second group of stakeholders proposes to raise the numbers (as proposed in your comment: 100 hours). The Agency firmly believes that 50 hours flight instruction under the supervision of an experienced LAFI nominated for this purpose should be a sufficient amount in order to take away the limitation.

Additionally, it should be highlighted that the main aim of this limitation is not only the idea of getting more experience for the judgement when to send a student pilot on his/her first solo but also the possibility to receive support and assistance of the supervising instructor. 50 hours of flight instruction will allow to cover the whole flight training syllabus.

comment

2740

comment by: *barry birch*

As the Full Flight Training Syllabus in the category of hot air balloons is effectively the same for LPL Balloons and BPL Balloons then the LAFI Balloons should be allowed to instruct for both licenses.

However to maintain the distinction from a FI Balloons the LAFI is not permitted to charge money for their instruction.

This will increase the number of overall instructors available, as the flying season is very short for ballooning (summer only) and new trainee pilots may well find that an FI with a BPL may well be doing other commercial work and not be available for instruction but a LAFI will be able to continue the training and the student can log hours towards their license. Barry Birch (member BBAC).

response

*Noted*

Thank you for providing your opinion.

However, the Agency does not agree. As a general principle the instructor has to hold at least the licence for which instruction is being provided (see FCL.915 (b)(1)). This means clearly a licence with at least the same privileges. The privileges of an LPL(B) are lower than the privileges of a BPL; therefore, the holder of an LPL(B) cannot provide instruction for a BPL.

comment

2774

comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FFA accepts the proposed figures and limitations.

response

*Noted*

Thank you for providing this positive feedback.

comment

2934

comment by: *Robert WORSMAN*

Both LAFI and FI should be able to instruct for both LPL and BPL. A LAFI should not be restricted to only instruct for LPL. There is no logic to the EASA proposal

	<p>- especially so as the LPL hours are credited when becoming BPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree. As a general principle the instructor has to hold at least the licence for which instruction is being provided (see FCL.915 (b)(1)). This means clearly a licence with at least the same privileges. The privileges of an LPL(B) are lower than the privileges of a BPL; therefore, the holder of an LPL(B) with instructor certificate cannot provide instruction for a BPL.</p>
comment	<p>2962 <span style="float: right;">comment by: <i>FEDERATION FRANCAISE D'AEROSTATION</i></span></p> <p><b>FCL.910.LAFI-Restricted privileges</b>  <b>Les vols solos</b>  Il est demandé que le premier élève d'un instructeur soit lâché en solo par un autre LAFI ou FI. Ceci est très difficilement réalisable du fait de la répartition géographique des instructeurs, (certaines régions ne dénombrent que 1 ou 2 instructeurs). Nous pensons qu'il faut <b><i>laisser la décision à l'instructeur de lâcher son élève pour le vol solo, mais nous préconisons que la formation de l'élève se fasse sous le contrôle de l'organisme de formation ayant délivré la qualification de l'instructeur. La formation de l'instructeur étant considérée comme terminée après le test en vol de l'élève effectué par un FIE de l'organisme de formation.</i></b></p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency does not understand the problem caused by the requirement which does not allow the LAFI with limited privileges to send a student pilot solo. You are mentioning in your comment that it could be difficult to find another LAFI for this task. It seems that this statement or question is based on a misunderstanding as all the activities of the LAFI with limited privileges have to be supervised by another LAFI. This means that the other LAFI with full privileges has to oversee and supervise anyway all these 15 hours of 50 take-offs which will include possible solo flights of students.</p> <p>As this requirement is based on JAR-FCL and other national systems which have introduced a similar limitation in order to address the specific situation of a first solo flight, the Agency does not see any problems and will keep this safety related requirement as it is.</p>
comment	<p>3558 <span style="float: right;">comment by: <i>Rory Worsman</i></span></p> <p>For instruction on Balloons I believe all instructors should be able and capable of instructing for LPL and BPL  A light AFI should not be restricted to instruction on LPLs only.  This rule does not make sense, a LPL's count to a BPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.  Please see the response provided to comment No 2934 (R. Worsman) in the same segment above.</p>

comment	<p>4226 <span style="float: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></span></p> <p>Proposal:          (b)(3) In the case of a LAFI for sailplanes, at least 15 hours or 50 launches of flight instruction <del>covering the full flight training syllabus...</del>          Justification: Same requirements as for the FI.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree and will keep the requirement unchanged.</p> <p>Your proposal is to delete the term: 'covering the full training syllabus' and the justification provided is based only on the request to align the text with the LAFI(A) requirement.</p> <p>As you can easily see the numbers of hours and the amount of launches for the LAFI(S) are much lower as the numbers proposed for the LAFI(A). Aligning the text with the requirements for the LAFI(A) would mean that the LAFI(S) should provide 50 hours of flight instruction and supervise at least 25 student solo flights.</p> <p>During the drafting phase of these proposals the gliding experts came to the conclusion that the wording proposed (covering the full training syllabus) would be more appropriate for the LAFI(S) and (B). Based on this, the total amount of hours required could be lowered. By accepting your proposal the Agency would have to introduce a higher amount of flight training because the required 15 hours could be easily fulfilled with 4 cross-country training flights. This is definitely not the aim of these requirements as this time period of restricted privileges should allow the LAFI to gain experience in sending student pilots on solo flights, instructing all the exercises of the syllabus and receiving support and assistance of the supervising instructor. The Agency is of the opinion that this time period with limited privileges should not be seen as an additional burden but as an option to further qualify the instructor before granting him/her the full privileges. The additional requirement for providing flight instruction covering the full flight training syllabus will therefore be kept.</p>
comment	<p>4314 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.910.LAFI(b)(1)  <b>Wording in the NPA</b>          (b)(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><b>Our proposal</b>  <b>Change:</b>          (b)(1) in the case of a LAFI for aeroplanes, at least <b>30</b> hours of flight instruction in a singleengine piston aeroplane or TMG and has supervised at least 25 student solo flights.</p> <p><b>Issue with current wording</b>          50 hours keep an instructor unnecessarily too long under restricted privileges</p>

depending on availability of students.

**Rationale**

The non commercial general aviation does not have regular requirement availability by students for training and other instructors will be competing for instruction time to fulfil the required instruction time limits. Therefore it may take very long until 50 hours of instruction are achieved. 30 hours matches the required hours for a validity period of 3 years which should in general be the maximum time that an instructor has restricted privileges. 30 hours instruction time is about the time required to train 2 students where the supervising instructor occasionally has to check the progress of the student. This should be sufficient experience to then remove the restrictions.

response *Not accepted*

Thank you for providing your opinion.  
Please see the reply to comments 2158 and 2263 above.

comment

4315

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.910.LAFI(b)(3)

**Wording in the NPA**

(b)(3) In the case of a LAFI for sailplanes, at least 15 hours or 50 launches of flight instruction covering the full flight training syllabus for the issuance of the LPL for sailplanes; .

**Our proposal**

**Change:**

(3) In the case of a LAFI for sailplanes, at least 15 hours or 50 launches of flight instruction ~~<rest deletet>~~ .

**Issue with current wording**

Tracking and documenting if the full flight training syllabus has been covered is completely unpractical.

**Rationale**

Instructors for aeroplanes and helicopters are not required to cover the complete syllabus. Instructors for Sailplanes should not be treated differently. Since the training of glider pilots typically stretches over 2 years and there may not be that many student pilots it may take very long for an instructor to cover the complete syllabus. Keeping track of this also requires additional unnecessary documentation. Therefore the last part of the sentence should be deleted.

response *Not accepted*

Thank you for providing your opinion.  
Please see the reply to comment 4226 above.

The justification provided that there might not be enough student pilots (one student would be enough to cover the full syllabus), that this will take too long and finally that the documentation for such a procedure would be too demanding cannot be accepted as a valid argument. Knowing that such a system is already successfully in place in several Member States and seeing the advantages of such a supervising system for the instructor, the Agency does not consider a change.

comment	4380	comment by: DC-AL
	I consider 100 hours instructing more appropriate for the removal of the restriction	
response	<i>Not accepted</i>	
	Thank you for providing your opinion. Please see the reply to comments 2158 and 2263 above.	
comment	4602	comment by: Deutscher Aero Club
	FCL.910.LAFI (b) 3) "In the case of a LAFI for sailplanes, at least 15 hours or 45 launches of flight instruction covering the full training syllabus for the issuance of the LPL for sailplanes" Comment: Why are LAFI for sailplanes required to cover the full syllabus whereas LAFI for aeroplanes and helicopters are not? This additional requirement should be removed.	
	EGU Proposal: 3) "In the case of a LAFI for sailplanes, at least 15 hours or 45 launches of flight instruction"	
response	<i>Not accepted</i>	
	Thank you for providing your opinion. However, as you have already commented on this issue with your comment 4226 above, please see the reply to this comment.	
comment	4613	comment by: FFK
	This should also be for Microlight. If you are a FI for PPL you should be allowed to be an instructor for microlight (not trikes)	
response	<i>Noted</i>	
	Thank you for providing your proposal. However, as the licensing requirements for Annex II aircraft (e.g. microlights) are excluded from the EASA scope (see Basic Regulation (EC) No 216/2008), national authorities have to decide if certain parts of the LAFI training could be credited for a national instructor rating/certificate on Annex II aircraft. This will definitely not be done with these Implementing Rules.	
comment	5029	comment by: ECA- European Cockpit Association
	Delete and replace number of hours of instruction:	
	(1) in the case of a LAFI for aeroplanes, at least <del>50</del> hours of flight instruction in a singleengine piston aeroplane or TMG and has supervised at least 25 student solo flights. (2) in the case of a LAFI for helicopters, at least <del>50</del> hours of flight instruction in helicopters and supervised at least 25 student solo flight air exercises.	
	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 advices to set a reasonable limit.
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree with your proposal to raise the required amount of flight time and will keep the requirement for the LAFI(A) in (b)(1) which is asking for 50 hours of flight instruction unchanged.</p> <p>The Agency carefully reviewed the comments received on this issue. It is obvious that a certain group of stakeholders asks for some further alleviations whereas a second group of stakeholders proposes to raise the numbers (as proposed in your comment: 100 hours). The Agency firmly believes that 50 hours flight instruction under the supervision of an experienced LAFI nominated for this purpose should be a sufficient amount in order to take away the limitation.</p> <p>Additionally, it should be highlighted that the main aim of this limitation is not only the idea of getting more experience for the judgement when to send a student pilot solo but also the possibility to receive support and assistance of the supervising instructor. 50 hours of flight instruction will allow to cover the whole flight training syllabus and should be sufficient. The justification provided is not understood as there is no 'commonly accepted ... safe number of hours' for taking away such a limitation.</p>
comment	<p>5588 <span style="float: right;">comment by: <i>Belgian Gliding Federation</i></span></p> <p><i>FCL.910.LAFI (b)</i></p> <p>3) <i>"In the case of a LAFI for sailplanes, at least 15 hours or 45 launches of flight instruction covering the full training syllabus for the issuance of the LPL for sailplanes"</i></p> <p>Comment: Why are LAFI for sailplanes required to cover the full syllabus whereas LAFI for aeroplanes and helicopters are not? This additional requirement should be removed.</p> <p><b>Proposal:</b> <b>3) "In the case of a LAFI for sailplanes, at least 15 hours or 45 launches of flight instruction"</b></p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the reply to comment 4226 above.</p>
comment	<p>5616 <span style="float: right;">comment by: <i>David Trowse</i></span></p> <p>The conditions for removing the restriction on the privileges of a LAFI should be the same as those for lifting the restrictions on a FI because the type of initial training being carried out is essentially the same.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p>

However, the Agency does not agree with your proposal to raise the required amount of flight time and will keep the requirement for the LAFI(A) in (b)(1) which is asking for 50 hours of flight instruction unchanged.

The Agency carefully reviewed the comments received on this issue. It seems that a certain group of stakeholders asks for some further alleviations whereas a second group of stakeholders proposes to raise the numbers (as proposed in your comment: aligning it with the FI requirements). The Agency firmly believes that 50 hours flight instruction under the supervision of an experienced LAFI nominated for this purpose should be a sufficient amount in order to take away the limitation.

Additionally, it should be highlighted that the main aim of this limitation is not only the idea of getting more experience for the judgement when to send a student pilot solo but also the possibility to receive support and assistance of the supervising instructor at any time and on any other problem. 50 hours of flight instruction will allow to cover the whole flight training syllabus and should be sufficient.

It should be highlighted that there is no need to align the requirements for the LAFI and the FI as there are already a lot of differences in other paragraphs. Based on the fact that the training for the LPL is slightly different from the PPL instruction (e.g. no 180° turn solely by reference to instruments) also the prerequisites, the training course contents or the revalidation criteria of the LAFI and the FI are different.

comment

5763

comment by: UK CAA

**Paragraph:** FCL.910 LAFI(b)(1)(2)

**Page No:** 47 of 647

**Comment:** The difference in paragraph 1&2 in relation to 25 student solo flights (aeroplanes) and 25 student solo flight exercises (helicopters) should not exist. It was changed for JAR FCL 2 by JAR LLST(H) with the intention of transferring it to JAR FCL 1 prior to the demise of the LST.

**Justification:** Consistency – NPA 25 to JAR FCL 2 changed the wording in JAR FCL 2 Subpart H from '25 solo flights' (for which there was no definition) to '25 student flight air exercises' because an 'air exercise' is detailed in the PPL Syllabus contained in JAR FCL Section 2 as the briefing, flight and debrief. Therefore, under this alleviation, the instructor may detail more than one solo flight exercise to be conducted in a single solo flight.

**Proposed Text:** Combine FCL 910 LAFI (b1&b2) to reflect that both aeroplanes and helicopters state 'at least 25 student solo flight exercises'.

response

*Not accepted*

Thank you for providing your opinion.

The Agency agrees that such a difference should not exist. The comment is right with the explanation why these differences were introduced but it should be highlighted that the term 'air exercise' is only used for the different exercises during an instructor course. As in this case the student pilot is trained according to the syllabus containing the flight training for the LAFI only the term: 'exercises' is known. The Agency does not agree with the proposal to use the expression 'solo flight air exercises' for the LAFI(A) and (H) as this would mean that several of these exercises could be combined during one flight. The number 25 and the wording 'student solo flights' will be kept and

also introduced for (b)(2) because of the fact that this expression provides more clarity what is meant. Taking the proposed expression for both ('solo flight air exercises') would lead to problems because this term is not widely known.

comment 6254 comment by: *Christoph Talle*

910.LAFI (b)(3) Like for aeroplane and helicopters it should be renounced the second part of the sentence: ...covering the full flight training syllabus .... . This because special glider flying depends on season. Maybe it takes a lot of time (years) to complete the full syllabus.

response *Not accepted*

Thank you for providing your opinion.  
Please see the reply to comments 4226 and 4315 above.

comment 6846 comment by: *UK CAA*

**Paragraph:** FCL.910 LAFI 7 910 FI

**Page No:** 47 & 51 of 647

**Comment:** Refers to an FI acting under 'supervision' of an LAFI or FI, however there is no definition to what constitutes 'supervision' or the experience or qualifications required of a supervisory FI. As these requirements are common to all FI categories a general requirement is needed in FCL.950 to clarify/standard standardisation.

**Justification:** Safety/Legality – A definition, for this purpose of this Part, is required for what is acceptable as 'supervision' and the minimum acceptable experience level and responsibilities of a 'supervisor'.

Standardisation - The lack of a binding definition in JAR already causes confusion/variation in standardisation and a 'loophole open to abuse.

**Proposed Text: (if applicable)**

A new FCL.950 Supervision of the Restricted Instructor

(a) The supervising instructor shall hold an unrestricted instructor rating with at least 200 hours of flight instructional experience to include experience on the type or class of aircraft for which supervision is being given, the syllabus/exercise being taught and the experience/limitations of the individual he is supervising.

(b) The supervising instructor shall be nominated, in the organisations Operations Manual or Flying Order Book, so that he/she may be readily identified. Such a document should also list the qualifications and responsibilities of the supervising instructor.

(c) Before flight training commences, the supervising instructor shall assess the day's programme as appropriate having considered the exercise(s) to be flown, student performance and progress, aircraft maintenance and serviceability, the weather forecast, NOTAMS and any other factors likely to affect the planned activities.

(d) The supervising instructor must be present at the airfield during any instructional flights and be contactable without undue delay.

(e) The supervising instructor shall be informed of any student solo flying and be available to observe, where appropriate, any briefings conducted by or student solo flights authorised by the restricted instructor.

response *Not accepted*

Thank you for providing your opinion.

The Agency has carefully reviewed your comment but came to the conclusion not to introduce a specific requirement for the supervising instructor. The training organisation is asked to nominate an instructor for this purpose which will be in most of the cases one of the most experienced the ATO has available. 200 hours instruction time is not needed to fulfil this task as the unrestricted instructor is allowed to instruct himself also without any additional supervision.

comment 7412 comment by: *Werner LADNER*

Refer to FCL.910.LAFI (b)(1)

The limitation of 50 hours is to high. There are not so much studets available so it takes to long time.

I propose to change

(b)(1): in case of a LAFI for aeroplanes, at least **30 hours** of flight instruction in a single piston aeroplane or TMG and has supervised at least 25 student solo flights

response *Not accepted*

Thank you for providing your opinion.

Please see the reply to comments 2158 and 2263 above.

comment 7510 comment by: *Graham PHILPOT*

4- This needs to be reduced to maybe 2 observed flights.

The quality check is when the student reaches the Examination stage.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to ask for only 2 observed flights in (b)(4) and will keep the requirement for the LAFI(B) which is asking for 15 hours or 50 take-offs of flight instruction under the supervision of an FI or LAFI(B).

The Agency carefully reviewed the comments received on this issue. The Agency firmly believes that the required flight instruction under the supervision of an experienced LAFI nominated for this purpose should be kept as proposed as such a system is already successfully in place in several member states (and was also introduced with JAR-FCL for the FI).

Additionally it should be highlighted that the main aim of this limitation is not only the idea of getting more experience for the judgement when to send student pilots on solo flights but also the possibility to receive support and assistance of the supervising instructor. 15 hours of flight instruction will allow to cover the whole flight training syllabus.

comment 8087 comment by: *European Sailplane Manufacturers*

Asking for a full flight training syllabus is too much.

Sometimes simply not enough students are available.

15 hours or 50 launches should be enough.

response *Noted*

Thank you for providing your opinion.  
Please see the reply to comment 4226 above.

comment 8164

comment by: *F Mortera*

**3. About instructor certificates**

**FCL.910.LAFI B (b) (4) = FCL.910.FI B(c) (3) "Restricted privileges" (pages 47 and 52)**

**FCL.915.LAFI B (e) = FCL.915.FI B (g) "Pre-requisites" (pages 48 and 51)**

**FCL 925.LAFI = FCL.935.FI "Skill test" (pages 49 and 52)**

I am also confused in a similar way for the LAFI and FI certificates and their respective requirements.

response *Noted*

Thank you for providing your opinion.  
However, the Agency does not understand why these requirements mentioned are causing any confusion.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 2: Specific requirements for the light aircraft flight instructor — FCL.915.LAFI p. 47-48 Prerequisites for the LAFI training course**

comment 189

comment by: *Aero-Club of Switzerland*

As pre-requisite for the LAFI training course for sailplanes we are of the opinion that under (d) 100 launches are sufficient.

Justification: The bulk of experience is surely gained within the frame of the first 100 launches, not much is added with the second 100.

response *Not accepted*

Thank you for providing your opinion.  
However, the Agency does not agree at all with your proposal that a sailplane pilot with an experience of only 100 take-offs should be allowed to take part in the instructor course.

The quality of the flight training is a main element in General Aviation to ensure a high level of safety. If the instructor has completed only a very limited amount of take-offs himself/herself (and the Agency is of the opinion that a glider pilot with only 100 flights cannot be called 'experienced' at all) the risk exists that he/she will not be able during the training flights with students to cope with all the situations which could occur (e.g. during emergency exercises like simulated launch failures or stalling exercises).

The Agency will keep the required amount of experience for the LAFI(S) candidate.

comment 400

comment by: *Rod Wood*

	(c) Remove this sub para. See comment to FCL 905 and 910
response	<p><i>Not accepted</i></p> <p>Thank you for your opinion. As it was decided to keep the LAFI(H), the Agency will not follow your proposal. See also the responses to your other comments on the same issue.</p>
comment	<p>525 <span style="float: right;">comment by: <i>Geschäftsführer Luftsportverband RP</i></span></p> <p>Im Luftsport wird es bei Beibehaltung des augenblicklich vorgeschlagenen Werkes eine Fortsetzung des gewaltigen Rückganges an FI im Luftsport geben. Ich wage sogar zu behaupten, dass der FI auf Grund der hohen Ausbildungskosten und Anforderungsprofil im Luftsport ganz aussterben wird.</p> <p>Daher die Forderung, dass der Eingangstest für einen Fluglehrer-Anwärter auch bei Flugzeugen von einem LAFI und nicht ausschließlich von einem FI abgenommen werden kann. Es muss -wie Eingangs bemerkt- eine Durchgängigkeit im eigenen Bereich vom LPL-Scheininhaber bis zum LAFI-Prüfer geben!!</p> <p>(a) In case of the LAFI for aeroplanes, the flight test shall be taken with a LAFI or FI .</p> <p>Es ist sicher empfehlenswert, aber beim LAFI darf es keine Forderung zum Instrumentenflug geben! Die Forderung in der Ausbildung nach der 180 Grad Kehrtkurve unter quasi Instrumentenflugbedingungen reicht vollkommen aus. Der Rest ist VFR-Fliegen nach Instrumenten.</p> <p>(b) In the case of LAFI for aeroplanes <b>or TMG</b>:</p> <p>(b) (1) received at least 3 hours of simulated instrument flying ..... FSTD;</p> <p>Die 3-Achs gesteuerten UL dürfen nicht außer Acht gelassen werden. Deshalb für den LAFI noch eine UL-Erleichterung, aber auch für Segelfluglehrer:</p> <p>(b) (3) completed at least 200 hours of flight time of which 150 hours PIC; Holders of a sailplane license or a lizense for 3 axis controlled moicrolight are cedited up to 100 flight time on these categories.</p> <p>in (b) (4) ergänzen:</p> <p>complete at least ..... single-engine piston aeroplane <b>or TMG</b> of which ....</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The first item is dealing with the pre-entry flight test. The Agency agrees that not only an FI(A) or (H) but also an experienced LAFI(A) or (H) should be allowed to perform this pre-entry flight test with the candidate. The Agency will change the requirement in (a) and include the LAFI as proposed but with a slight addition. Based on other comments proposing to take instructors for this task who are really familiar with the content of this flight test, especially the instructors providing flight training during an instructor course are qualified for this. The LAFI having the privilege to instruct during an instructor course is defined in FCL.905.LAFI (f). The requirement will read:</p>

'The flight test shall be taken with an LAFI qualified in accordance with FCL.905.LAFI (f) or an FI qualified in accordance with FCL.905.FI (j) in the appropriate aircraft category'. (You will find this wording now in FCL.930.LAFI - Training Course).

The Agency carefully reviewed the comments received dealing with the issue of the required 3 hours of instrument flight instruction as a prerequisite for the LAFI(A) candidate. This issue can be discussed controversially because additional knowledge and experience to cope with difficult weather conditions might be helpful in specific cases but as this kind of training is clearly not part of the flight training syllabus for the LPL(A) the Agency agrees with all the comments asking for a deletion as such a 3 hours training module will not at all allow the future instructor to fly in IMC. The requirement in (b)(1) will be deleted completely but an additional exercise will be added in FCL.930.LAFI (Training Course) in order to ask for at least 1 hour flight training by reference solely to instruments (including a 180° turn).

Your third comment proposes to introduce some kind of 'crediting' for flight time on microlight or sailplanes. The Agency will add 'on SEP aeroplanes or TMG' for the required 150 hours. This means that the remaining 50 hours (200h-150h) can be flown on aircraft of other classes. The Agency agrees that flight time in other categories of aircraft could be useful but the Agency also strongly believes that a certain minimum experience on aeroplanes or TMG has to be required and should not be replaced by flight time on sailplanes. The quality of the flight training is one main element in General Aviation to ensure a high level of safety. If the instructor has completed only a very limited amount of take-offs/hours himself/herself (and the Agency is of the opinion that an aeroplane pilot with only 75 hours on aeroplanes or TMG as proposed by you cannot be called 'experienced'), the risk exists that he/she will not be able during the training flights with students to cope with all the situations which could occur (e.g. during emergency exercises like simulated engine failures or stalling exercises).

The Agency will therefore keep the required 150 hours of flight time on aeroplanes or TMG for the LAFI(A) candidate.

comment	<p>528 <span style="float: right;">comment by: FOCA Switzerland</span></p> <p>J/Section 2 FCL.915 LAFI</p> <p>Proposal</p> <p><b>(d) Flight experience must be augmented up to at least 200 hrs. A credit of up to 50% in aeroplane is accepted.</b></p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency has carefully reviewed the comments received on this issue. Most of the comments propose to lower the required amount of flight hours and take-offs on sailplanes whereas your proposal is to raise them to 200 hours. The Agency would like to mention that it will be always very difficult to describe a certain required competence or experience with a certain amount of flight time or take-offs. A competency-based approach would be the better</p>

solution but could not be introduced with these Implementing Rules yet. Based on an evaluation of existing national requirements the drafting group of experts proposed finally the minimum amount of 100 hours and 200 launches on sailplanes. The Agency believes that this is a sufficient number and does not agree with the proposal to raise it. The pre-entry flight test will show if the candidate is mature enough to take part in the training course (see FCL.0930.LAFI).

Several comments are proposing all kind of crediting for the LAFI prerequisites. Your comment asks for 50% credit for flight time on aeroplanes. As it was decided to keep the 100 hours on sailplanes this would mean that an LPL(A) licence holder would only have to complete 50 hours in sailplanes. The Agency agrees with the principle that flight time in other categories of aircraft could be useful but the Agency also strongly believes that a certain minimum experience on aircraft of the specific category must be required and should not be replaced by flight time on aeroplanes. The quality of the flight training is one main element in General Aviation to ensure a high level of safety. If the instructor has completed only a very limited amount of take-offs/hours himself/herself (and the Agency is of the opinion that a sailplane pilot with only 50 hours on sailplanes should not be called 'experienced') the risk exists that he/she will not be able during the training flights with students to cope with all the situations which could occur (e.g. during emergency exercises like simulated launch failures or stalling exercises).

The Agency will therefore keep the required 100 hours of flight time on sailplanes and will not introduce a credit for flight time on aeroplanes or TMG.

comment

639

comment by: *British Microlight Aircraft Association*

Comment: There is an inconsistency in the recency requirements for pilots wishing to attend a training course for the LAFI. Pilots of aeroplanes are required to have experience and recency "*completed at least 30 hours of flight time on a single engine piston aeroplane of which at least 5 hours shall have been completed during the six months preceding the pre-entry flight test set out in (a);*" whereas pilots of helicopters, sailplanes and balloons do not have a recency stipulation

response

*Noted*

Thank you for providing your opinion.

As certain elements which are already in place for the Flight Instructor according to the JAR-FCL system are taken over also for the LAFI, this additional requirement for the LAFI(A) was introduced by the experts.

The Agency agrees that this requirement doesn't seem to be consistent with the requirements for the other LAFI categories and will delete it. The pre-entry flight test will show if the required level of recent experience on aeroplanes is reached.

comment

1345

comment by: *Gerhard Hehl*

Was ist mit instrument flight instruction gemeint? Instrumentenflug oder nur die Ausführung einer 180-Grad-Kurve? Oder ist damit Funknavigation gemeint?

response

*Noted*

Thank you for providing your opinion.

The Agency carefully reviewed the comments received dealing with the issue of the required 3 hours of instrument flight instruction as a prerequisite for the LAFI(A) candidate. This issue can be discussed controversially because additional knowledge and experience to cope with difficult weather conditions might be helpful for the LAFI in specific cases but as this kind of training is clearly not part of the flight training syllabus for the LPL(A) the Agency agrees with all the comments asking for a deletion. The requirement in (b)(1) will be deleted completely but an additional exercise will be added in FCL.930.LAFI(Training Course) in order to ask for at least 1 hour flight training by reference solely to instruments (including a 180 turn). Based on the fact that the proposed 3 hours instrument instruction will anyway not allow the instructor to fly safely in IMC conditions, the Agency believes that this training will be sufficient.

comment 1434 comment by: *Aero Club Oppenheim e. V.*

Eine 180 Grad Kurve sollteausreichend sein! Oder ist mit Instrumentenflug Funknavigation gemeint? sonst würde ich den Punkt streichen.

response *Noted*

The Agency acknowledges your comment.  
As it is a copy of similar comments please see the reply to comment 1345 above.

comment 1508 comment by: *Volker ENGELMANN*

(b) 3 and (d) the flight hours again are far to high!  
The number of flight hours does not say anything about the quality of a pilot.  
The pre checkout by a FIE does!  
With the experience of FIE`s a good assesment can be done wethet FE trainees are able to full fill the requirements of a good, solid and experienced FI-Assistant!

Cut down the numbers to 75 hrs.

response *Not accepted*

Thank you for providing your opinion.  
Please see the response provided to comment No.528 (FOCA Switzerland).  
The Agency agrees that the result of the pre-entry flight test and the final skill test at the end of the course is more important than any required prerequisite defined by using a certain amount of flight time.

However, as a purely competency-based approach will not be implemented a certain amount of experience should be reached (as explained in the response mentioned above). The same reasoning should be valid for all LAFI certificates. The Agency does not believe that an LAFI(A) candidate with only 75 hours on TMG or SEP will have reached the necessary level of experience for such an important task. Therefore, both numbers will be kept unchanged.

comment 1719 comment by: *Sven Koch*

(a) Eignungsflug mit einem Fluglehrer Flugzeuge: 3 Std Instrumentenflug, 20

	Std Überlandflug, 200 Std Gesamtflugzeit wovon 150 Std als PIC, 30 Std auf SEP wovon 5 Std innerhalb 6 Monaten vor Eignungsflug Segelflug: 100 Std als PIC und 200 Starts auf Segelflugzeugen; wenn auch TMG-Lehrer, dann 30 Std als PIC auf TMG 180 Grad Kurve ist ausreichend! oder ist mit Instrumentenflug Funknavigation gemeint? sonst streichen
response	<i>Noted</i>  The Agency acknowledges your comment. As it is a copy of similar comments please see the reply to comment 1345 above. The rest seems to be only a translation of some specific items of the requirement.
comment	2154 <span style="float: right;">comment by: <i>Rüdiger Braun</i></span>  10 hours of IFR training is too much, change into 5 hours. the basic requirements for FI are high enough.
response	<i>Noted</i>  Thank you for providing your comment.  However, it seems that the comment is addressed to the wrong paragraph as FCL.915.LAFI is not asking for 10 hours of instrument instruction.  Only for the FI 10 hours of instrument instruction are proposed. This is taken over from JAR-FCL. Please see the responses provided in the segment for FCL.915.FI.  The proposed 3 hours of instrument instruction will be amended.
comment	2181 <span style="float: right;">comment by: <i>Oelschlaeger, Harald</i></span>  180 Grad Kurve ist ausreichend oder ist mit Instrumentenflug Funknavigation gemeint? sonst bitte streichen!
response	<i>Noted</i>  The Agency acknowledges your comment. As it is a copy of similar comments please see the reply to comment 1345 above.
comment	2265 <span style="float: right;">comment by: <i>Mike Grierson</i></span>  It is a requirement of ICAO Annex 1 that a flight instructor shall have CPL level knowledge. How is this demonstrated?
response	<i>Noted</i>  Thank you for providing your opinion. As the LPL concept is clearly based on a sub ICAO level there is no need to ask for a theoretical CPL knowledge level for the LAFI. In addition to this, the Agency is of the opinion that such an additional level is not necessary to provide flight training for the LPL.

comment	<p>2448 <span style="float: right;">comment by: <i>Dr. Horst Schomann</i></span></p> <p>Subparagraph (b) (4)</p> <p>Problem: TMG is missing.</p> <p>Proposed solution: ... single-engine piston aircraft or TMG ...</p> <p>Justification: Throughout the document the TMG is treated as alternative to SEP aircraft. Therefore it is also necessary for the related LAFI.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>This requirement was proposed by the experts involved in drafting these requirements and was mainly based on the fact that the 30 hours required on SEP aeroplanes were in a similar way introduced by the JAR-FCL requirements. The Agency after having reviewed carefully all the comments received and further discussed the issue with the experts agrees and will change the original proposal in order to allow also a pure TMG LPL licence holder to become a LAFI for TMGs. No safety related argument should prevent this.</p> <p>FCL.915 will ensure that the LAFI has completed at least 15 hours as a PIC on aeroplanes or TMG before being allowed to provide training but the Agency does not believe that this amount of experience is sufficient in this case. As the Agency is not in favour to introduce a specific LAFI(A) restriction 'for aeroplanes only' or 'TMG only', the proposed requirement asking for at least 30 hours flight time on aeroplanes will be kept and a similar wording for the TMG experience added if an instructor intends to provide instruction only on TMGs.</p> <p>The requirement that 5 of these hours have to be completed during the last 6 months will be deleted.</p> <p>Please see the amended wording in FCL.915.LAFI(a).</p>
comment	<p>2466 <span style="float: right;">comment by: <i>Dieter Lenzkes</i></span></p> <p><b>Vorschlag zu FCL.915.LAFI (d):</b></p> <p><b>Replace</b> paragraph (d) by:</p> <p>In the case of a LAFI for sailplanes <u>and/or powered sailplanes</u>, completed at least 100 hours of flight time as pilot in command and 200 launches as pilot in command on <u>sailplanes and/or powered sailplanes</u>. Additionally, in case the applicant wants to give instruction on <u>touring-motorgliders</u>, he shall complete at least 30 hours of flight time as pilot in command on TMG.</p> <p><b>Begründung:</b> Diese Korrektur ist zur Präzisierung notwendig wenn der Vorschlag in Kommentar 1212 für die Definitionen angenommen wird.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that flight time on powered sailplanes should be mentioned also. The reason why this was not mentioned so far is that flight time on TMGs (which are also powered sailplanes) should not be included.</p>

The Agency will try to find a wording for the final text for the first sentence in (d) which will include flight time on powered sailplanes but not on TMGs.

Additionally the Agency will add the word 'Touring' in the second sentence to use a consistent wording.

comment 2685 comment by: *Derry MOORE*

With regard to 30 hours of 'classroom teaching'. I have 22 years as a Hot Air Balloon Instructor with seminars every 2 years covering your syllabus. Will I have to do 30 hours 'classroom teaching' etc?

response *Noted*

Thank you for providing your comment.

However, it seems that the comment is not dealing with any requirement of this paragraph FCL.915.LAFI.

As the term 'classroom teaching' is mentioned you might refer to the theoretical knowledge instruction and the instructional techniques required during an instructor training course. It seems also that you are already holding an instructor rating which means that the content of the instructor course which is clearly drafted for LPL(B) pilots wishing to become an instructor and not dealing with the conversion of existing instructor certificates.

The conversion of existing national licences will be based on a conversion report of the competent authority and is not covered by these Implementing Rules. There will be certainly no conversion requirement asking for additional 30 hours classroom teaching for the already certificated instructors during the conversion period.

What you will have to do when the new system is in force is to attend an instructor refresher seminar every three years if you do not choose the other two options for the revalidation of your certificate. Please see FCL.940.LAFI.

comment 2775 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

Since the Basic LPL is a licence by itself, FFA strongly recommends requiring from applicants for a LAFI certificate to hold at least a LPL licence.

It seems unrealistic for a Basic LPL holder to ask for a LAFI training course.

An other way to avoid any misunderstanding on this topic would be to introduce a general statement in the section "Common requirements" in subpart B.

response *Noted*

Thank you for providing your comment.

The Agency agrees and would like to add that this requirement is already contained in FCL.915 which says:

'An applicant for an instructor certificate ... shall hold at least the licence ... for

which instruction to be given ...'. For the LAFI this means that the candidate has to hold at least an LPL not a Basic LPL.

The Agency does not see a need to specify this in subpart B.

comment 3232 comment by: Egon Schmaus

FCL.915.LAFI (b)

(1) received at least 3 hours of "simulated instrument flying in a SEP or a FSTD"

Reason: Actual flight instruction is not necessary for FI conducting flight training with minor or without Radio-Navigation

FCL.915.LAFI (b)

(4) completed..... SEP aeroplane "or TMG" of which...

Reason: LAFI will be entiteled for flight istructionin the aircraft class he is rated for. This need not mandatorily be SEP.

response *Not accepted*

Thank you for providing your opinion.

The Agency carefully reviewed the comments received dealing with the issue of the required 3 hours of instrument flight instruction as a prerequisite for the LAFI(A) candidate. This issue can be discussed controversially because additional knowledge and experience to cope with difficult weather conditions might be helpful in specific cases but as this kind of training is clearly not part of the flight training syllabus for the LPL(A) the Agency agrees with all the comments asking for a deletion. The requirement in (b)(1) will be deleted completely but an additional exercise will be added in FCL.930.LAFI (Training Course) in order to ask for at least 1 hour flight training by reference solely to instruments (including a 180 turn).

Regarding the second issue see the reply to comment 2448 above.

comment 3305 comment by: DGAC FRANCE

FCL 915 LAFI

1- An applicant must meet an appropriate and updated level of knowledge to undertake the instructor training course, otherwise the ground part of the instructor course will be mainly used to reach the level of knowledge and not to learn how to give instruction. This level of knowledge shall be much deeper than the level of the holder of the licence to enable the instructor to give accurate explanations, to adapt these explanations to the student and to be convincing.

2- An instructor who performs instruction for instructor ratings is more able to assess the level required to follow the instructor course.

**(a) passed a theoretical evaluation to ensure that the applicant meets the level of knowledge necessary to undertake the course,**

**(b) passed a pre-entry flight test to assess his/her ability to undertake the course.**

In the case of the LAFI for aeroplanes and helicopters, the flight test must be

taken with a FI **qualified as in 905 FI (j)** in the appropriate aircraft category. In case of LAFI for other categories of aircraft, the flight test shall be taken with a LAFI **qualified as in FCL 905 LAFI (f)** or a FI **qualified as in 905 FI (j)** in the appropriate aircraft category.

response *Partially accepted*

Thank you for providing your opinion.

The Agency fully agrees with the statements and explanations provided about the main aim of this pre-entry flight test. The Agency also agrees with the proposal to involve only instructors who provide instruction for instructor ratings as these instructors are necessarily the group of instructors who will be the most suitable to assess the level required for the course.

The Agency will change the requirement in (a) as proposed but with a slight addition. As the LAFI having the privilege to instruct during an instructor course (see FCL.905.LAFI (f)) is also qualified to assess this level the proposed addition for the LAFI(S) and (B) will be introduced also for the LAFI(A) and (H) pre-entry flight test. The requirement will read:

'The flight test shall be taken with a LAFI qualified in accordance with FCL.905.LAFI (f) or an FI qualified in accordance with FCL.905.FI (j) in the appropriate aircraft category.'

comment

3325

comment by: DGAC FRANCE

FCL 915 LAFI (e)

The LPL (B) gives only the privileges to flight on a small balloon.

"On....is to be" instead of "for.....will be " to be consistent with FCL 915 LAFI (c) (4)

(e) In the case of LAFI for balloons, completed at least 75 hours of balloon flight time as pilot in command, of which at least 15 hours have to be in the class ~~and group~~ **on** for which instruction ~~will be~~ **is to be** given.

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees and will delete 'and group' based on the fact that the group distinction is only foreseen for the BPL.

The Agency will reconsider the other editorial proposals in order to find the best wording to ensure legal certainty.

comment

3326

comment by: DGAC FRANCE

Part FCL 915 LAFI (b)(3)

Consistency with the requirements for the other categories and necessary to have an appropriate experience to become instructor.

FCL .915.LAFI

(b)

(3) Completed at least 200 hours of flight time **in aeroplanes** of which 150

	hours as pilot in command
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Based on the comments received and in order to adress a certain possibility of 'crediting' flight time in other aircraft categories the Agency will amend the text as follows: 'completed at least 200 hours of flight time including at least 150 hours as pilot-in-command of single-engine piston aeroplanes or TMG'.</p>
comment	<p>4230 <span style="float: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></span></p> <p>Proposal (b)(1) received at least 3 hours of simulated instrument flying in a single-engine piston aeroplane, Justification: The wording "instrument flight instruction" would require a two complex infrastructure and would exclude instruction on TMG. It should be possible to conduct this instruction under simulated conditions. It should neither be necessary to use a fully IFR certified aeroplane, nor to do it at an FTO which is approved for IFR training nor to require an IFR instructor. Especially it should be possible to conduct this on a appropriately but not fully IFR equipped TMG for instructors who only intend to instruct on TMG.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency carefully reviewed the comments received dealing with the issue of the required 3 hours of instrument flight instruction as a prerequisite for the LAFI(A) candidate. This issue can be discussed controversially because additional knowledge and experience to cope with difficult weather conditions might be helpful for the LAFI in specific cases but as this kind of training is clearly not part of the flight training syllabus for the LPL(A) the Agency agrees with all the comments asking for a deletion. The requirement in (b)(1) will be deleted completely but an additional exercise will be added in FCL.930.LAFI (Training Course) in order to ask for at least 1 hour flight training by reference solely to instruments (including a 180 turn).</p>
comment	<p>4232 <span style="float: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></span></p> <p>Proposal (b)(4) completed at least 5 hours of flight time on a single-engine piston aeroplane or TMG during the six months preceding the pre-entry flight test set out in (a); Justification: This requirement as worded in the NPA does not allow instructors holding TMG rating only. The Basic LPL license and LPL license can be issued with either TMG or single engine piston rating. These ratings are symetrical and equivalent. There must therefore be an option of a LAFI with only a TMG rating who intends to instruct only for basic LPL or LPL licenses on TMG. In Germany there are many training organisations that instruct solely on TMG.</p>
response	<p><i>Partially accepted</i></p>

Thank you for providing your opinion.

This requirement was proposed by the experts involved in drafting these requirements and was mainly based on the fact that the 30 hours required on SEP aeroplanes were in a similar way introduced by the JAR-FCL requirements. The Agency after having reviewed carefully all the comments received and further discussed the issue with the experts agrees and will change the original proposal in order to allow also a pure TMG LPL licence holder to become a LAFI for TMGs. No safety related argument should prevent this.

FCL.915 will ensure that the LAFI has completed at least 15 hours as a PIC on aeroplanes or TMG before being allowed to provide training but the Agency does not believe that this amount of experience is sufficient in this case. As the Agency is not in favour to introduce a specific LAFI(A) restriction 'for aeroplanes only' or 'TMG only', the proposed requirement asking for at least 30 hours flight time on aeroplanes will be kept and a similar wording for the TMG experience added if an instructor intends to provide instruction only on TMGs.

The requirement that 5 of these hours have to be completed during the last 6 months will be deleted.

Please see the amended wording in FCL.915.LAFI(a).

comment 4251 comment by: SFG-Mendig

Wenn mit instrument flight instruction der sogenannte hooded flight gemeint ist (Flug mit eingeschränkter Sicht nach aussen unter sogenanntem angenommenen IMC unter VFR am Tag), dann ist diese Aussage verständlich und wird mitgetragen. Es muss aber vermieden werden, dass hier IFR ausgestattete Luftfahrzeuge mit Fluglehrern, die zum Ausbilden von IFR berechtigt sind, hierfür erforderlich sind.

response *Noted*

Thank you for providing your opinion.  
Please see the reply to comment 4230 above.

comment 4316 comment by: Baden-Württembergischer Luftfahrtverband

FCL.915.LAFI(b)(1)

**Wording in the NPA**

(1) received at least 3 hours of instrument flight instruction in a singleengine piston aeroplane,

**Our proposal**

**Change:**

(b)(1) received at least 3 hours of **simulated** instrument flying in a singleengine piston aeroplane,

**Issue with current wording**

The wording "instrument flight instruction" would require a too complex infrastructure and would exclude instruction on TMG.

**Rationale**

It should be possible to conduct this instruction under simulated conditions. It should neither be necessary to use a fully IFR certified aeroplane, nor to do it

at an FTO which is approved for IFR training nor to require an IFR instructor. Especially it should be possible to conduct this on a appropriately but not fully IFR equipped TMG for instructors who only intend to instruct on TMG.

response *Not accepted*

Thank you for providing your opinion.  
Please see the reply to comment 4230 above.

comment 4317 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.915.LAFI(b)(3)

**Wording in the NPA**

(b)(3) completed at least 200 hours of flight time of which 150 hours as pilot in command;

**Our proposal**

**Change:**

(b)(3) completed at least 200 hours of flight time of which 150 hours as pilot in command;  **Holders of a sailplane license or a license for 3 axis controlled microlight are credited up to 100 hours flight time on these categories.**

**Issue with current wording**

Flight time in all fixed wing categories must be appropriately credited.

**Rationale**

As reasoned in great detail in general **comment 3250 Nr. 2 and 3** the skills in all fixed wing categories are extremely similar and the experience in these other categories is especially valuable for the task of an instructor. Therefore this flight time must be credited. It is not justifiable that an applicant with experience in multiple fixed wing categories has to fulfil the same requirements on just aeroplanes as an applicant with flight time only on aeroplanes.

response *Not accepted*

Thank you for providing your opinion.

Your comment proposes to introduce some kind of 'crediting' for flight time on microlight or sailplanes in (b)(3). The Agency will add 'on SEP aeroplanes or TMG' for the required 150 hours. This means that the remaining 50 hours (200h-150h) can be flown on aircraft of other categories. The Agency agrees that flight time in other categories of aircraft could be useful but the Agency also strongly believes that a certain minimum experience on aeroplanes or TMGs has to be required and should not be replaced by flight time on sailplanes or other aircraft categories.

The quality of the flight training is one main element in General Aviation to ensure a high level of safety. If the instructor has completed only a very limited amount of take-offs/hours himself/herself (and the Agency is of the opinion that an aeroplane pilot with only 100 hours on aeroplanes or TMG as proposed by you might not be sufficient), the risk exists that he/she will not be able during the training flights with students to cope with all the situations which could occur (e.g. during emergency exercises like simulated engine failures or stalling exercises).

The Agency will therefore keep the required 150 hours of flight time on aeroplanes or TMGs for the LAFI(A) candidate.

comment	<p>4318 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.915.LAFI(b)(4)  <b>Wording in the NPA</b>  (b)(4) completed at least 30 hours of flight time on a singleengine piston aeroplane of which at least 5 hours shall have been completed during the six months preceding the preentry flight test set out in (a);</p> <p><b>Our proposal</b>  Delete FCL.915.LAFI(b)(4)</p> <p><b>Issue with current wording</b>  This requirement as worded in the NPA does not allow for instructors with only TMG rating</p> <p><b>Rationale</b>  The Basic LPL license and LPL license can be issued with either TMG or single engine piston rating. These ratings are symmetrical and equivalent. There must therefore be an option of a LAFI with only a TMG rating who intends to instruct only for basic LPL or LPL licenses on TMG. In Germany there are many training organisations that instruct solely on TMG. Therefore there can not be a requirement specifically for SEP flight time.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.  Please see the reply to comment 4232 above.</p>
comment	<p>4319 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.915.LAFI(d)  <b>Wording in the NPA</b>  (d) In the case of a LAFI for sailplanes, completed at least 100 hours of flight time as pilotincommand and 200 launches as pilotincommand on sailplanes. Additionally, in case the applicant wants to give instruction on motor gliders, he shall complete at least 30 hours of flight time as pilotincommand on TMG.</p> <p><b>Our proposal</b>  <b>Add:</b>  Holders of an LPL(A) or a license for 3 axis micro lights are credited up to 50 hours against the 100 hours flight time on sailplanes and 15 hours against the 30 hours flight time on TMG.</p> <p><b>Issue with current wording</b>  Flight time in all fixed wing categories must be appropriately credited.</p> <p><b>Rationale</b>  As reasoned in great detail in general <b>comment 3250 Nr. 2 and 3</b> the skills in all fixed wing categories are extremely similar and the experience in these other categories is especially valuable for the task of an instructor. Therefore this flight time must be credited. It is not justifiable that an applicant with experience in multiple of these fixed wing categories has to fulfil the same requirements on just sailplanes as an applicant with flight time only on sailplanes.</p>
response	<p><i>Not accepted</i></p>

Thank you for providing your opinion.

Several comments are proposing all kind of crediting for the LAFI prerequisites. Your comment asks for 50% credit for flight time on aeroplanes or microlights. As it was decided to keep the 100 hours on sailplanes this would mean that an LPL(A) licence holder would only have to complete 50 hours in sailplanes.

The Agency agrees with the principle that flight time in other categories of aircraft could be useful but the Agency also strongly believes that a certain minimum experience on aircraft of the specific category must be required and should not be replaced by flight time on aeroplanes. The quality of the flight training is one main element in General Aviation to ensure a high level of safety. If the instructor has completed only a very limited amount of take-offs/hours himself/herself (and the Agency is of the opinion that a sailplane pilot with only 50 hours on sailplanes should not be called 'experienced' although he might be an experienced aeroplane pilot), the risk exists that he/she will not be able during the training flights with students to cope with all the situations which could occur (e.g. during emergency exercises like simulated launch failures or stalling exercises).

The Agency will therefore keep the required 100 hours of flight time on sailplanes and will not introduce a credit for flight time on aeroplanes.

comment

4695

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

100 Stunden und 200 Starts sind unangebracht, es gibt ja in (a) noch einen Eingangstest; es reichen oder 200 Starts.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(d) ersetze 'and' in "...PIC and 200..." durch 'oder'

response

*Not accepted*

Thank you for providing your comment.

As the first part of your comment is only a copy of your standard comment, the Agency will not provide an additional response to this. Please see the other

responses to your comment in all the other segments.

Regarding your proposal for a change of 'and' into 'or' the Agency does not agree as both elements are important prerequisites.

The quality of the flight training is one main element in General Aviation to ensure a high level of safety. If the instructor has completed only a very limited amount of take-offs/hours himself/herself (and the Agency is of the opinion that a sailplane pilot with only 100 take-offs on sailplanes but 220 hours should not be called 'experienced' although he might be very experienced in finding thermals or flying along the ridge), the risk exists that he/she will not be able during the training flights with students to cope with all the situations which could occur (e.g. during emergency exercises like simulated launch failures, stalling exercises or outlanding situations). The Agency also strongly believes that an LPL(S) pilot with 200 flights with an average flight time of only 10 minutes should gain more experience by performing some longer thermal flights or cross country flights before starting the training to become an instructor.

The Agency will therefore keep the required 100 hours of flight time and 200 take-offs on sailplanes and will not introduce the 'optional' solution. Please check also the actual minimum prerequisites in place in the European Member States and you will discover that the Agency's proposal is based on the existing well-functioning systems which should not be lowered as this would lower also the good standard reached in most of the Member States.

comment

4957

comment by: *George Knight*

p 48

(d) In the case of a LAFI for sailplanes, completed at least 100 hours of flight time as pilotincommand and 200 launches as pilotincommand on sailplanes. Additionally, in case the applicant wants to give instruction on motor gliders, he shall complete at least 30 hours of flight time as pilotincommand on TMG.

Suggest for pilots with SEP ratings that up to 20 of the TMG hours can be done on SEP types.

response

*Not accepted*

Thank you for providing your opinion.

The Agency agrees that a certain experience on SEP aeroplanes will be helpful for the future task as instructor on TMGs. However, as the requirement already asks for only 30 hours in TMGs, the Agency does not agree that 20 hours should be credited for flight time on SEP aeroplanes. As some of the handling characteristics are totally different a minimum of only 10 hours on TMG (as proposed) is not seen as sufficient.

comment

5157

comment by: *Dieter Zimmermann*

Zu FCL.915.LAFI:

Absatz (b)(1) ist ersatzlos zu streichen. Grund: Es ist nicht Aufgabe eines LAFI Instrumentenflug auszubilden. Durch das durch diesen Absatz verordnete Halbkönnen ist eine grosse Gefahr zu befürchten.

	<p>Absatz (b)(4) ist wie folgt zu ändern: 30 Stunden Flugzeit auf Flugzeugen mit einer maximalen Abflugmasse bis höchstens 2000 kg Abflugmasse oder Touringmotorseglern mit mindestens ...          Grund: Flugzeit auf grossen Flugzeugen ist ungeeignet. Es muss auch die Möglichkeit zum "Motorseglerlehrer" geben.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding your first proposal, please see the reply to comment 4230 above.</p> <p>Concerning (b)(4) please see the reply to comment 4232 above.</p>
comment	<p>5765 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL 915 LAFI (a)  <b>Page No:</b> 48 of 647  <b>Comment:</b> The content and standards to be achieved for ' the instructor pre-entry flight test' are not specified.          The instructor to conduct the test should be qualified as an instructor specified under FCL 905FI (j)  <b>Justification:</b> Standardisation/consistency/guidance –For the pre entry skill test.          Safety/standardisation - An FI specified under FCL 905 FI (j) is an instructor of FIs and aware of the entry standard required. Permitting any FI to conduct the pre-entry test is worthless.  <b>Proposed Text:</b>  <b>A pre-entry skill test, which shall consist of a LPC/LST flown to an above average standard, shall be taken with an FI specified under FCL 905 FI (j).</b></p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.          Please see the reply to comment 3305 above.</p>
comment	<p>5767 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> 915.LAFI (b)(4)  <b>Page No:</b> 48  <b>Comment:</b> The requirements appear to exclude the possibility of a LPL holder flying just TMGs being able to undergo a LAFI course as 915.LAFI (b)(4) excludes TMG.  <b>Justification:</b>  <b>Proposed Text: (if applicable)</b>          Change 915.LAFI (b)(4) to include TMG</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>This requirement was proposed by the experts involved in drafting these requirements and was mainly based on the fact that the 30 hours required on SEP aeroplanes were in a similar way introduced by the JAR-FCL requirements. The Agency after having reviewed carefully all the comments received and</p>

further discussed the issue with the experts agrees and will change the original proposal in order to allow also a pure TMG LPL licence holder to become an LAFI for TMGs. No safety related argument should prevent this.

FCL.915 will ensure that the LAFI has completed at least 15 hours as a PIC on aeroplanes or TMG before being allowed to provide training but the Agency does not believe that this amount of experience is sufficient in this case. As the Agency is not in favour to introduce a specific LAFI(A) restriction 'for aeroplanes only' or 'TMG only', the proposed requirement asking for at least 30 hours flight time on aeroplanes will be kept and a similar wording for the TMG experience added if an instructor intends to provide instruction only on TMGs.

The requirement that 5 of these hours have to be completed during the last 6 months will be deleted.

Please see the amended wording in FCL.915.LAFI(a).

comment

5775

comment by: UK CAA

**Paragraph:** 915.LAFI (d)

**Page No\*:** 48

**Comment:** 'motor glider', which is undefined, is used in this para

**Justification:**

**Proposed Text: (if applicable)**

Change to 'touring motor glider' or 'TMG'.

response

*Accepted*

Thank you for providing your opinion.

The Agency agrees that this is an editorial mistake. The text will be amended to read 'touring motor gliders'.

comment

5907

comment by: Professional Balloonists Netherlands

We give our comment in general:

Observations of: Section 2 LAFI up to and including Section 7/FIE

- In the Netherlands there are no approved training organisations for ballooning. There is only one approved provider for theoretical courses and refresher courses for balloonists holding a licence and for already existing FI's. For new FI's there is only the opportunity to do a theoretical course for E 2.700,= without practical instruction (so far). In our opinion EASA introduces a scoop of training, courses, privileges and examinations which cannot be provided or guaranteed by the government but the market has to solve this. EASA's main item is security; it cannot be the meaning of EASA to introduce a safety system that cannot be provided or guaranteed by the government or the branche. The proposals of EASA have to be practicable. If this is not possible, this way of proposing is irrelevant and out of this world, certainly for a country as the Netherlands in which the government explained its balloonpilots that the market was busy well by deregulating itself and that the market was safe.

- In our opinion there is no need for training organisations which have to provide both theoretical and practical instruction. What is wrong to following the theoretical instruction for example at a school of aviation and following practical instruction with an FI? When an FI proves his competence he or she should also immediately be approved.

- The presented system of EASA deals with training organisations approved by the government (in the Netherlands these organisations scarcely exist), market forces, no appreciation of knowledge and experience of balloonpilots and a system of examinations (instead of training flights as it is for now). EASA does not clarify why the already existing systems are not sufficient. Although they have examined the incidents and accidents: in no way it is possible to conclude why the current systems would not satisfy: 15 incidents in 2006, and no injuries on ballooning.
- EASA is making way too easy distinction between hot-air-balloons, air-ships and gas balloons. 3 instruction flights would be already sufficient to change to another class. It is not good to assume that a hot air pilot can fly an air ship or a gas balloon after having done 3 instruction flights. This is a major mistake of thinking.
- The senior person examiners can obtain their privilege after having required after the criteria of national legislation. In other words EASA cannot decide how this has to be solved international. So this item has to be solved national. In the presented international legislation there is referred to the national authorities. Therefore this is a weakness offer of EASA.
- We expect that there will be short of examiners within a few years.

response *Noted*

Thank you for providing this detailed comment containing several statements regarding several different issues.

Please be aware that the Comment-Response Tool is designed in a way which allows to allocate a certain comment to a specific segment (paragraph). Please see the responses provided to your other comments in the different segments and study also the other responses provided in the different segments dealing with the ballooning requirements.

Some additional explanations should be provided here:

1. The Basic Regulation (EC) No 216/2008 asks for approved training organisations (ATOs) and defines that only certified instructors should be allowed to provide training. As these Implementing Rules have to correspond with the Basic Regulation these requirements are based on the principle that training will be provided by instructors and that the courses for the issue of licences will be provided by ATOs. In most of the European countries such a system is also for balloons already in place. No reason can be seen why this should not work in your country. At this stage the Agency has to follow the framework given by the Basic Regulation.
2. The Implementing Rules will allow that the theoretical part of the training is provided by one training organisation whereas the practical training is provided by another ATO.
3. Please study the segments dealing with the proposed proficiency checks for the revalidation and you will discover that the training flights with instructor will be introduced.
4. The mentioned 'major mistake of thinking' lays on your side as it seems to be based on a misinterpretation of the requirement in FCL.135.B containing the extension of privileges to another balloon class. Please study this requirement and you will discover that the Agency has proposed 5 hours of additional training to extend from the class 'hot-air balloon' to 'hot-air airship' (FCL.135.B(a)(1)(ii))

5. The mentioned 'weakness offer' regarding the senior examiner is not understood. The senior examiner as mentioned in FCL.1025 who will observe the test or check for the revalidation of an examiner certificate should be tasked by the competent authority as the competent authority is responsible for the oversight of the examiners. The Agency cannot see a problem with this.

5. The Agency does not understand why there should not be enough examiners for tests or checks on balloons in the future. As no justification or explanation is provided no further response can be provided. Please check the prerequisites for balloon examiners in subpart K in order to verify this.

comment 6596 comment by: *Light Aircraft Association UK*

Since the Basic LPL is a 'stand alone' licence, the LAA considers it mandatory that applicants for a LAFI certificate to hold at least an LPL.

response *Noted*

Thank you for providing your comment.  
Please see the reply to comment 8287 below.

comment 6700 comment by: *CAA Finland*

FCL.915.LAFI(d):  
Amended text proposal: motor gliders, **he/she** shall

response *Accepted*

Thank you for providing this information.  
The Agency agrees that this is an editorial mistake. The text will be amended to read 'he/she'.

comment 7421 comment by: *Peter van Harten*

Comment: in a lot of countries there are NO ballooning schools.

response *Noted*

Thank you for providing your opinion.  
The Agency has understood that in some countries so far no training organisations for balloon pilots exist. With the future system flight training for the issue of an LPL(B) or BPL will be only provided by instructors organised in an approved training organisation because this is already required by the Basic Regulation.

comment 7511 comment by: *Graham PHILPOT*

e) I believe 75hrs to be excessive and restrictive, it will deter a lot of potentially good instructors. This should be in the region of 10>15 hrs

response *Noted*

The Agency acknowledges your comment.

However, the Agency would like to highlight that this requirement in FCL.915.LAFI contains the prerequisites to become an instructor which means

that the holder of this certificate will be allowed to provide flight training. Your proposal to require only an amount of 15-20 hours experience on balloons to become a LAFI for balloons seems to be based on a misinterpretation because all the experts involved in the drafting and in the review do agree that the experience proposed with your comment is definitely too low to become a 'good' and safe instructor. An LPL(B) pilot with only 15 hours of experience should gain some more experience before being allowed to provide flight instruction to student pilots.

The quality of the flight training is one main element in General Aviation to ensure a high level of safety. If the instructor has completed only a very limited amount of take-offs/hours himself/herself (and the Agency is of the opinion that a balloon pilot with only 10-15 hours experience as proposed by you cannot be called 'experienced' at all) the severe risk exists that he/she will not be able during the training flights with students to cope with all the situations which could occur (e.g. during emergency exercises).

The Agency will therefore keep the required 75 hours of flight time on balloons for the LAFI(B) student instructor in (e).

comment 7702 comment by: *Reinhard Heineking*

Ein Fluglehrer für VFR Lizenzen benötigt keine Instrumentenflugberechtigung. Daher ist es nicht erforderlich, dass 3 Stunden Instrumentenausbildung absolviert werden. Im Rahmen der Fluglehrerausbildung muss das Beherrschen der 180°-Umkehrkurve trainiert und beherrscht werden. Funknavigation gehört selbstverständlich auch dazu. Daher sollte der 1. Satz zu FCL.915.LAFI (b) (1) geändert werden, damit ausgedrückt wird, dass Funknavigation incl. 180° Umkehrkurve in diesem Part trainiert werden.

Reinhard Heineking FI JAR\_FCL PPL(A), TMG, GPL

response *Partially accepted*

Thank you for providing your opinion.  
Please see the reply to comment 4230 above.

comment 7936 comment by: *Europe Air Sports, VP*

Just to confirm the formal prerequisites a LAFI applicant needs to hold at least a LPL.

response *Noted*

Thank you for providing your comment.  
The Agency agrees and would like to add that this requirement is contained in FCL.915. This requirement says:  
'An applicant for an instructor certificate ... shall hold at least the licence ... for which instruction to be given ...'. For the LAFI this means that the candidate has to hold at least an LPL.

comment 8094 comment by: *European Sailplane Manufacturers*

And now to make confusion complete the word "motor glider" is introduced.....

If in FCL.915.LAFI (d) an instruction for TMG is wanted it should read 30 hours

	<p>on TMG.</p> <p>See also our earlier comments about what a sailplane is....</p>
response	<p><i>Accepted</i></p> <p>Thank your for providing your opinion and identifying this minor editorial mistake. The Agency will add 'Touring' to make clear that the TMG is meant.</p>
comment	<p>8167 <span style="float: right;">comment by: <i>F Mortera</i></span></p> <p><b><u>3. About instructor certificates</u></b></p> <p><b>FCL.910.LAFI B (b) (4) = FCL.910.FI B(c) (3) "Restricted privileges" (pages 47 and 52)</b>  <b>FCL.915.LAFI B (e) = FCL.915.FI B (g) "Pre-requisites" (pages 48 and 51)</b>  <b>FCL 925.LAFI = FCL.935.FI "Skill test" (pages 49 and 52)</b></p> <p>I am also confused in a similar way for the LAFI and FI certificates and their respective requirements.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>As responded earlier the Agency does not really understand the meaning behind your comment. As explained before 2 different categories of instructors were created (differences were explained earlier). Some of the requirements as the one for the prerequisites in this paragraph are similar.</p> <p>One huge difference will be that the LAFI(B) will be only allowed to instruct on balloons with a maximum envelope capacity of 3400m<sup>3</sup> whereas the FI(B) could use also balloons with a larger envelope size.</p>
comment	<p>8287 <span style="float: right;">comment by: <i>Paul Mc G</i></span></p> <p>Since the Basic LPL is a 'stand alone' licence, should all applicants for a LAFI certificate hold at least an LPL or will the requirement be for a higher certification?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. The Agency does not understand fully the meaning behind your comment. Especially the reference to the Basic LPL is not understood.</p> <p>Please see the requirement contained in FCL.915 which says: 'An applicant for an instructor certificate ... shall hold at least the licence ... for which instruction to be given ...'. For the LAFI this means that the candidate has to hold at least an LPL. The Basic LPL is not sufficient.</p>

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 2: Specific requirements for the light aircraft flight instructor — FCL.930.LAFI LAFI — p. 48-49 Training course**

comment	<p>244 <span style="float: right;">comment by: <i>Joe Sullivan</i></span></p> <p>An approved training organization in this case should be any RTF and instruction should be given by CFI or FI or demonstrably competent people appointed by the CFI</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, according to the Basic Regulation (EC) No 216/2008 the general term for all these organisations providing flight instruction will be 'approved training organisation' (ATO). Based on this the term 'registered facility' (used in the JAR system) cannot be maintained as all the organisations have to be approved.</p> <p>For the training course to become an instructor such a training organisation is therefore required. Only instructors qualified for this specific instruction to LAFI candidates will be allowed to provide this training. Please see the privileges of the LAFI (FCL.905.LAFI(e)) in order to find out what kind of qualification is needed.</p>
comment	<p>415 <span style="float: right;">comment by: <i>Geschäftsführer Luftsportverband RP</i></span></p> <p>Fluglehrer-Lehrgang (a),(3),(i) für Flugzeuge: die Forderung nach 15 Flugstunden ist viel zu hoch und Kostentreibend. Der Aufwand von ca € 5.000,- für einen solchen Lehrgang wird im ehrenamtlichen Engagement nicht aufgebracht und wäre für Vereine nicht tragbar.</p> <p>Anwärter werden in relativ kurzer Zeit die Flugstunden zur Lehrgangsteilnahme erfliegen, d.h. sie haben ein hohes fliegerisches Können. Eine Mindest-Stundenzahl von 5 Stunden ist ausreichend. <b>Es ist ja eine Mindestforderung.</b> Der Syllabus muss diesbezüglich gestaltet werden. Wer mehr Flugstunden zur Erlangung der Lehrberechtigung braucht, fliegt eben mehr als 5 Stunden. Darüber hinaus <b>entscheidet der Prüfungsflug</b>, ob ein Kandidat besteht oder nicht; ob die Lehrgangsstunden ausgereicht haben oder nicht.</p> <p>(a), (3), (i) for the LAFI for aeroplane: at least 5 hours flight instruction, of which 1 hour may be conducted in a FSTD</p> <p>(b) (2) (i) ...sailplanes, 5 hours flight instruction or at least 20 take-offs.</p> <p>Für den Training course muss es Erleichterungen für bereits vorhandene Fluglehrer im Ultraleichtbereich geben. Diesen <b>gravierenden Fehler</b> hatte bereits die JAR-FCL im Vergleich zur deutschen LuftPersV gemacht.</p> <p>Die eingesetzten Erleichterungen in (a) (4) sowie (b) (3) sind zu gering und nur auf die Theorie beschränkt. Da es lediglich Mindestforderungen sind und der Bewerber in einer Prüfung sein Können beweisen muss, schlage ich vor:</p> <p>streichen der Sätze (a) (4) und (b) (3) und einsetzen:</p> <p>(c) Pilots holding a LAFI or FI certificate shall be credited with 50 % of all instruction hours</p>
response	<p><i>Partially accepted</i></p>

Thank you for providing your opinion.

Your first proposal is to reduce the required training for the LAFI(A). The Agency reviewed all the comments received on this issue very carefully and came to the conclusion that the economical reasons mentioned should not influence at all the decision on the minimum training requirements for the LAFI. As the quality of the training provided by these LAFIs will be the basic element for the level of safety of the future generation of LPLpilots the Agency will not use any economical/financial reasons to decide on the minimum flight training to be provided during the instructor course. Based on this the AMC containing the training syllabus should not be reduced and a certain corresponding minimum amount of practical training during such a course should be required. The Agency is of the opinion that the 5 hours proposed by you are definitely not sufficient to provide all the training needed and to cover the whole training syllabus for the LAPL(A)/LAFI training (at least 18 exercises including specific radio navigation and navigation procedures).

Based on all the comments received (a huge amount of comments ask for a reduction and only a few are proposing to align them with the FI requirements), the Agency reviewed the syllabus for the training course and came to the conclusion that the required amount of total flight time can be reduced slightly to 12 hours but will include an additional exercise in order to address the comments received on the proposed prerequisite 'instrument instruction' in FCL.915.LAFI. This exercise will ask for an instruction of at least one hour by reference solely to instruments including the completion of a 180° turn. As all these proposed numbers are minimum figures using the term 'at least' the ATO might ask for additional training if necessary for a certain LAFI candidate in order to reach the required level of competence and experience. The option for flight instruction provided in an FSTD will be reduced to only one hour in order to ensure a certain minimum flight time in an aeroplane.

Regarding (b)(2)(i) the Agency agrees partially with your comment and decided to reduce the required amount of flight time to 6 hours but to keep the proposed 20 take-offs.

Your next comment is dealing with a crediting system for pilots holding a national microlight instructor certificate. As this national licence and/or rating is excluded from these requirements and will stay under national legislation the Agency is not informed about the different systems in place for this kind of certificates. Based on the fact that the training for these certificates is not known, the Agency is not in a position to introduce some kind of crediting for such a national microlight instructor rating.

The crediting system for pilots holding already an LAFI or FI certificate of any other category of aircraft regarding the theoretical knowledge instruction in (a)(1) or (b)(1) of the proposed implementing rules leads to the conclusion that an LAFI(S) holder has to complete only 20 hours of additional theoretical knowledge to fulfil this requirement. The 25 hours of teaching and learning will be also credited based on the general requirement FCL.915 (c)(1). The Agency does not see any need to introduce a change. The proposed 50% crediting will not be introduced.

comment 564

comment by: Rod Wood

Remove all references to helicopters in this paragraph as there should be no such instructor rating considered for helicopters. The experience level required for the PPL(H) FI(R) course should be considered to be the minimum safe level

	for entry. Earlier comments on LAFI(H) reflect this opinion.
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. As this is a repetition of a statement provided earlier already on other segments please see the responses to the comments in those segments. The Agency decided the LAFI(H) certificate. Based on this decision all the references to helicopter will be kept.</p>
comment	<p>885 <span style="float: right;">comment by: ASW-27B</span></p> <p>Zu hohe Stundenzahl. die nur Geld kostet. Über die Fähigkeit als Fluglehrer entscheidet der Prüfungsflug. Man sollte den Vereinen schon zutrauen, so verantwortungsbewusst zu sein, dass sie nur geeignete Piloten zur Fluglehrerausbildung zu schicken.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the reply to comment 415 above.</p>
comment	<p>1203 <span style="float: right;">comment by: Luftsportverband Rheinland Pfalz</span></p> <p>FCL 930 (b) (2) (i) streichen</p> <p>Die hohe Stundenzahl kostet Geld und Zeit und ist in einem 2 wöchigen Lehrgang nicht zu erreichen. Über die Eignung eines Kandidaten entscheidet letztendlich die Prüfung am Ende des Lehrganges</p> <p>Formulierungsvorschlag: (b) (2) (i) for the lafi for sailplanes,5 hours of flight instruction, or at least 10 take offs - including dual flight instruction.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding your proposal on (b)(2)(i) please see the reply to comment 415 above. The Agency agrees partially with the comments received and decided to reduce the required amount of flight time to 6 hours but to keep the proposed 20 take-offs as an alternative requirement.</p>
comment	<p>1214 <span style="float: right;">comment by: Julia DEAN</span></p> <p>The 30 hours is a large number of hours in one tranche.</p> <p>In order to make it more manageable, and indeed attractive, for potential instructors could it not be spit into two groups of 15 hours classroom training with a suitable period between the two parts in order to allow the trainee instructor to gain some experience of instructing (perhaps only to a certain level) that can then come back and be discussed and shared in a peer group, ultimately producing better, more informed, more experienced instructors who have learnt from each other.</p>

A trainee instructor who attends one 30 hour classroom session, not having done any prior instructing could be 'let lose' on student pilots with very minimal experience of practical teaching, and no means of sharing their teaching experiences or learning from others trainee instructors

response *Noted*

Thank you for providing your opinion.

It seems that you are referring to the requirement in (b)(1) asking for 30 hours of theoretical instruction and instructional techniques. This proposal was based on an evaluation of the existing national requirements for instructor courses in different Member States and it was supported by the experts.

It seems also that your comment is based on a misinterpretation when you state: 'a trainee instructor who attends one 30 hour classroom session, not having done any prior instructing...'. The proposed concept is not asking for 30 hours theory without any practical flight training on the instructional techniques (in the aircraft). Subparagraph (b)(2) clearly asks for some dual flight training in parallel. The requirement was kept so 'open' in order to allow the different systems of courses actually in place in the Member States. The 30 hours theoretical knowledge instruction and instructional techniques can be provided as separate theory days on weekends followed by a flight training day during weekends or the ATO might also choose to offer a 1 or 2 weeks course with daily theory lessons and flight training in parallel. The Agency does not see any problem with this requirement.

However, it must be mentioned at this stage that an editorial mistake was made when asking for only 30 hours of theoretical instruction and including the instructional techniques. As FCI.915 (c) provides a general credit for the teaching and learning skills the module of 20 hours lessons on instructional techniques (teaching and learning) must be introduced also for the LAFI(S).

Based on the comments received the Agency will introduce the 25 hours also for the LAFI(S) and (B) which means that the LAFI(S) course will contain 55 hours theory in total.

comment 1346

comment by: *Gerhard Hehl*

15 Stunden Doppelsteuer sind zu viel. Es würden 5 Stunden ausreichen. Es würde nur die Kosten hochtreiben mit der Konsequenz, daß es keine Bewerber mehr gibt.

response *Accepted*

Thank you for providing your opinion.

Please see the reply to comment 415 above.

comment 1401

comment by: *Wilfried Müller*

The LAFI should receive structured methodical flight instruction training, not dual flight instruction.

Wilfried Müller 11-27-2008

response *Noted*

Thank you for providing your opinion.

The Agency agrees with your statement that the instructor should receive 'structured methodical flight instruction' but as this is not a defined term the Agency decided to use the commonly agreed term 'dual flight instruction'. The

intention behind is clearly that the LAFI candidate will be instructed by another LAFI qualified for this task. Nothing is said about the way these flights have to be structured or categorised. There is no need to explain the content of the training provided with these Implementing Rules using the term proposed by you. Please see the AMC material containing the syllabus for these courses and you will agree that the term 'dual training' can be kept.

comment 1720 comment by: *Sven Koch*

Theorie + Praxis an einer zugelassenen Flugschule  
 Motorflug: Theorie 50 Std Theorie-Unterricht, 25 Std Methodik; 15 Std Doppelsteuer praktische Flugausbildung  
 Segelflug: 30 Std Theorie-+ Methodik, 10 Std Doppelsteuer Flugausbildung oder 20 Starts  
 Zu hohe Stundenzahl für Flugausbildung; als Minimumforderung 5 Std ausreichend; nur kostentreibend; letztlich entscheidet Prüfungsflug über Fähigkeit.  
 Flight instruction training statt dual flight instruction

response *Noted*

Thank you for providing your opinion.  
 It seems to be a more or less German translation of the main elements contained in FCL.930.LAFI.

Regarding the issue of the total amount of training required please see the reply to comment 415 above.

Regarding the mentioned issue of 'flight instruction training' instead of 'dual instruction' please see the reply to comment above.

comment 1752 comment by: *Stephan Johannes*

Sehr geehrte Damen und Herren,

im ehrenamtlichen Bereich sollte man beachten, dass der Fluglehrerlehrgang in der Freizeit/Urlaub durchgeführt wird. Eine zu hohe Mindestvoraussetzung bei den Flugstunden, wird hier viel Freizeit und auch Geld kosten.

Als ausreichend würde ich 5 Flugstunden oder 20 Starts sehen. Es sollen auch in Zukunft Fluglehrer für den Vereinsbereich ausgebildet werden können. Die Verantwortung für die Qualität des Fluglehrers trägt im ehrenamtlichen Bereich der Verein. Der Prüfungsflug dokumentiert die Kompetenz.

Mit freundlichem Gruß  
 Stephan Johannes

response *Noted*

Thank you for providing your opinion.  
 Please see the reply to comment 1203 above.

comment 1863 comment by: *Dr. Schreck*

FCL.930FI

Eine theoretische Ausbildung von 125h und eine praktische Ausbildung von 30h ist viel zu hoch gegriffen. Es kann keinem FI Anwärter zugemutet werden, soviel Urlaub zu nehmen. Die Vereine würden sehr schnell vor dem Problem stehen, dass sie keinen FI Nachwuchs mehr haben und somit auch keine Flugausbildung mehr abhalten könnten. Insgesamt würde also der Nachwuchs wegbrechen.

response *Noted*

Thank you for providing your opinion.  
It seems that this comment should have been addressed to another segment because this requirement is dealing with the training course for the LAFI. The training for the FI was taken over from JAR-FCL. Please see the responses and the resulting text for FCL.930.FI in the appropriate segment.

comment 2182

comment by: *Oelschlaeger, Harald*

Dies ist eine viel zu hohe Stundenzahl zur Fluglehrerausbildung; als Minimumforderung sind 5 Stunden ausreichend; nur kostentreibend, letztlich entscheidet Prüfungsflug über Fäh9igkeit  
Flight instruction training statt dual flight instruction

response *Noted*

Thank you for providing your opinion.  
Regarding the issue of the total amount of training required please see the reply to comment 415 above.

Regarding the mentioned issue of 'flight instruction training' instead of 'dual instruction' please see the reply to comment 1401 above.

comment 2257

comment by: *Reinhard Heineking*

FCL.930.LAFI b 3 i requires a minimum flight training time on 15 hrs. This seems to be very much compared the current regulations. It would increase the cost of the FI certificate very much.

For a many interested pilots it would be too expensive. The costs should be kept on an acceptable level to ensure, that enough flight instructors can be educated within the general aviations private flying clubs and members, which have an average income. I would propose to reduce the minimum flight instruction time to 10 hours. Within this time all necessary items can be trained on an appropriate level. If an applicant needs more training, the instructor can decide case by case, how much more training should be performed.

Reinhard Heineking PPL(A) FI JAR FCL and FI GPL

response *Partially accepted*

Thank you for providing your opinion.  
Please see also the reply to comment 415 above.  
Based on the comments received the Agency reviewed the syllabus for the required training and came to the conclusion that the required amount of total flight time can be reduced slightly to 12 hours but including an additional exercise in order to address the comments received on the proposed prerequisite 'instrument instruction'. This exercise will ask for a demonstration of at least one hour by reference solely to instruments including the completion

of a 180° turn.

comment 2382 comment by: *Arnold Klapp*

Die geforderten 100 Std. sind sehr hoch. Eine Reduzierung auf 75 Std. bzw. 40 Std. auf Schleppmuster halte ich für angebracht.

Der Bewerber sollte im Lehrgang eine gut strukturierte, methodische Ausbildung erhalten.

Die geforderte Stundenzahl für die Ausbildung erscheint zu hoch.

Aufgrund mehrjähriger Erfahrung in der Segelfluglehrer-Ausbildung, halte ich im Segelflug 5 Std oder mind. 15 Starts Flugausbildung im Lehrgang für angemessen.

response *Noted*

Thank you for providing your opinion.

It seems that your first comment should have been addressed to another paragraph as none of the requirements in FCL.930.LAFI asks for 100 hours of flight training. If this comment is aiming at the prerequisites for the towing rating please see the responses provided to FCL.805.

The Agency agrees with your second statement. Please study the AMC material for the LAFI training course and the responses provided.

Regarding your proposal to reduce the required flight time and the number of launches please see the reply to comment 1203 above.

comment 2517 comment by: *Andrew Kaye*

30 Hours of classroom instruction would seriously reduce the number of applicants and result in a possible shortage of instructors. A staged process of classroom training would be a better approach. After all it is the pilots skills as a pilot that make the candidate suitable as a future instructor.

response *Noted*

Thank you for providing your opinion.

Please see also the reply to comment 1214 above.

The Agency does not understand at all why a 30 hours total amount of theoretical instruction should 'seriously reduce the numbers of applicants and result in a possible shortage of instructors'. A staged process of classroom teaching is already foreseen as the flight training in the balloon (under training with an experienced LAFI or FI) should be provided in parallel if possible.

As the theoretical instruction is questioned by you it should be highlighted that the quality of instruction provided by the future instructor will have direct influence on the competences of his/her LPL(B) pilots. The Agency firmly believes that a certain more detailed level of knowledge in the main subjects will be absolutely necessary. The reached theoretical level so far (LPL(B) theory) is not sufficient to fulfil the needs of an instructor. The 30 hours requirement will be kept and it should be mentioned that due to an editorial

mistake the additional 25 hours teaching and learning module (which is obligatory for all instructor categories) was missing and will be added.

comment 2737 comment by: *R I M Kerr*

UK experience proves the suitability of our current system.

response *Noted*

Thank you for providing your opinion.

comment 2781 comment by: *David COURT*

I would like to see the 30 hours of theoretical knowledge split into two 15 hour courses. After the first 15 hours the trainee Instructor would be allowed to instruct to a limited level under the supervision of a full instructor.

After completion of the second half of the theoretical knowledge they would be allowed to instruct the full syllabus.

This will allow new Instructors to mix classroom theory with practical instruction. This then allows the trainee instructor to put the classroom work into context.

There are also some good potential instructors who would be reluctant to apply due to the high commitment of time and expense to complete the full course before they could teach a single student.

response *Noted*

Thank you for providing your opinion.

Please see also the replies to comments 1214 and 2517 above.

A staged process of classroom teaching is already foreseen as the flight training in the balloon (always with an experienced LAFI or FI on board) should be provided in parallel if possible. The Agency does not understand why the system proposed in your comment should not work with the requirements proposed. After receiving a certain amount of theoretical knowledge instruction, discussing the main elements of the instructing techniques and the contents of the syllabus, the LAFI or FI(B) providing the training will organise the first training flights. As the LAFI candidate has never instructed before the LAFI/FI providing the training will follow the training syllabus contained in the AMC simulating a student pilot or asking a 'real' student pilot to act as the student pilot during these flights. At least three flights are foreseen during this training period.

The Agency does not agree to create an additional level of instructors under supervision after having reached a certain amount of training during the course as the whole training syllabus has to be completed and the skill test to be passed before acting as an instructor.

comment 2834 comment by: *Dave Sawdon*

A pre-requisite of 3 hours I/F instruction for a LAFI is far too low to ensure that the LAFI can safely deal with situations that can arise during training

response *Noted*

Thank you for providing your opinion.

However, it seems that you are referring to another paragraph. FCL.930.LAFI contains the elements of the training course and does not mention so far any instrument flight instruction. Based on the comments received on the prerequisites (in FCL.915.LAFI 3 hours instrument flight instruction were proposed) the Agency decided to delete this requirement and to introduce an additional requirement in this requirement asking for a certain amount of training by reference solely to instruments. Please see the reasons for this change provided in the responses to the mentioned paragraph.

comment

2936

comment by: *Robert WORSMAN*

For both FI and LAFI:

For a balloon FI or LAFI, 30 hours of theoretical instruction before practical instruction commences does not follow best practise in education.

10 or 15 hours of classroom instruction should be followed by permission to instruct to a specific level. a further period of classroom instruction should then allow the instructor to instruct at all levels.

Committing to all the training at the start of the course will:

1. Discourage some of those interested from instructing from applying.
2. Eliminate the chance to revise and revisit important segments of training course.
3. Eliminate the chance to review and appraise how the instructor is progressing
4. Eliminate the chance for classroom discussion on lessons learnt. This is particularly important in remote regions of the EU where contact with other balloon pilots restricts the opportunity to discuss lessons learnt.

response

*Noted*

Thank you for providing your opinion.

Please see the reply to comment 2781 ) above.

Please be aware that your statement is based on a misinterpretation as the requirements as proposed will follow 'best practice in education' and will allow to commence practical instruction already when reaching 5, 10 or more hours of theoretical instruction. This is only depending on the weather and the decision of the ATO when to start with the practical training. But be aware that these flights are dual training flights (always with the LAFI/FI providing the training).

comment

3262

comment by: *Egon Schmaus*

FCL.930.LAFI

(a)(3)(i) .....at least "15" hours of dual flight .....

Reason: LAFI will typically be leisure-time instructor on simple aircraft. Thus training costs must be as low as possible to maintain highnumber of instructors in areoclubs.

FCL.930.LAFI

(b)(2)(i) for the LAFI for sailplanes, "5" hours of dual instruction or at least 20 takeoffs

FCL.930.LAFI

(b)(3) ...shall be credited with "15" hours towards...

	Reason: ... see above... plus: Second FI rating only demands further knowledge and techniques for gliding, not for instruction
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the reply to comment 415 above.</p> <p>Regarding your proposal to raise the theory credit in (b)(3) the Agency does agree as the credit mentioned here is only for the theoretical knowledge requirement in (b)(1) but not for the instructional techniques (teaching and learning). For this module of the theoretical training paragraph FCL.915 (c) provides already a full credit for all instructor categories. As only a certain amount of the remaining theory is really aircraft specific (technical knowledge) the remaining hours of theoretical knowledge for an LAFI(A) to become an LAFI(S) should be lowered slightly to read: 'shall be credited with 18 hours towards the requirement in (b)(1)'.</p>
comment	<p>3535 <span style="float: right;">comment by: <i>Martyn Blunden</i></span></p> <p>This reduction in the flight training requirements for a flying instructor can only result in a lower standard of training being delivered to the student pilot, with the inevitable reduction in flight safety. Apart from the reduction in navigation training required for the BLPL (compared to the current JAR-FCL PPL) the rest of the skill acquisition required of the trainee pilot is surely largely the same. So how is this to be achieved when the instructor will have only received <u>half</u> the flight training he currently does? He will, of course, have to pass a flight test, but this must have a lower standard when compared to that of an instructor completing the full 30 hour course. Or, otherwise what is the point of doing the extra 15 hours? As an current FIC instructor I feel that there <u>should not</u> be any reduction in the current (JAR-FCL) course content for instructors if we are to maintain the standards in flight training. We should work towards improving pilot skill and safety not diluting it to the lowest common denominator. If this proposal goes through the likely outcome, in due course, is an increase in work load for the AAIB.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>You are questioning the required amount of flight training for the LAFI training course. The proposal was based on the input provided by the licensing experts of different Member States and is based on the experience gained in instructor training courses. As already explained for the LPL licence the concept of the LPL and LAFI is build on a more competency based approach. The required amount of 15 hours flight training is an 'at least' requirement which means that an experienced sailplane instructor with already hundreds hours of flight time on SEP aeroplanes will maybe need only 10–15 hours to reach the level required for the skill test. A pure LPL(A) holder with only the required experience of 200 hours on SEP not holding another LAFI certificate might need 20 hours of dual instruction time or even more. The Agency does not see the need to follow the JAR system also for the LAFI as the feedback from the experts shows clearly that the required training time of 30 hours for the FI introduced with the JAR system was often experienced as too high and created quite some problems for General Aviation (see several comments in this</p>

segment) training organisations and potential FI candidates.

Please see also the reply to comment 415 above to understand why the Agency will reduce the minimum required flight time to 12 hours.

comment 3559 comment by: *Rory Worsman*

Reduce classroom theoretical training to 10 or 15 hours and permit that level to instruct up to solo flights.

Flying is a practical skill. The very best instructors are not necessarily academics. You need to encourage the practically minded and the skill flyers to be instructors - Not those with a high academic aptitude.

This proposal will alienate those that have the best skills to be past on.

You also reduce the opportunity to access and appraise the progression of the instructor during his training. Breaking the course into segments with allowable instruction in between will allow for greater control and quality in the system overall.

response *Noted*

Thank you for providing your opinion.

As it is basically the same comment as comment 2936, please see the reply provided already in the same segment above.

comment 4103 comment by: *SFVHE*

**Die hohe Flugstundenzahlen. Da abschließender Prüfungsflug zur Lehrberechtigung erforderlich, sollten 5, aber höchstens 10 Std. am Doppelsteuer als ausreichend angesehen werden.**

response *Partially accepted*

Thank you for providing your opinion.

Please see the reply to comment 415 above.

comment 4122 comment by: *Bernd Hein*

CVFR wäre hier anzustreben.

response *Noted*

Thank you for providing your opinion.

Please see the reply to comment 415 above.

The term 'CVFR' seems to ask for a specific training or rating based on an existing German national rating. The Agency does not understand the proposal behind it but agrees that the LAFI(A) has to receive some basic radio navigation training. Please study the training syllabus for this course contained in the AMC material. Additionally one hour instruction by reference solely to instruments will be introduced.

comment 4165 comment by: *Elmar KUEMMEL*

Zu hohe Stundenzahl für Flugausbildung; als Minimumforderung 5 Std ausreichend; nur kostentreibend; letztlich entscheidet Prüfungsflug über Fähigkeit.

Flight instruction training statt dual flight instruction

Als Flugschule muss auch die geforderte Flugschule eines Landesverbandes gelten. Die Stunden und Bedingungen sind so hoch, dass eine Ausbildung zum Fluglehrer im Ehrenamt nicht mehr möglich wird.

Wenn das gewünscht ist, ist auch der Niedergang des Segelflugs gewünscht.

Die Qualität eines segelfliegerisch erfahrenen Piloten hat sich unlängst erst bei der Airbus-Notwasserung gezeigt. Genauso verhält es sich auch mit den Fluglehrern.

Sind nicht nur noch Theoretiker mit entsprechender akademischer Ausbildung oder sonstiger fliegerischer Tätigkeit gewünscht, muss hier entsprechend geändert werden.

Ein guter ATPL-Lehrer ist noch lange kein guter Segelfluglehrer, nur weil er aufgrund der lizenzen leicht zur Berechtigung kommen kann und die nötige Zeit investieren kann.

Auch hier möchte ich noch einmal eindringlich auf die Feststellungen im sehr guten Papier des Landesverbandes von Rheinland-Pfalz verweisen, wohin ein Verlust der ehrenamtlichen Ausbildungstätigkeit führt. Und das sind verbrieft Zahlen!!!

response *Noted*

Thank you for providing your opinion.  
Please see the reply to comment 415 above.

comment

4243

comment by: *Deutscher Aero Club (DAeC)*

Proposal:

(3) (i) for the LAFI for aeroplanes: at least 10 hours of dual flight instruction, of which 3 hours may be conducted in a FSTD;

Justification:

The requirement of 15 hours is not proportionate. 10 hours of flight instruction is completely sufficient.

response

*Partially accepted*

Thank you for providing your opinion.  
Please see the reply to comment 415 above.

comment

4244

comment by: *Deutscher Aero Club (DAeC)*

Proposal

(a)(4) Pilots holding a LAFI or a FI certificate of any category of aircraft shall be credited with 30 hours towards the 50 hours in (a)(1) and 15 hours in a(2).

(5) Pilots holding a LAFI or FI for sailplanes shall be credited with 5 hours against (a)(3)(i)

Justification

Applicants which already hold an instructor license must be credited significantly more.

response

*Partially accepted*

Thank you for providing your opinion.

The Agency agrees to a certain extent because only a very limited amount of

the general instructional exercises and techniques are similar from one instructor category to the other and should be therefore credited. All the other air exercises (see AMC containing the training syllabus) are specific for each aircraft category and should be instructed and repeated in the specific aircraft category. The Agency reviewed carefully the comments received on this issue and decided not to introduce a general additional credit for instructors of any other category or for the LAFI(S) (as proposed by you) but to introduce an additional credit of 6 hours for the LAFI(S) holding a TMG extension as this instructor (with TMG) will already be familiar with a lot of the air exercises to be flown during a LAFI(A) training course.

Regarding your first proposal for an additional credit of 15 hours towards the 25 hours in (a)(2) (instructional techniques/teaching and learning) the Agency would like to highlight that a full credit will be provided for all instructor categories according to paragraph FCL.915 (c).

comment 4246 comment by: *Deutscher Aero Club (DAeC)*

Proposal

Add: (b)(4) Pilots holding a LAFI or FI for aeroplanes or an FI for 3 axis controlled microlights shall be credited with 5 hours or 10 launches against (b)(2)(i)

Justification

Applicants who already hold an instructor certificate shall be credited stronger

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to introduce another credit for an LAFI(A) wishing to become also an LAFI(S). As it was decided to reduce the required training for the LAFI(S) to 6 hours or 20 take-offs, the Agency is of the opinion that the specific elements and air exercises of the sailplane instructor syllabus have also to be completed by a fully certificated LAFI(A) holder and no additional credit for the practical training should be given.

Regarding your proposal to provide some credit for national instructor ratings it has to be stressed again that Annex II aircraft licences do not fall under the scope of this regulation. As the different microlight instructor ratings are based on totally different systems the Agency is not able to verify this and to introduce a general crediting system.

comment 4253 comment by: *SFG-Mendig*

Flugausbildungszeit in dieser Höhe wird nicht mitgetragen, Befähigung des Piloten ist entscheidend, nicht die Anzahl der Flugstunden, die im Rahmen des Lehrgangs geflogen werden.

response *Noted*

Thank you for providing your opinion.

Please see the reply to comment 415 above.

comment 4321 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.930.LAFI(a)(3)(i)

**Wording in the NPA**

(3) (i) for the LAFI for aeroplanes: at least 15 hours of dual flight instruction,

of which 3 hours may be conducted in a FSTD;

### Our proposal

#### Change:

(3) (i) for the LAFI for aeroplanes: at least **10** hours of dual flight instruction, of which 3 hours may be conducted in a FSTD;

#### Issue with current wording

The requirement of 15 hours is not proportionate.

#### Rationale

10 hours of flight instruction is completely sufficient. The required pre entry flight test has assessed that the applicant has sufficient flying skills to act as instructor. The dual training should only instruct in standardization and instructional techniques. Adding more than necessary increases the difficulty to recruit instructors for the non commercial clubs and jeopardizes the goal to strengthen non commercial operations. This rationale is more detailed in **comment 3250 Nr. 1 and Nr.7**

response *Partially accepted*

Thank you for providing your opinion.  
Please see the reply to comment 415 above.

comment 4322 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.930.LAFI(a)(4)

#### Wording in the NPA

(a)(4) Pilots holding a LAFI or a FI certificate of any category of aircraft shall be credited with 30 hours towards the 50 hours in (a)(1).

#### Our proposal

#### Change:

(a)(4) Pilots holding a LAFI or a FI certificate of any category of aircraft shall be credited with 30 hours towards the 50 hours in (a)(1) **and 15 hours in a(2)**.

**(5) Pilots holding a LAFI or FI for sailplanes or FI for 3 axis controlled micro lights shall be credited with 5 hours against (a)(3)(i)**

#### Issue with current wording

Applicants which already hold an instructor license must be credited significantly more

#### Rationale

Instructional techniques are to a great extent common across most types of aircraft and especially across all fixed wing aircraft. Therefore an instructor wishing to extend instruction privileges to a new type of aircrafts should be credited to a much higher extent as proposed in the NPA. This reasoning is more detailed in **comment 3250 Nr. 2. and 3**. An unnecessary high level of requirements increases the difficulty to recruit instructors for the non commercial clubs and jeopardizes the goal to strengthen non commercial operations. This rationale is more detailed in **comment 3250 Nr. 1**

response *Partially accepted*

Thank you for providing your opinion.  
Please see the reply to comment 4244 above.

comment	<p>4323 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.930.LAFI(b)(3)  <b>Wording in the NPA</b>  (b)(3) Pilots holding a LAFI or a FI certificate on any category of aircraft shall be credited with 10 hours towards the requirement in (b) (1).</p> <p><b>Our proposal</b>  <b>Add:</b>  (b)(4) Pilots holding a LAFI or FI for aeroplanes or an FI for 3 axis controlled micro lights shall be credited with 5 hours or 10 launches against (b)(2)(i)</p> <p><b>Issue with current wording</b>  Applicants which already hold an instructor license must be credited more</p> <p><b>Rationale</b>  Instructional techniques are to a great extent common across most types of aircraft and especially across all fixed wing aircraft. Therefore an instructor wishing to extend instruction privileges to a new type of aircrafts should be credited to a much higher extent as proposed in the NPA. This reasoning is more detailed in <b>comment 3250 Nr. 2. and 3.</b> An unnecessary high level of requirements increases the difficulty to recruit instructors for the non commercial clubs and jeopardizes the goal to strengthen non commercial operations. This rationale is more detailed in <b>comment 3250 Nr. 1</b></p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the reply to comment 4246 above and the reply to your comment 3250.</p>
comment	<p>4696 <span style="float: right;">comment by: <i>Diether Memmert</i></span></p> <p>Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit <b>gegenüber Dritten unter Beachtung der Verhältnismäßigkeit</b> zu gewährleisten.</p> <p>Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!</p> <p>In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.</p> <p>Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.</p> <p>Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.</p> <p>Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt</p>

werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Die ATO in der vorgesehenen Form ist hier voellig ueberfluessig, bei der Ausbildung am Doppelsteuer reicht die Haelfte der Bedingungen.

Dipl.-Ing. TU Diether Memmert, Segelfluggpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

Streiche ersatzlos 'ATO'.

(b)(2)(i) Veraendere auf 5 Stunden und 10 Starts

response *Partially accepted*

Not accepted.

Thank you for providing your opinion.

As already explained in several other responses to your comments the Basic Regulation (EC) No 216/2008 is asking for approved training organisations. Based on this and the fact that in most Member States flight training actually is provided by some kind of a training organisation, the Agency has decided that the initial training for any licence has to be provided by an approved training organisation. As this is only a general term for any kind of training organisation, please see NPA 2008-22 which contains the requirements for the the different types of training organisations.

Regarding your second proposal please see the reply to comment 415 above.

comment 4981

comment by: *Graham PHILPOT*

Additional paper qualifications will not improve flying safety. The safety/quality check for instruction is the Examiner who is doing the 'Flight Exam'. Additionally this requirement will encourage those looking for earnings (therefore commercial pilots) and discourage competent pilots (maybe competition championship winners) from sharing their expertise.

If applied this should be structured such that after say 10hrs classroom a pilot can conduct training flights, on completion of the specified period they can 'Instruct to Recommend for Flight Test' level

response *Noted*

Thank you for providing your opinion.

As your comment seems to be in line with some other similar comments on the required 30 hours theoretical instruction for the LAFI(B), please see the reply to comment 2781 above.

It should be added that the Agency will not introduce a 'preliminary' instructor privilege provided already during the training course as only certified instructors (meaning: having passed the final skill test) are by definition (see Basic Regulation) allowed to provide flight instruction.

The Agency does not agree with the proposal that a 1,5 days classroom course (10 hours proposed by you) will be sufficient for providing any 'real' flight instruction. The system foresees some training flights with the LAFI or FI

providing this training in order to practice the practical flight instruction techniques and to train the different air exercises (see AMC for course content). The Agency believes strongly that this kind of training is necessary to reach a commonly agreed high and safe training standard.

comment 5158 comment by: Dieter Zimmermann

Zu FCL.930.LAFI, Absatz (a)(3)(i): Die Erfahrungen der letzten Jahrzehnte zeigen, dass maximal 10 Stunden Flugzeit (innerhalb des Lehrgangs) ausreichen.

response *Noted*

Thank you for providing your opinion.  
Please see the reply to comment 415 above.

comment 5386 comment by: Aerovision

The theoretical training is far too much for balloon instructing. Reduce it.

response *Not accepted*

Thank you for providing your opinion.  
However, the Agency does not understand why a balloon instructor as the only category of instructors should receive less basic theoretical knowledge instruction than the LAFI(S). As the quality of instruction provided by the future instructor will have direct influence on the competence of his/her LPL(B) pilots the Agency is of the opinion that a certain more detailed level of technical knowledge in the main subjects (e.g. Human Performance, Airspace Structure and Procedures, Communications, Operational Procedures and Flight Planning) will be absolutely necessary. The reached theoretical level so far (LPL(B) theory level) seems not sufficient to fulfil the needs of an instructor and should be refreshed and extended at this stage.

The 30 hours requirement will be kept and it should be mentioned that due to an editorial mistake the additional 25 hours teaching and learning module was missing and will be added. A total amount of 55 hours theory has to be completed during the training course.

Please see also the reply provided to other similar comments like 1214, 2517 or 2517 above.

comment 5766 comment by: UK CAA

**Paragraph:** FCL.930.LAFI(a)

**Page No:** 48 of 647

**Comment:** This is confusing as Paragraph (a) specifies 50 hours of theoretical knowledge, however AMC 930 LAFI Part 1 Teaching and Learning refers to 75 hours and is unclear to the proportion attributable to each part of the course. If the 75 hours includes the flight instruction then there is no time allocated to helicopter flight briefings.

**Justification:** Clarification.

**Proposed Text:** State the hours required for Part 1 Teaching and Learning.

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees that the wording used in the different section and in the appropriate AMC material does create some confusion. The following system should be used for all the LAFI and FI instructor courses:

1. 25 hours of teaching and learning (this includes the instructional techniques - based on FCL.920)
2. theoretical knowledge (including aircraft category specific technical knowledge) as required
3. flight training as required

Consequently for the LAFI(A) the amount of training has to be clarified:

- 25 hours teaching and learning
- 50 hours theoretical knowledge
- flight instruction

The text in (a)(2) will be amended and the wording in the AMC will be amended accordingly.

comment *5966*

comment by: *Luftsport-Verband Bayern*

Die hohe Anzahl von Flugstunden ist nicht erforderlich. Maßgeblich sind Art und Erfolgskontrolle des praktischen Unterrichts. 10 Stunden sind als Mindestvorgabe ausreichend. Im Anschluß an die Ausbildung erfolgt eine Prüfung, bei der die Fluglehrerfähigkeiten/ und - fertigkeiten kontrolliert werden.

response *Noted*

Thank you for providing your opinion.

Please see the response already provided to comment No 415 (Geschäftsführer Luftsportverband) in the same segment above.

comment *6059*

comment by: *AA Brown BBAC # 3448*

FCL.930.LAFI LAFI - Training Courses

Fixed and rotary wing aircraft are much more complicated than balloons. Aerostatics are fairly basic, so balloon instructors should not be aligned with fixed and rotary wing instructors as the technical requirement is much less.

Any competent current pilot should be able to instruct for the flight exercises with qualified instructor intervention ensuring Standard Operating Procedures are followed.

If its a requirement for all training to be done with qualified instructors then there should be two levels of instructor. 15 hours of classroom instruction, particularly in Standard Operating Procedures, should allow basic instruction for either the LPL or BPL. Following on from the practical experience as a junior instructor a further 15 hours of classroom instruction together with further practical experience would enable the instructor to become fully qualified. I think that 30 hours classroom instruction to become a balloon instructor would be a deterrent to prospective candidates. Maybe the junior instructor would not be able to charge for his instruction.

response

*Noted*

Thank you for providing your opinion.

However, it seems that your comment is proposing also a specific instructor system which seems to be in place for ballooning in one Member State.

You are right with the assumption that the future system will only allow to provide training when holding an instructor certificate which will definitely exclude the LPL(B) or BPL holder from providing training (not certificated as instructor).

As regards to the proposed additional class of instructors ('Junior Instructors') with only a weekend classroom instruction, the Agency cannot agree based on the principle that the required training in FCL.930.LAFI should be completed (including the skill test in FCL.935.LAFI) before being able and allowed to provide training without support and assistance of another LAFI (qualified to do this according FCL.905.LAFI).

Please see also the response provided to other similar comments like No 2517 (A. Kaye), No 2517 (D. Court) or No 5386 (Aerovision) in the same segment above.

comment

6256

comment by: *Christoph Talle*

930.LAFI (a)(4) there should also be a credit in practise of 15 hours for pilots holding a LAFI or a FI on a other category, because the pilot has experience in teaching and only has to learn the specials of the other category.

response

*Partially accepted*

Thank you for providing your opinion.

The Agency agrees to a certain extent because only a very limited amount of the general instructional exercises and techniques are similar from one instructor category to the other and should be therefore credited. All the other air exercises (see AMC material containing the training syllabus) are specific for each aircraft category and should be instructed and repeated in the specific aircraft category. The Agency reviewed carefully the comments received on this issue and decided not to introduce a general additional credit for instructors of any other category or for the LAFI(S) (as proposed by you) but to introduce an additional credit of 6 hours for the LAFI(S) holding a TMG extension as this instructor will already be familiar with a lot of the air exercises to be flown during an LAFI(A) training course.

comment

7445

comment by: *Holger Scheibel*

Der nur sehr geringe Zeiteinsatz in Praxis und Theorie verhindert eine qualifizierte Ausbildung aller FI!

Die anerkannte Ausbildung in der Bundesrepublik sollte gegenüber anderen Lösungen als Modell vorgezogen werden.

response

*Noted*

Thank you for providing your opinion.

As this paragraph FCL.930.LAFI is dealing only with the requirements for the LAFI training course your comment doesn't seem to be assigned to this segment (mentioning the FI). Furthermore you do not mention which aircraft

category you are referring to.

As this seems to be only a general statement without any justification or explanation what is meant in detail, the Agency cannot provide a substantiated response. The Agency has not understood what the additional statement about the approved training in Germany exactly means.

comment

7468

comment by: *Dorothy Pooley*

The proposals for the LAFI are simply inadequate. It is a serious safety issue to suggest that a less qualified pilot should undertake less training to be an instructor than a person who has gained a CPL. Surely if someone is less qualified, ie a PPL only then they should be required to undertake considerably more training as it cannot be permitted that the standard of instructors should be lowered. The suggestion is that before undertaking a course to become an instructor a PPL should demonstrate sufficient knowledge by passing a written examination (not multiple choice - full written answers in handwriting) based on at the very least the AOPA ground instructor syllabus but preferably based on questions derived from Standards Document 10 Question bank. The flying requirement should be increased to at least 40 hours to compensate for the lack of commercial training as the majority of PPLs simply do not fly well enough to demonstrate the manoeuvres for the instructor course. It makes no sense at all to reduce the level of training. This is an opportunity to improve standards and thereby safety rather than compromise them by reducing standards.

response

*Noted*

Thank you for providing your opinion.  
Please see the response provided to comment No 3535 (M. Blunden) in the same segment above.

comment

7512

comment by: *Graham PHILPOT*

B1 -

Lengthy training on instructional techniques will not improve flying safety. The safety/quality check for instruction is the Examiner who is doing the 'Flight Exam'. Additionally this requirement will encourage those looking for earnings (therefore commercial instructors) and discourage competent pilots (maybe competition championship winners) from sharing their expertise.

1) If applied the requirement should have a lower initial training period and require 'ongoing training', say an Instructor Seminar/workshop once every 3 years (as in UK ) to ensure skills are updated and do not stagnate.

2) If applied this should be structured such that after say 10hrs classroom a pilot can conduct training flights, on completion of the specified period they can 'Instruct to Recommend for Flight Test' level

response

*Noted*

Thank you for providing your opinion.  
See the response already provided to your comment No 4981 and to comment No 6059 (Brown BBAC) in the same segment above.

comment	<p>7757 <span style="float: right;">comment by: <i>Christophe Saeys</i></span></p> <p>Who will provide these courses ?  30hrs of what courses, who will determine what is relevant and what not ?  Are there specialists available in sufficient numbers ? How will these be chosen ?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>It seems that you are commenting on the 30 hours required theoretical knowledge instruction for balloon instructors.  For some more information about this topic please see the responses provided to comments No 2781 (D. Court), No 1214 (J. Dean) and to No 2517 (A. Kaye) in the same segment above.</p> <p>Concerning your questions:</p> <ol style="list-style-type: none"> <li>1. ATOs approved to provide these courses.</li> <li>2. Competent authorities will decide but based on the AMC.</li> <li>3. Specialists are the LAFIs qualified to provide this training and maybe external experts like meteorologists, aviation law experts, accident investigation inspectors, etc. — the Agency strongly believes that there are enough LAFIs available fulfilling FCL.905.LAFI criteria.</li> <li>4. ATOs providing the training course will choose them.</li> </ol>
comment	<p>8150 <span style="float: right;">comment by: <i>William Treacy</i></span></p> <p>The 125 theoretical knowledge, should be available as Distance Learning, or Self Study Courses.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, as the amount of instructor courses will be quite low such a specific theoretical knowledge course for instructors covering the syllabus will hardly be developed.</p> <p>The question if a certain amount of 'individual (home) study' as part of the theoretical knowledge instruction of a specific training course should be allowed also for the LAFI course was discussed during the review phase. Nothing is said so far in these Implementing Rules or the AMCs about the learning or teaching process itself but it should be noted that the Basic Regulation (Annex III 1.c.1) asks for a continuous assessment during the training which has to be done by the ATO providing the instructor training. The Agency will at this stage not change the wording used but it seems that most of these theoretical instruction hours must be done anyway by using the classroom teaching method in order to allow some direct feedback provided by the instructors providing the training. However, this does not necessarily mean that all parts of the theoretical instruction must be provided by using the classroom teaching technique. If the ATO allows some kind of 'home-study' (e.g. preparation of lectures) it has to conduct continuous assessments of the student instructors' progress and the actual level of knowledge.</p> <p>If a certain distance learning module for instructors provided by an ATO in a certain Member State would be available the competent authority of this</p>

Member State should decide if an alternative AMC could be developed in order to comply with the rule. At this stage no other licensing requirement in Part FCL prevents an ATO from doing this.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 2: Specific requirements for the light aircraft flight instructor — FCL.935.LAFI LAFI — p. 49**  
**Skill test**

comment 1721 comment by: *Sven Koch*

Eignungsdarstellung vor einem Prüfer, dass Kandidat einen Schüler für einen LPL mit Flugvorbesprechung, Flugnachbesprechung sowie Theorieunterweisung gemäß Anhang 12

response *Noted*

Thank you for providing your opinion but the Agency does not understand the meaning behind this comment.  
 It seems to be only a more or less exact German translation of some elements contained in FCL.935.LAFI.

comment 3727 comment by: *Klaus HARTMANN*

Da wahrscheinlich gemeint ist, dass der skill test mit einem flight instructor examiner durzuführen ist sollte es zur eindeutigen Klarstellung heißen :  
 Statt '.... demonstrate to an examiner the ....'  
 '..... demonstrate to an instructor examiner the ....' so wie es auch unter FCL.905.LAFI LAFI Privileges and conditions (f) (3) steht.

response *Not accepted*

Thank you for providing your opinion. Please see the response to comment No 5774 below.

comment 4699 comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt

der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.  
Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Fuer Segelflug und TMG ist der 'examiner' ist hier ueberfluessig, das kann ein erfahrener Segelfluglehrer besser.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

Streiche 'examiner' und ersetze durch Fluglehrer

response

*Not accepted*

The Agency acknowledges your opinion.

The Agency has already provided several responses to your standard comment and will only respond to your last sentence asking for a deletion of the examiner.

Based on the clear distinction between the tasks of an examiner and an instructor (see Basic Regulation (EC) No 216/2008 — Annex III) the Agency has to ask for an examiner for every skill test and every proficiency check. The Agency does not understand your statement that the instructor is better qualified than an examiner to conduct a skill test. As every examiner has to be an instructor with a certain experience and has participated in a standardisation course, the Agency does not agree with your statement at all. The requirement will be kept unchanged.

comment

5774

comment by: UK CAA

**Paragraph:** FCL.935.LAF

**Page No:** 49 of 647

**Comment:** The examiner is not specified for the skill test and it should be nominated as a Flight Instructor Examiner.

**Justification:** Clarification/Consistency.

**Proposed Text:**

..pass a skill test to demonstrate to an **Flight Instructor Examiner** the ability to instruct to a student pilot....

response

*Not accepted*

Thank you for providing your opinion.

FCL.1005.FE contains the privileges of the FE and FCL.1005.FIE describes clearly the privileges of the FIE. The privilege for the FIE reads as follows: '... are to conduct skill tests ... for the issue, ... of certificates for LAFI, FI ...'.

The Agency believes that these paragraphs containing the privileges of each examiner category will sufficiently explain the different categories.

If the term 'flight instructor' would be added in FCL.935.LAFI and FCL.935.FI the whole document has to be reviewed and amended in order to address

always the different categories of examiners in the case the wording 'examiner' is used and also the specific category of instructor when the general term 'instructor' is used. The Agency does not believe that this would be really useful and will keep the documents unchanged in this regard.

comment 8168

comment by: F Mortera

### **3. About instructor certificates**

**FCL.910.LAFI B (b) (4) = FCL.910.FI B(c) (3) "Restricted privileges" (pages 47 and 52)**

**FCL.915.LAFI B (e) = FCL.915.FI B (g) "Pre-requisites" (pages 48 and 51)**

**FCL 925.LAFI = FCL.935.FI "Skill test" (pages 49 and 52)**

I am also confused in a similar way for the LAFI and FI certificates and their respective requirements.

response *Noted*

Thank you for providing your opinion.

However, as already mentioned in other responses before the Agency does not understand why the mentioned requirements should cause any confusion. As no further explanation or justification is given the Agency cannot provide you with a substantiated response.

## **B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 2: Specific requirements for the light aircraft flight instructor — FCL.940.LAFI LAFI — Revalidation and renewal**

p. 49

comment 335

comment by: Michel Lacombe AF TRTO

Numbering error in the renewal paragraph

FCL.940.LAFI LAFI Revalidation and renewal

(c) Renewal. If the certificate has lapsed, the applicant shall, within a period of 12 months before the renewal:

(1) attend an instructor refresher seminar;

~~(3)~~ **(2)** pass a proficiency check in accordance with appendix 12 to this Part.

response *Accepted*

Thank you for identifying this editorial mistake.

The numbering will be amended accordingly.

comment 401

comment by: Rod Wood

(a) (1) (i) Remove reference to helicopters. See comment FCL 905, 910, 915 and 930.

response *Not accepted*

The Agency acknowledges your opinion.

Please see the responses to all your comments on this issue in the different segments.

As it was decided to introduce an LPL for helicopters, the Agency also decided to introduce an LAFI(H). Therefore the helicopter references will not be deleted.

comment 416

comment by: *Geschäftsführer Luftsportverband RP*

Ihre Organisation (EASA) aber auch die Kommission hat zu Recht erkannt, dass der Luftsport wiederbelebt werden muss, was die JAR-FCL zerstört hat. In diesem Sinne wurde auch der LAFI geschaffen; hier allerdings müssen Sie dafür sorgen, dass die Verbesserungen nicht wieder durch unzumutbare Vorschriften aufgehoben werden.

Daher:

**streichen des Passus (b)** hiermit würde ein bewährtes ehrenamtliches System zur Förderung jugendlichen Nachwuchses zerstört und es wird auch in keinster Weise dem mit der Tätigkeit verbundenen Risiko gerecht.

Das spätestens alle 9 Jahre geforderte Überprüfungssystem wird die Fliegerei nicht nur in gewaltigem Maße verteuern, sondern auch unsere jetzigen ehrenamtlichen Fluglehrer in ihrer Ausbildungstätigkeit zum Umdenken veranlassen. Verständlicher Weise kann nicht jeder Fluglehrer auch Prüfer werden, aber dieser Personenkreis wird sich zu einer direkten oder indirekten beruflichen Ausübung entwickeln. Es müssen sich also Fluglehrer ehrenamtlich in der Schulung einsetzen, während sein Kollege damit sein Geld verdient. Wie lange werden unsere Vereinsfluglehrer dies machen bzw werden wir bei diesem System überhaupt noch Nachwuchs finden? Aus meiner fliegerischen Vereinerfahrung heraus kann ich nur sagen, dass bei dieser Einführung sich der augenblickliche Abwärtstrend fortsetzen wird. Der französische Bereich hat ja seit Jahrzehnten diesen periodischen Überprüfungsapparat und der Segelflug ist in Frankreich in den letzten 20 Jahren auf ein Drittel geschmolzen. Soll das auch im restlichen Europa und auch beim Motorflug jetzt so weitergehen?

Es gibt heute in den Vereinen noch Alt-Lehrer JAR-FCL, aber die Masse benötigt einen Prüfercheckflug, da sie die geforderten Ausbildungsstunden mangels Schüler innerhalb der 3 Jahre nicht erbringen können. Da wird sich auch zukünftig nichts im Jar-FCL-Bereich daran ändern. Wenn aber ein Fluglehrer jährlich 50 Stunden fliegt braucht er 40 Jahre, um die Voraussetzung für Fluglehrerprüfer zu werden. Wer also sind diese zukünftigen „FIE“: sie können nur aus dem Bereich der gewerblichen Flugschulen kommen und überprüfen dann einen Ehrenamtlichen Fluglehrer. Wie lange geht das wohl gut? Der Ehrenamtler gibt auf, der bezahlte Fluglehrer ist zu teuer und wir haben den weiteren Rückgang im Luftsport.

Weiterhin: die JAR-FCL-Forderung mit nochmals einer Flugstundenunterteilung innerhalb der letzten 12 Monate ist -vor allem im Luftsport- kontraproduktiv. Es gibt immer im Ehrenamt berufliche, familiäre, sonstige Gründe, wo ein Fluglehrer einmal eine Auszeit nehmen muss. **Das ist kein Berufsfluglehrer!!** Es genügt voll und ganz die 3 Jahresfrist mit den Verlängerungsbedingungen.

daher streichen des Halbsatzes für die letzten 12 Monate ab: "...including at least ..." bei (a) (1) (i), (ii) und (iii)

Unterscheiden der Verlängerungsstunden bei aeroplane und helicopters. Für (a) (1) (i) In the case of LAFI for helicopters, 45 hours .....

bei (a) (1) (ii) in the case of a LAFI for aeroplanes or sailplanes, 30 hours ..... as LAFI, FI, TRI, CRI, SFI ....

response

*Partially accepted*

Thank you for providing your opinion.

The Agency reviewed carefully the comment received on the issue of the proposed regular proficiency checks for instructors. This requirement was introduced during the drafting phase based on the existing requirements in JAR-FCL which require such a regular proficiency check for the FI(A) and (H) and other instructor categories.

Based on this review the Agency decided to delete this requirement for all LAFI categories if the two other criteria mentioned in (a)(1) and (a)(2) are completed. Item (b) will be deleted in total.

Regarding your second proposal the Agency discussed again the additional requirement for a certain amount of instruction time within the last 12 months preceding the expiry date. The Agency sees the problems which are connected with this additional requirement and agrees that the total amount of 45 hours mentioned should be sufficient. The Agency therefore decided to delete the additional 12 months requirement for all the LAFI categories.

With your third proposal you ask for a change of the required number of hours for the LAFI(A). The Agency does not agree and will keep the requirement asking for 45 hours of instruction time. However, the proposal to link this requirement with a certain amount of take-offs as already proposed for the LAFI(S) will be accepted and a certain amount of take-offs also added as an alternative requirement for the LAFI(A) and (H).

comment

565

comment by: *Rod Wood*

Remove all references to helicopters in this paragraph see comment 564

response

*Not accepted*

The Agency acknowledges your opinion.

Please see the responses to all your comments on this issue in the different segments and to your comment No 401 in this segment.

comment

640

comment by: *British Microlight Aircraft Association*

Accepted

response

*Noted*

Thank you for providing this feedback.

Please see also the different responses to the comments received for this segment to understand the agreed changes (e.g. response to comment No 416 in the same segment above).

comment

872

comment by: *Stefan Kramer*

Für den Freizeitbereich ist dieser Erhaltungsaufwand zu hoch angesetzt. Derartige Stundenansätze sind im Breitensport nicht erreichbar. Damit wird die wichtige Aufgabe die gerade im Bereich der flugsportlichen Jugendförderung geleistet wird massiv behindert. Es werden sich somit in Zukunft nur einige wenige Fluglehrer finden, die noch bereit sind, eine derart anspruchsvolle

Aufgabe ehrenamtlich in ihrer Freizeit zu übernehmen.  
 Mit dieser Vorlage wird einmal mehr deutlich, daß den Erfahrungen die gerade in Deutschland mit engagierter Vereinsarbeit gesammelt wurden auf europäischer Ebene keinerlei Beachtung geschenkt wird und stattdessen bürokratische Maximalforderungen etwa nach französischem Muster unreflektiert übernommen werden.  
 Eine derart schwache Repräsentanz deutscher Modelle ist für mich als Europäer deutscher Herkunft unerträglich.

response

*Noted*

The Agency acknowledges your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

However, the Agency would like to highlight that the proposed requirements are based not only on one certain existing national model. The drafting group involved in the development of these requirements for the different LAFI categories has based its work on an evaluation of the requirements which are actually in place in different Member States.

As you are mentioning your German requirements please check the German LuftPersV and the amendment 7 of JAR-FCL 1 and you will discover a lot of similarities. The revalidation criteria for the sailplane or balloon instructors in Germany are for example very close to the ones proposed for the LAFI(S) and (B). Please compare also the JAR-FCL requirements for the FI(A) and you will discover that the requirement for the mandatory proficiency checks proposed is based on these existing requirements.

comment

1204

comment by: *Luftsportverband Rheinland Pfalz*

FCL 940

bitte folgende Artikel streichen

(a) (1) (i) ...including at least 15 hours of flight instruction within the 12 months preceding the expiry date of the certificate.

(ii) ...including at least 10 hours or 20 take-offs of flight instruction within the 12 months preceding the expiry date of the certificate.

(iii)...including at least 2 hours of flight instruction within the 12 months preceding the expiry date of the certificate.

Der Passus benachteiligt junge Fluglehrer/innen (Väter und Mütter) und Ehrenamtler. Durch Auslandsaufenthalte und familiär bedingte Zwangspausen (Babypause) können Pausen zwingen und oftmals unvorhersehbar notwendig werden. Ohne die Streichung dieser Sätze wird bei all diesen Unterbrechungen die Fluglehrerlizenz ungültig.

(b) streichen

wird als nicht notwendig angesehen, zudem ist in 12 Jahren ein Engpass an FIE zu erwarten, da alle Fluglehrer ihre Lizenzen erneuern müssen. Bisher gibt es in Deutschland keine FIE und nur sehr wenige FI, die die Voraussetzungen für einen FIE erfüllen. Maximal sollte ein FE diese Überprüfungsflüge durchführen.

sofern der Proficiency check nicht gestrichen werden kann, dann bitte das Intervall verlängern.

Formulierungsvorschlag: ...a proficiency check every 20 years

	<p>(c) streichen (2) fehlt im Dokument</p> <p>es sollte möglich sein, die Flugzeiten und Stunden unter Aufsicht eines FE nachzuholen.</p> <p>Formulierungsvorschlag für eine Ergänzung zu (c): (2) oder die Ausbildungszeiten und Starts werden unter Aufsicht eines erfahrenen Fluglehrers (FE) nachgeholt</p>
response	<p><i>Partially accepted</i></p> <p>The Agency acknowledges your opinion.</p> <p>Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p> <p>Regarding your additional issues and proposals to delete (c) or to allow the instructor to complete the missing instruction time under the supervision of an examiner please see also the response to your comment to FCL.940.FI. The Agency does not agree with these two proposals as the renewal of a certificate must be kept and an instructor with lapsed certificate will not be allowed to provide some kind of instruction under supervision (of an examiner).</p>
comment	<p>1347 <span style="float: right;">comment by: <i>Gerhard Hehl</i></span></p> <p>Die 15 Stunden innerhalb der 12-monats-Periode vor Ablauf sind zu streichen. Es ist nicht gewährleistet, daß diese Regelung eingehalten werden kann, da die Tätigkeit i.d.R. ehrenamtlich und in der Freizeit ausgeübt wird. <b>Der Prüfercheck bei jeder 3. Verlängerung ist überflüssig und zu streichen!</b></p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>1402 <span style="float: right;">comment by: <i>Wilfried Müller</i></span></p> <p>We give flight instruction lessons during our leisure time. To set targets for the last 12 month before renewal of the license would probably collide with job pressure, family demands etc. It is therefore a risk to loose the LAFI license. Taking the restrictions of the last 12 month away would ease the problem.</p> <p>Wilfried Müller 11-27-2008</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>1435 <span style="float: right;">comment by: <i>Aero Club Oppenheim e. V.</i></span></p>

	<p>Die Erbringung der erforderlichen Flugzeit sollte in 3 Jahren Gesamtzeitraum abgewickelt werden; keine Angabe innerhalb letzten 12 Monaten. Die Schulung erfolgt bei vielen Fluglehrern überwiegend an Wochenenden und Feiertagen, so dass damit nicht regelmäßig ausgebildet werden kann. Wir schulen in unserer Freizeit: berufliche und familiäre Zwänge könnten damit den Verlust der Lehrberechtigung bedeuten.</p> <p>Jeder regelmäßige Check durch einen Prüfer ist meines Erachtens aufgrund der geringen Aussagekraft abzulehnen und sollte gestrichen werden.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>1722 <span style="float: right;">comment by: <i>Sven Koch</i></span></p> <p>Erfüllung zwei von drei Möglichkeiten:          Motorflug: 45 Std Ausbildung innerhalb 3 Jahren, davon 15 Std innerhalb letzten 12 Monaten          Segelflug: 30 Std oder 60 Starts auf Segelflugzeugen oder TMG, davon 10 Std oder 20 Starts innerhalb letzten 12 Monaten          Besuch einer Fluglehrerfortbildung          Prüfercheckflug innerhalb letzten 12 Monaten vor Ablauf der Lehrberechtigung          Jede dritte Verlängerung ein Prüfercheck          Innerhalb 12 Monaten vor Erneuerung Besuch eines Fortbildungsseminars und ein Prüfercheck          Nur 3 Jahre Gesamtzeitraum; keine Angabe innerhalb letzten 12 Monaten (wir schulen in unserer Freizeit: berufliche und familiäre Zwänge könnten Verlust der Lehrberechtigung bedeuten) Generelle Ablehnung im LAFI-Bereich; nur kostentreibend</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>1753 <span style="float: right;">comment by: <i>Stephan Johannes</i></span></p> <p>Sehr geehrte Damen und Herren,</p> <p>bitte bedenken Sie, dass viele ehrenamtliche Fluglehrer in unseren Vereinen ausbilden. Diese Lehrer bilden in der Freizeit aus, es gibt viele unterschiedliche Gründe, warum ein Lehrer in den letzten zwölf Monaten nicht in der Lage war, seine Berechtigung zu erhalten. Bitte setzen Sie den Gesamtzeitraum von 36 Monaten als Verlängerungszeitraum an, so wie die bestehende Regelung ist.</p> <p>Der Prüfercheck im dritten Verlängerungsintervall lehne ich ab, ich halte diese Checkflüge für kostentreibend ohne Sicherheitsgewinn. Man wird als Lehrer nicht tätig, wenn man nicht in Übung ist.</p> <p>Mit freundlichem Gruß          Stephan Johannes</p>
response	<p><i>Noted</i></p>

Thank you for providing your opinion.  
Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 2007

comment by: *Martin*

**Unterpunkt (a) (1) (ii)** fordert für die Verlängerung der Lizenz gefordert, daß 1/3 der gesamten Flugstunden oder Starts in den letzten 12 Monaten vor Ablauf der Lizenz erfolgt.

Nach der bisherigen Regelung ist ein Nachweis der geforderten Flugstunden und Starts für Segelfluglehrer innerhalb des Zeitraums der Gültigkeit der Lizenz ausreichend.

Da in fast allen Fällen Segelfluglehrer ehrenamtlich tätig sind, kann aufgrund von persönlichen oder beruflichen Gründen in einem Jahr nur eingeschränkt Zeit für dieses Ehrenamt vorhanden sein. Sollte dies auf ein Jahr vor Ende der Gültigkeit der Lizenz fallen müßte unter Umständen die Lizenz erneuert werden. Fällt hingegen ein Jahr ohne ausreichender Flugstundenanzahl und Startanzahl in z.B. das vorletzte Jahr der Gültigkeit der Lizenz hat dies keine Auswirkungen auf die Verlängerung. Dieses "Glückspiel" ist völlig unverständlich.

Als extremes Beispiel könnte bei einer Gültigkeit der Lizenz von z.B. 3 Jahren der Lizenzinhaber in den ersten 2 Jahren der Gültigkeit keine anrechenbaren Flugstunden und Starts absolvieren und stattdessen alle Flugstunden in dem letzten Jahr der Gültigkeit seiner Lizenz durchführen. Dies wäre konform mit der Regelung. Eine Absolvierung der geforderten Flugstunden und Starts in dem ersten Jahr der Gültigkeit der Lizenz und anschließend keine weitere Tätigkeit wäre hingegen für eine Verlängerung der Lizenz nicht ausreichend. In beiden Fällen würde der Lizenzinhaber 2 Jahre keine Rechte aus seiner Lizenz ausüben. In dem ersten Fall wäre dies aber für die Verlängerung der Lizenz ohne Bedeutung.

Als **Lösung** sollte die **bisherige Regelung für Segelfluglehrer** beibehalten werden, nach der die geforderten Flugstunden und Starts innerhalb des Zeitraums der Gültigkeit zu erreichen sind, ohne eine Auflage welcher Anteil davon im letzten Jahr der Gültigkeit erzielt werden muß.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above and the responses provided to your comments in the segment for FCL.940.FI.

comment 2030

comment by: *Martin*

Attachment [#49](#)

Der **Unterpunkt (b)** fordert einen proficiency check bei mindestens jeder 3. Verlängerung der Lizenz.

Nach den bisherigen Gesetzen existiert eine solche Überprüfung von Fluglehrern im **Segelflug** nicht. Trotzdem ist die Qualität der Ausbildung im Segelflug sehr hoch. Als Beweis dient die neueste Statistik der Bundesstelle für Flugunfalluntersuchung (BFU) aus dem Jahre 2007. Danach ergeben sich eine Anzahl von 92 Unfällen mit Segelflugzeugen (Segelflugzeuge mit Hilfsantrieb eingeschlossen), wobei 13 Unfälle während der Ausbildung stattgefunden haben, siehe Seite "Segelflugzeuge-Seite1" des beigefügten Dokumentes. Daraus ergibt sich eine Quote von 14%, d.h. nur 14% aller Unfälle ereignen

sich während der Ausbildung. 86% aller Unfälle mit Segelflugzeugen werden von Piloten mit Lizenz verursacht. Somit ist es unverstandlich, warum fur die Personengruppe der Segelfluglehrer die Kriterien der Verlangerung der Lehrberechtigung derart verscharft werden sollen wie in Appendix 12 dargelegt. Eine derart ausfuhrliche Uberprufung kommt einem Neuerwerb der Lizenz gleich.

Da fast alle Segelfluglehrer in Deutschland ehrenamtlich tatig sind ist eine Verlangerung der Lizenz unter Einbezug des proficiency checks im Rahmen des Ehrenamtes fur viele Segelfluglehrer nur noch schwer erreichbar. Zum einen ist die Vorbereitung auf einen solchen Test sehr zeitaufwendig, was nur durch eine "Zeitersparnis" im Bereich der Ausbildung von Flugschulern kompensiert werden kann, wenn nicht noch mehr Zeit auf ehrenamtliche Tatigkeit verwendet werden kann. Damit wurde die Qualitat der Ausbildung sinken und nicht gesteigert werden! Diese Regelung ist somit kontraproduktiv fur die Ausbildung im Segelflug.

Weiterhin wurde eine solch umfangreiche Prufung eine hohe Prufungsgebuhr nach sich ziehen. Damit wurden wiederum die ehrenamtlich tatigen Segelfluglehrer zusatzlich belastet, ohne da dies einen Sicherheitsgewinn bringt. Statt der Prufungsgebuhr wurde eine Investition in Flugstunden oder Starts deutlich mehr zur Sicherheit beitragen!

Eine Umlegung der Kosten auf die Flugschuler ist auch nur in kommerziellen Ausbildungsbetrieben moglich. In den Vereinen mit ehrenamtlich tatigen Segelfluglehrern sollen vor allem junge Menschen fur das Fliegen gewonnen werden. Gerade diese Personengruppe verfugt in der Regel uber kein eigenes Einkommen und ist somit auf eine ehrenamtlich strukturierte Ausbildung angewiesen. Die von den Segelfluglehrern geleistete Jugendarbeit wird durch die vorgeschlagene Regelung somit deutlich erschwert.

Als **Losung fur Segelfluglehrer** wird die ersatzlose Streichung des Punktes FCL.940.LAFI LAFI (b) gefordert.

Als Kompromis konnte ein einfacher Uberprufungsflug mit einem FI (S) dienen, da dieser mehr als ausreichend ist und die deutlichen Einschrankungen der vorgeschlagenen Regelung nicht beinhaltet.

response *Partially accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschaftsfuhrer Luftsportverband RP) in the same segment above and the responses provided to your comments in the segment for FCL.940.FI.

It should be highlighted that the statistical approach provided using a certain percentage of the total amount of accidents to prove that the accident rate during training flights is quite low is not accepted the way it is done. In order to be able to balance the statement provided (based on the 14% argument) it is absolutely necessary to compare the actual amount of training flights and hours with the total amount of flights and hours. As this is not done in your example the statistic provided is interesting but useless in order to be used for this topic. Furthermore the statistical data for accidents during dual flight instruction operation is completely missing.

comment 2149

comment by: *Jochen KOENIG*

Ich schlage vor, die Bedingung „Proficiency Check“ zu streichen.

Die Unfallzahlen bei doppelsitziger Ausbildung sind unverhaltnismaig niedrig. Mit Einfuhrung des Proficiency Checks fur Fluglehrer kann die Sicherheit nicht

	<p>wesentlich verbessert werden. Im Vereinsumfeld ist die Kontrolle der Inübunghaltung gewährleistet.</p> <p>Die Einführung eines Prüfer-Systems in vorgesehenem Ausmaß übersteigt die Belastbarkeit von Luftsport und Ehrenamt. Die Bedingungen für die Berechtigung als Fluglehrerprüfer sind kaum zu erfüllen. Die Gebühren für den Proficiency Check erhöhen die Kosten für den Unterhalt der Lizenz deutlich. Der zusätzliche bürokratische Aufwand ist unangemessen. Ein Verlust von Fluglehrerlizenzen ist zu erwarten.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>2183 <span style="float: right;">comment by: <i>Oelschlaeger, Harald</i></span></p> <p>Nur 3 JAHre Gesamtzeitraum; keine Angabe innerhalb letzten 12 Monaten ( wir schulen in unserer freizeit; berufliche und familiäre Zwänge könnten Verlust der Lehrberechtigung bedeuten Generelle Ablehnung im LAFI-Bereich; nur kostentreibend</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p> <p>However, it seems that this is only a copy of other similar comments (see comment No 1722) as your last statement does not specify which requirement you do not agree with. You forgot to copy the reference — therefore the Agency is not able to provide a response on this second issue.</p>
comment	<p>2269 <span style="float: right;">comment by: <i>Thomas Lukaschewski</i></span></p> <p><i>Ich schlage vor, die Bedingung „Proficiency Check“ zu streichen. Die Unfallzahlen bei doppelsitziger Ausbildung sind unverhältnismäßig niedrig. Mit Einführung des Proficiency Checks für Fluglehrer wird die Sicherheit nicht wesentlich verbessert. Im Vereinsumfeld ist die Kontrolle der Inübunghaltung gewährleistet. Die Einführung eines Prüfer-Systems in vorgesehenem Ausmaß übersteigt die Belastbarkeit von Luftsport und Ehrenamt. Die Bedingungen für die Berechtigung als Fluglehrerprüfer sind kaum zu erfüllen. Die Gebühren für den Proficiency Check erhöhen die Kosten für den Unterhalt der Lizenz deutlich. Der zusätzliche bürokratische Aufwand ist unangemessen. Ein Verlust von Fluglehrerlizenzen ist zu erwarten.</i></p>
response	<p><i>Accepted</i></p> <p>The Agency acknowledges your comment. However, as it is only a copy of comment No 2149 (J. Koenig) in the same segment above please see the response provided to this comment.</p>
comment	<p>2338 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p>

**FCL.940** With the exception of the mountain rating instructor, and without prejudice to FCL.900(b)(2), instructor ratings shall be valid for a period of 3 years **in addition to the remainder of the month of issue**.

Justification:

Type ratings, instrument ratings and Operator Checks are valid to the end of the month. Instructor Certificate validity periods should be the same for simplicity.

response

*Not accepted*

Thank you for providing your opinion.

It seems that your comment should have been addressed to another segment as this segment is dealing with FCL.940.LAFI.

The Agency agrees that a certain more detailed clarification should be provided and that the same system as for the class and type ratings should be used. However, as this issue of the validity periods will be addressed in Part AR (Authority Requirements/Paragraph AR.FCL.215) no further clarification is needed in Part FCL. All the references regarding the issue of how to count this time period will be deleted from these Implementing Rules.

As it was proposed with the NPA on AR the authorities shall extend the validity period of a rating or certificate until the end of the month during the process of issuing, revalidating or renewing a licence or instructor certificate. This date should remain the expiry date of the rating or instructor certificate. The Agency will further evaluate the issue when dealing with the comments received on NPA 2008-22.

comment

2384

comment by: *Arnold Klapp*

Es sollte ausreichen, wenn die für eine Verlängerung/Erneuerung geforderten Stunden bzw., Starts innerhalb der Gültigkeitszeit von 3 Jahren nachgewiesen werden.

Die zusätzliche Festlegung einer bestimmten Anzahl von Stunden bzw. Starts in den letzten 12 Monaten muss entfallen. Da wir im Luftsport grundsätzlich in unserer Freizeit schulen, könnte eine durch berufliche oder familiäre Zwänge bedingte Nichterfüllung dieser Forderung zum Verlust der Lehrberechtigung führen.

Der bei jeder dritten Verlängerung vorgesehene zusätzliche Prüfercheck ist nicht notwendig und sollte daher entfallen.

response

*Accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

2449

comment by: *Dr. Horst Schomann*

Subparagraph (a) (1) (i)

Problem: In the non-commercial world (aviation as sport), the requirement of 15 hours of flight instruction within the last 12 month is an unnecessary hindrance.

Proposed solution: Use the 45 hours of flight instruction during the period of validity of the certificate only. Delete the 15 hours in the last 12 month.

Justification: 45 hours of flight instruction require in the non-commercial aviation a nearly continuous engagement of the LAFI. His foci in time are mainly driven by the LAFI's occupation. Though the necessary experience in the 3 year activity is sufficiently gained and provides the required flexibility.

Subparagraph (a) (1) (ii)

Problem: In the non-commercial world (aviation as sport), the requirement of 10 hours of flight instruction in the last 12 month is an unnecessary hindrance.

Proposed solution: Use the 30 hours or 60 take-offs of flight instruction during the period of validity of the certificate only. Delete the 10 hours or 20 take-offs in the last 12 month.

Justification: 30 hours of flight instruction require in the non-commercial aviation a nearly continuous engagement of the LAFI. His foci in time are mainly driven by the LAFI's occupation. Though the necessary experience in the 3 year activity is sufficiently gained and provides the required flexibility.

Subparagraph (b)

Problem: Due to the anticipated low number of FIE's in the future and their high check price, driven by their own high expenses to keep their license, this subparagraph will drastically reduce the number of LAFI's and therefore reduce the number of aviation students as new blood.

Proposed solution: Define the items of the required proficiency check in Appendix 12 as a selective part of the defined skill test (standardized procedure) and dedicate the performance to instructors who fulfill the requirements of FCL.905.LAFI (f).

Justification: My experience from training flights according to JAR-FCL 1.245 (similar to FCL.740.A) with instructors and a number of training flights with instructor applicants encourage the feasibility of my proposed solution. It is a cost-effective solution to gain the intention of this subparagraph.

response

*Partially accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above and the response provided to your similar comment on FCL.940.FI.

As mentioned in the other response to your comment already, the Agency will transfer Appendix 12 to AMC material which will allow to propose changes or adapt the contents for the proficiency check. The proposal to allow instructors to conduct proficiency checks is not in line with the definition of a proficiency check and has to be done with an examiner only.

comment

2630

comment by: *Dieter Lenzkes*

**Problem:**

Die Bedingung, dass Segelfluglehrer 1/3 der Mindestbedingungen im letzten Jahr der Gültigkeit absolvieren **müssen**, ist für den ehrenamtlich organisierten Vereinsbetrieb nicht praktikabel. Die Zahl der Flugschüler in den einzelnen Jahren ist zu unregelmäßig. Die Erfahrung zeigt, dass in einzelnen Jahren der Bedarf so groß sein kann, dass ein Fluglehrer in einem Jahr das 3- oder 4-fache der Mindestbedingungen für drei Jahre absolviert, dafür im Folgejahr aus Mangel an Flugschülern die Mindestbedingungen für das letzte Jahr nicht erfüllen kann. Dies würde dann automatisch dazu führen (2 von 3 Bedingungen), dass die komplette Fluglehrerprüfung nach Appendix 12 wiederholt werden müsste. Abgesehen von diesem nutzlosen bürokratischen und kostentreibenden Aufwand wäre die Folge, dass viele Lehrberechtigungen der ehrenamtlichen Vereinsfluglehrer nicht mehr verlängert werden, die Vereine nicht mehr ausbilden können und die Jugendarbeit der Vereine erheblich behindert wird. Damit wird den Vereinen die Existenzgrundlage entzogen. Das wäre das Ende des Segelfluges als Breitensport.

Ähnliches gilt für Abschnitt (b), die Wiederholung der Fluglehrerprüfung nach Appendix 12 bei jeder 3. Verlängerung. Appendix 12 ist aufgebaut als eine Prüfung nach dem Fluglehrerlehrgang. Danach folgt de facto eine weitere Stufe der Ausbildung, nämlich die praktische Ausbildung unter Aufsicht eines erfahrenen Fluglehrers (FCL.910.LAFI). Erst dann ist er ein vollwertiger Fluglehrer. Es macht wenig Sinn, ihn praktisch bei jeder 3. Verlängerung in das vorletzte Stadium der Ausbildung zurückzustufen. Viel wichtiger wäre der regelmäßige Erfahrungsaustausch mit anderen Fluglehrern. Dies kann aber Bestandteil eines regelmäßigen Refresher Seminars sein.

**Vorschlag:**

Der Satz in Abschnitt (a) wird geändert in:

For revalidation of a LAFI certificate the holder shall fulfil the following two requirements:

In Abschnitt (a), (1) (ii) wird der Satzteil „...including at least 10 hours or 20 takeoffs of flight instruction within the 12 months preceding the expiry date of the certificate“ ersatzlos gestrichen.

Abschnitt (a), (3) wird ersatzlos gestrichen.

Abschnitt (b) wird ersatzlos gestrichen.

Abschnitt (c), (3) wird geändert in:

(2) The LAFI-privileges are restricted according FCL.910.LAFI until the LAFI has completed the requirements in FCL.910.LAFI (b).

**Begründung:**

Weniger bürokratischer Aufwand und weniger Kosten für die Prüfer und ehrenamtlichen Segelfluglehrer. Dafür wird das Refresher Seminar obligatorisch. Der ganze Vorgang ist mehr praxisorientiert am Betrieb der ehrenamtlich organisierten Vereine.

response

*Partially accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

Regarding your comment to (a)(3) it has to be highlighted that this requirement has to stay as it is only an alternative (two out of three requirements) to comply with these requirements. If an instructor will not be able to reach the required instruction time he/she will be able to substitute this with (a)(3).

Regarding your proposal to change the wording for the renewal it seems that your comment is based on a misinterpretation of this requirement. There is no link with the requirement in FCL.910.LAFI. This requirement is dealing only with a lapsed certificate.

comment 2895 comment by: *Aero-Club of Switzerland*

FCL 940.LAFI (a) (ii): Please add; the flight hours and take-offs as instructor may be reduced by 50%, if the LAFI has an annual flight experience as pilot in command on sailplanes, powered sailplanes or TMG of more than 50 hours.

Justification: The regular flight experience is as important as the experience as flight instructor.

response *Not accepted*

Thank you for providing your opinion.

Please see the response provided to your similar comment addressed to FCL.940.FI. Such a requirement will not be added as the required instruction time should not be reduced to only 30 take-offs within the three years period. The Agency is of the opinion that 10 instruction flights per year are not sufficient to be really current as instructor (simulated winch launch failures/outlanding training/stall and spin exercises/etc.).

comment 3014 comment by: *Deutscher Aero Club (DAeC)*

For the revalidation of FI certificate a FI has to complete flight instruction in means of take-offs and flight time. On the other side a student has to complete a significant amount supervised solo flight time. It's not appropriate that this time is not considered for the revalidation of the FI certificate. Further more the training of a pilot is a lifelong process where a FI is involved all the time. Therefore in all cases where a pilot asks a FI to support him/her improving his/her skills should be considered for the revalidation of the FI certificate.

If a pilot is holding FI certificates for more then one aircraft category it should be possible to accumulate instruction time on all categories of aircraft for revalidation. Also should the prof-check on the most complex category of aircraft be sufficient for the revalidation of all FI certificates hold by that person.

As the proficiency check of a FI is on a much more higher level as the "normal" pilots prof-check, the FIs prof-check should include the pilots one. This reduces bureaucratic burden and costs.

response *Noted*

Thank you for providing your comment.

However, it seems that this comment is addressing only FI related and no LAFI related issues. As you have sent also a similar comment addressed to FCL.940.FI please see the response provided to this comment in the appropriate segment.

comment 3264 comment by: *Egon Schmaus*

	<p>FCL.940.LAFI (a)(1)(i) .... during the period of validity of the certificate. (End of sentence)</p> <p>Reason: Leisure -time instruction often is performed in courses and blocks. Once upon a time in a flying club, there are no new students at all during one year, and in the next year, there are several students.</p> <p>(a)(1)(ii) .... during the period of validity of the certificate. (End of sentence)</p> <p>Reason: see above</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>3374 comment by: <i>Luftsportvereinigung Schwarzwald-Baar</i></p> <p>These are comments on FCL.940.LAFI, FCL.940.FI and FCL.940.CRI:</p> <p>On (a) (1) (i): One should also have the alternative of take-offs for hours (e.g. 90 and 100 respectively) like in (ii) and (iii) respectively. Anyway experience is more a question of take-offs and landings than of hours.</p> <p>On (a) (1) (ii) and (iii) respectively: Why one third of hours/take-offs in the preceding 12 months? Normally an almost equally distribution will occur, and if not eventually for some reason, this doesn't make an unsafe FI!</p> <p>So cancel this sentence.</p> <p>On (a) (3): This is an unnecessary difficulty for sports aviation. If (1) and (2) are fulfilled there will not arise any safety risk. And additionally every FI will be checked (as pilot) by an other FI during his normal license revalidation.</p> <p>So cancel this paragraph.</p> <p>On (b): There is no advantage in safety to be seen but a lot of unnecessary bureaucracy!</p> <p>So cancel this paragraph.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing these comments in the different instructor sections. For most of the issues please see the response provided to comment No 416 in the same segment above.</p> <p>Regarding your first proposal the Agency agrees in general that a certain amount of take-offs and landings is more important than a fixed amount of flying time. It must be mentioned that these requirements and the given amount of flight time for (A) and (H) was based on the JAR-FCL requirements which asked for a certain amount of hours only. For sailplanes an amount of 60</p>

take-offs was already introduced as an alternative to fulfil the validation criteria. The Agency carefully discussed this issue with the experts and it was decided to keep the required amount of hours but to add a requirement asking for 120 take-offs as an alternative to comply with this revalidation criteria.

Regarding your comment on (a)(3) it seems that you misunderstood the proposal as it is a 'two out of three' requirement. The mentioned proficiency check in (a)(3) is an alternative if an instructor does not comply with (1) and (2) and will definitely not be deleted.

comment

3472

comment by: *Deutscher Aero Club (DAeC)*

The requirement to instruct in all categories of aircraft for which the applicant possess the respective instructor certificates is too demanding for non commercial operations.

For instructors instructing in multiple categories a crediting of instruction time shall be possible across all categories. 30 hours flight instruction in 3 years for LAFI(A) should be sufficient to ensure an adequate level of safety. Additionally, the requirement to instruct around 30 % of the flight time during the last year of the validity period represents an additional burden for instructors in a voluntarily organised surrounding. This obligation should be skipped for LAFI certificates.

Proposal: 30 hours of flight instruction in the appropriate aircraft category as LAFI, FI, TRI, CRI, IRI, SFI or as Examiner during the period of validity of the certificate.

Justification: The proposed numbers for flight instruction times shall be sufficient to maintain the necessary skills for the instructor certificates. As instruction for the different aircraft represents a competency that is used for the different aircraft in a comparable manner it is illogic not to credit the requirements between the different certificates for revalidation. To allow further and improved development of air sport on a club based non profit level, such unnecessary burden should be avoided.

response

*Partially accepted*

Thank you for providing your comment.

However, it seems that this comment is addressing only FI related and no LAFI related issues. As you have sent also a similar comment addressed to FCL.940.FI please see the response provided to this comment in the appropriate segment.

See also the response provided to comment No 416 in the same segment above.

Regarding the proposal to reduce the required amount of hours from 45 to 30, the Agency does not agree but based on other comments a certain amount of instruction flights (take-offs) will be introduced as an alternative. See response provided to comment No 3374 in the same segment above.

comment

3473

comment by: *Herbert Sigloch*

To (b):  
No periodical proficiency check (it's only expensive)

response

*Accepted*

Thank you for providing your opinion.  
Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 3486 comment by: *Erwin J. Keijzers*

Ich schlage vor, die Bedingung „Proficiency Check“ zu streichen.  
Die Unfallzahlen bei doppelsitziger Ausbildung sind unverhältnismäßig niedrig.  
Mit Einführung des Proficiency Checks für Fluglehrer wird die Sicherheit nicht wesentlich verbessert. Im Vereinsumfeld ist die Kontrolle der Inübunghaltung gewährleistet.

Die Einführung eines Prüfer-Systems in vorgesehenem Ausmaß übersteigt die Belastbarkeit von Luftsport und Ehrenamt. Die Bedingungen für die Berechtigung als Fluglehrerprüfer sind kaum zu erfüllen.  
Die Gebühren für den Proficiency Check erhöhen die Kosten für den Unterhalt der Lizenz deutlich. Der zusätzliche bürokratische Aufwand ist unangemessen.  
Ein Verlust von Fluglehrerlizenzen ist zu erwarten.

response *Accepted*

The Agency acknowledges your comment.  
However, as it is only a copy of comment No 2149 (J. Koenig) in the same segment above please see the response provided to this comment.

comment 3728 comment by: *Klaus HARTMANN*

Da wahrscheinlich gemeint ist, dass der proficiency check mit einem flight instructor examiner durzuführen ist sollte es zur eindeutigen Klarstellung heißen :  
In (a) (3) , (b) und (c) (3), statt '.... pass a proficiency check in .....' '.....pass a proficiency check with an instructor examiner in .....' Ersatzweise könnte auch im Appendix 12 der Hinweis aufgenommen werden, dass der examiner ein instructor examiner ist.

response *Not accepted*

Thank you for providing your opinion.  
Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above. You will discover that the required mandatory proficiency check for the LAFI will be deleted.

You are right with your clarification that the examiner for such a task has to be an FIE. Please see the privileges of an FIE and compare it with the privileges of the FE (see subpart K). The Agency does not see a need to clarify such an issue.

comment 4045 comment by: *Peter Hecker*

*Ich schlage vor, die Bedingung „Proficiency Check“ zu streichen.  
Die Unfallzahlen bei doppelsitziger Ausbildung sind unverhältnismäßig niedrig.  
Mit Einführung des Proficiency Checks für Fluglehrer wird die Sicherheit nicht wesentlich verbessert. Im Vereinsumfeld ist die Kontrolle der Inübunghaltung gewährleistet.  
Die Einführung eines Prüfer-Systems in vorgesehenem Ausmaß übersteigt die Belastbarkeit von Luftsport und Ehrenamt. Die Bedingungen für die*

*Berechtigung als Fluglehrerprüfer sind kaum zu erfüllen. Die Gebühren für den Proficiency Check erhöhen die Kosten für den Unterhalt der Lizenz deutlich. Der zusätzliche bürokratische Aufwand ist unangemessen. Ein Verlust von Fluglehrerlizenzen ist zu erwarten.*

response

*Accepted*

The Agency acknowledges your comment.  
However, as it is only a copy of comment No 2149 in the same segment above please see the response provided to this comment.

comment

4055

comment by: A. Mertz

(a)(1)(i)(ii) Für die 45h/30h Lehrtätigkeit während der Gültigkeitsdauer sollten Lehrtätigkeiten in allen Luftfahrzeugkategorien (einschließlich 3-Achsgesteuerten ULs) anerkannt werden. Der Vorgang des "Lehrens" unterscheidet sich nicht innerhalb der Kategorien.

In Deutschland hat sich diese gegenseitige Anrechenbarkeit bei Lehrberechtigungen nach LuftPersV gut bewährt. Demgegenüber führten die Verlängerungsbedingungen der Lehrberechtigungen nach JAR-FCL1-Deutsch in den Vereinen, in denen >50% der Fluglehrer mehrere Lehrberechtigungen haben, meist zu Schwierigkeiten.

Der LAFI soll ja gerade auf diese Ausbildung im Luftsport-/Freizeitpilotenbereich zugeschnitten sein.

Insgesamt sind die 45h (aeroplanes) und 30h (sailplanes) für Fluglehrer, die i.d.R. ehrenamtlich im Luftsport tätig sind, zu hoch angesetzt. In Deutschland werden zur Zeit 10h für die dem LAFI entsprechenden Fluglehrerkategorien min 10h gefordert.

Die Forderung der 15 Ausbildungsstunden in den letzten 12 Monaten ist nicht objektiv begründbar. und sollte ersatzlos gestrichen werden. Warum unterscheidet sich das letzte Jahr der Gültigkeit von den anderen ?

Gerade ehrenamtlich im Luftsport tätige Fluglehrern sind oft in der Situation, dass es einzelne Jahre gibt in denen Sie aus beruflichen, familiären oder gesundheitlichen Gründen in der Hauptflugsaison (Mai - Oktober) wenig Zeit zur Ausübung ihres Hobbies haben.

Sollte die Anerkennung der 3-achs-UL-Ausbildungszeit EU weit nicht durchsetzbar sein, so bietet sich hier eine Rgellung an, wie bei der Tauglichkeitsuntersuchung durch den Hausarzt. Hier kann national entschieden werden, ob eine Anerkennung erfolgt.

response

*Partially accepted*

Thank you for providing your opinion.

However, your first proposal would allow an FI(H) to do all his/her instruction time in an aeroplane (if he/she holds also another FI certificate) or in a balloon. This is clearly not the aim of this requirement. The specification to a certain aircraft category will be kept as there are specific differences. Instruction time on Annex II aircraft will not be taken into account as they are based on national requirements only.

The Agency is of the opinion that a certain instructional experience on a certain aircraft category is necessary to keep the necessary currency especially for the training of emergency exercises. The provided argument that such a crediting

system is actually in Germany in place should be checked. The German LuftPersV (§ 96 for sailplane/microlight/balloon) does mention the '60 take-off or 10 hours' requirement only for sailplanes and microlights but not for the FIs (aeroplanes) or FIs (helicopter). A different requirement is also in place for FI (balloons).

For the other issues mentioned please see the response provided to comment No 416 in the same segment above.

Regarding your last issue (recognition of microlight flight time) please be aware that the licensing requirements for Annex II aircraft are excluded from this regulation by the Basic Regulation. Therefore no direct crediting or any specific requirement for flight time on these aircraft types will be incorporated. Based on this the Member States will not be allowed to give any additional credits.

comment

4104

comment by: *SFVHE*

**Die geforderten Ausbildungsstunden könnten dazu führen, dass Lehrberechtigungen nicht verlängert werden können, da Schulung normalerweise nur in der Freizeit stattfindet. Beruflich bedingte Unterbrechungen könnten hier Probleme bereiten.**

**Prüfercheck: Ablehnung. Fortbildungsseminar ist ausreichend.**

response

*Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

As your comment is not specifying which one of the requirements you are referring to, the Agency is not able to provide a specific response.

comment

4124

comment by: *Bernd Hein*

3 Jahre Gesamtzeitraum ohne Eingrenzung innerhalb dieses Zeitraumes.

response

*Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

4166

comment by: *Elmar KUEMMEL*

Nur 3 Jahre Gesamtzeitraum; keine Angabe innerhalb letzten 12 Monaten (wir schulen in unserer Freizeit: berufliche und familiäre Zwänge könnten Verlust der Lehrberechtigung bedeuten)

Was für FCL930.LAFI gilt, setzt sich nahtlos hier fort. Es sind nicht nur die völlig überzogenen Forderungen der Zulassung sondern auch die im Ehrenamt nicht erreichbaren Verlängerungskriterien ausschlaggebend für einen Fortbestand des Segelfluges.

Ist ein pädagogisch geschulter ehrenamtlicher Lehrer schlechter als ein pädagogisch laienhaft auftretender CPL - Pilot, der nur wegen der Erleichterungen und beruflichen Kombinierbarkeit eine Lehrberechtigung (vielleicht sogar ausschliesslich zumGelderwerb) erwirbt???

Die Kriterien zur Verlängerung sind realitätsentsprechend und familiengerecht zu erstellen. Der jetztige Passus ist aus meiner Sicht gesellschaftlich nicht produktiv und generell wirklich nichts anderes als kostentreibend. Die seit 2003 erlebte Wirklichkeit gibt fast (ausse FCL-Medical) hier das traurigste aller Beispiele ab.

response

*Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above. Based on the input received the mandatory proficiency checks will be deleted.

It should be pointed out that the 60 take-offs of flight instruction required are the same number as actually in place in your country. Therefore the Agency does not understand your comment saying: 'im Ehrenamt nicht erreichbare Verlängerungskriterien'. The question is if all the revalidation criteria or prerequisites for an instructor should be aligned with economical, social or organisational situation in a specific Member State or if they should clearly be based on safety related issues like the minimum required experience to be a safe and experienced instructor. The Agency is of the opinion that 20 take-offs (each may be only 3-5 minutes) instruction in a sailplane per year will be the absolute minimum to keep currency as a gliding instructor. Taking the example of emergency training with a student pilot (simulated launch failures/stalling and spinning/outlanding training etc.) in a sailplane you must admit that a certain experience is very important. Therefore the Agency does believe that the revalidation criteria now proposed (excluding the proficiency checks but keeping the other requirements) are the right way forward.

comment

4255

comment by: *SFG-Mendig*

Es wird keine Festlegung hinsichtlich der notwendigen Tätigkeit in den letzten 12 Monaten vor der Verlängerung akzeptiert, diese zusätzliche Einschränkung ist im nichtgewerblichen Luftverkehr nicht praxistauglich.

response

*Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

4256

comment by: *SFG-Mendig*

Checkflug zum Erhalt der FI überflüssig.

response

*Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer

Luftsportverband RP) in the same segment above.

comment

4324

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.940.LAFI(a)(1)

#### **Wording in the NPA**

(i) In the case of a LAFI for aeroplanes or helicopters, 45 hours of flight instruction in the appropriate aircraft category as LAFI, FI, TRI, CRI, IRI, SFI or as Examiner during the period of validity of the certificate, including at least 15 hours of flight instruction within the 12 months preceding the expiry date of the certificate;

(ii) in the case of a LAFI for sailplanes, 30 hours or 60 takeoffs of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as Examiner during the period of validity of the certificate, including at least 10 hours or 20 takeoffs

of flight instruction within the 12 months preceding the expiry date of the certificate;

#### **Our proposal**

##### **Change:**

(i) In the case of a LAFI for ~~<delete aeroplanes>~~ helicopters, 45 hours of flight instruction in the ~~<delete appropriate aircraft category >~~ as LAFI, FI, TRI, CRI, IRI, SFI or as Examiner during the period of validity of the certificate, including at least 15 hours of flight instruction within the 12 months preceding the expiry date of the certificate;

(ii) ~~In the case of a LAFI for aeroplanes, 30 hours of flight instruction in aeroplanes, sailplanes, powered sailplanes, TMG or 3 axis controlled microlight as LAFI, FI, TRI, CRI, IRI, SFI or as Examiner during the period of validity of the certificate,~~

(iii) in the case of a LAFI for sailplanes, 30 hours or 60 takeoffs of flight instruction in ~~aeroplanes,~~ sailplanes, powered sailplanes, TMG or ~~3 axis controlled microlight~~ as LAFI, FI, ~~TRI, CRI, IRI, SFI~~ or as Examiner during the period of validity of the certificate, ~~<delete requirements for last 12 months before expiry>~~

#### **Issue with current wording**

Recency requirements are not proportional and crediting across fixed wing is missing.

#### **Rationale**

30 hours of flight instruction is sufficient as a recency requirement for aeroplanes as well as sailplanes. This also puts it in the right proportion to the FI(A). This modification also implements full crediting of flight instruction across the fixed wing aircraft categories as discussed in more detail in our **comment 3250 Nr. 2 and 3**. The requirement for a minimum instruction time in the last 12 months before expiry is not appropriate in the non commercial environment. In this environment there is not a constant flow of students. Also in the non commercial space individuals must be given the option to shift priorities between private life, job and piloting. Continuity is sufficiently maintained for the LAFI recency if the required instruction time is fulfilled during the validity period. In this point a difference between the requirements for FI and LAFI are appropriate. Our proposal maintains the proportionality with the risk level in the LPL space and supports the goals to strengthen the non commercial flying environment as discussed in our **comment 3250 Nr. 1**

response *Partially accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) and the response to comment No 3472 (Deutscher Aero Club) in the same segment above.

The specific reasoning why instruction time on microlights will not be credited and the text not amended is explained in the response to your similar comment to FCL.940.FI.

Your proposal would allow an LAFI(A) to do all his/her instruction time in a sailplane (if he/she holds also the other LAFI certificate). This is clearly not the aim of this requirement. The specification to a certain aircraft category will be kept as there are specific differences. Instruction time on Annex II aircraft will not be taken into account as they are based on national requirements only.

The Agency is of the opinion that a certain instructional experience on a certain aircraft category is necessary to keep the necessary currency especially for the training of emergency exercises.

comment 4325 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.940.LAFI(b)

**Wording in the NPA**

(b) For at least each third revalidation of a LAFI certificate, the holder shall pass a proficiency check in accordance with Appendix 12 to this Part.

**Our proposal**

**Delete** FCL.940.LAFI(b)

**Issue with current wording**

This requirement burdens the instructor with additional cost and time without a real gain in security.

**Rationale**

Each time an applicant for a license or rating is examined in reality the instructor is examined. These checks are the real assessment of the skills of the instructor. Therefore there is no need to do an additional proficiency check with the instructor under unrealistic conditions. This is not required by the basic regulation.

response *Accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 4603 comment by: *Deutscher Aero Club*

FCL.940.LAFI (a)

(ii) In the case of a LAFI for sailplanes, 30 hours or 60 take offs of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as examiner during the period of validity of the certificate, including at least 10 hours or 20 take offs of flight instruction within 12 months preceding the expiry date of the

certificate"

Comment:

The 10 hours of flight instruction required within 12 months preceding this expiry of the certificate are over-burdensome. In gliding, most instructors are volunteers and professional or family constraints may cause a temporary decrease in their activity. However, giving less than 10 hours flight instruction during the preceding 12 months does not result in a loss of proficiency especially considering that the 30 hours for the three previous years are required on a rolling basis. If the constraints set on our instructors are constantly increased, there is a risk of losing more and more of them!

EGU Proposal:

(ii) In the case of a LAFI for sailplanes, 30 hours or 60 take offs of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as examiner during the period of validity of the certificate.

response

*Accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

4660

comment by: *Yvonne Heeser*

Ich schlage vor, die Bedingung "Proficiency Check" zu streichen.

Die Unfallzahlen bei doppelsitziger Ausbildung sind unverhältnismäßig niedrig. Mit Einführung des Proficiency Checks für Fluglehrer wird die Sicherheit nicht wesentlich verbessert. Im Vereinsumfeld ist die Kontrolle der Inübunghaltung gewährleistet.

Die Einführung eines Prüfer-Systems in vorgesehenem Ausmaß übersteigt die Belastbarkeit von Luftsport und Ehrenamt. Die Bedingungen für die Berechtigung als Fluglehrerprüfer sind kaum zu erfüllen. Die Gebühren für den Proficiency Check erhöhen die Kosten für den Unterhalt der Lizenz deutlich. Der zusätzliche bürokratische Aufwand ist unangemessen. Ein Verlust von Fluglehrerlizenzen ist zu erwarten.

response

*Accepted*

The Agency acknowledges your comment.

However, as it is only a copy of comment No 2149 (J. Koenig) in the same segment above please see the response provided to this comment.

comment

4701

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem

Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Es ist ausreichend, dass Fluglehrerlizenzen fuer Segelflug und TMG so lange gueltig bleiben, wie eine entsprechende gueltige Pilotenlizenz vorliegt, unter der Voraussetzung, dass eine Verpflichtung zum Besuch von Weiterbildungsveranstaltungen besteht und dieses nachgewiesen wird.

Allenfalls koennte eine zehnjaehrige Gueltigkeitsdauer festgelegt werden.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(a) Ueberarbeite fuer Fluglehrer Segelflug und TMG wie oben ausgefuehrt.

(a)(1)(ii) ueberarbeiten

(a)(2) ersetze 'instructor refresher seminar' durch Verpflichtung zum Besuch von einer Fluglehrer-Weiterbildungsveranstaltung pro Jahr.

(a)(3) ersatzlos streichen.

(b) Aenderung in: 10 Jahre, anstatt 3x3 Jahre

(c)(1) streichen

response

*Not accepted*

The Agency acknowledges your comment.

As already responded to all your similar comments, the Agency will not comment on the more political issues in the beginning.

Regarding the changes proposed below please see the response provided to the same comment addressed to FCL.940.FI.

comment

5045

comment by: *Prof. Dr. Alexander Bubenik*

FCL.940.LAFI (a) (1) i, ii and iii delete the "12 month requirement! For instance (ii) should be:

(ii) in case of a LAFI for sailplanes, 30 hours or 60 launches of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as Examiner during the period of validity of the certificate.

LAFIs usually perform their duties on weekends and mainly during the warmer part of the year (approx. 8 - 9 month). This could cause severe problems

meeting the "12 month requirements" in case of a series of bad weather days or some other unfortunate circumstances preventing training activities during the last year of the validity period. Furthermore I do not expect an improvement of safety and/or quality levels by implementing such a provision.

FCL.940.LAFI (b) Erase the entire clause. I'm afraid this will become a bureaucratic obstacle that will push lot's of seasoned and successful instructors out of business, who are not willing to get checked after 20 and more years of instruction practice without any incident. To me it's not clear what this kind of provision is supposed to attain?

response

*Accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

5128

comment by: *Allen A.*

Proficiency Check sollte jede vierte Verlängerung durchgeführt werden, da dies mit jedem zweiten Proficiency Check der Lizenz (LPL(S)) identisch ist und angerechnet werden kann. Dies verringert bürokratischen und finanziellen Aufwand, bei gleichem Sicherheitsstandard.

response

*Not accepted*

Thank you for providing your opinion.

However, as it was decided to delete the proposed proficiency check for the LAFI entirely your comment is not valid anymore.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

5163

comment by: *Dieter Zimmermann*

Zu FCL.940.LAFI:

Die Forderungen in (a) (i) und (ii) sind total überzogen. Es hat sich nach der Einführung von JAR-FCL gezeigt, dass durch solch überzogene Forderungen die qualifizierten Lehrer, die ja ausschließlich ehrenamtlich tätig sind, das Interesse an einer Tätigkeit verlieren, also damit aussortiert werden.

Resultat ist minderwertige Ausbildung von Luftfahrern.

Entsprechen ist zeitliche Einschränkung für den Besuch einer Fortbildungsveranstaltung sowie die Forderung nach einer Befähigungsüberprüfung in Absatz (b) zu werten.

Die bisherigen Forderungen in §96 LuftPersV, 10 Stunden oder 60 Starts Ausbildungstätigkeit sowie ein Fortbildungsseminar innerhalb des Gültigkeitszeitraumes bzw. innerhalb von 6 Monaten vor einer Erneuerung sind mehr als Ausreichend - zumal über Jahrzehnte lediglich ein Fortbildungsseminar gefordert wurde und dies keine negativen Folgen zeigte.

response

*Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer

Luftsportverband RP) in the same segment above.

comment 5589 comment by: *Belgian Gliding Federation*

*FCL.940.LAFI (a)*

*(ii) In the case of a LAFI for sailplanes, 30 hours or 60 take offs of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as examiner during the period of validity of the certificate, including at least 10 hours or 20 take offs of flight instruction within 12 months preceding the expiry date of the certificate"*

Comment:

The 10 hours of flight instruction required within 12 months preceding this expiry of the certificate are over-burdensome. In gliding, most instructors are volunteers and professional or family constraints may cause a temporary decrease in their activity. However, giving less than 10 hours flight instruction during the preceding 12 months does not result in a loss of proficiency especially considering that the 30 hours for the three previous years are required on a rolling basis. If the constraints set on our instructors are constantly increased, there is a risk of losing more and more of them!

**Proposal:**

**(ii) In the case of a LAFI for sailplanes, 30 hours or 60 take offs of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as examiner during the period of validity of the certificate.**

response *Accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 5618 comment by: *David Trowse*

FCL 940 LAFI (b) and 940 FI (b) should be the same.  
There is no justification for them to be different.

response *Noted*

Thank you for providing your opinion.

As exactly the same comment was sent and addressed to FCL.940.FI please see the response provided to your comment in the appropriate segment.  
FCL.940.LAFI and FCL.940.FI will not be the same as most of the other requirements for LAFI and FI are also different.

comment 5778 comment by: *UK CAA*

**Paragraph:** FCL 940 LAFI

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**Comment:** This is inconsistent with all the other instructor revalidation requirements.

**Justification:** Inconsistency

**Proposed Text: (if applicable)**

Same as FCL 940.FI (b), every alternate revalidation

response *Not accepted*

Thank you for providing your opinion.  
The Agency does not see an inconsistency as the LAFI requirements are always different from the FI requirements (please compare the prerequisites or the content of the training course) and as there is no need to align these requirements for the leisure pilot flight instructor.

Based on the feedback received the Agency decided to delete the proficiency check for the LAFI in total. Please see also the response provided to comment No 416 in the same segment above.

comment 5969

comment by: *Luftsport-Verband Bayern*

Eine Befähigungsüberprüfung von Fluglehrern nach 9 Jahren zusätzlich zu den regelmäßigen Verlängerungsvoraussetzungen ist nicht erforderlich. Wenn daran festgehalten wird, muß zumindest ein einheitlicher Rahmen über die durchzuführende Prüfung vorgegeben werden, welcher deutlich unter den Anforderungen zum Erwerb der Lehrberechtigung zurückbleibt.

Hinsichtlich des zeitlichen Rahmens ist die Befähigungsüberprüfung erst nach der vierten Verlängerung vorzugeben, um einen Gleichlauf mit den periodischen Proficiency Check bzgl. der Grundlizenz zu erreichen. Ansonsten muß ein Fluglehrer das erste mal nach 6 Jahren mit einem Prüfer zum Erhalt seiner Lizenz, dann nach weiteren 3 Jahren mit einem Fluglehrerprüfer zum Erhalt seiner Lehrlizenz und nach weiteren 3 wieder mit einem Prüfer zum Erhalt der Grundlizenz fliegen. Erhöht man den Zeitraum auf 12 Jahre, könnte zumindest eine Prüfung eingespart werden, was zu einer Entlastung der eh nicht ausreichend zur Verfügung stehenden Prüfer führt. Eine erhöhtes Risiko ist dadurch nicht zu befürchten.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 6257

comment by: *Christoph Talle*

Hey, i miss FCL.940.LAFI (c)(2) !!!!  
I think it is a editing problem ! smile !

response *Noted*

Thank you for identifying this editorial mistake in such a smart way.  
The Agency fully agrees and will change it accordingly.

comment 6307

comment by: *Axel Schwarz*

The renewal requirement states that the refresher seminar and the proficiency check shall be completed within 12 months of the renewal. This enables the pilot to freely choose the date of renewal up to 12 months after the date of the proficiency check.

The requirement therefore should read:

"... the applicant shall:

(1) within a period of 12 months before the renewal attend a refresher

	seminar; (2) pass a proficiency check in accordance with Appendix 12 to this Part."
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Based on the fact that exactly the same comment was sent to FCL.940.FI please study the response provided already to this comment. The Agency does not agree with your proposal and will keep it unchanged because it would completely change the meaning behind.</p>
comment	<p>6996 <span style="float: right;">comment by: <i>European Balloon Corporation</i></span></p> <p>Why to give a minimum of instruction, I do not see the point, keep the instructor available current which are available on the market. I do not see why an instructor will be a bad instructor if not giving course for a certain period.</p> <p>Refresher course : OK, why not, but who will do it :  - national authority ??? No time, no money, no skilled people  - private ? Who will pay ? Who will recognise them ?  - EASA ? If yes, why not</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not understand your statement saying that you do not see the point in keeping instructors current. The Agency and all the experts are well aware that a certain recent practical experience in instructing techniques is absolutely necessary to provide instruction safely. In addition to this the Basic Regulation (EC) No 216/2008 Annex III 2.a.1 clearly asks for maintaining such an experience.</p> <p>The Agency firmly believes that a balloon instructor who will not be able to fulfil the 6 hours requirement within the three years period should undergo the required proficiency check in order to prove that he/she is still capable of providing training.</p> <p>Regarding your different interesting statements about the required refresher seminar it should be pointed out that such a system is already in place in a lot of Member States. Please study the AMC material provided with this NPA and you will find the answers to your question. The authority or any training organisation authorised by the authority will be allowed to organise such a refresher seminar. If there are really problems regarding the costs for or the quality and availability of qualified speakers/trainers in a certain country (which is not possible to happen at this stage), the instructors are free to participate in a seminar in another country. The Agency does not believe that this requirement could raise any problem for a well structured ballooning community with a functioning system of training organisations.</p>
comment	<p>7106 <span style="float: right;">comment by: <i>Finnish Aeronautical Association - Kai Mönkkönen</i></span></p> <p>We propose it is sufficient with 6 hours of instruction during the 12 months preceding the expiry date of the certificate.</p>

	<p>Justification: The instruction in non-complex aeroplanes flown by LPL pilots is of a simple enough nature so that 6 hours is sufficient.</p> <p>Proposed text: Change to read: In the case of a LAFI for aeroplanes or helicopters, 45 hours of flight instruction in the appropriate aircraft category as LAFI, FI, TRI, CRI, IRI, SFI or as Examiner during the period of validity of the certificate, including at least 6 hours of flight instruction within the 12 months preceding the expiry date of the certificate;</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p> <p>Based on the fact that the additional requirement for a certain instruction time within the last 12 months will be deleted your proposal is not valid anymore.</p>
comment	<p>7190                      comment by: <i>Finnish Aeronautical Association - Kai Mönkkönen</i></p> <p>Renewal requirements for LAFI(S) requiring in addition of 30 hours and 60 launches flight instruction but also 10 hours and 20 launches during last 12 months is set unappropriate high respect to pedagogic skills that are not growing old similarly like actual sailplane steering skills might be. Delete the requirement for extra experience required from the last 12 months.</p> <p>Justification: Validity of instructor rating (LAFI) is already three years only. 30 hours instructing time with 60 launches is already quite a requirement and much more than what has been proven applicable in many of the European countries, without safety risk. That is justified by the fact that this requirement is related to pedagogy that does not grow old fast. Therefore, there is no justification why to set to the third validity year of the LAFI(S) such an additional high requirement that clearly can not be justified by safety.</p> <p>Proposed text: Change the text of FCL.940.LAFI (1)(ii) to read: (ii) in the case of a LAFI for sailplanes, 30 hours or 60 takeoffs of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as Examiner during the period of validity of the certificate</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>7446                      comment by: <i>Anja Barfuß</i></p> <p>To focus only on the last 12 month concerning count of take-offs of flight instruction makes no sense. It is better to define a valid interval for the whole time from last revalidation. If you train as volunteer you have years with lots</p>

of students, better weather and more free time and years where you be are busy in other areas. Your experience level is the same, but with this rule you are forced to have the good year to fly only before revalidation is needed.

It is good to define regularly checks. But please review also the different interval definitions for different checks. In case of a pilot has to follow all the different regulation, he has regularly dates for the different licences, for the English test and for the instruction certificate. Further on I have to refresh my trainer licence, my 'Sicherheitsüberprüfung'... all with different intervals and different requirements and actions. Please review if a simplification for pilots with more than 1 licence and (LA)FI could be found. I would prefer to do cover more in one check. To avoid that A Instructor has to pass a test and checks after 6 (SPL), then 3 (FI 6+3=9) then 3 (SPL)...I propose to define the same interval or for this proficiency check every 12year or release for flight instructor the 6year check because covered by requirements for instructors

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

As this proficiency check will be deleted your last proposal (to accept this check also for other checks) is no longer valid.

comment 7607

comment by: *Reinhard Heineking*

Im Rahmen der Ausbildungs von Privatpiloten in Vereinen erfolgt die Fluglehrertätigkeit überwiegend ehrenamtlich in der Freizeit. Berufliche oder familiäre Gründe können diese Engagement in bestimmten Zeiten (berufl. Fortbildung, Schwangerschaft, etc) reduzieren. Sollte eine solche Phase zufällig mit dem "Jahr vor der Verlängerung" zusammentreffen, hätte der FI Probleme mit dem Erbringen der "15 Std innerhalb 12 Monaten vor Verlängerung. Daher sollte der Punkt FCL.940.LAFI (1) (i) letzter Satz gestrichen werden.

Reinhard Heineking FI JAR\_FCL PPL(A), TMG, GPL

response *Accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 7655

comment by: *LSG Erbsloeh*

Seit Einführung des Faches Human Factors unterrichte ich Flugschüler und Fluglehrer ehrenamtlich im Verein. Aus meinen Recherchen und Erfahrungen ist offensichtlich geworden, dass die einmal erworbenen fliegerischen Fähigkeiten den Piloten nicht verloren gehen. Entscheidend ist immer der jeweilige Trainingszustand für die sichere Beherrschung des Luftfahrzeuges. Fluglehrer weisen in der Regel auf Grund ihrer Funktion im Verein einen Höchststand von Flugerfahrungen auf. Dies beweisen die niedrigen Unfallzahlen bei den Doppelsitzerschulungen. Somit erübrigt es sich aus meiner Sicht völlig ein zusätzliches Überprüfungssystem einzurichten.

response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>7934 <span style="float: right;">comment by: <i>Stampa Hartwig</i></span></p> <p>Delete the passus in FCL.940.LAFI(1)(i): , including at least 15 hours of flight within the 12 months preceding the expiry of the certificate;</p> <p>Reason: too high level for air sport and honorary. May be cause loss of instructor licences. Is bad for the sport. No more safety with this regulation. For today very little accident rates ( for example in Germany without these passus) with doublen seater instruction. In the clubs the control of the instructors are given.</p> <p>For the same reason: make the proficiency check with low conditions for the examiner, for example a chief instructor ( with low conditions to be it), because we haven´t a system for this proficiency check in Germany.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>8097 <span style="float: right;">comment by: <i>European Sailplane Manufacturers</i></span></p> <p>It must be possible to use instruction time / flights in other categoried to revalidate instruction certificates.</p> <p>Basically a flight instructor must be able</p> <ul style="list-style-type: none"> <li>• to fly safely the regarding category of aircraft - this is shown by his/her valid licence</li> <li>• to instruct in a suitable manner - this is shown by instructing</li> </ul> <p>We should never forget that within the sporting communities the instructors are not doing this as a job but in their free time.</p> <p>Also it must not be forgotten that they did a good and safe job even before EASA and 216/2008 were invented....</p> <p>So please not make it even more difficult!</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) and the response to comment No 3472 (Deutscher Aero Club) in the same segment above.</p> <p>The Agency does not agree with your statement and the rationale behind it.</p>

Your proposal would allow an LAFI(A) to do all his/her instruction time in a sailplane (if he/she holds also the other LAFI certificate) or in a balloon. This is clearly not the right solution as it would allow the LAFI(A) to provide instruction on aeroplanes having flown only 12 hours on aeroplanes within the last 24 months (licence recency) and not having provided any flight instruction on aeroplanes for years. The aim of this requirement is clearly not to allow such a possibility. The specification to a certain aircraft category will be kept as there are specific differences.

The Agency is of the opinion that a certain instructional experience on a certain aircraft category is necessary to keep the necessary currency especially for the training of emergency exercises. A LAFI (A) with a lot of current instructing experience on PA 28 within the last 2 years but with only the required 15 launches (see FCL.140.S changed) on sailplanes within the last two years does not have enough actual practical experience to provide flight instruction on a sailplane and doing e.g. simulated launch failure exercises, stalling and spinning exercises or outlanding training. The Agency will keep this separation as proposed and the only way for such an instructor who does not comply with the experience requirement in (a)(1) will be the alternative proficiency check (and the seminar).

It was not forgotten that the instructors in different Member States did (and are still doing) 'a good and safe job even before EASA and 216/2008 were invented' but you should also be aware that similar revalidation systems are already in place in different Member States. Taking the German revalidation requirement for instructors on sailplanes the LuftPersV asks for 60 flights on sailplanes or 10 hours on sailplanes within the last 3 years, a refresher seminar and (if one of the others have not been completed) a proficiency check. The required instruction time cannot be fulfilled by instruction in aeroplanes or balloons. The Agency does therefore not understand why your comment states: 'So please not make it even more difficult'.

comment

8126

comment by: *Wolfgang Lamminger*

A FI has to pass a proficiency check for each 2nd revalidation, this is immoderate and wasn't required until today. This has not been a problem till now and the requirement should be deleted.

I support the initiative of the requirement of 45 hrs instruction

response

*Partially accepted*

Thank you for providing your opinion.

Please see the response to comment No 416 (Geschäftsführer Luftsportverband RP) in the same segment above.

Thank you for your positive feedback on the proposed 45 hours requirement.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 3: Specific requirements for the flight instructor**

p. 49

comment

903

comment by: *Geschäftsführer Luftsportverband RP*

Ich habe eingangs erwähnt, dass wir in Rheinland-Pfalz seit Einführung der JAR-FCL im Mai 2003 keinen einzigen Motorfluglehrer JAR-FCL bzw Motorsegler-Lehrer Grundausbildung für unsere Vereine haben rekrutieren können, dies auch die nächsten 4 Jahre nicht erfolgt und -bei Beibehaltung ihrer augenblicklichen Vorschläge- auch zukünftig über 2012 hinaus nicht gelingen wird. **Ihre Fortsetzung der JAR-FCL Kriterien sperren den motorgetriebenen Luftsport aus.**

Wir haben zur Zeit zwar noch 135 Alt-JAR-FCL-Fluglehrer in unserer Organisation, aber das Durchschnittsalter liegt bei fast 60 Jahren. In 10 Jahren wird die oben genannte Zahl bei maximal 10 % liegen, mit der Maßgabe, dass in den wenigsten Vereinen überhaupt noch eine motorgetriebene Ausbildung stattfinden wird. Die bisher entstandenen Lücken werden sowieso nicht mehr zu schließen sein, denn wenn nur noch 10 bis 20 % an Flugschüler im motorgetriebenen Luftsport -im Vergleich zu den Jahren vor 2003- ihren Schein erwerben, so wird es zwangsläufig auch weniger potentielle Kandidaten für einen Fluglehrer geben.

Entweder überdenken Sie grundlegend Ihre Vorschläge für Flightinstructor für PPL, SPL und LPL oder Sie werden den Niedergang des Luftsport ab 2012 sogar noch beschleunigen, was konträr zu Ihrer Einleitung der Förderung des Luftsport steht. Die von Ihnen geplanten FI wird es nur noch an gewerblichen Flugschulen geben, wo die FI dies hauptberuflich ausüben.

Auch beim FI PPL und SPL im Luftsport muss daher entfallen, da es **nicht** der Risikosituation gerecht wird: der 9-jährige proficiency check. Die Ausbildungsstunden müssen drastisch im Minimum reduziert werden. Das Prüfer- und Überprüfersystem muss in den Stundenvorgaben zurückgestuft werden.

response

*Noted*

Thank you for providing your general comments about the actual situation in your country.

Please see the responses provided in the different segments of this section. All the topics mentioned like:

- transfer of the JAR-FCL requirements,
- proficiency check for the revalidation for FIs,
- content of the training course,
- checking system,

are covered in these responses in the different segments.

comment

2628

comment by: *Dieter Lenzkes*

see also comment 2627

response

*Noted*

See also the response to your comment No 2627 in the other segment.

comment

2647

comment by: *Martin Rowlands*

With regards to the two types of Instructor proposed (LAFI & FI), please do not make this distinction for Ballons. The standard taught by both a LAFI or a FI

will be the same. Restricting certain Instructor's ability to teach only LPL students will make it more difficult for BPL students to find an Instructor.

response *Noted*

Thank you for providing your opinion.

However, it seems that your comment is based on a misinterpretation of the proposed requirements. It is not the Agency or these Implementing Rules limiting a certain balloon instructor only to the LAFI(B) level, it is the instructor himself/herself deciding if he/she is going to hold an LPL or a BPL which will then have an effect on the possible instructor rating as the instructor has to hold at least the licence he/she is wishing to provide instruction.

If a certain instructor due to medical reasons or other reasons decides to hold an LPL(B) he/she will only be able to hold an LAFI certificate and to instruct LPL pilots.

Deleting one of the two certificates (as proposed by you) would mean (deleting the LAFI) that all the balloon instructors have to fulfil the medical class II criteria and the different FI(B) revalidation criteria. Based on the input received from General Aviation experts the ballooning community is asking for both certificates. Based on this the Agency decided to keep the LAFI certificate.

comment 3475

comment by: *Herbert Sigloch*

Requirements are too high for non-professional (honorarily) working applicants for the FI(A), like the actual JAR-FCL requirements. Since they were introduced in 2003, the number of honorary applicants decreased dramatically.

response *Noted*

Thank you for providing your opinion.

You are right that most of the numbers for the proposed experience requirements are based on JAR-FCL because the Agency was tasked to transfer the existing JAR-FCL system.

Please see the responses to specific issues in the different segments.

comment 8100

comment by: *European Sailplane Manufacturers*

Here the same comments as for the LAFI apply.....

response *Noted*

Thank you for providing this statement.

Please see the responses provided to your comments addressed to the different segments in the LAFI section.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 3: Specific requirements for the flight instructor — FCL.905.FI FI — Privileges and conditions p. 49-51**

comment 22

comment by: *Marcus Aulfinger*

I suggest to delete FCL.905.FI (e)(2).

	<p>I think that there is no addition in safety from this regulation. If a FI has shown that he is able to instruct and if he holds a night rating, he should be able to combine both. This regulation creates another burden for new flight instructors. With this regulation, they have to find a student for a night rating plus another flight instructor at night to show their ability to instruct at night. If the young instructor just instructs in a two-seater helicopter (the typical R 22 instructor), this would be a simulated instruction flight.</p> <p>In my opinion, this is an unnecessary burden and doesn't help in safer flight instruction.</p> <p>Therefore my suggestion is to completely delete FCL.905.FI (e)(2).</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, as the Agency follows closely Subpart H (Instructors) of JAR-FCL 1 and has taken over the text from JAR-FCL 1.330 (c) the Agency does not intend to change it.</p> <p>Additionally it should be highlighted that the Agency supports strongly the idea that an FI who has just received his/her night rating with only 5 hours flight time during night should have completed some flight time at night and the required demonstration flight before being allowed to teach for the night rating.</p>
comment	<p>328 <span style="float: right;">comment by: <i>Michel Lacombe AF TRTO</i></span></p> <p><b>FCL.905.FI FI Privileges and conditions</b> paragraph 3</p> <p>The wording "qualified" is ambiguous. "Experienced" seems more adapted</p> <p>(3) In the case of an FI already <del>qualified</del> <b>experienced</b> to instruct on ATPL(A) or CPL(A)/IR integrated courses, the requirement of (2)(ii) may be replaced by the completion of a structured course of training consisting of:</p> <ul style="list-style-type: none"> <li>(i) MCC qualification;</li> <li>(ii) observing 5 sessions of instruction in Phase 3 of an MPL course;</li> <li>(iii) observing 5 sessions of instruction in Phase 4 of a MPL course;</li> <li>(iv) observing 5 operator recurrent line oriented flight training sessions;</li> </ul>
response	<p><i>Not accepted</i></p> <p>The expression used is clear enough.</p> <p>If you are asking for experience, then it has to be defined how much experience is adequate.</p>
comment	<p>402 <span style="float: right;">comment by: <i>Rod Wood</i></span></p> <p>(d) Amend:- after FI add "holds a CPL(H),". After instruction add "and completed a standardisation course".</p>
response	<p><i>Noted</i></p> <p>The requirement is to hold a CPL in the appropriate aircraft category — it is not only a requirement for helicopters.</p>

The standardisation course was not required in JAR-FCL for instructors, but only for examiners.

comment 529 comment by: FOCA Switzerland

J/Section 3  
FCL.905.FI

Proposal:

**(g) Aerobic instruction requires additional capabilities and skills of the FI. Therefore he should follow an ACR instructor's course prior to have the capabilities extended.**

**Refer to para (e) (2): same procedure should apply.**

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees that aerobic instruction requires additional capabilities and skills which are very difficult to describe with a certain amount of flight time as a prerequisite. Additionally there is definitely a problem how to record these aerobic flights.

Based on a careful review of the comments received on this issue — some of them questioning the required amount of aerobic flight time as too low, some of them proposing to delete it totally — the Agency decided to introduce the demonstration of the ability to instruct for the aerobic rating to an FI qualified in accordance with (j) as it was already proposed for the instruction for the night rating.

At this time the Agency does not intend to introduce new elements like this one proposed by you (introduction of a specific aerobic instructor course) as the published proposals were based on an evaluation of the existing national requirements and such a course was not considered necessary so far.

This could, however, be part of a future rulemaking task. We suggest that you present a proposal to the Agency.

comment 537 comment by: Geschäftsführer Luftsportverband RP

Die hier übernommenen Stundenvoraussetzungen aus der JAR-FCL sind eindeutig zu hoch. Bereits in den letzten 5 Jahren kam kaum ein Vereinsfluglehrer auf die geforderten Ausbildungsstunden im 3-Jahres Rythmus. Darüber hinaus hat es in Rheinland-Pfalz auf jeden Fall und vermutlich sogar in der ganzen Bundesrepublik Deutschland innerhalb der letzten 5 Jahre keinen einzigen Zugang eines neuen JAR-FCL Lehrers gegeben. Das Durchschnittsalter wird ständig höher. Diese Fluglehrer sterben in den Vereinen aus. Lediglich gewerbliche Schulen haben Zugänge an JAR-FCL Lehrern, die dies berufsmäßig ausüben.

Die Unfallstatistik zeigt eindeutig einen anderen Weg: die wenigsten Unfälle geschehen im freiwillig überwachten Vereinsbetrieb, da kein Vereinsvorstand sein Material aufs Spiel setzen will; die meisten Unfälle geschehen durch Piloten, die im gewerblichen Bereich chartern.

Bei guten Fluglehrern bringt es nicht die Masse, sondern die Klasse. Ein

modernes Regelwerk muss daher unbedingt die Eingangsstufen niedrig halten (und damit die Kosten) und prüft eben die Klasse ab.

Änderung: (j), (1), (ii) in case of a FI(A) at least 150 hours of instruction

einfügen:

(j), (1), (iii) in all other cases .....

streichen (j) (2)

Der Fluglehrer hat durch seine Fluglehrerprüfung seine Qualifikation nachgewiesen; die Flugschule trägt die Verantwortung für den Einsatz ihrer Lehrer; sie wird sich für die Fluglehrerausbildung die talentiertesten aussuchen. Zur Verlängerung muss er an einer Fortbildung teilnehmen. Was soll hier dann an dieser Stelle nochmals eine Überprüfung??

response

*Not accepted*

Thank you for providing your opinion.

Your proposal is to reduce the required amount of instruction in the appropriate aircraft category in (j)(1) from 500 hours to 150 hours for the FI(A) and to delete the required skill test.

However, as the Agency follows closely Subpart H (Instructors) of JAR-FCL 1 and has taken over the text from JAR-FCL 1.330 (f) the Agency does not intend to change it.

As you are also questioning the whole JAR-FCL based instructor concept (prerequisites/course contents/revalidation) it should be highlighted that the Agency has to provide an ICAO based instructor rating. Most of the elements introduced with JAR-FCL (CPL theoretical knowledge — practical prerequisites) are based on ICAO Annex 1 and will be therefore kept unchanged.

comment

548

comment by: *Norwegian Air Sports Federation*

To train students for Aerobatic ratings definitely requires certified Aerobatic Instructors even more than a requirement for Mountain Instructors. In order to give the students the required skills, knowledge and airmanship to properly manage the increased risk level a formally trained and certified aerobatic instructor is needed.

20 hours of experience in aerobatic flying is no meaningful measurement of skill level and should be deleted and replaced by the implementation of a skill tested certified instructor.

response

*Partially accepted*

Thank you for providing your opinion.

Please see the response provided to comment No 529 (FOCA Switzerland) in the same segment above.

comment

566

comment by: *Rod Wood*

With the re-introduction of the PPL(H) instructor, this paragraph should be completely revised. In line one, the statement should be made that the FI may instruct to the level of their own licence effectively restricting a PPL(H) FI

response	<p>to instructing to PPL(H) level only, day and night if appropriately qualified, with all other instructional variations requiring a CPL(H) qualification as a minimum.</p> <p><i>Not accepted</i></p> <p>Please see requirement in FCL.915(b)(1)</p>
comment	<p>681 <span style="float: right;">comment by: <i>Union Française de l'Hélicoptère</i></span></p> <p>En dehors de la disposition ci-dessus, le texte tel qu'il a été présent, ne définit pas clairement les privilèges des FI vis-à-vis de l'instruction des LAPL.</p>
response	<p><i>Noted</i></p> <p>Please see FCL.905.FI(a). It is clear that the privileges of the FI include the revision of instruction for the LPL.</p>
comment	<p>833 <span style="float: right;">comment by: <i>Heiner Neumann (Test Pilot)</i></span></p> <p>Background: I'm holding a Test Pilot rating class 2. I was the responsible Test Pilot for the following projects:</p> <ul style="list-style-type: none"> <li>* Porsche: Flight Engine</li> <li>* FFT: Eurotrainer</li> <li>* FFT: Speed Canard</li> <li>* Ruschmeyer: R90</li> <li>* Extra: Extra 400</li> <li>* Aquila: A210</li> </ul> <p>Comment: Delete paragraph (I) - (no Flight Instructor certificate should be required for instructing applicants for a flight test rating).</p> <p>Justification: Applicant for a flight test rating is already holding a CPL plus aerobatic rating (see comment to FCL.920) therefore during the practical flight test training no manoeuvres outside the scope of the applicants licenses are to be conducted. In addition the applicant will act as pilot-in-command during all flights.</p> <p>Regulatory impact assessment:</p> <p>Social: Presently the majority of Test Pilots acting in training of applicants for the flight test rating do not hold a Flight Instructor certificate. Due the employees of e. g. the Test Pilot Schools EPNER (F) or ETPS (UK) would have to stop the profession unless they become FIs and are keep the certificate valid. The same fact is valid for trainers for flight test rating in the light aviation, where presently applicants are trained under supervision of experienced, company Test Pilots.</p> <p>Economical: The requirement in FCL.905.FI (I) would mean that an employer had to sent experienced Test Pilots to an FI trainings course for about one month (preparation not included). Additionally the FI certificate has to be kept valid which requires also time in which no flight testing can be conducted for the</p>

	<p>employer/sponsors.</p> <p>Safety: The requirement to hold a valid FI certificate may lead to the result that the most experienced Test Pilots will not be willing to train applicants for the flight test rating anymore. Therefore a decrease of the level of safety can be expected.</p> <p>To be a professional Test Pilot and in addition a FI will result in a not acceptable work load.</p>
response	<p><i>Partially accepted</i></p> <p>Based on the comments received and on the input provided by flight test experts, the Agency has decided to delete FCL.905.FI(I) and to create a specific category of flight instructor for flight tests. Please see amended text of Subpart J.</p>
comment	<p>871 <span style="float: right;">comment by: <i>Stefan Kramer</i></span></p> <p>Die geforderte Assistenzzeit von 500 Stunden (PPL/A) wird jede weiter Ausbildung im Vereinsrahmen, unter Ehrenamtlicher gemeinnütziger Tätigkeit verhindern. Auch gewerblichen Schulen wird dadurch die Versorgung mit Ausbildungspersonal erschwert. Da die reine Stundenzahl nicht aussagekräftig ist und vielmehr nach Eignung und Leistung ausgewählt wird, ist dieser Ansatz vollkommen verfehlt.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>886 <span style="float: right;">comment by: <i>ASW-27B</i></span></p> <p>Die Anforderunge nach Jar-FCL sind so hoch, das sich schon heute kaum mehr Piloten finden, die eine solche Fluglehrerberechtigung machen. Langfristig führt diese Regelung dazu, das die Ausbildung nur noch in kommerziellen Flugschulen nötig ist und das natürlich zu ungleich höheren Kosten. Jahrzehntelang war das nicht notwendig, wieso jetzt auf einmal? Wittern da ein paar Leute etwa das große Geschäft?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>You are pointing out that the standards for the FI are too high since JAR FCL was introduced. As no examples or proposals for a change are provided the Agency is not able to provide a substantiated response.</p>
comment	<p>916 <span style="float: right;">comment by: <i>Rod Wood</i></span></p> <p>(d) Add, "the FI should hold at least the level of license for wich the FI is instructing"</p>
response	<p><i>Not accepted</i></p>

The Agency acknowledges your opinion. However, this issue is already solved. Please see requirement in FCL.915(b)(1). There is no need for duplication.

comment 917 comment by: *Rod Wood*

Add, "the FI shall hold at least the level of license for which the FI is instructing"

response *Not accepted*

Please see your other comments No 566 and 916 dealing with the same issue and check the responses.

comment 931 comment by: *BAeA Chairman*

Attachment [#50](#)

There should be a route to becoming a specialist aerobatic instructor through the Class Rating Instructor route, as well as by becoming a Flying Instructor qualified to give ab-initio PPL instruction. Thus, as with Mountain Flying, Aerobatic Flying should have an Aerobatic Instructor certificate that can draw suitably experienced practitioners from a larger pool of potential instructors.

This requires some changes to 2008-17a as well as to Section 3 of this document. Also, a new Section 11 for this document is proposed. For details see the attached document.

response *Noted*

Thank you for providing your opinion and especially for the detailed proposals about an additional instructor rating for aerobatics.

Based on the comments received the Agency reviewed carefully the requirements for the privilege of the FI to instruct for the aerobatic rating.

At this time the Agency does not intend to introduce new elements like this additional class of instructors as proposed by you without a proper assessment (e.g. content of such a proposed training course). This subject (creation of a specific aerobatic instructor rating) may be subject to a future rulemaking task.

Based on the comments received on this issue — some of them questioning the required amount of aerobatic flight time as too low, some of them proposing to delete it — the Agency decided to introduce the demonstration of the ability to instruct for the aerobatic rating (assessment of competence) to an FI qualified in accordance with (j) like it was introduced for the night rating already under JAR-FCL. Regarding your proposal to include the privilege for providing aerobatic instruction also for the CRI please see the responses provided to these sections and check the resulting text. The Agency agrees in general and decided to include such an additional privilege in FCL.905.CRI.

comment 1005 comment by: *CAA Belgium*

(g) 20 hrs of flight experience is far too low !  
Possible hazard to flight safety.

response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response provided to comment No 529 (FOCA Switzerland) in the same segment above and the response provided to your comment on the same issue in the segment for the LAFI privileges.</p>
comment	<p>1348 <span style="float: right;">comment by: <i>Gerhard Hehl</i></span></p> <p>Forderung sind zu viele Flugstunden. Ausreichend wäre: einen Schüler bis zur Prüfung zu bringen (ohne Angabe der Stunden).</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not understand the meaning behind your comment as it does not mention the subparagraph. It seems that you are criticising in general a certain amount of flight hours asking for the introduction of a requirement asking for 'providing training covering the full syllabus' but without a reference.</p> <p>The Agency is therefore unable to provide a substantiated response.</p>
comment	<p>1403 <span style="float: right;">comment by: <i>Wilfried Müller</i></span></p> <p>As mentioned already under FCL.005, this proposal will be the end of training honorary FI`s for our clubs. There will hardly anybody who goes that stony and expensive way.</p> <p>Flight instructors of this kind may exist on commercial training centres, where they are able to earn money on their investment made before.</p> <p>For honorary FI`s we do need very much reduced starting conditions.</p> <p>Wilfried Müller 11-27-2008</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>1536 <span style="float: right;">comment by: <i>Danish Balloon Organisation</i></span></p> <p><b>FCL.905.FI:</b></p> <p>We suggest that the wording of FCL.905.FI is amended to read: "The privileges of a FI are to conduct flight instruction <b>and proficiency checks</b> for the issue, revalidation or renewal of: ..."</p> <p>Justification: The Basic Regulation allows the following toolbox for demonstration of compliance: "Assessments, examinations, tests or checks". We therefore think that proficiency checks should be possible also with instructors to reflect the level of risk associated with the activity.</p>
response	<p><i>Not accepted</i></p>

Thank you for providing your opinion.  
The Agency does not agree as the proficiency check by definition will be conducted only by examiners. The mentioned requirements in the Basic Regulation (Annex III) are supporting this definition as the tasks of the examiner are clearly defined this way.

comment 1723 comment by: *Sven Koch*

Entspricht bisherigen Anforderungen des JARFCL Lehrers Scheiterte bereits bisher an hohen Eingangsforderungen und wird auch hier keinen Kandidaten mehr veranlassen im Ehrenamt Fluglehrer zu werden. Diese Fluglehrer wird es nur noch an gewerblichen Schulen geben.

response *Noted*

Thank you for providing your opinion.  
Please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 1724 comment by: *Sven Koch*

Recht für Ausbildung, Verlängerung, Erneuerung von PPL, SPL und LPL Klassen-und Mustereinweisung, Nachtflug, Kunstflug, F-Schlepp wenn Berechtigung vorhanden.

Für Fluglehrausbildung Voraussetzung: er hat Als FI(S) 50 Std ausgebildet Als FI aeroplane 500 Std ausgebildet Absolut zu hohe Anforderung; Talent ist maßgebend, keine hohe Stundenanzahl. Stundenangaben streichen.

response *Noted*

Thank you for providing your opinion.

Please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 1755 comment by: *Stephan Johannes*

Sehr geehrte Damen und Herren,

der ICAO konforme Fluglehrer hat zu hohe Eingangsvoraussetzungen. Diese Art von Fluglehrern wird auf gewerbliche Schulen beschränkt sein.

Grundsätzlich ist die Frage, ob ein ICAO konformer Lehrer in der von EASA geregelten Zone, überhaupt noch notwendig ist.

Mit freundlichem Gruß  
Stephan Johannes

response *Noted*

Thank you for providing your opinion.

Please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.

Additionally it should be mentioned that the Agency has developed a sub-ICAO instructor certificate called LAFI. As you are asking if the future European system has to have an ICAO based instructor, please study also the proposed

requirements for the LAFI.

comment 1784 comment by: Klaus-Dieter Schoenborn

FCL.905.FI FLight Instructor Privileges

May may consider to add the privilegefor checking the language proficiency that is required in FCL.050. This would simplify the procedure for a regular language proficiency check and reduce the cost for it, since the test could coincidewith the required regular flight skill test.

response Noted

Please see the reply to comments to FCL.050.

comment 1805 comment by: Sebastian Grill

500 Stunden halt ich für ausreichend

response Noted

Thank you for providing your opinion.

However, the Agency does not understand the meaning behind your comment as it does not mention the subparagraph you are referring to. It seems that your proposal is to introduce 500 hours but without any reference. The Agency is therefore unable to provide a substantiated response.

comment 1882 comment by: Markus Malcharek

Für die Ausbildung von Fluglehrern sind 500 Stunden Ausbildungszeit als ausreichend anzusehen. Diese Erfahrung ist auch als ausreichend anzusehen, um "proficiency Checks" abnehmen zu können.

response Noted

Thank you for providing your opinion.

As no reference is mentioned the Agency's assumption is that you are referring to (j) meaning that you agree with the required 500 hour instruction time. Your second comment asks for the additional privilege to conduct proficiency checks. The Agency does not agree as the proficiency check by definition will be conducted only by examiners. The mentioned requirements in the Basic Regulation (Annex III) are supporting this definition as the tasks of the examiner are clearly defined this way.

comment 1989 comment by: Volker Reichl

Cost impact, social impact:

It is suggested to eliminate the subpart FCL.905.FI e2. There is no specific difference for the instruction work at night compared to daytime. There are no accidents or accident figures that lead to the assumption of difficulties of flight instruction at night nor from europe nor from USA.

response Not accepted

Thank you for providing your opinion.

However, as the Agency follows closely Subpart H (Instructors) of JAR-FCL 1 and has taken over the text from JAR-FCL 1.330 (c) the Agency does not intend to change it.

Additionally it should be highlighted that the Agency strongly supports the idea that an FI who has just received his/her night rating with only 5 hours flight time during night should have completed some flight time at night and the required demonstration flight before being allowed to teach for the night rating. It is not only that there is a slight difference between instructing at night or during the day — it is also the amount of experience the instructor himself/herself has gained.

comment 2060 comment by: Thomas SIEWERT

FCL.905.FI FI-privileges and conditions

(j) (1) (i)/(ii) Zur Ausbildung von PPL-Fluglehrern sollte es ausreichend sein, als Fluglehrer eine Ausbildungszeit von 500 Stunden nachweisen zu können. Ein derart erfahrener Fluglehrer sollte auch Übungsflüge zur Verlängerung der Berechtigung für Fluglehrer abnehmen können  
Absatz (2) könnte ersatzlos entfallen.

response *Not accepted*

Thank you for providing your opinion.

See the response to comment No 1882 (M. Malcharek) in the same segment above.

You also propose to delete the required skill test in (j)(2). With this requirement the Agency follows closely Subpart H (Instructors) of JAR-FCL 1 and has taken over the text from JAR-FCL 1.330 (f)(2). The Agency does not intend to change it.

comment 2083 comment by: Markus Hitter / JAR-Contra

**Regarding (j):**

We appreciate to see flight instructors are allowed to instruct and certify each other. This makes the existence of an flight instructor examiner (FIE) even more questionable, see our comment no. 2076 on this NPA.

response *Noted*

Please see FCL.905.FI (j) — an instructor can provide instruction to applicants for instructor certificates; but he/she cannot certify them: this is the role of the FIE and the authority.

comment 2085 comment by: Markus Hitter / JAR-Contra

**Deutsch:** (english below)

**Zu(b):** auch hier ist unklar, welcher Gewinnmit einem Proficiency Check erreicht werden soll. Er sollte ersatzlos gestrichen werden. Vergleiche dazu unseren Kommentar Nr. 2072 zu dieser NPA.

Spätestens an dieser Stelle der vorgeschlagenen Regulierung zeigt sich, zu welchem Umfang Proficiency Checks, Refresher Seminare und Wiederholungsprüfungen ausarten können. In der Privatfliegerei hat ein typischer leidenschaftlicher Pilot zumindest 3 Lizenzen (Motorflugzeug, Motorsegler, Segelflugzeug). Dazu ggf. Instrument Rating, Lehrberechtigungen und wenigstens zwei, eher drei Sprachzeugnisse. Medical nicht vergessen.

Ohne die Einzelheiten ausführen zu wollen, sind hier nach unserer überschlägigen Rechnung wenigstens 4 (vier) Tests oder Prüfungen pro Jahr vorgesehen. Jedes Jahr. Eine Privatperson die kein Geld mit der Fliegerei verdient wird ausserstande sein, neben alls dieser Prüfungstätigkeit auch noch ein Flugzeug durch die Luft zu bewegen.

- - -

**English:**

**Regarding (b):** Here as well it is unclear, which advantage is to be achieved with a proficiency check. It should be discarded without compensation. See also out comment No 2072 to this NPA.

Here at latest it becomes obvious to which amount all the proposed proficiency checks, skill tests, refresher seminars and reoccurring tests can assemble. In private aviation, a typical passionate pilot holds at least three licences (aeroplanes, TMG, sailplane). Additionally an instrument rating instructor certificates and two or three language certificates. Not to forget the medical.

Without writing down the details, our calculations result in at least 4 (four) tests or checks per year. Each year. A private person, not earning money with flying, will in view of all these test duties become almost incapable to additionally move an aircraft through the air.

response *Partially accepted*

Thank you for providing your opinion.

However, it seems that this comment should have been addressed to another segment as FCL.905.FI(b) does not contain a requirement asking for a proficiency check but the privilege to conduct flight instruction for class and type ratings and class and group extensions.

As you might refer to the mandatory proficiency checks proposed for the LPL and PPL holder every 6 years it should be mentioned that these checks have been deleted and substituted by a biannual training flight with an instructor. See also the response provided to your comment No 2072.

comment 2185

comment by: *Oelschlaeger, Harald*

Absolut zu hohe Anforderung: Talent ist maßgebend, keine hohe Stundenzahl, Stundenangaben streichen

response *Noted*

Thank you for providing your opinion.

This paragraph FCL.905.FI contains a lot of different specifications and specific qualifications for the different privileges. As you do not specify which of these

requirements you are referring to the Agency is not able to provide a substantiated response.

As it seems that you might aim (as several other comments) at the 500 hours instruction experience in (j)(1)(ii) please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

2214

comment by: *Nigel Roche*

(j) an FI, IRI, CRI or LAFI certificate provided that the FI has:

(1) completed at least:

(i) in the case of a FI(S) or FI(B), at least 50 hours of instruction in the appropriate aircraft category;

(ii) in all other cases, 500 hours of instruction in the appropriate aircraft category;

From this an FI(B) needs only 50 hours instructional experience in Balloons and therefore one has to assume Hot Air Airships as well as the Balloon licence covers Hot Air Airships, but an FI (As) needs 500 hours as shown in (J)(1)(ii) to revalidate a training certificate.

I personally cannot see the logic in the number of hours required to be this high for the FI(As).

response

*Noted*

Thank you for providing your opinion.

The proposed number of hours was developed by a team of experts and is based on existing national requirements for airship licences and aligned with JAR-FCL. As JAR-FCL requires 500 hours of instruction time for the FI(A) or (H) the drafting group came to the conclusion to align the required amount of experience for the FI(As) with this number.

Additionally it should be highlighted that the balloon class hot-air airship should not be directly compared with the gas airship as there are huge differences.

comment

2215

comment by: *Nigel Roche*

From (k) MPL (3) In the case of an FI already qualified to instruct on ATPL(A) or CPL(A)/IR integrated courses, the requirement of (2)(ii) may be replaced by the completion of a structured course of training consisting of:

From a UK perspective why is this restricted to FIs who have taught CPL(A)/IR as an integrated course only. the skills set for an FI who teaches CPL(A) and IR as a modular course are equally the same as the FI who teaches integrated courses.

I would suggest that this is amend to read;

(k) MPL

(3) In the case of an FI already qualified to instruct on:

(i) ATPL(A)

(ii) CPL(A)/IR integrated courses

(iii) both CPL(A) and IRas modular courses

	the requirement of (2)(ii) may be replaced by the completion of a structured course of:
response	<p><i>Not accepted</i></p> <p>The requirement refers only to integrated courses because the MPL course is also an integrated course. An instructor that has only provided instruction in modular courses will not have the required exposure to the system of integrated courses.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, 2231 IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>Page: 50 FCL.905.FI (k)</p> <p>Comment: rule material is inappropriate during the inception (early stages) of MPL. Phases may not be separated by single and multi pilot operations. There may be multi pilot operations in Phase 1, and conversely there may be single pilot operations in Phase 2.</p> <p>Proposal: Transfer text to an AMC and amend as follows: for (1) text should refer to "for training in a single pilot environment" and (2) "for training in a multi pilot environment"</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency follows closely Subpart H (Instructors) of JAR-FCL 1 and has taken over the text from JAR-FCL 1.330 (g). Your input was carefully reviewed and further discussed with the experts involved in the review. At this time the Agency does not intend to introduce new elements like this one proposed by you without a proper assessment. The text in (k) will be kept unchanged.</p>
comment	<p>2339 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p> <p>(a)(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI or <b>a TRI acceptable to the competent authority</b></p> <p>Justification: If no TRI with 3 years experience, who is to conduct training?</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comments to FCL.905.TRI.</p>
comment	<p>2450 <span style="float: right;">comment by: <i>Dr. Horst Schomann</i></span></p> <p>Subparagraph (j) (1) (i)</p> <p>Problem: An alternative number of sailplane take-offs is missing.</p>

	<p>Proposed solution: ..., has completed at least 50 hours or 200 take-offs instructions ...</p> <p>Justification: Sailplane flight time is highly related to the thermal current environment. The necessary experience can be gained through a sufficient number of take-offs also.</p> <p>Subparagraph (j) (1) (ii)</p> <p>Problem: The number of hours of instruction appears to be a bit high and seems to be adapted to the commercial activities.</p> <p>Proposed solution: Change to 250 hours.</p> <p>Justification: 250 hours of instruction flight provides a sufficient experience to enable to instruct FI candidates.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees with your proposal to add a certain number of launches for the FI(S) in (j)(1)(i) and will amend the text accordingly.</p> <p>Regarding your second proposal (subparagraph (j)(1)(ii)) please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>2495 <span style="float: right;">comment by: <i>mfb-bb</i></span></p> <p><b>Night rating</b> : (e) 2 has demonstrated the ability to instruct... to an FI qualified in accordance with (j). What about pilots with "grandfather rights"? Do they have to pass an examination?</p> <p><b>Proposal:</b> has demonstrated the ability ...in accordance with (j) or has at least 10 hours of experience in night flying.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>It should be highlighted that the conversion of national licences or JAR-FCL licences will be covered in a different regulation — this is not part of these Implementing Rules. As the night qualification in most Member States was already regulated by the JAR-FCL requirements, a JAR based licence with the night qualification will be transferred into the new system to an equal licence including the night rating. Based on this no additional requirement is needed here.</p>
comment	<p>2551 <span style="float: right;">comment by: <i>Airbus</i></span></p> <p><b>THIS COMMENT IS SUBMITTED ON BEHALF OF ASD</b></p> <p><b><u>AFFECTED PARAGRAPH:</u></b> <b><u>FCL.905.FI FI Privileges and conditions</u></b></p>

**PROPOSED CHANGE:**

**Remove subparagraph (I), as follows:**

~~(I) the instruction required to conduct flight tests, provided that the FI is qualified to conduct such flight tests.~~

**JUSTIFICATION:**

· Compliance with this subparagraph would be impractical.

response

*Accepted*

Based on the comments received and on the input provided by flight test experts, the Agency has decided to delete FCL.905.FI(I), and to create a specific category of flight instructor for flight tests. Please see amended text of Subpart J.

comment

2776 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FFA supports all the privileges granted to a FI with the appropriate conditions.

Nevertheless, FFA proposes to add the privileges to carry out instruction for the issue, the revalidation and the renewal of the mountain rating when complying with the specific requirements laid in section 10.

response

*Not accepted*

Thank you for providing your opinion.

However, as you might have recognised already section 10 of this subpart contains the requirements for a specific new category of instructors called Mountain Instructor. One of the prerequisites will be that the applicant shall hold a valid FI, TRI or CRI certificate. As there are some more prerequisites to fulfil and a specifically designed training course for these instructors, the Agency does not agree with your proposal to add the additional privilege in FCL.905.FI.

comment

2937

comment by: *Robert WORSMAN*

A FI or LAFI should be able to instruct on either a LPL or a BPL, the only distinction between the FI and LAFI is that the FI should be able to pay for their services. It just doesn't make sense to have two classes of instructor performing an identical set of instruction.

Have these rules been thought through - it does not appear so? Are these rules being rushed through due to a time limit - it appears so?

Please go away and revise these rules and then present something sensible and logical for us to comment on.

response

*Noted*

Thank you for providing your opinion.

Please see the response provided to comment No 3556 (R. Worsman) in the same segment below.

comment	2963	comment by: <i>FEDERATION FRANCAISE D'AEROSTATION</i>
	<b>FCL.910.FI FI-Restricted privilèges</b> <b>See comments FCL.910.LAFI Solo Flight</b>	
response	<i>Noted</i>  Thank you for providing your comments. Please see the response provided to your comment for FCL.910.LAFI.	
comment	2986	comment by: <i>REGA</i>
	<b>Proposed amendment:</b> (c)(1)(iii) ... in order to demonstrate to an FIE <b>or TRE qualified for the purpose</b> , his/ <b>her</b> ability to instruct.....  <b>Justification:</b> A TRE with appropriate experience has the privilege to conduct TRI checks.	
response	<i>Noted</i>  Please see the reply to comments on FCL.910.TRI.	
comment	3013❖	comment by: <i>Deutscher Aero Club (DAeC)</i>
	Add: The privileges of a FI are to conduct check flights, provided that the FI has completed 150 hours of dual instruction or 300 launches of dual instruction in case of sailplanes. Justification see comment No. 3009.	
response	<i>Not accepted</i>  Thank you for providing your opinion.  As already explained in several other responses to your comments the proficiency check by definition has to be done with an examiner only. Please see the definition of the tasks of an examiner contained in the Basic Regulation.  As there is only the term 'proficiency check' there should be no second term used like the wording 'check flight' proposed by you.  Based on this the Agency will not introduce an additional privilege for the instructor allowing to conduct proficiency checks.  See also response to your comment No 3009.	
comment	3072	comment by: <i>Peter Kenington</i>
	In the case of ballooning, the privileges of the FI and LAFI should be the same, i.e. both should be able to provide instruction for the BPL and LPL, although it is reasonable to remove the provision for payment, in the case of the LAFI. There is no real difference in the training skills or training provided in the case of the two license types, in the case of balloons, so an instructor should be capable of instructing in either category.	
response	<i>Noted</i>	

Thank you for providing your opinion.

However, as the basic principle for providing flight instruction is that the instructor has to hold at least the licence for which instruction is to be given (see FCL.915 (b)(1)), the FI(B) will be allowed to provide flight instruction for the BPL and the LPL(B) whereas the LAFI(B) will only be allowed to provide flight instruction for the LPL(B).

Please check the paragraphs containing the privilege of these instructor categories.

Furthermore it should be highlighted that the LAFI(B) has no further group ratings but is only allowed to instruct on balloons of a maximum envelope size of 3400m<sup>3</sup>. The FI will have the opportunity to instruct on balloons of another group (if that specific group extension is hold).

comment

3265

comment by: *Egon Schmaus*

FCL.905.FI

(j)(1)(ii) in all other cases, "150" hours of instruction....

Reason: Costs! In this case, only professional FI would be competent to instruct for FI certificates.

Demand for 500 hours of instruction time would cost a standard FI about twenty-five years of instruction. Then, at an age of about 55 to 60 years, he should think about terminating his FI, not about first time training new FIs.

response

*Not accepted*

Thank you for providing your opinion.

Please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

3306

comment by: *john daly*

It has been found that the current wording in JAR FCL 2.320C (f) regarding the privileges of an FI to give instruction on multi-engine helicopters is confusing. It is suggested that all reference to multi-engine instruction at FCL.905.FI (i)(2) is removed as this is adequately and less ambiguously covered in FCL.915.TRI and FCL.930.TRI.

response

*Not accepted*

Thank you for providing your opinion.

As already mentioned by you, paragraph (i)(2) is a requirement coming from JAR-FCL. It provides the FI the privilege to instruct for a multi-engine type rating on helicopters.

As the Agency follows closely Subpart H (Instructors) of JAR-FCL 2 and has taken over the text from JAR-FCL 2.320C (f) the Agency does not intend to change it. Following your proposal would mean to exclude the FI from providing this training and only allowing the TRI to provide training for the single-pilot multi-engine type rating.

comment

3371

comment by: *DGAC FRANCE*

Part FCL .905 FI (h)(i)

response	<p>Editorialand consistency After ...»in a FFS, an FTD 2/3 or FNPT II / III;</p> <p><i>Accepted</i></p>
comment	<p>3474 <span style="float: right;">comment by: <i>Herbert Sigloch</i></span></p> <p>To (j)(1)(ii): 250 hours of instruction seem to be sufficient for me.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>3556 <span style="float: right;">comment by: <i>Rory Worsman</i></span></p> <p>Allow a FI or a LAFI to instruct for both LPL and BPL. The LAFI may not charge for the instruction but allow the FI to charge.</p> <p>This ruling is very badly thought out for ballooning - it looks contrived and is obviously trying to conform to other modes of flying. Please present something more sensible and thought out.</p>
response	<p><i>Not accepted</i></p> <p>The Agency acknowledges your opinion.</p> <p>However, as the basic principle for providing flight instruction is that the instructor has to hold at least the licence for which instruction is to be given (see FCL.915 (b)(1)), the FI(B) will be allowed to provide flight instruction for the BPL and the LPL(B) whereas the LAFI(B) will only be allowed to provide flight instruction for the LPL(B). Please check the paragraphs containing the privilege of these instructor categories.</p> <p>Additionally the Agency would like to refer to your statement stating that the 'ruling is very badly thought out for ballooning'. The Agency does not agree with this statement as it seems that you are not informed about the differences of the LPL and the BPL system. It should be highlighted that the LAFI(B) who holds logically an LPL(B) has no further group ratings but is only allowed to instruct on balloons of a maximum envelope size of 3400m<sup>3</sup> whereas the FI will have the opportunity to instruct on balloons of different groups (the smallest group allows already to fly on balloons with a maximum envelope size up to 4000m<sup>3</sup>).</p>
comment	<p>3584 <span style="float: right;">comment by: <i>Swiss Power Flight Union</i></span></p> <p>(h) (2) (1) Add: The IR rating and at least .... (2) Delete: ...and has passed the skill test for the IRI certificate,...."</p> <p>Reason: An FI with an IR rating and when he passed an IRI training course doesn't required a skill test for IRI.</p>

	(j) (ii) 500 hours of instruction in the appropriate aircraft category is far too much. We apply 200 hours.
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Paragraph (h)(2) is a requirement coming from JAR-FCL. Even though the FI doesn't need to hold a current IRI certificate, it is considered that for safety reasons he/she needs to have had the training and passed the skill test for an IRI.</p> <p>Your second proposal is to reduce the required amount of instruction in the appropriate aircraft category in (j)(1) from 500 hours to 200 hours for the FI(A).</p> <p>However, as the Agency follows closely Subpart H (Instructors) of JAR-FCL 1 and has taken over the text from JAR-FCL 1.330 (f) does not intend to change it.</p>

comment	<p>3735 <span style="float: right;">comment by: IAAPS</span></p> <p>Comment on NPA 2008-17b, para FCL.905.FI page 49+.</p> <p>The privileges of a FI include, as stated in paragraph (k) page 50, conducting flight instruction for the issue, revalidation or renewal of a MPL, provided conditions stated in sub paragraphs (1) (2) or (3) are met.</p> <p>Paragraph (3) wisely provides an alternate way for a FI to be eligible, as paragraph (2) requires that the FI has at least 1500 hours of flying experience as a pilot on multi-crew operations, which is an extremely rare situation within a FTO.</p> <p>Similarly, FCL.915.MCCI, page 60, requires that an applicant for MCCI has at least such a flying experience of 1500 hours as a pilot on multi-crew operations. Subsequently, a MCCI is very difficult to find within a FTO.</p> <p>Proposal: to provide similarly an alternate way for permitting a FI, under adequate conditions, to conduct instruction for MCC when the course is not combined with a type rating course.</p> <p>New paragraph to be inserted between (j) and (k):</p> <p>An MCC certificate, provided that:</p> <p>(1) the FI has already conducted instruction for the IR rating on multi-engine aircraft of the appropriate category, as allowed according to paragraphs (h) and (i) above;</p> <p>(2) the FI holds a MCC certificate and has completed a structured course of training consisting of:</p> <p>(i) attending a MCCI course;</p> <p>(ii) observing 4 sessions of a type rating course,</p> <p>(iii) observing 4 sessions of line training,</p> <p>(iv) conducting under supervision of an experienced MCCI, SFI or TRI, 5 sessions of a MCC course.</p> <p>(3) the MCC course is not combined with type rating training.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Based on your comment proposing to add an additional privilege for the FI in order to allow him/her to provide instruction during an MCC course, the Agency reviewed carefully the requirements and further discussed the issue with the</p>

experts.

The Agency followed closely Subpart H (Instructors) of JAR-FCL and has taken over the text from JAR-FCL 1.330. Such a privilege was not foreseen so far. At this time the Agency does not intend to introduce new elements like this one proposed by you without a proper assessment. This subject may be subject to a future rulemaking task.

comment

3848

comment by: *Luftfahrt-Bundesamt*

FCL.905.FI:

Apparently FCL.905.FI is in contradiction to FCL.905.TRI (see our comment on FCL.905.TRI)

Indicate precisely in each paragraph and sub-paragraph, respectively, which kind of examiner is required to conduct the appropriate test / checks that a becoming instructor has to undergo.

In FCL.905.FI (j) (2) the wording is not a precise indication of what is meant and, therefore, this implementing rule is not suitable to provide a level playing field. The requirements should be precise enough to answer the following questions:

What does the required skill test look like that is suited to be undertaken in order to become a flight instructor's instructor (the skill test according to Appendix 12 has already been undertaken by the applicant when he became the holder of a flight instructor certificate)?

What documents are to be used during the FI instructor skill test?

What are the pass-or-fail criteria for the FI instructor skill test?

response

*Partially accepted*

Text of paragraph (j)(2) amended to include direct reference to FIE.

comment

4004

comment by: *DGAC FRANCE*

### **FCL.905.FI Privileges and conditions**

See AMC FCL900 Flight test instructor is the tenth instructor category, delete the paragraphe (I).

~~(I) the instruction required to conduct flight tests, provided that the FI is qualified to conduct such flight tests.~~

response

*Accepted*

Based on the comments received and on the input provided by flight test experts, the Agency has decided to delete FCL.905.FI(I), and to create a specific category of flight instructor for flight tests. Please see amended text of Subpart J.

comment

4105

comment by: *SFVHE*

**Ehrenamtliche Fluglehrer wird es bei den bisher nach JAR-FCL bestehenden Forderungen nicht mehr oder kaum noch geben. Die Vereinsausbildung wird aussterben. Die Eingangsbedingungen müssen drastisch reduziert werden.**

response

*Noted*

Thank you for providing this general comment.

As the comment is not aiming at a specific requirement contained in FCL.905.FI, the Agency is not able to provide a substantiated response.

Please see also the response to comment No 4167 (E. Kümmel) in the same segment below.

comment

4126

comment by: *Bernd Hein*

Wenn die Kompetenz des FI wie kommentiert, erweitert wird, ist ein Fortbildungsseminar und ein Prüfercheck zu akzeptieren, aber nur dann. Die Voraussetzungen sind zu hoch und kostenintensiv. Mehr Wert auf Starts und Landungen legen und damit Flugstunden reduzieren.

response

*Noted*

Thank you for providing this general comment.

As the comment is not aiming at a specific requirement contained in FCL.905.FI, the Agency is not able to provide a substantiated response.

Please see also the response to comment No 4167 (E. Kümmel) in the same segment below.

comment

4167

comment by: *Elmar KUEMMEL*

auch hier keinen Kandidaten mehr veranlassen im Ehrenamt Fluglehrer zu werden.

**Diese Fluglehrer wird es nur noch an Flugschulen geben.**

Ich zweifle ganz stark an einer Qualitätserhöhung, aufgrund meiner mittlerweile langen Erfahrung als FI.

Absolut zu hohe Anforderung; Talent ist maßgebend, keine hohe Stundenanzahl. Stundenangaben streichen

response

*Noted*

Thank you for providing your opinion.

As you do not refer to a certain subparagraph or privilege the Agency is not able to provide a substantiated response.

It should be highlighted that this requirement does not contain any prerequisite to become an instructor but some experience requirements for specific privileges. It seems that the comment is based on a misunderstanding.

Regarding your comment on the high amount of hours the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above might provide some further clarification.

comment

4222❖

comment by: *Deutscher Aero Club (DAeC)*

Comment:

Number of launches is missing

Proposal:

response	<p>(1) In the case of a LAFI for sailplanes or balloons, at least 50 hours of instruction (or 150 launches for a LAFI(S)) in the appropriate aircraft category; Justification: In case of sailplanes number of launches is appropriate criterion.</p> <p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees and will include 150 launches in the case of the FI(S) as an alternative solution to comply with this requirement.</p>
comment	<p>4223❖ <span style="float: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></span></p> <p>Proposal  (f)(2) for all other aircraft categories, has completed at least 100 hours of flight instruction. Of the 100 hours 50 hours of instruction shall be on the respective aircraft category.  Justification:  This would not allow to recruit sufficient number of instructors for LAFI certificates in the voluntarily organised environment of air sports. Credit must be given for instruction in other aircraft categories, as instructor skills are common across the categories. It is not appropriate that a person who has already instructed many hours on sailplanes is required to demonstrate the same number of instructing hours as a newcomer.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, as subparagraph (f) is dealing with the privilege to instruct for the towing rating it seems that the comment was addressed to the wrong segment.</p> <p>FCL.905.LAFI (f)(2) is dealing with the privilege of a LAFI to provide instruction during a LAFI course. Based on the comments received it was decided to lower this requirement for the LAFI in (f)(2) and ask for 150 hours of flight instruction in the appropriate aircraft category. No crediting system for instructing time on other aircraft categories will be introduced.</p>
comment	<p>4258 <span style="float: right;">comment by: <i>SFG-Mendig</i></span></p> <p>Überzogene Voraussetzungen, hohe Stundenzahlen sind keine Garantie für tatsächliche Befähigung. Eignung daher eher von Auswahlprüfung abhängig machen, Stundenzahlen reduzieren bzw. streichen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.  Please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>4326 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.905.FI  <b>Wording in the NPA</b>  All occurrences of „the appropriate aircraft category“</p>

**Our proposal**

Dependant on the context either remove this notion or be more specific

**Issue with current wording**

The notion „the appropriate aircraft category“ is used across the whole paragraph and it is either unclear what is meant or it is superfluous and therefore confusing and may lead to all kinds of interpretations.

**Rationale**

The notion „the appropriate aircraft category“ implies that it is already clear what category is meant as otherwise the category would have to be specified. So using this notion leads to confusion since now the thought comes up if more is meant than what is already clear based on other parts of the regulation e.g. FCL.035(1). We strongly recommend to remove this notion or to be more specific.

response *Not accepted*

Please refer to the definition of category of aircraft in FCL.010.

comment

4327

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.905.FI(j)(1)

**Wording in the NPA**

(j) an FI, IRI, CRI or LAFI certificate provided that the FI has:

(1) completed at least:

(i) in the case of a FI(S) or FI(B), at least 50 hours of instruction in the appropriate aircraft category;

(ii) in all other cases, 500 hours of instruction in the appropriate aircraft category;

**Our proposal****Change:**

(j) an FI, IRI, CRI or LAFI certificate provided that the FI has:

(1) completed at least:

(i) in the case of a FI(S) or FI(B), at least 50 hours of flight instruction. 25 of the 50 hours shall be instruction on sailplanes, powered sailplanes or TMG in the case of FI(S) and on balloons in the case of FI(B).

(ii) in all other cases, 150 hours of instruction. 75 hours shall be instructed in the respective aircraft category;

**Issue with current wording**

500 hours is a too excessive requirement. There must be credit for flight instruction on other categories.

**Rationale**

This would not allow to recruit sufficient number of instructors for the FI certificates in the non commercial space. Also too much emphasis is put on the flight time instead of personality as discussed in our general comment 3250 Nr.7. 150 hours of instruction experience is sufficient to instruct for the FI certificate. Credit must be given for instruction in other aircraft categories as many instructor skills are common across the categories. It cannot be that a person who has already instructed many hours on sailplanes needs the same amount of hours instruction on aeroplanes as an applicant who has no other experience. We refer to our detailed reasoning in our general **comment 3250**

	<p><b>Nr. 3.</b></p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding your proposal (subparagraph (j)(1)(ii)) to lower the required instruction time please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.</p> <p>Additionally you are proposing to reduce the required amount of instruction time also for the FI(S) and FI(B) in the appropriate category by introducing a certain crediting system. As the remaining amount of flight instruction on sailplanes or balloons (25 hours) is clearly seen as not sufficient to provide flight training for instructors the Agency does not agree. The required amount of 50 hours in (j)(1)(i) will be kept and no alternative crediting of other flight instruction time will be accepted.</p> <p>However, as an alternative an additional requirement of 150 launches in the case of sailplanes and 50 take-offs in the case of balloon instructors will be included.</p>
comment	<p>4328 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.905.FI(j)(2)</p> <p><b>Wording in the NPA</b></p> <p>(2) passed a skill test to demonstrate to an instructor examiner the ability to instruct for the FI certificate, during a skill test conducted in accordance with Appendix 12 to this Part in the appropriate aircraft category;</p> <p><b>Our proposal</b></p> <p><b>Change:</b></p> <p>(2) passed a skill test to demonstrate to an instructor examiner <b>or a chief instructor</b> the ability to instruct for the FI certificate, during a skill test conducted in accordance with Appendix 12 to this Part;</p> <p><b>Issue with current wording</b></p> <p>It is not practical to require an instructor examiner for this check. The notion „in the appropriate aircraft category“ is superfluous as discussed in our <b>general comment 3250 Nr. 6</b></p> <p><b>Rationale</b></p> <p>Typically the chief instructor of a training organization will check out a new instructor before he gives him the job as a Instructor for this task. This check should be sufficient and more meaningful than a check by an examiner.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>By definition the skill test has always to be conducted (same principle as for the proficiency check) by an examiner. In this case the requirement was transferred from JAR-FCL where it clearly states flight instructor examiner.</p> <p>The chief flight instructor must not necessarily have the knowledge and competence to assess the ability to provide flight training during a training course as he/she in most cases will not have been involved in such a course</p>

himself/herself before. The FIE will have the necessary experience and knowledge to assess the FI.

Regarding the issue of the wording 'in the appropriate aircraft category' please see the response to your comment No 3250.

comment 4606 comment by: *Deutscher Aero Club*

FCL.905.FI (g)

An aerobatic rating, provided that the FI holds such a rating and has completed 20 hours of experience in aerobatic flying

COMMENT:

Specifying training in terms of hours is quite inappropriate for sailplanes (see comment on FCL 800). For sailplanes, the number of aerobatic flights is a more meaningful figure. Requiring 60 aerobatic flights for FI(S) would be more reasonable

EGU Proposal:

An aerobatic rating, provided that the FI holds such a rating and has completed 20 hours of experience in aerobatic flying (or 60 aerobatic flights for glider aerobatics)

Note: there is no similar requirement for a LAFI(S)...

response *Not accepted*

Thank you for providing your opinion.

Based on the comments received — some of them questioning the required amount of aerobatic flight time as too low, some of them proposing to delete it and some others proposing additional requirements — the Agency decided to introduce a demonstration of the ability to instruct for the aerobatic rating to an FI qualified in accordance with (j) like it is already required for the privilege to instruct for the night rating. Based on this the required 20 hours aerobatic time will be deleted.

comment 4607 comment by: *Deutscher Aero Club*

FCL.905.FI (J)

(i) in the case of a FI(S) or FI(B), at least 50 hours of instruction in the appropriate aircraft category;

Comment:

Number of launches is missing

EGU Proposal:

(j) in the case of a FI(S) or FI(B), at least 50 hours of instruction (or 150 launches for a FI(S)) in the appropriate aircraft category;

response *Accepted*

Thank you for providing your opinion.

The Agency agrees and will include 150 launches in the case of the FI(S) as an alternative solution to comply with this requirement.

comment 4638 comment by: *FFK*

Should also includes microlight

response

*Noted*

Thank you for providing your opinion.

As it is only a very general statement without mentioning which subparagraph you are referring to, the Agency is not able to provide a substantiated response.

It seems that you are proposing an additional privilege for the FI to instruct on an Annex II aircraft (see Basic Regulation (EC) No 216/2008). As the licensing requirements for these aircraft categories are excluded from the Implementing Rules no privilege like this will be included.

comment

4708

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Die Bedingungen fuer Segelfluglehrer sind hier nicht adaequat und sind zu aendern.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(j)(1)(i) Fuer FI(S) ersetze 50 durch 25 Stunden

(j)(2) Streiche 'FIE' und ersetze durch erfahrenen Fluglehrer

response

*Not accepted*

Thank you for providing your opinion.

For the standard comment please see the responses already provided.

Your additional first proposal is to reduce the required amount of instruction time for the FI(S) to 20 hours only. As this amount of flight instruction is clearly seen as not sufficient to provide flight training for instructors (could be completed within only 5-20 cross-country or thermal instruction flights) the Agency does not agree. The required amount of 50 hours in (j)(1)(i) will be kept but an alternative requirement of 150 launches will be included.

As regards your second proposal, the Agency does not agree because the 'average' FI does not necessarily has the necessary knowledge about the specific items and contents of an instructor course and might also not have reached the required skill level. The FIE has the competence to do this. The requirement will be kept unchanged.

comment 4934 comment by: Chris Gowers

FCL.905.FI(h) (1) Change to:

"At least 200hours flight time under IFR or 50 hours flight time solely by reference to instruments."

The requirement for 200hours IFR time is impractical. At flying clubs there is so little IFR timethat most instructors will never achieve this. IFR time does not necessarily help a pilot to understand Instrument Flight or procedural instrument flying; the experience of flight on instruments is far more relevant.

response *Not accepted*

This requirement is coming from JAR-FCL. For safety reasons, an FI giving instruction for an IR needs to have flight experience under IFR.

comment 4942 comment by: Flight Training Europe

Page 50, FCL.905.FI (k) (3) (iv)

This is too restrictive, change to read:

**(iv) observing 5 LPC/OPCs or 3 route sectors as an observer.**

response *Noted*

The purpose of the requirement is for the instructor to observe the training. OPC/LPC are checks, and therefore not adequate to give the instructor the adequate exposure.

comment 5031 comment by: ECA- European Cockpit Association

Delete and Replace word:

(b) class and type ratings for singlepilot, singleengine aircraft and class ~~and~~ group extensions, in the case of balloons;

Justification:

Clarification: there are two different requirements for two different categories of aircraft.

response *Not accepted*

In the case of balloons, there are requirements for the extension of privileges

to other classes and other groups.  
So the text is correct.

comment

5049

comment by: ECA- European Cockpit Association

add words:

**Provided that the FI holds a CPL License,** the privileges of a FI are to conduct flight instruction for the issue, revalidation or renewal of:

Justification:

Any Flight Instructor (with the possible 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.

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.

response

*Partially accepted*

Thank you for providing your opinion.

When developing the NPA, the Agency and the experts involved in the drafting came to the conclusion that the CPL theory requirement for the FI contained in JAR-FCL could be deleted from the future requirements for the FI(A).

However, based on the comments received and after careful consideration the Agency has decided to re-introduce the CPL theoretical knowledge requirement. This decision is based on the fact that it was decided to stay as close as possible with the JAR-FCL requirements and to comply with the ICAO standards (Annex 1 2.8.1.1.) which require that the applicant shall have met the knowledge requirement for the issue of a commercial pilot licence.

The Agency does not agree with your proposal that an FI should hold the CPL. Please check also the responses already provided to your comments on FCL.205.A regarding the additional privilege to receive remuneration for providing flight instruction.

comment

5189

comment by: Carsten Fuchs

Für FIs, die FIs ausbilden ( Unterpunkt (j) ) sind die geforderten Stunden viel zu hoch.

Begründung:

50 Stunden im Segelflug und vor allem 500 Stunden in anderen Bereichen ist für Ehrenamtlich tätige Fluglehrer schwer zu erreichen.

Diese Zahl von Stunden Flugschüler auszubilden sagt wenig darüber aus, andere Lehrer ausbilden zu können.

Zudem muss wird man FI ja ohnehin nur dann, wenn man schon viel Flugerfahrung nachgewiesen hat.  
Pädagogisches und fliegerisches Talent sind hier offensichtlich sehr viel wichtiger als die reine Ausbildungszeit.  
Zudem gibt es ja noch den Satz (2), Prüfungsflug mit einem FIE.

Alternativ-Vorschlag:

Kürzen der Stunden, z.B. auf 20 bei FI(S und B) und 200 bei den anderen.

response

*Not accepted*

Thank you for providing your opinion.

Regarding your proposal (subparagraph (j)(1)(ii)) to lower the required instruction time, please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.

Additionally you are proposing to reduce the required amount of instruction time also for the FI(S) and FI(B) to 20 hours only. As this amount of flight instruction proposed by you is clearly seen as not sufficient to provide flight training for instructors, the Agency does not agree. The required amount of 50 hours in (j)(1)(i) will be kept but an alternative requirement of 150 launches in the case of sailplanes and 50 take-offs in the case of balloon instructors will be included.

comment

5272

comment by: CAA Belgium

Part FCL .905 FI (h)(i)  
Editorial and consistency  
After ... »in a FFS, an FTD 2/3 or FNPT II / III ;

response

*Accepted*

comment

5364

comment by: CEV. France

CEV Comment n°3

CEV Proposal:

**(I) a Flight Test rating** (instead of: the instruction required to conduct flight tests, provided that the FI is qualified to conduct such flight tests)

and open

**SECTION 11:**

**Flight test rating instructor- FTRI**

**FCL.905.FTRI FTRI – privileges and conditions**

**The privileges of FTRI of an FTRI are to carry out instruction for the issue of a flight test rating**

**FCL.915.FTRI FTRI prerequisites for the FTRI training course**

**Before attending the FTRI training course the applicant shall:**

- **hold a valid flight test rating;**
- **have completed at least 200 flight test hours**

**FCL.930.FTRI FTRI training course**

**An applicant for a FTRI shall have completed an appropriate training course at an approved flight test training organisation**

**FCL.940.FTRI Validity – revalidation and renewal of the FTRI certificate**  
**FTRI certificate shall be valid for a period of 3 years**  
**For revalidation and renewal, the proficiency check shall include a test flight with a flight test rating examiner.!**

response *Partially accepted*

Based on the comments received and on the input provided by flight test experts, the Agency has decided to delete FCL.905.FI(I), and to create a specific category of flight instructor for flight tests. Please see amended text of Subpart J.

comment

5426

comment by: CAA Belgium

Apparently FCL.905.FI is in contradiction to FCL.905.TRI (see our comment on FCL.905.TRI)

Indicate precisely in each paragraph and sub-paragraph, respectively, which kind of examiner is required to conduct the appropriate test / checks that a becoming instructor has to undergo.

In FCL.905.FI (j) (2) the wording is not a precise indication of what is meant and, therefore, this implementing rule is not suitable to provide a level playing field. The requirements should be precise enough to answer the following questions:

What does the required skill test look like that is suited to be undertaken in order to become a flight instructor's instructor (the skill test according to Appendix 12 has already been undertaken by the applicant when he became the holder of a flight instructor certificate)?

What documents are to be used during the FI instructor skill test?

What are the pass-or-fail criteria for the FI instructor skill test?

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees with your proposal and the text of paragraph (j)(2) will be amended to include the word 'flight' in order to clarify that this flight has to be conducted with an FIE.

Regarding your questions it has to be pointed out that this requirement was introduced with JAR-FCL and has been transferred into the new regulations because the Agency is not aware of any problem reported by one of the Member States regarding this requirement. JAR-FCL 1.330 asks for a skill test in accordance with Appendix 1 to JAR-FCL 1.330 and 1.345 and for an additional authorisation by the authority for this specific purpose. This Appendix contains the arrangements for the FI(A) rating skill test, proficiency check and oral theoretical knowledge examination and refers to another Appendix which is in line with the proposed Appendix 12 of Part FCL. Please check (j)(2) and you will discover the reference to Appendix 12. In this case the skill test shall aim on the specific role as instructor for student instructors which means that the FIE shall function as the 'student instructor' using the contents of Appendix 12 as a guideline.

The Agency already decided to transfer Appendix 12 into AMC material which

will allow the competent authorities to accept or develop alternative AMCs for this specific skill test if needed.  
The pass or fail criteria are explained in Appendix 12 para 8.

comment 5590 comment by: *Belgian Gliding Federation*

*FCL.905.FI (g)*

*An aerobatic rating, provided that the FI holds such a rating and has completed 20 hours of experience in aerobatic flying*

COMMENT:

Specifying training in terms of hours is quite inappropriate for sailplanes (see comment on FCL 800). For sailplanes, the number of aerobatic flights is a more meaningful figure. Requiring 60 aerobatic flights for FI(S) would be more reasonable

**Proposal:**

**An aerobatic rating, provided that the FI holds such a rating and has completed 20 hours of experience in aerobatic flying (or 60 aerobatic flights for glider aerobatics)**

Note: there is no similar requirement for a LAFI(S)...

response *Not accepted*

Thank you for providing your opinion.

Based on the comments received — some of them questioning the required amount of aerobatic flight time as too low, some of them proposing to delete it and some others proposing additional requirements — the Agency further discussed the issue with the experts and decided to introduce a demonstration of the ability to instruct for the aerobatic rating to an FI qualified in accordance with (j) like it is already required for the privilege to instruct for the night rating. Based on this the required 20 hours aerobatic time will be deleted.

As there was the same requirement in FCL.905.LAFI the same requirement will be introduced for the LAFI.

comment 5591 comment by: *Belgian Gliding Federation*

*FCL.905.FI (J)*

*(i) in the case of a FI(S) or FI(B), at least 50 hours of instruction in the appropriate aircraft category;*

Comment:

Number of launches is missing

**Proposal:**

**(j) (j) in the case of a FI(S) or FI(B), at least 50 hours of instruction (or 150 launches for a FI(S)) in the appropriate aircraft category;**

response *Accepted*

Thank you for providing your opinion.

The Agency agrees and will include 150 launches in the case of the FI(S) as an alternative solution to comply with this requirement.

comment

5640

comment by: Klaus Melchinger

Regarding

(j):

It's appreciated seeing flight instructors being allowed to instruct and certify each other. This makes the existence of an flight instructor examiner (FIE) even more questionable, see equivalent comment in this NPA.

Regarding (b): Here as well it's unclear, which advantage shall be achieved with a proficiency check. It should be discarded without compensation. See also equivalent comment to this NPA.

Here at latest it becomes obvious to which amount all the proposed proficiency checks, skill tests, refresher seminars and reoccurring tests can assemble.

In private aviation, a typical passionate pilot holds at least three licences (aeroplanes, TMG, sailplane). Additionally an instrument rating instructor certificates and two or three language certificates. Not to forget the medical.

Without writing down the details, these proposals result in at least 4 (four) tests or checks per year. Each year!!!

A private person, not earning money with flying, will in view of all these test duties become almost incapable to additionally move an aircraft through the air.

response

*Noted*

Thank you for providing your opinion.

Please see the response provided to your similar comment on FCL.905.LAFI.

As responded before, the Agency would like to add that the required skill test with an FIE in order to provide training during an FI course will ensure that the FI is familiar with the contents of such a course and the needs for this specific task. This requirement was already in place under JAR-FCL.

The Agency does not understand your comment on the proficiency checks because the skill tests mentioned in this paragraph are no periodical tests or checks but have only to be passed once. The example provided mentioning 4 proficiency checks a year is not understood either. Please be aware that it was decided to delete the proposed mandatory proficiency check (every 6 years) for the LPL/PPL licence holders. This means that you will need a mandatory proficiency check in the PPL aeroplane sector only for every second revalidation of your instructor certificate and possibly for the instrument rating.

comment

5769

comment by: UK CAA

**Paragraph:** FCL.905.FI (b)

**Page No\*:** 49

**Comment:** To restrict the privileges of the FI certificate for aeroplanes to training on aeroplanes within a Class.

**Justification:** With the development of the VLJ, the range of Single Pilot Aeroplane performance capabilities is wider than anticipated during the development of the single pilot instructor privileges. The privileges of the FI are too wide to permit safe instruction across all types of SPA without some additional training.

**Proposed Text: (if applicable)**

	<p>(b) Class ratings for single-pilot, single-engine aeroplanes and type ratings for single-pilot single-engine helicopters, and class and group extensions, as applicable, in the case of balloons;</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The proposed requirements for the privileges of the FI(A) were based on the JAR-FCL requirements. You will find exactly this privilege in JAR-FCL 1.330 (a).</p> <p>However, based on the comments received the Agency carefully reviewed your proposal and further discussed the issue of restricting the privileges of the FI with the experts. The Agency came to the conclusion that not all the single-pilot single-engine aeroplane type ratings should be excluded from the privileges but agrees to exclude single-pilot high performance complex aeroplane type ratings.</p> <p>Please see the response provided to your comment No 6851 in the same segment below.</p>
comment	<p>5780 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.FI (e) (3)  <b>Page No:</b> 50 of 647  <b>Comment:</b> The referenced paragraph FCL.060 (b)(2) refers to passengers or air transport and not student pilots.  There is no corresponding requirement for instructors day recent experience requirement.  <b>Justification:</b> Safety  <b>Proposed Text:</b>  Amend paragraph FCL 060 (b) to add ...in commercial air transport or carrying passengers <b>or student pilots:</b></p>
response	<p><i>Noted</i></p> <p>Even though FCL.060 only refers to carriage of passengers and commercial air transport, the fact that FCL.905.FI (e) specifically refers to it makes it mandatory for the FI wishing to instruct for a night rating.</p>
comment	<p>5781 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> 905.FI (h)(3)(i)  <b>Page No:</b> 50  <b>Comment:</b> To instruct for ME IR the FI must have 'met the requirements for the issue of a CRI Certificate', implying that he doesn't currently have to meet them. 905(h)(3)(ii) uses the word 'meet' – presumably this difference is not intentional.  <b>Justification:</b> Text is ambiguous  <b>Proposed Text: (if applicable)</b>  Replace 905(h)(3) with 'Meet the requirements of 905(i)'.</p>
response	<p><i>Noted</i></p> <p>Editorial.  The text of (h)(3)(i) will be amended to include 'meet'.</p>

comment	5782	comment by: UK CAA
	<p><b>Paragraph:</b> 905.FI (j)(1)(i) and 905.LAFI(f)(2)  <b>Page No:</b> 50/47  <b>Comment:</b> It seems strange that a LAFI can instruct for the issue of a LAFI (aeroplane or helicopter) with 250 hrs instructional time but an FI needs 500 hrs instructional time.  <b>Justification:</b>  <b>Proposed Text: (if applicable)</b>  Change the hours requirements for an FI to instruct for the issue of a LAFI to 250 hrs.</p>	
response	<i>Partially accepted</i>	
	<p>Thank you for providing your opinion.</p> <p>The Agency agrees that the prerequisites for the FI(A) or FI(H) instructing for the LAFI in the same category should be the same as for the LAFI instructing for the LAFI certificate.  The text will be amended accordingly to read ‘...has completed ... 150 hours’.(the NPA proposal in the LAFI section was 250 hours but has been amended based on the comments received and some further evaluation).</p>	
comment	5784	comment by: UK CAA
	<p><b>Paragraph:</b> FCL.905 FI (j)(2)  <b>Page No:</b> 50 of 647  <b>Comment:</b> Refers to an ‘instructor examiner’ when the title in Subpart K Section 7 is Flight Instructor Examiner  <b>Justification:</b> Clarification/Consistency.  <b>Proposed Text:</b>  ..pass a skill test to demonstrate to an <b>Flight Instructor Examiner</b> the ability to instruct to a student pilot....</p>	
response	<i>Accepted</i>	
	<p>Thank you for providing your opinion.</p> <p>In this case the specification of the category of examiner makes clearly sense. The Agency agrees and will add ‘instructor’ in order to make clear that this should be done with an FIE.</p>	
comment	5873	comment by: EFLEVA
	<p>EFLEVA agrees with the privileges granted to a FI. EFLEVA would suggest the addition of privileges to instruct for issue, revalidation/renewal of the Mountain Rating.</p>	
response	<i>Not accepted</i>	
	<p>Thank you for providing your opinion.</p> <p>However, as you might have recognised already section 10 of this subpart contains the requirements for a specific new category of instructors called Mountain Instructor. One of the prerequisites will be that the applicant shall hold a valid FI, TRI or CRI certificate. As there are some more prerequisites to fulfil and a specifically designed training course for these instructors the</p>	

Agency does not agree with your proposal to add the additional privilege in FCL.905.FI.

comment 6258 comment by: *Christoph Talle*

FCL.905.FI (j)(1)(ii). In my mind 500 hours of instruction is too much. Especially in the not commercial space is nearly impossible to get instructors for flight instructors.  
Imagine: you need 50 hours every 3 years to extend your Fi rating, [A lot of FI have problems with this in Germany], so you need **30** years to get enough (500) hours !! What old flight instructors !!  
Without joke, i think 250 hours of flight instruction, with 150 hours in the special category, will be absolut enough.

response *Not accepted*

Thank you for providing your opinion containing a proposal to lower the required instruction time in (j)(1).  
Regarding your second proposal (subparagraph (j)(1)(ii)) please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 6424 comment by: *DCAA*

FCL915.FI Not in accordance with ICAO. PPL holders should have passed CPL theory

response *Noted*

Thank you for providing your opinion.

When developing the NPA, the Agency and the experts involved in the drafting came to the conclusion that the CPL theory requirement for the FI contained in JAR-FCL could be deleted from the future requirements for the FI(A) as there was no safety evidence identified (but as this seems to be a real burden for possible General Aviation instructor candidates). Therefore, it was decided to propose a deletion of this requirement.

However, based on the comments received and after careful consideration the Agency has decided to re-introduce the CPL theoretical knowledge requirement. This decision is based on the fact that it was decided to stay as close as possible with the JAR-FCL requirements and to comply with the ICAO standards (Annex 1 2.8.1.1.) which require that the applicant shall have met the knowledge requirement for the issue of a commercial pilot licence.

comment 6598 comment by: *Light Aircraft Association UK*

The LAA generally supports all the privileges granted to a FI, with the appropriate conditions.  
Nevertheless, The LAA would further propose to add the privilege to carry out instruction for the issue, the revalidation and the renewal of the Mountain Rating.

In addition, we question who would teach instructors to teach aerobatics.

response *Noted*

Thank you for providing your opinion.  
Please see the response to comment No 5873 (EVLEVA) in the same segment above.

Regarding your question about the instruction for instructors who would like to provide instruction for the aerobatic rating please see the privilege in (g). The Agency will introduce an additional requirement which will ask for an assessment of the instructor's ability to provide instruction for the aerobatic rating with an experienced FI holding such a rating.

comment 6712 comment by: CAA Finland

FCL.905.FI(e):  
Amended text proposal:

has demonstrated the ability to instruct at night to an FI qualified in accordance with (j) below **or passed a skill test (simulated IMC or night) to demonstrate to an examiner the ability to instruct at night;**

response *Not accepted*

Thank you for providing your comment.

Flying in simulated IMC is different from flying at night. However, as the wording was taken over from JAR-FCL and at this stage no safety related reason is known why this requirement should be amended, the Agency will keep the wording as proposed. (The examiner will anyway also be an instructor which makes such an additional requirement even more questionable)

comment 6851 comment by: UK CAA

**Paragraph:** FCL.905.FI (i)  
**Page No\*:** 50

**Comment:** See UK CAA comment on (FCL.905.FI (b) to restrict the privileges of the FI certificate for aeroplanes to training on aeroplanes within a Class.

**Justification:** See UK CAA comment on FCL.905.FI.(b)

**Proposed Text: (if applicable)**

Replace whole of paragraph (i) with following 2 paragraphs:

(i)(1) Class ratings for single-pilot, multi-engine aeroplanes provided that the FI meets the pre-requisites for the CRI training course established in FCL.915.CRI (a) and the requirements of FCL.930.CRI and FCL.935.CRI

(i)(2) Type ratings for single-pilot, multi-engine helicopters, provided the FI meets the requirements established in FCL.910.TRI (c)(1) and the pre-requisites for the TRI (H) training course established in FCL.915.TRI (b)(2)

response *Partially accepted*

Thank you for providing your opinion.

The proposed requirements for the privileges of the FI(A) were based on the JAR-FCL requirements. You will find exactly this privilege in JAR-FCL 1.330 (e).

However, based on the input received the Agency carefully reviewed the issue and further discussed it with the experts. Taking into account the need to

cover other aspects related to very light jets and other high performance complex aeroplanes, the Agency has decided to limit the privileges of the FI and the CRI in order to address the training for some specific single-pilot high performance aircraft (VLJ).

Based on the input received from the experts the following changes will be introduced by the Agency:

1. Limitation of the FI privileges for single-pilot multi-engine type or class ratings to high performance non-complex only
2. Limitation of the CRI privileges to type and class ratings for non-complex non-high performance single-pilot aircraft
3. Additional privileges for the TRI

This follows in a certain way also your proposal but does not exclude all the single-pilot multi-engine type ratings for aeroplanes as proposed. Please see also the amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.

comment

7047

comment by: CAA Norway

FCL.905.FI(g)

The 20 hrs experience in aerobatics before being allowed to instruct for the aerobatic rating is very low, and in our view detrimental to flight safety! Aerobatic flying can be very demanding and potentially more dangerous than normal flight. Accordingly, the instructors should have considerable experience. 100 hrs is a more realistic number.

response

*Not accepted*

Thank you for providing your opinion.

Please see the response provided to comment No 529 (FOCA Switzerland) in the same segment above.

comment

7192

comment by: Finnish Aeronautical Association - Kai Mönkkönen

(g)

Specifying the required training experience in terms of hours in aerobatics is inappropriate for sailplanes (see comments on FCL.800). Requiring 60 aerobatic flights for FI(S) would be more reasonable.

Justification:

For sailplanes, the number of aerobatic flights is a more meaningful figure and with a long experience within gliding community has shown this level is both applicable but also practical.

Proposed text:

Change the requirement on item (g) to read:

“An aerobatic rating, provided that the FI holds such a rating and has completed 20 hours of experience in aerobatic flying (or 60 aerobatic flights for glider aerobatics)”.

response

*Not accepted*

Thank you for providing your opinion.

Based on the comments received — some of them questioning the required amount of aerobatic flight time as too low, some of them proposing to delete it and some others proposing additional requirements — the Agency decided to introduce a demonstration of the ability to instruct for the aerobatic rating to an FI qualified in accordance with (j) like it is already required for the privilege to instruct for the night rating. Based on this the required 20 hours aerobatic time will be deleted.

comment 7195 comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

In connection with adding the sailplane cloud flying rating to FCL.8xx, add the requirements for FI(S) for giving instruction for sailplane cloud flying rating.

Justification:

Missing sailplane cloud flying rating is a special activity for unpowered sailplanes and FI(S) must have appropriate experience on sailplane cloud flying.

Proposed text:

Add requirements for FI(S) for sailplane cloud flying rating, after FCL.905.FI (g) as the following:

(-) sailplane cloud flying rating in the unpowered sailplane, provided that the FI(S) holds the sailplane cloud flying rating and has at least 10 hours of experience in sailplane cloud flying

response *Not accepted*

Thank you for providing your opinion containing a proposal for adding an additional privilege for instructing for a cloud flying rating.

It was indicated in NPA 2008-17a that this issue is currently being discussed in a separate rulemaking task: FCL.008.

The comments received on A-NPA 14-2006 and on this NPA dealing with the issue of the Cloud Flying Rating will be taken into account by this working group. The task FCL.008 will result in an NPA which will be submitted to public consultation, and on which you will be able to make your comments.

With the mentioned NPA not only the proposals for future ratings but also the appropriate instructor qualifications to instruct for these ratings will be published.

comment 7280 comment by: *Aero-Club of Switzerland*

(h) (2)

(1) Add: The IR rating and at least ....

(2) Delete: ...and has passed the skill test for the IRI certificate,...."

Justification: An FI with an IR, when he passed an IRI training course does not be required to perform a skill test for IRI.

(j) (ii) We apply for 200 hours.

	<p>Justification: 500 hours of instruction in the appropriate aircraft category is far too much.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Paragraph (h)(2) is a requirement coming from JAR-FCL. Even though the FI doesn't need to hold a current IRI certificate, it is considered that for safety reasons he/she needs to have had the training and passed the skill test for an IRI.</p> <p>Regarding your second comment please see the response provided to comment No 537 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>7912 <span style="float: right;">comment by: <i>DHV</i></span></p> <p>FCL.905.FI (h) (1) :</p> <p>for consistency additionally up to 50 % credit should be given for flight time in e.g. airplanes ( &gt; see page 59 FCL.930.IRI (b), where from the total of 500 hours only 50% or 250 hours must be in helicopters.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, as the Agency follows closely Subpart H (Instructors) of JAR-FCL 2 and has taken over the text from JAR-FCL 2.320C (e) which asks clearly for instrument flight time in the appropriate aircraft category (in this case helicopters), the Agency does not intend to change it.</p> <p>Due to the much lower amount of required total instrument flight time (200 hours instead of 500 hours in the case of helicopters) the 50% credit system used for the IRI certificate, for which still a minimum amount of 250 hours instrument flight time (for helicopters) is required should not be transferred without further safety assessment.</p>
comment	<p>7940 <span style="float: right;">comment by: <i>Europe Air Sports, VP</i></span></p> <p>As a repeated comment, the mountain rating should be included in the privileges of an FI who himself is holding a mountain rating.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, as you might have recognised already section 10 of this subpart contains the requirements for a specific new category of instructors called Mountain Instructor. One of the prerequisites will be that the applicant shall hold a valid FI, TRI or CRI certificate. As there are some more prerequisites to fulfil and a specifically designed training course for these instructors the Agency does not agree with your proposal to add the additional privilege in FCL.905.FI.</p>
comment	<p>8288 <span style="float: right;">comment by: <i>Paul Mc G</i></span></p>

response

The privileges granted to the FI have to ensure operational effectiveness as any removal would cause chaos but please add the privilege to carry out instruction for the issue, the revalidation and the renewal of all ratings or there will be chaos.

*Noted*

Thank you for providing your opinion.

However, the Agency must admit that the reasoning behind your comment is not understood completely.

You propose to add the privilege 'to carry out instruction for the issue, the revalidation and the renewal of all ratings'. The proposed ratings are the Instrument Rating, the aerobatic rating, the towing ratings, the night rating and the mountain rating.

Please see the privileges contained in this paragraph and you will find that all the mentioned privileges (excluding revalidation and renewal because this is not foreseen for some of the ratings) are already included except the privilege to instruct for the mountain rating.

Regarding the mountain rating please see the response already provided to comment No 7940 (EAS) above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 3: Specific requirements for the flight instructor — FCL.910.FI FI — Restricted privileges** p. 51

comment

23

comment by: *Marcus Aulfinger*

My suggestion is to FCL.910.FI (c)(2).

From my experience as a supervising FI to FIs with restricted privileges, I find 25 student solo exercises a difficult definition and too large of a number. In practice, all FIs with restricted licenses have by far more than 100 hours of instruction given before they have supervised 25 solo flight/exercises. Especially in small FTOs where they cannot supervise the flights of other instructors this takes up to 250 instruction hours or 5 average students.

For me, the question is - 1)what is a solo exercise and 2) I would reduce the number to 10. I guess the same applies to FI(A) so my suggestion is to change FCL.910.FI (c) (1) and (2) to: '.... in addition has supervised at least 10 student solo flights'

response

*Not accepted*

This is a requirement coming from JAR-FCL 1 and 2, and the Agency has no safety evidence indicating that it should be amended.

However, there is an inconsistency between (c)(1) and (2), and to solve it the wording of paragraph (c)(2) will be amended to 'solo flights'. The definition of solo flight is included in FCL.010.

comment

403

comment by: *Rod Wood*

response	<p>(c) (2) add: - Passed an upgrade assessment check conducted by an FIE(H).</p> <p><i>Not accepted</i></p> <p>This is a requirement coming from JAR-FCL 1 and 2, and the Agency has no safety evidence indicating that it should be amended.</p>
comment	<p>567 <span style="float: right;">comment by: Rod Wood</span></p> <p>Cosider adding (c)(4) Passed an upgrade appraisal with a FIE in the appropriate class.</p>
response	<p><i>Not accepted</i></p> <p>This is a requirement coming from JAR-FCL 1 and 2, and the Agency has no safety evidence indicating that it should be amended.</p>
comment	<p>641 <span style="float: right;">comment by: British Microlight Aircraft Association</span></p> <p>Comment: "<i>(b) While conducting training under supervision, in accordance with (a), the FI shall not have the privilege to authorise student pilots to conduct solo flights.</i>"</p> <p>This is inconsistent with the LAFI Restricted rating which only prohibits authorisation of first solo flight and first solo cross country flight.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 850.</p>
comment	<p>850 <span style="float: right;">comment by: Michael NORMAN</span></p> <p>If the FI is restricted by paragraph (b), then they will never be able to satisfy the requirement in paragraph (c)(1) and (c)(2) of supervising at least 25 student solo flights.</p> <p>Paragraph (b) should read as follows.</p> <p>While conducting training under supervision, in accordance with (a), the FI shall not have the privilege to authorise student pilots to conduct first solo flights and first solo navigation flights.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>851 <span style="float: right;">comment by: Michael NORMAN</span></p> <p>I believe that the requirements in paragraph (c)(1) and (c)(2) for removal of restricted privileges are too onerous in certain circumstances. In my own case, by the time I had completed 25 student solo flights, I had amassed 427 instructor hours which had taken 16 months.</p> <p>Paragraph (c)(1) should read as follows.</p> <p>For FI(A), 100 hours flight instruction in aeroplanes and, in addition has supervised at least 25 student solo flights or passed a proficiency check with</p>

	<p>an FI(E);</p> <p>Paragraph (c)(2) should read as follows.</p> <p>For FI(H), 100 hours flight instruction in helicopters and, in addition has supervised at least 25 student solo exercises or passed a proficiency check with an FI(E);</p>
response	<p><i>Not accepted</i></p> <p>This is a requirement coming from JAR-FCL 1 and 2, and the Agency has no safety evidence indicating that it should be amended.</p> <p>An alternative option as proposed doesn't seem to make sense as the time under supervision should be kept in any case in order to support the 'young' restricted instructor for a certain time before reaching a certain level of instructing experience.</p>
comment	<p>873 <span style="float: right;">comment by: <i>Stefan Kramer</i></span></p> <p>10 Stunden Instrumentenflugerfahrung sind als Standart PPL (VFR) wohl deplaziert. Eine generelle Verträtheit mit den Bedingungen des Fluges nach Instrumenten ist auf dieser Stufe wohl vollkommen ausreichend.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>It seems that you have addressed your comment to the wrong segment as this paragraph FCL.910.FI contains the requirements for the restricted privilege. Please see also the responses to the comments on the prerequisites to become an FI in the appropriate segment.</p>
comment	<p>904 <span style="float: right;">comment by: <i>Geschäftsführer Luftsportverband RP</i></span></p> <p>Für den Abschluss einer Fluglehrer-Assistentenzeit genügt es, wenn der Kandidat jeweils einen Flugschüler unter Aufsicht in allen Ausbildungsabschnitten ausgebildet hat. Alles andere verzögert nur die Assistentenzeit.</p> <p>daher (c) (1) For FI(A) 50 hours flight instruction ....</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your input.</p> <p>This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the Agency has no safety evidence indicating that it should be amended.</p>
comment	<p>1247 <span style="float: right;">comment by: <i>Aeromega</i></span></p> <p>910.FI (c) (2) requires 25 solo exercises to be supervised. This has never been properly defined and needs clarification. It would be better to require a restricted instructor to supervise 10 hours of solo flying, each detail to include at least one take off, climb to circuit height and one landing.</p>
response	<p><i>Noted</i></p>

This is a requirement coming from JAR-FCL 1 and 2, and the Agency has no safety evidence indicating that it should be amended as proposed by you.

However, there is an inconsistency between (c)(1) and (2), and to solve it the wording of paragraph (c)(2) will be amended to 'solo flights'. The definition of solo flight is included in FCL.010.

To clarify the issue it should be highlighted that the requirement does not make it necessary to observe any first solo flights as this is excluded from the privileges anyway (see (b) which will be amended to read 'first solo flights and first solo navigation flights').

comment 1349 comment by: *Gerhard Hehl*

Es werden zu viele Flugstunden gefordert.

response *Noted*

Thank you for providing your input.

This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1) to (3) will be kept unchanged.

comment 1509 comment by: *Volker ENGELMANN*

The hours again hamper to get somebody qualified, who is qualified by his knowledg and practical abilities.

The hours of instruction do not increase nor decrease any risk assesment.

For Flying Clubs it takes sometimes a very long time and a lot of ressources to qualify an already "ready" Flight Instructor Assistent!

Cut down the numbers to a minimum of 50 and delete subpara (3) since this says also nothing about the quality nor in- or decreases any risk!

response *Not accepted*

Thank you for providing your input.

This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1) to (3) will be kept unchanged.

The Agency would like to add that the statement provided which says that this instruction time under supervision 'says also nothing about the quality nor in- or decreases any risk' must be questioned. This restricted privilege was introduced many years ago (JAR-FCL and national requirements in different Member States) in order to assist the 'young' instructor by asking for some kind of supervision by an experienced instructor and not allowing him/her to provide instruction for two possible 'critical' exercises which are the first solo flight and the first solo cross-country flight. The Agency does not understand why such a supervision should not increase safety and the quality of the instruction provided by someone who just left the training course.

comment 1725 comment by: *Sven Koch*

	<p>Als Assistent unter Aufsicht eines FI bis er selbst: Für Flugzeuge 100 Std Ausbildung Für Segelflug 15 Std oder 50 Starts in allen Ausbildungsabschnitten</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion, but the Agency does not understand the meaning behind this comment.</p> <p>It seems to be only a more or less exact German translation of some elements contained in FCL.910.FI.</p>
comment	<p>1998 <span style="float: right;">comment by: <i>Felix.Reichl</i></span></p> <p>A flight instructor with restricted privileges should also have the privileges to do the SEP check flight. A CRI has the privilege to do this even he has only 5h of flight training as instructor. Furthermore the pilots for SEP check flights are in the possession of a license and have much more flight training skills than a beginner. I think a FI with restricted privileges can handle such check flights better than a CRI.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. It should be pointed out that none of the future instructor certificates will provide the privilege to conduct proficiency checks or skill tests (please check the privileges of the CRI to understand the proposed system).</p>
comment	<p>2003 <span style="float: right;">comment by: <i>Volker Reichl</i></span></p> <p>Logical Impact: There is an unbalance between the rights of a CRI and the rights of a FI with restricted privileges: CRIs with a much lower experience requirement are eligible to conduct check flights for class rating revalidation, but FI's with the higher practical and theoretical requirements are not. Furthermore the regulation is not strict because it is possible to enter FI flight training and, when meeting the requirements apply for the CRI. While having restricted FI rights it then would be possible to take class rating revalidation check flights anyway.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see also the response provided to comment No 1998 (F.Reichl) in the same segment above. Your comment seems to be based on the same misinterpretation of the privileges of the CRI. Please check FCL.905.CRI in order to identify the privileges of the CRI. This requirement does not contain any privilege related to proficiency checks for the class-rating revalidation. This is the task of a CRE (see FCL.1005.CRE) or an FE.</p>
comment	<p>2157 <span style="float: right;">comment by: <i>Rüdiger Braun</i></span></p> <p>c (1):</p> <p>100 hours of flight instruction is too much. 45 hours (as before) is enough.</p>

	<p>Important is that the FI under supervision will train all 3 parts until the final checkflight for PPL A.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your input.</p> <p>This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1) to (3) will be kept unchanged.</p>
comment	<p>2184 <span style="float: right;">comment by: <i>Oelschlaeger, Harald</i></span></p> <p>Scheiterte bereits bisher an hohen Eingandsanforderungen und wird auch hier keinen Kandidaten mehr veranlassen im EhrenamtFluglehrer zu werden. Diese Fluglehrer wird es nur noch an gewerblichen Flugschulen geben.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>As it was decided to transfer the JAR-FCL requirements, the Agency will not change the requirements for the mentioned prerequisites. Please see the concept of the LAFI in order to understand how the Agency has addressed most of the mentioned issues.</p>
comment	<p>2264 <span style="float: right;">comment by: <i>Mike Grierson</i></span></p> <p>Para (c) 1 TheFI(R) requires 100 hours of flight experience to remove the Restriction whereas a LAFI(R) who is less qualified, less experienced and less trained only requires 50 hours.</p> <p>The purpose of this requirement is to gain the necessary experience to judge when it is SAFE to send a student solo. There can be no justification for having a 50 hour requirement for a lesser qualified Instructor and a 100 hour requirement for a more experienced instructor.</p>
response	<p><i>Noted</i></p> <p>The FI and the LAFI are two different instructor certificates, with different privileges. They may both instruct for some of the same licences, but the privileges of the FI are broader than the privileges of the LAFI.</p> <p>Therefore, the Agency considers that the difference in requirements is justified.</p>
comment	<p>2340 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p> <p>Proposed amendment:  (c)(1)(iii) ... in order to demonstrate to an FIE <b>or TRE qualified for the purpose</b>, his/<b>her</b> ability to instruct.....  Justification:  A TRE with appropriate experience has the privilege to conduct TRI checks.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion but the Agency does not understand the meaning behind this comment, since it was not possible to identify which</p>

paragraph you are referring to.

comment 2451 comment by: *Dr. Horst Schomann*

Subparagraph (c) (1)

Problem: The requirement of 100 hours of instruction is too high for the non-commercial world (aviation as sport).

Proposed solution: Require 50 hours flight instruction .....

Justification: The necessary experience as instructor after having successfully passed the training course is not entirely related to instruction flight time. It requires a sufficient number of take-offs and especially landings, which are not mentioned at all. Compared to the 25 supervised student solo flights, 50 hours are sufficient.

response *Not accepted*

Thank you for providing your input.

This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1) to (3) will be kept unchanged.

comment 2777 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FFA agrees with the proposed rule.

response *Noted*

Thank you for providing this positive feedback.

comment 2782 comment by: *David COURT*

I would like to see the 30 hours of theoretical knowledge split into two 15 hour courses. After the first 15 hours the trainee Instructor would be allowed to Instruct to a limited level under the supervision of a full instructor.

After completion of the second half of the theoretical knowledge they would be allowed to instruct the full syllabus.

This will allow new Instructors to mix classroom theory with practical instruction. This then allows the trainee instructor to put the classroom work into context.

There are also some good potential instructors who would be reluctant to apply due to the high commitment of time and expense to complete the full course before they could teach a single student.

response *Not accepted*

A person cannot provide instruction until they are fully qualified, which means having undergone the full training programme and have been issued an

adequate certificate.

However, it should be noted that in what relates to the course programme, nothing prevents the 30 hours to be split.

comment 2787

comment by: *David COURT*

I would like to see the 30 hours of theoretical knowledge split into two 15 hour courses. After the first 15 hours the trainee Instructor would be allowed to instruct to a limited level under the supervision of a full instructor.

After completion of the second half of the theoretical knowledge they would be allowed to instruct the full syllabus.

This will allow new Instructors to mix classroom theory with practical instruction. This then allows the trainee instructor to put the classroom work into context.

There are also some good potential instructors who would be reluctant to apply due to the high commitment of time and expense to complete the full course before they could teach a single student.

response *Noted*

This seems to be an exact copy of your comment No 2782.  
Please see the response already provided to your comment above.

comment 2939

comment by: *Robert WORSMAN*

For ballooning:

Both LAFI and FI should be able to instruct for both LPL and BPL. A LAFI should not be restricted to only instruct for LPL. There is no logic to the EASA proposal - especially so as the LPL hours are credited when becoming BPL.

response *Noted*

Thank you for providing your opinion.

As this issue was already addressed in other comments sent by you please see the responses already provided in the appropriate segments. This paragraph contains only the requirements for the restricted privileges of the FI when having passed the skill test.

Nothing is said in this paragraph about the LAFI or any crediting for instructors.

However, to clarify the issue again it should be highlighted that the general principle is that the instructor has to hold at least the same level of licence he/she is providing training for. Please check FCL.915.

comment 3112

comment by: *Rory Worsman*

For instruction on Balloons I believe all instructors should be able and capable of instructing for LPL and BPL

response	<p>A light AFI should not be restricted to instructor on LPLs only.</p> <p>This rule does not make sense, a LPL's count to a BPL.</p> <p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 2939 (R. Worsman) in the same segment above.</p>
comment	<p>3236 <span style="float: right;">comment by: <i>Richard Sargeant</i></span></p> <p><b>Types of instructor rating – LAFI &amp; FI</b></p> <p>I fail to understand the objective of the proposal to differentiate between the scope of instruction allowed by LFI versus FI for balloons. The quality of instruction given and the instructor's level of expertise has nothing to do with whether or not that individual receives payment. Nor can I envision any safety implications.</p> <p>As a ballooning instructor with some 25 years of instructing experience behind me, I have taught pilots at all levels, some of who subsequently fly "just for fun" and those who go on to fly as commercial pilots. I choose not to charge for my instruction and greatly resent the proposed limitation – after all it is the potential commercial pilot that has to prove his competence by examination and no-one should need to ask if his instructor was a LAFI or FI – that's totally irrelevant. Please allow LAFI and FI to instruct for both LPL and BPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 2939 (R. Worsman) in the same segment above.</p>
comment	<p>3769 <span style="float: right;">comment by: <i>Jeremy BRYSON</i></span></p> <p>My only comment on the instructing proposals is that they will make the acquisition of an instructor rating more difficult and expensive and inhibit the progress of the younger glider pilots and thereby jeopardise the future of gliding.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the proposals for the LAFI(S) and compare them carefully with the requirements actually in place for gliding instructors in your country.</p>
comment	<p>4106 <span style="float: right;">comment by: <i>SFVHE</i></span></p> <p><b>Es sollte genügen, Schüler in je einem Ausbildungsabschnitte auszubilden. 40 oder 50 Stunden sollten hierzu angemessen sein.</b></p>
response	<p><i>Noted</i></p> <p>Thank you for providing your input.</p> <p>This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the</p>

Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1) to (3) will be kept unchanged.

comment 4129 comment by: *Bernd Hein*

100 Stunden sind zuviel, auch hier sollten Starts und Stunden ein Gewicht haben und alternativ zu Flugstunden stehen.

response *Noted*

Thank you for providing your input.

This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1)(2)(3) will be kept unchanged.

comment 4179 comment by: *Bristow Academy*

Comment:

FCL.910.FI

Para (b) should read:

.....authorise student pilots to conduct the **first solo flight by day and night and the first solo cross country flight by day and night**

Para (c) (2) should read:

.....at least 25 student solo **air** exercises.

response *Partially accepted*

Thank you for providing your comment and identifying this editorial mistake.

The Agency agrees and will change the wording in order to read: 'to conduct first solo flights and first solo navigation flights'. There is no need to add: 'by day and night' as this is already the case with the expression used.

The Agency agrees that the wording in (c)(2) should be aligned with the wording used in (c)(1). The term 'solo flights' will be included in (2) as this seems to be the best expression for the category of flights required.

comment 4225 comment by: *Deutscher Aero Club (DAeC)*

Proposal:

An FI shall have his/her privileges limited to not acting as an instructor for first solo flights and first solo navigation flights...

Justification:

Same requirement as for the LPL.

response *Accepted*

Thank you for your proposal.

The Agency agrees and will change the text accordingly.

comment 4250 comment by: *Deutscher Aero Club (DAeC)*

Proposal

	<p>(c)(1) For FI(A), 45 hours flight instruction in aeroplanes or TMG and, in addition has supervised at least 25 student solo flights; Justification 100 hours instruction time are too burdensome and are not necessary to ensure a training representing the syllabus. 45 hours is the amount of hours to train one student.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your input.</p> <p>This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1)(2)(3) will be kept unchanged.</p>
comment	<p>4329 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.910.FI(b) <b>Wording in the NPA</b> (b) While conducting training under supervision, in accordance with (a), the FI shall not have the privilege to authorise student pilots to conduct solo flights.</p> <p><b>Our proposal</b> <b>Change:</b> (b) While conducting training under supervision, in accordance with (a), the FI shall not have the privilege to authorise student pilots to conduct <b>first</b> solo flights <b>and first solo cross country flights</b>.</p> <p><b>Issue with current wording</b> The restriction does not allow the authorisation of any solo flights. This is far more restrictive than the original JAR-FCL regulation.</p> <p><b>Rationale</b> This restriction is far more restrictive than the original JAR-FCL regulation which only restricts the authorisation of first solo flights and first solo navigation flights.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for your proposal. The Agency agrees and will change the text accordingly. The wording 'navigation flight' will be kept as this is an agreed expression.</p>
comment	<p>4331 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.910.FI(c)(1) <b>Wording in the NPA</b> (c)(1) For FI(A), 100 hours flight instruction in aeroplanes and, in addition has supervised at least 25 student solo flights;</p> <p><b>Our proposal</b> <b>Change:</b> (c)(1) For FI(A), <b>50</b> hours flight instruction in aeroplanes or <b>TMG</b> and, in addition has supervised at least 25 student solo flights;</p> <p><b>Issue with current wording</b></p>

100 hours keep an instructor unnecessarily too long under restricted privileges depending on availability of students.  
An FI may also instruct on TMG therefore there must be the option to fly the 50 hours on TMG.

### Rationale

In the non commercial space there is no regular availability of students. And other instructors will be competing for instruction time to make the required instruction time. Therefore it may take very long until 100 hours of instruction are completed. 50 hours matches the required hours for a validity period of 3 years which should in general be the maximum that an instructor has restricted privileges. 50 hours instruction time is about the time required to train 2 students where also the supervisor instructs occasionally to check the progress of the student. This should be sufficient experience to then remove the restrictions.

response *Partially accepted*

Thank you for providing your input.

Regarding your proposal to lower the required amount of hours in (c)(1) it should be clarified that this is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2.

The Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1)(2)(3) will be kept unchanged.

Additionally you propose to add the term 'TMG'. The Agency agrees and will include the TMG.

comment

4332

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.910.FI(c)(3)

### Wording in the NPA

(3) For FI(As), FI(S) and FI(B), 15 hours or 50 takeoffs flight instruction covering the full training syllabus for the issue of a PPL(As), SPL or BPL in the appropriate aircraft category.

### Our proposal

#### Change:

(3) For FI(As), FI(S) and FI(B), 15 hours or 50 takeoffs flight instruction < delete: covering the full training syllabus> for the issue of a PPL(As), SPL or BPL in the **respective** aircraft category.

### Issue with current wording

Tracking and documenting if the full flight training syllabus has been covered is completely unpractical.

### Rationale

Instructors for aeroplanes and helicopters are not required to cover the complete syllabus. Instructors for Sailplanes should not be treated different. Since the training of glider pilots stretches over 2 years typically and there may not be that many student pilots it may take very long for an instructor to cover the complete syllabus. Keeping track of this also requires additional unnecessary documentation.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree and will keep the requirement unchanged.

Your proposal is to delete the term: 'covering the full training syllabus' and the justification provided is based only on the request to align the text with the FI(A) requirement.

As you can easily see the numbers of hours and the amount of launches for the LAFI(S) are much lower as the ones proposed for the LAFI(A). Aligning the text with the requirements for the LAFI(A) would mean that the LAFI(S) should provide 50 hours of flight instruction and supervise at least 25 student solo flights.

During the drafting phase of these proposals the gliding experts came to the conclusion that the wording proposed (covering the full training syllabus) would be more appropriate for the LAFI(S) and (B). Based on this, the total amount of hours required could be lowered. By accepting your proposal the Agency would have to introduce a higher amount of flight training because the required 15 hours could be easily fulfilled with 4 cross-country training flights. This is definitely not the aim of these requirements as this time period of restricted privileges should allow the FI to gain experience in sending student pilots on solo flights, instructing all the exercises of the syllabus and receiving support and assistance of the supervising instructor. The Agency is of the opinion that this time period with limited privileges should not be seen as an additional burden but as an option to further qualify the instructor before giving him/her the full privileges. The additional requirement for providing flight instruction covering the full flight training syllabus will therefore be kept.

comment

4609

comment by: *Deutscher Aero Club*

FCL.910.FI(c)

(3) "For FI(As), FI(S) and FI(B) LAFI 15 hours or 50 take offs flight instruction covering the full training syllabus for the issuance of the a PPL (As), SPL or BPL in the appropriate aircraft category."

Comment:

Why are LAFI for sailplanes required to cover the full syllabus whereas LAFI for aeroplanes and helicopters are not? This additional requirement should be removed.

EGU Proposal:

(3) "For FI(As), FI(S) and FI(B) LAFI, 15 hours or 50 take offs flight instruction covering the full training syllabus for the issuance of a PPL (As), SPL or BPL in the appropriate aircraft category."

response

*Accepted*

Thank you for providing your opinion.

See the response provided to comment No 4332 (Baden-Württembergischer Luftfahrtverband) in the same segment above.

The text proposal (EGU Proposal) is not understood as it is exactly the wording published in the NPA. The Agency believes that this must be a mistake.

comment

4709

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Die Bedingungen fuer Segelfluglehrer sind nicht adaequat.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(c)(3) Fuer FI(S) aendere/ergaenze in: 10 Stunden oder 30 Starts

response

*Not accepted*

The Agency acknowledges your opinion.

However, the Agency does not agree at all with your proposal because such a requirement could be fulfilled during one weekend with good gliding conditions by providing 3 cross-country navigation training flights.

The aim of this restriction doesn't seem to be understood.

This time period of restricted privileges should allow the FI to gain experience in sending student pilots on solo flights, instructing all the exercises of the syllabus and receiving support and assistance of the supervising instructor. The Agency is of the opinion that this time period with limited privileges should not be seen as an additional burden but as an option to further qualify the instructor before giving him/her the full privileges. The additional requirement for providing flight instruction covering the full flight training syllabus and the required amount of flight instruction will therefore be kept.

comment

4800

comment by: *Flight Training Europe*

Page 51, FCL.910.FI (a) (2)

	<p>Should exclude MPL training, change to read:  <b>(2) in all integrated courses, except for an MPL, at PPL level, in case of aeroplanes and helicopters;</b></p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.  This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325(b)(1)) and the Agency has no safety evidence indicating that it should be amended.</p> <p>The additional term: 'except for an MPL' will not be introduced as no justification is provided.</p>
comment	<p>4807 <span style="float: right;">comment by: <i>Flight Training Europe</i></span></p> <p><u>Page 51, FCL.910.FI (b) and (c) (1)</u></p> <p>These sub paragraphs contradict each other and are unnecessarily more restrictive than the current JAR-FCL rules. How can an instructor supervise at least 25 solos if he does not have privileges to authorise them: change subparagraph (b) to read:</p> <p style="text-align: center;"><b>(b) While conducting training under supervision, in accordance with (a), the FI shall not conduct flight instruction for first solo flights by day or night and first solo navigation flights by day or night.</b></p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your input.</p> <p>This is a requirement coming from JAR-FCL 1 (JAR-FCL 1.325) and 2, and the Agency has no safety evidence indicating that it should be amended. The required amount of instruction time in (c)(1)(2)(3) will be kept unchanged.</p> <p>The additional term: 'or night' will not be introduced as the wording as it is excludes first solo flight at night anyway.</p>
comment	<p>5592 <span style="float: right;">comment by: <i>Belgian Gliding Federation</i></span></p> <p><i>FCL.910.FI(c)</i>  (3) "For FI(As), FI(S) and FI(B) LAFI 15 hours or 50 take offs flight instruction covering the full training syllabus for the issuance of the a PPL (As),SPL or BPL in the appropriate aircraft category."</p> <p>Comment:  Why are LAFI for sailplanes required to cover the full syllabus whereas LAFI for aeroplanes and helicopters are not? This additional requirement should be removed.</p> <p><b><u>Proposal:</u></b>  <b>(3) "For FI(As), FI(S) and FI(B) LAFI, 15 hours or 50 take offs flight instruction covering the full training syllabus for the issuance of a PPL (As), SPL or BPL in the appropriate aircraft category."</b></p>
response	<p><i>Accepted</i></p>

As this is only a copy of the comment No 4609 (Deutscher Aero Club) in the same segment above please see the response already provided.  
The requirement will be kept unchanged.

comment 5617 comment by: David Trowse

FI restricted privialges are more rectrictive that those proposed for LAFI eg the LAFI can authorise solo student flights after the first solo / solo navex. FIs with restricted privilages should also be allowed to authorised solo student flights after the first solo / solo navex. At these initial stages of flying training there is no real difference between the training for LPL or PPL etc so there is no justification for an additional restriction of the privilages of the FI.

response *Noted*

Thank you for providing your opinion and identifying this editorial mistake.

Certainly the restrictions should be in this case the same as for the LAFI as they should exclude only the first solo flight and the first solo navigation flight. The text will be amended accordingly.

comment 5620 comment by: David Trowse

Why is (A)(3) more restricted for the FI than for the less well qualified CRI providing the same training?  
Either the FI should be less restricted or the CRI also have a restriction added.

response *Noted*

Thank you for providing your opinion.

The restriction for the FI is to conduct flight instruction under the supervision of an FI for class and type ratings for single-pilot single engine aircraft. (see (a)(3))

The privileges of the CRI are restricted to the type or class of aeroplane (only single pilot) in which the skill test was taken (unless extended later on).

These requirements are coming from JAR-FCL 1 (JAR-FCL 1.325) and the Agency has no safety evidence indicating that it should be amended. The requirements for privileges of both instructor certificates will be kept therefore unchanged (the only change will be a new restriction on high-performance complex aeroplanes).

comment 5785 comment by: UK CAA

**Paragraph:** FCL910 FI (b)

**Page No:** 51 of 647

**Comment:** The restriction of privileges should be specifically for first solo flights and first solo navigation flights (see paragraph FCL 910. LAFI) and not all solo flights as inferred here.

**Justification:** Consistency with JAR and FCL.910 LAFI

**Proposed Text:** Amend paragraph FCL910.FI(b) to read

**...to conduct first solo flights and first solo navigation flights.**

response *Accepted*

Thank you for your proposal.  
The Agency agrees and will change the text accordingly.

comment 5786 comment by: UK CAA

**Paragraph:** FCL910 FI (c)(1)(2)

**Page No:** 51 of 647

**Comment:** The difference in paragraph 1&2 in relation to 25 student solo flights (aeroplanes) and 25 student solo flight exercises (helicopters) should not exist. It was changed for JAR FCL 2 by JAR LLST(H) with the intention of transferring it to JAR FCL 1 prior to the demise of the LST.

**Justification:** Consistency – NPA 25 to JAR FCL 2 changed the wording in JAR FCL 2 Subpart H from '25 solo flights' (for which there was no definition) to '25 student flight air exercises' because an 'air exercise' is detailed in the PPL Syllabus contained in JAR FCL Section 2 as the briefing, flight and debrief. Therefore, under this alleviation, the instructor may detail more than one solo flight exercise to be conducted in a single solo flight.

**Proposed Text:**

Combine FCL 910 FI (c1&c2) to reflect that both aeroplanes and helicopters state 'at least 25 student solo flight exercises'

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees that the wording has to be consistent. After careful consideration of all the comments received and checking the wording provided by JAR-FCL, the Agency came to the conclusion to use the term: '25 solo flights' for (1) and (2). The proposed term 'solo flight exercises' could cause irritation in the 'aeroplane world'. As the first solo flight is excluded from the restricted privileges this requirement should ask for solo flights only.

comment 6260 comment by: Christoph Talle

910. Fi (b) Mistake ? I think: ...the Fi shall not have the privilege to authorise student pilots to conduct "the **first** solo flight and solo cross country flights". I think the FI (rp) has to learn to supervise solo flights of students !!

response *Partially accepted*

Thank you for providing your opinion and identifying this editorial mistake. The Agency agrees and will change the text accordingly to read 'first solo flights and first solo navigation flights'. Your comment is definitely right when pointing out that the 'FI (rp) has to learn to supervise solo flights of students' because this is an important task of the instructor.

comment 6261 comment by: Christoph Talle

910.FI (c)(3) see my comment 910 LAFI (b)(3).  
Not the whole syllabus for gliding

response *Noted*

Thank you for providing your opinion.  
Please see the response already provided to your similar comment to FCL.910.LAFI. The term 'covering the full training syllabus' will be kept as the

number of hours and flights are rather low. The requirement as it is proposed with your comment could e.g. in the case of the LAFI(S) be fulfilled with 4-6 cross-country instruction flights which is clearly not the aim of this requirement.

comment 6734 comment by: CAA Finland

FCL.910.FI(a)(3):  
Amended text proposal:

(3) for class and type ratings for single-pilot, single-engine aircraft **(land)**;

response *Noted*

The Agency does not understand the meaning of the comment.

If the paragraph is amended as you suggest, it will mean that in the case of SE/SP aircraft (sea) the flight instructor will not have his/her privileges limited. The Agency sees no reason for this exclusion.

comment 6850 comment by: UK CAA

**Paragraph:** FCL.910 LAFI& 910 FI  
**Page No:** 47 & 51 of 647

**Comment:** Refers to an FI acting under 'supervision' of an LAFI or FI, however there is no definition to what constitutes 'supervision' or the experience or qualifications required of a supervisory FI. As these requirements are common to all FI categories a general requirement is needed in FCL.950 to clarify/standard standardisation.

**Justification:** Safety/Legality – A definition, for this purpose of this Part, is required for what is acceptable as 'supervision' and the minimum acceptable experience level and responsibilities of a 'supervisor'.

Standardisation - The lack of a binding definition in JAR already causes confusion/variation in standardisation and a 'loophole open to abuse.

**Proposed Text:**  
**(if applicable)**

A new FCL.950 Supervision of the Restricted Instructor

(a) The supervising instructor shall hold an unrestricted instructor rating with at least 200 hours of flight instructional experience to include experience on the type or class of aircraft for which supervision is being given, the syllabus/exercise being taught and the experience/limitations of the individual he is supervising.

(b) The supervising instructor shall be nominated, in the organisations Operations Manual or Flying Order Book, so that he/she may be readily identified. Such a document should also list the qualifications and responsibilities of the supervising instructor.

(c) Before flight training commences, the supervising instructor shall assess the day's programme as appropriate having considered the exercise(s) to be flown, student performance and progress, aircraft maintenance and serviceability, the weather forecast, NOTAMS and any other factors likely to affect the planned activities.

(d)The supervising instructor must be present at the airfield during any instructional flights and be contactable without undue delay.

	<p>(e) The supervising instructor shall be informed of any student solo flying and be available to observe, where appropriate, any briefings conducted by or student solo flights authorised by the restricted instructor.</p>
response	<p><i>Not accepted</i></p> <p>The Agency believes that this issue is to be solved by the safety management system of the ATO. See also the response already provided to your comment to FCL.910.LAFI.</p>
comment	<p>6853 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.910.FI (a)(3) <b>Page No*:</b> 51 <b>Comment:</b> See UK CAA comment on FCL.905.FI (b) To restrict the privileges of the FI certificate for aeroplanes to training on aeroplanes within a Class. <b>Justification:</b> See UK CAA comment on FCL.905.FI (b) <b>Proposed Text: (if applicable)</b> Replace with:</p> <p>(a)(3) Class ratings for single-pilot, single-engine aeroplanes and type ratings for single-pilot single-engine helicopters, and class and group extensions, as applicable.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The requirements for the restricted privilege of instructors were based on JAR-FCL requirements. The Agency carefully reviewed your proposal but does not intend to change the restricted privileges (here: to exclude the privilege to instruct for the single-engine type rating aeroplanes) at this time without a dedicated safety assessment.</p> <p>Please see also the response already provided to your comment on FCL.905.FI.</p> <p>However, your proposal to add the specific privileges for the extension to classes and groups is agreed and will be incorporated.</p>
comment	<p>7513 <span style="float: right;">comment by: Graham PHILPOT</span></p> <p>c3 - Again I believe this is too long and would be better served by a limited number of instruction flights observed by an Examiner -eg 2</p>
response	<p><i>Noted</i></p> <p>Thank you for your feedback.</p> <p>However, the Agency would like to point out that (c) already provides the option to do 50 take-offs instead of the required 15 hours of instruction. The proposal is based on supervision by an instructor and not by an examiner.</p>
comment	<p>8165 <span style="float: right;">comment by: F Mortera</span></p> <p><b><u>3. About instructor certificates</u></b></p>

**FCL.910.LAFI B (b) (4) = FCL.910.FI B(c) (3) "Restricted privileges" (pages 47 and 52)**  
**FCL.915.LAFI B (e) = FCL.915.FI B (g) "Pre-requisites" (pages 48 and 51)**  
**FCL 925.LAFI = FCL.935.FI "Skill test" (pages 49 and 52)**

I am also confused in a similar way for the LAFI and FI certificates and their respective requirements.

response *Noted*

Thank you for providing your standard comment.  
 Please see the responses provided to your comment already in other segments.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 3: Specific requirements for the flight instructor — FCL.915.FI Prerequisites for the FI p. 51-52 training course**

comment 295 comment by: *CAA Belgium*

(c)(1) is not in conformity with Annex 1 - 2.8.1.1 and should be brought in accordance for the prerequisite "having successfully passed the CPL theoretical knowledge examination."

**THIS KIND OF DEVIATION FROM ANNEX 1 IS ABSOLUTELY UNNECESSARY AND HAS TO BE DELETED**

response *Accepted*

Thank you for providing this positive feedback.

Based on the comments received and after careful consideration the Agency has decided to re-introduce the CPL theoretical knowledge requirement. This decision is based on the fact that it was decided to stay as close as possible with the JAR-FCL requirements and with the ICAO standards.  
 The text will be amended accordingly.

comment 642 comment by: *British Microlight Aircraft Association*

*Comment: There is an inconsistency in the recency requirements for pilots wishing to attend a training course for the FI. Pilots of aeroplanes are required to have experience and recency "completed at least 30 hours of flight time on a single engine piston aeroplane of which at least 5 hours shall have been completed during the six months preceding the pre-entry flight test set out in (a);" whereas pilots of helicopters, airships, sailplanes and balloons do not have a recency stipulation*

response *Noted*

This is coming from a difference in the prerequisites for the FI(A) and the FI(H) that was already established in JAR-FCL 1 and 2.

When developing the NPA, the Agency identified no safety reason to extend these requirements to other categories of aircraft, but there was also no evidence that it could be deleted from the requirements for the FI(A).

Therefore, it was decided to keep this difference in the treatment of the different aircraft categories.

comment 906 comment by: *Geschäftsführer Luftsportverband RP*

Der FI (A) macht keine Instrumentenflugausbildung. Es genügt für ihn die 180 Grad Kurve aus schlecht Wetter; ansonsten bildet er in Funknavigation aus.

entweder wird hier die 10 Stunden Instrumentenflugunterweisung präsiert mit Funknavigation oder streichen des Satzes (b) (1)

(b) (1) have received at least 5 hours of simulated instrument flying ....at least 3 hours ground time in an FSTD;

response *Not accepted*

Thank you for providing your opinion.

The requirements for the prerequisites for instructors were based on JAR-FCL requirements. You will find the requirement for 10 hours instrument instruction in JAR-FCL 1.335(d). This requirement is also based on the ICAO SARPS Annex 1 (2.8.1.3).

The Agency carefully reviewed all the comments received on this issue and further discussed the need for this training item with the licensing experts. Finally it was agreed not to change this requirement at this stage without a dedicated safety assessment.

comment 1063 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

**Comment:**

An FI (A) should at least meet the theoretical knowledge requirements for a CPL.

**Proposal:**

(1) hold at least a CPL (A) or completed at least 200 hours of flight time of which 150 hours as pilot-in-command and met the theoretical knowledge requirement for a CPL;

response *Accepted*

Please see the reply to comment 295 above.

comment 1064 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

**Comment:** An FI (H) should at least meet the theoretical knowledge requirements for a CPL.

**Proposal:** (d) additionally, for the FI(H), have completed 250 hours of helicopter flight time, of which:

(1) at least 100 hours shall be as pilot-in-command, if the applicant holds an ATPL(H) or a CPL(H); or

	(2) at least 200 hours as pilot-in-command, if the applicant holds a PPL(H) and meet the theoretical knowledge requirement for a CPL;
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 295 above.</p>
comment	<p>1108 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p><b>Comment:</b> The relevant text means a reduction by half in comparison with the JAR FCL requirement which is a downgrading of skill. The flight instructor as a professional skill, demand that the level of experience is kept on a high level are at a situational risk at all times when instructing future pilots. Also an SFI will never fly an aircraft "live", so therefore SFI time can't be credited for FI revalidation/renewal.</p> <p><b>Proposal:</b> New text as follows: In the case of an FI(A) and (H), at least 100 hours of flight instruction in the appropriate aircraft category during the period of validity of the certificate as FI, TRI, CRI, IRI, or examiner. 30 hours of flight instruction shall have been completed within the 12 months preceding the expiry date of the FI certificate. If the privileges to instruct for the IR are to be revalidated, 10 of these 30 hours shall be instruction for IR;</p>
response	<p><i>Partially accepted</i></p> <p>Thank your for providing your opinion.</p> <p>However, it seems that the comment should have been addressed to another segment as you are commenting on the revalidation criteria for the FI rating (FCL.940.FI). Please see also the responses provided in the appropriate segment and check also the resulting text.</p> <p>Please be aware that JAR-FCL 2.320G (1) already requires that the instructor should give at least 50 hours of flight instruction in helicopters as FI, TRI, IRI or examiner during the period of validity, of which at least 15 hours shall be within the 12 months preceding the expiry date of the rating.</p> <p>When developing the NPA, the Agency identified no safety reason why these requirements should not be extended to the FI(A) as there was a certain evidence that the former requirement asking for 100 hours instructing time only for the FI(A) revalidation was too demanding. Therefore, it was decided to introduce this requirement (50 hours) for both aircraft categories.</p> <p>Regarding your second issue (which kind of instructing time should be counted) the Agency agrees and will come back to the JAR-FCL wording which means that instructing time as SFI will be excluded. However, it should be pointed out that instructing time as LAFI (new instructor category) will be included.</p>
comment	<p>1350 comment by: <i>Gerhard Hehl</i></p> <p>Wenn mit instrument flight instruction Funknavigatation gemeint ist, ist das in Ordnung. Dann aber bitte Umformulierung.</p>

response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.</p>
comment	<p>1726 <span style="float: right;">comment by: <i>Sven Koch</i></span></p> <p>Flugtest mit qualifiziertem FI sechs Monate vor Lehrgangsbeginn 10 Std Instrumentenflug 20 Std Überlandflug Entweder CPL(A) oder 200 Std, davon 150 PIC 30 Std auf SEP, davon 5 Std vor Lehrgangsbeginn auf dem Schulungsmuster Überlandflug von 540 km mit zwei Landungen fremden Platz Keinen Instrumentenflug; wenn das Funknavigation ist, dann OK.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.</p>
comment	<p>1896 <span style="float: right;">comment by: <i>French Army AVN. FTO</i></span></p> <p>What are the privileges of a FI with <b>"restricted privileges"</b>?</p> <p>"While conducting training under supervision, the FI <u>shall not</u> have the privilege to <u>authorise pilot students to conduct solo flight</u>" (b) or "the limitations shall be removed when the FI has completed: 100 hours flight instruction, in addition <u>has supervised</u> at least 25 student <u>solo exercise</u>" (c)(2).</p> <p><b>Is FI allowed to authorise pilot students to conduct solo flight ?</b></p>
response	<p><i>Noted</i></p> <p>The FI with restricted privileges cannot authorise students for first solo flights and first solo navigation flights. Please see FCL.910.FI(b)</p>
comment	<p>2061 <span style="float: right;">comment by: <i>Thomas SIEWERT</i></span></p> <p>FCL.915.FI Pre-requisites for die FI-training course Es ist zu begrüßen, dass unter (3) keine CPL-Kenntnisse mehr erforderlich sind bzw. nachgewiesen werden müssen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this positive feedback.</p> <p>However, based on the comments received and after careful consideration the Agency has decided to re-introduce the CPL theoretical knowledge requirement. This decision is based on the fact that it was decided to stay as close as possible with the JAR-FCL requirements and the ICAO standards.</p>
comment	<p>2186 <span style="float: right;">comment by: <i>Oelschlaeger, Harald</i></span></p>

response	<p>Keinen Instrumentenflug; wenn das Flugnavigation ist, dann o.k.</p> <p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.</p>
comment	<p>2216 <span style="float: right;">comment by: <i>Nigel Roche</i></span></p> <p>I would suggest to be completely accurate that:</p> <p>(a) have passed a specific pre-entry flight test with an FI qualified in accordance with FCL.905.FI (j) within is amended to read</p> <p><b>(a) have passed a specific pre-entry flight test with an FI qualified in accordance with FCL.905.FI (j)(2) within</b></p>
response	<p><i>Not accepted</i></p> <p>The FI has to be qualified to give instruction for other instructor certificates. That means complying with all the requirements in FCL.905.FI (j), not just subparagraph (2) thereof.</p>
comment	<p>2417 <span style="float: right;">comment by: <i>Danish Powerflying Union</i></span></p> <p>We suggest the wording to be following:</p> <p>(c) additionally, for the FI(A): (1) hold a CPL(A) <b>or a PPL(A)</b> or completed at least 200 hours of flight time, of which 150 hours as pilot-in-command;</p> <p>Justification: <i>This to insure a PPL(A) license holder rights to attend a FI training course if he/she fulfils the requirements mentioned in (a) and (b). It provides coherence in education of FI and FE for the LPL(A) and PPL(A). It enables a FI/FE to instruct, etc. in respect to the different licences, from restricted to unrestricted LPL to PPL.</i></p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. The Agency will not introduce the wording like proposed with your comment as it would allow also the LPL holder to fulfil these criteria.</p> <p>However, your main aim, which is to ensure that a PPL(A) holder could fulfil these requirements, is already given with the present wording as it says: 'hold at least a CPL or completed ...'. The 'or' clearly shows that a PPL holder fulfilling the hours requirement will be allowed to start the training.</p> <p>To make it even more clear, the Agency will separate the requirements and clarify that the PPL(A) holder is not excluded. It should be mentioned already that the CPL theoretical knowledge requirement has to be re-introduced.</p>
comment	<p>2452 <span style="float: right;">comment by: <i>Dr. Horst Schomann</i></span></p>

	<p>Subparagraph (c) (2)</p> <p>Problem: TMG is missing.</p> <p>Proposed solution: ... single-engine piston aeroplane or TMG ...</p> <p>Justification: Throughout the document the TMG is treated as alternative to SEP aircraft. Therefore it is also necessary for the related FI.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The requirements for the the prerequisites for instructors are based on the JAR-FCL requirements. Subparagraph (c)(2) is based on JAR-FCL 1.335 (c) which asks clearly for single-engine piston flight time. The Agency does not intend to change this.</p> <p>However, it should be highlighted that the Agency will introduce the term 'in aeroplanes and/or TMG' in (c)(1) in order to clarify that this requirement can be fulfilled also with a TMG (new numbering: (b)(2)(ii)).</p>
comment	<p>2570 <span style="float: right;">comment by: CAA Belgium</span></p> <p>(c)(1) The word "aeroplane" is to be added between the words "200 hrs of" and "flight time". Reason: ICAO requires experience in the category.</p>
response	<p><i>Partially accepted</i></p> <p>The Agency agrees in general but will also include the TMG because of the TMG class rating attached to the PPL. The text will be amended accordingly.</p>
comment	<p>2778 <span style="float: right;">comment by: French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</span></p> <p>FCL 915 FI (b) (1) :</p> <p>FFA points out an inconsistency concerning the hours carried out in an FSTD.</p> <p>The words "of which at least five hours" should be replaced by "of which not more than five hours".</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly</p>
comment	<p>2779 <span style="float: right;">comment by: French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</span></p> <p>FCL 915 FI (c) (1) :</p> <p>FFA strongly supports that an applicant to a FI certificate would not be required to be a CPL holder. A requirement of 200 hours for PPL holders seems appropriate. To be consistent, FFA proposes not to open the FI training course to pilots</p>

	<p>holding only a LPL licence since the LAFI training course has been especially set up for them.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, based on the comments received and after careful consideration the Agency has decided to re-introduce the CPL theoretical knowledge requirement. This decision is based on the fact that it was decided to stay as close as possible with the JAR-FCL requirements and the ICAO standards.</p> <p>You are right with your statement that the FI certificate cannot be obtained by an LPL holder. The Agency will consider if a change of the wording in (c) is needed to clarify this.</p>
comment	<p>2926 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p> <p>(c)(1) is not in conformity with Annex 1 - 2.8.1.1 and should be brought in accordance for the prerequisite "having successfully passed the CPL theoretical knowledge examination."</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. The Agency agrees and the text will be amended accordingly.</p>
comment	<p>2927 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p> <p>(c) (1) The expression "in aeroplane" is to be added to the words "200 hrs of flight time". Justification: ICAO requires experience in the category.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 2570 (CAA Belgium) in the same segment above.</p>
comment	<p>2953 <span style="float: right;">comment by: <i>FEDERATION FRANCAISE D'AEROSTATION</i></span></p> <p><b>FCL.915.FI Pré-requis pour le cours de formation.</b> Même demande que le FCL.915.LAFI Il ne nous semble pas nécessaire de faire un test en vol avant de suivre le cours de formation d'Instructeur car les compétences de pilotage peuvent être jugées au cours des 3 vols d'instruction. Par contre nous demandons de rajouter: <b><i>avoir satisfait à un contrôle connaissances théoriques</i></b> afin de s'assurer que cette partie est acquise avant le cours.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the answer already provided to the same comment for FCL.915.LAFI. The pre-entry flight test will be kept because the main aim of this flight is clearly to assess the ability of the applicant to undertake the course. This provides the FI candidate also with the option to take further</p>

refresher training if a certain shortcoming in a specific field was detected during this test flight.

comment 3173 comment by: FOCA Switzerland

J/Section 3  
FCL.915.FI

Proposal

- **Pre-requisites not according ICAO. PPL holder should have passed CPL-theory**
- **(c)(3) add: VFR**

response *Accepted*

Thank you for providing your opinion.

As to your first comment please see the reply to comment 2926 iabove.

Regarding your second comment the Agency decided to accept your proposal. This is just a matter of clarification. Text will be amended in paragraphs (b)(2) and (c)(3).

comment 3203 comment by: Susana Nogueira

New redaction:

(c) additionally, for the FI(A):

**(1) Hold at least a PPL(A);**

**(2) Having sucessfully passed the CPL theoretical knowledge examination;**

**(3) Having completed, at least, 200 hours of aeroplane flight time, of wich 150 as pilot-in-command if is holder of a PPL(A);**

(4) actual (2)

(5) actual (3).

Justification: To aligne with ICAO Annex 1 and with JAR-FCL

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees with your proposal to add the CPL theoretical knowledge. See also the response to comment No 2061.

The text in (1) will be kept as it is because no need is seen to separate it as proposed.

comment 3266 comment by: Egon Schmaus

FCL.915:FI

(b)(1): have received at least "5 hours of SIMULATED" instrument flight instruction in the appropriate aircraft category, of which "a MAXIMUM of 3" hours may be instrument ground time .....

Reason: Costs! Actual instrument flight instruction has to be done by an IRI. Thus, FI training courses could only be done at big FTO, which are alsooffering instrument flight instruction. Actual instrument training is "overpowered" for a

visual flight instructor and does not correspond to existing risks.  
 ... The term "...at least 5 hours may be instrument ground time..." at the end of sentence offers to do all training in an FSTD, which does not meet requirements of introduction for VFR-Pilots.

FCL.915.FI

(c)(2) ... piston powered aeroplanes "or TMG" of which..."

Reason: FI will be competent for instruction in SEP and/or TMG. Thus, the prerequisites must be demanded in either one or both classes of aircraft.

response *Not accepted*

Thank you for providing your opinion.

The requirements for the prerequisites for instructors were based on JAR-FCL requirements. You will find the requirement for 10 hours instrument instruction in JAR-FCL 1.335(d). As this requirement is based on the ICAO SARPS Annex 1 (2.8.1.3) the Agency does not intend to change this requirement at this time without a dedicated safety assessment.

The Agency reviewed carefully the comments received regarding the required 30 hours flight time in SEP aeroplanes in (c)(2). Your proposal to add 'or TMG' will not be accepted as the Agency decided to keep the wording used in JAR-FCL which will ensure a certain minimum flight time as PIC on SEP aeroplanes before starting the training course (based on the fact that all the other hours required could be flown in a TMG and secondly on the fact that the privilege of the FI will include the instruction on SEPs).

comment

3307

comment by: *DGAC FRANCE*

Part FCL 915.FI

An applicant must meet an appropriate and updated level of knowledge to undertake the instructor training course, otherwise the ground part of the instructor course will be mainly used to reach the level of knowledge and not to learn how to give instruction. This level of knowledge must be much deeper than the level of the holder of the licence to enable the instructor to give accurate explanations, to adapt these explanations to the student and to be convincing.

***(a) Have passed a theoretical evaluation to ensure that the applicant meets the level of knowledge necessary to undertake the course or met the CPL theoretical knowledge requirements,***

***(b) Have passed a specific pre-entry flight test with an FI .....***

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees with your proposal to add the CPL theoretical knowledge. See also the response to comment No 2061.

comment

3327

comment by: *DGAC FRANCE*

Part FCL .915.FI (c)(1)

Consistency with the requirements for the other categories and necessary to have an appropriate experience to become instructor.

FCL.915.FI

(c)

(1) hold at least a CPL(A) or completed at least 200 hours of flight time **in aeroplanes**, of which 150 hours as pilot-in-command.

response *Partially accepted*

Thank you for providing your opinion.

The requirements for the prerequisites for instructors were based on JAR-FCL requirements. The specific wording for the total amount of flight time in JAR-FCL 1.335 is 'at least 200 hours of flight time of which 150 hours as pilot-in-command if holding a PPL(A)'. The wording proposed in (c)(1) is exactly the same.

However, in order to clarify this issue the Agency partially agrees and will include the term: '200 hours of flight time in aeroplanes or TMGs, of which 150 hours as pilot-in-command'.

comment

3365

comment by: *DGAC FRANCE*

Part FCL .915. FI (c) (1) and (d)

Proposal is to harmonize wordings between FI(A), FI(H) and TRI(H)(see FCL 915.TRI (b)(1)).

(c) additionally, for the FI(A)

(1) hold at least a CPL(A) or completed at least 200 hours of flight time **as pilot of aeroplane**, of which 150 hours as pilot-in-command;

(2) .....

(3) .....

(d) additionally, for the FI(H), have completed 250 hours **as pilot of helicopter** of helicopter flight time

response *Partially accepted*

Please see the response provided to your comment No 3327 in the same segment above.

comment

3412

comment by: *NACA*

**FCL.915.FI (a)**

1. In contrast to all other aspects of FI training where every detail has been taken care of the required pre-entry test is left to a FI declared fit to instruct for the FI certificate.

We would like to see a suggestion of subjects which have to be adressed and investigated either written and/or orally and the minimum duration of the test.

2. For example motivation, instructional skills, previous experience, operational background and knowledge of aerodynamics, flight instruments, avionics, etc.

**FCL.915.FI (b)**

	<p>1. There is no mention of a maximum permitted time between the start of the FI course and the pre-required hours and exercises.</p>
response	<p><i>Not accepted</i></p> <p>The objective of the pre-entry test is to determine the level of training that will be necessary for the FI.</p> <p>This should be left to the judgement of the instructor and the ATO.</p> <p>The Agency sees no safety need to determine a maximum amount of time between the completion of the prerequisites and the start of the course.</p>
comment	<p>3461 <span style="float: right;">comment by: <i>Susana Nogueira</i></span></p> <p>(c)(3) Have completed a <b>VFR</b> cross country... To ad words bolded</p>
response	<p><i>Accepted</i></p> <p>The Agency acknowledges your opinion. Please see the response provided already to comment No 3173 (FOCA Switzerland) in the same segment above.</p>
comment	<p>3647 <span style="float: right;">comment by: <i>SHA Guido Brun</i></span></p> <p>Statement: can we expect to train a school teacher who left school at 6th grade to teach 6th grad after a couple of weeks training course? Better give him a higher education.</p> <p>Proposal: FCL.915.FI (b) (3) have passed the theoretical knowledge exam CPL(A) or CPL(H) respectively.</p>
response	<p><i>Partially accepted</i></p> <p>The Agency acknowledges your opinion.</p> <p>However, the Agency does not agree with the example provided. The applicant for the instructor rating has not 'left the school' when starting with the training course for the FI certificate. The future FI for a PPL has completed 'his school' (flight training for the PPL) some years ago, he/she gained further experience of 200 hours in aeroplanes, has completed a 540 km cross-country flight, has received 10 hours instrument training and finally has to pass a specific pre-entry flight test to assess his/her ability to undertake the course. This is clearly not the level any more he/she had when 'leaving school'.</p> <p>Some of the comments are clearly in favour with the Agency's proposal to ask only for a PPL theoretical level. However, based on other comments received and after careful consideration and discussions with the experts the Agency has decided to re-introduce the CPL theoretical knowledge requirement. This decision is based on the fact that it was decided to stay as close as possible with the JAR-FCL requirements and to comply as much as possible with the ICAO standards.</p>
comment	<p>3777 <span style="float: right;">comment by: <i>DGAC FRANCE</i></span></p>

	<p>Part FCL 915 (c)(3) The same requirement as for CPL.</p> <p>(c) (3) Have completed a cross-country <b>VFR</b> flight as pilot in command.....</p>
response	<p><i>Accepted</i></p> <p>The Agency acknowledges your opinion. Please see the response provided already to comment No 3173 (FOCA Switzerland) in the same segment above.</p>
comment	<p><i>3849</i> <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>FCL.915.FI: The requirement according to FCL.915.FI (c) (1) needs clarification. We do not support the idea of 200 hours of flight on any aircraft time being equivalent to holding an CPL and propose to change FCL.915.FI(c)(1) into: (c) (1): "hold at least a CPL(A), or completed 200 h aeroplane flight time, of which 150 hours as pilot-in-command and have passed the theoretical knowledge examination required for a CPL(A);"</p> <p>We also suggest a revision of FCL.915 (d) (2). We suggest following requirements: PPL(H), 200 PIC hours on helicopters and having passed the CPL(H) theoretical knowledge examination.</p> <p>Given the requirements stated in (b) - (g) the feasibility of the specific pre-entry flight test (on board of an a/c?) mentioned in (a) appears to be questionable. What does the specific pre-entry flight test comprise and how shall it be assessed and documented? If it will all be left up to the assessor, there will be no 'level playing field'. So please do either delete this requirement or indicate precisely what this pre-entry flight test will be all about.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding (c)(1) it should be highlighted that the wording was taken over from JAR-FCL (please see JAR-FCL 1.335 (a)). Based on the comments received the Agency carefully reviewed this subparagraph and decided to change the wording in order to read: 'hold at least a CPL(A), or completed 200 hrs flight time on aeroplanes or TMGs, of which 150 hours as pilot-in-command'.</p> <p>Regarding your comment on the theoretical CPL knowledge please see the response provided to comment No 2061 in the same segment above.</p> <p>Your third proposal is aiming on the specific requirements for the FI(H). The proposed 200 hours PIC on helicopters is already part of the requirement (please see (d)(2)). The CPL theoretical knowledge requirement will be added.</p> <p>Your last comment mentions that the pre-entry flight test 'appears to be questionable'. The flight test should be a practical test with the aim to assess the ability of the applicant to undertake the course and possibly identifying certain training needs already before the applicant takes part in the course. You are right with your comment that there is a reference missing on which</p>

basis this flight test should be done. JAR-FCL referred to the Appendix 3 to JAR-FCL 1.240 which is the proficiency check for the type and class rating. As this pre-entry flight test seems to be a suitable tool to decide if an applicant reaches the necessary level of experience to take part in such a course the Agency will include a reference to Appendix 9 of Part FCL.

comment 3922 comment by: *DCA Malta*

FCL 915.FI (c)(1) add prerequisite "having successfully passed the CPL theoretical examinations"

FCL 915 (c)(3) add 'VFR' before flight

response *Accepted*

Thank you for providing your opinion.  
The Agency agrees and will add the CPL knowledge requirement.  
Regarding your second proposal see the response provided already to comment No 3173 (FOCA Switzerland) in the same segment above.

comment 4107 comment by: *SFVHE*

**Sofern mit Instrumentenflug „Funknavigation“ gemeint ist, ist das in Ordnung.**

response *Noted*

Thank you for providing your opinion.  
Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.

comment 4131 comment by: *Bernd Hein*

CVFR-Ausbildung reicht.

response *Noted*

Thank you for providing your opinion.  
Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.  
It should be mentioned that there will be no such a 'CVFR' rating in the future (actually in place in one Member State).

comment 4216 comment by: *Bart Sebregts*

Regarding to the proposed groups of balloons it will be impossible to find a FI(B) for the bigger balloons (over 10.000m<sup>3</sup>) because there are only a few BPL with enough experience on this kind of balloons to give instruction on in Europe.

response *Noted*

Thank you for providing your opinion.  
It seems that your comment is addressed to the wrong segment as this requirement is dealing with the prerequisites for the FI to take part in the instructor course. The requirement for balloons in (g) asks for 75 hours on

balloons and at least 15 hours in the class and group for which instruction will be given. The Agency cannot see a problem with this requirement as the flight test in (a) and the practical part during the training course training course will not be performed on a balloon of the larger groups.  
Please see also the responses provided to FCL.225.B which contains the requirements for the extension of privileges to another group of balloons.

comment 4254 comment by: *Deutscher Aero Club (DAeC)*

**Proposal**  
(c)(2) have completed at least 5 hours on singleengine piston powered aeroplanes or TMG during the 6 months preceding the preentry flight test set out in (a) above;  
**Justification**  
This requirement as worded in the NPA does not allow instructors with TMG rating only.

response *Not accepted*

Thank you for providing your opinion.  
The requirements for the the prerequisites for instructors are based on JAR-FCL requirements. Subparagraph (c)(2) is based on JAR-FCL 1.335 (c) which asks clearly for single-engine piston flight time. The Agency does not intend to change this.  
However, it should be highlighted that the Agency will introduce the term 'in aeroplanes or TMG' in (c)(1) in order to clarify that this requirement can be fulfilled also with a TMG.

comment 4259 comment by: *SFG-Mendig*

Analog zu LAFI, vgl. Kommentierung hinsichtlich instrument flight instruction, nur akzeptabel wenn hooded flight unter VFR gemeint.

response *Noted*

Thank you for providing your opinion.  
Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.

comment 4333 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.915.FI(b)(1)

**Wording in the NPA**

(1) have received at least 10 hours of instrument flight instruction in the appropriate aircraft category, of which at least 5 hours may be instrument ground time in an FSTD;

**Our proposal**

**Change:**

(1) have received at least 5 hours of **simulated** instrument flight instruction in the **respective** aircraft category, of which at least 3 hours may be instrument ground time in an FSTD;

**Issue with current wording**

The wording "instrument flight instruction" would require a two complex infrastructure and would exclude instruction on TMG.

	<p><b>Rationale</b> It should be possible to conduct this instruction under simulated conditions. It should neither be necessary to use a fully IFR certified aeroplane, nor to do it at an FTO which is approved for IFR training nor to require an IFR instructor. Especially it should be possible to conduct this on a appropriately but not fully IFR equipped TMG for instructors who only intend to instruct on TMG.</p>
response	<p><i>Not accepted</i></p>
	<p>Thank you for providing your opinion. Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.</p>
comment	<p>4334 comment by: <i>Baden-Württembergischer Luftfahrtverband</i></p>
	<p>FCL.915.FI(c)(1) <b>Wording in the NPA</b> (1) hold at least a CPL(A) or completed at least 200 hours of flight time, of which 150 hours as pilotincommand..</p> <p><b>Our proposal</b> <b>Change:</b> (1) hold at least a CPL(A) or completed at least 200 hours of flight time, of which 150 hours as pilotincommand. <b>Up to 100 hours flight time on sailplanes or 3 axis controlled micro lights may be credited against the 200 hours.</b></p> <p><b>Issue with current wording</b> Flight time on other fixed wing aircraft must be credited</p> <p><b>Rationale</b> As reasoned in great detail in general <b>comment 3250 Nr. 2 and 3</b> the skills in all fixed wing categories are extremely similar and the experience in these other categories is especially valuable for the task of an instructor. Therefore this flight time must be credited. It is not justifiable that an applicant with experience in multiple of these fixed wing categories has to fulfil the same requirements on just aeroplanes as an applicant with flight time only on aeroplanes.</p>
response	<p><i>Not accepted</i></p>
	<p>Thank you for providing your opinion. Based on the wording in JAR-FCL (1.335(a)) and in the ICAO SARPS the Agency decided to change (c)(1) in order to specify that the 200 hours required have to be flown in aeroplanes or TMGs. No further crediting for flight time in other aircraft categories will be included.</p>
comment	<p>4335 comment by: <i>Baden-Württembergischer Luftfahrtverband</i></p>
	<p>FCL.915.FI(c)(2) <b>Wording in the NPA</b> (2) have completed at least 30 hours on singleengine piston powered aeroplanes of which at least 5 hours shall have been completed during the 6 months preceding the preentry flight test set out in (a) above;</p>

**Our proposal****Delete** FCL.915.FI(c)(2)**Issue with current wording**

This requirement as worded in the NPA does not allow for instructors with only TMG rating

**Rationale**

The PPL license can be issued with either TMG or single engine piston rating. These ratings are symmetrical and equivalent. There must therefore be an option of a FI(A) with only a TMG rating who intends to instruct only PPL licenses on TMG. In Germany there are many training organisations that instruct solely on TMG.

response *Not accepted*

Thank you for providing your opinion.

Please see the response provided to comment No 4254 (DAeC) in the same segment above.

comment 4742

comment by: *CAA Belgium*

FCL.915.FI(c)(3)

Add "...completed a VFR cross-country flight..."

response *Accepted*

The Agency acknowledges your opinion.

Please see the response provided already to comment No 3173 (FOCA Switzerland) in the same segment above.

comment 4917

comment by: *Royal Danish Aeroclub*

FCL.915.FI (C)(1)

We suggest the text to be changed from:

"hold at least a CPL(A) or completed at least 200 hours of flight time, of which 150 hours as pilot-in-command;"

to

**"hold at least a CPL(A) orPPL(A)and completed at least 200 hours of flight time, of which 150 hours as pilot-in-command;"**

To demand a CPL(A) to become instructor for PPL(A)-pilots is not neccessary.

response *Partially accepted*

Thank you for providing your opinion.

The Agency has not introduced a new requirement for the PPL(A) holder with the present wording as it says: 'hold at least a CPL or completed ...'. The 'or' clearly shows that a PPL holder fulfilling the hours requirement will be allowed to start the training.

To make it even more clear, the Agency will separate the requirements and clarify that the PPL(A) holder is not excluded.

Thank you for providing your opinion.

Please see also the response provided to comment No 2417 in the same segment above.  
 However, it should be mentioned already that the CPL theoretical knowledge had to be included again. Please see the resulting text.

comment 4962 comment by: *George Knight*

P52

*(f) for a FI(S), have completed 100 hours of flight time and 200 launches as pilot in command on sailplanes. Additionally, where the applicant wishes to give instruction on touring motor gliders, he/she shall have completed 30 hours of flight time as pilot in command on TMG.*

**Suggest** that up to 20 hours of TMG time can be completed on SEP.

response *Not accepted*

Thank you for providing your opinion.

Please see the response already provided to your comment on the same issue for FCL.915.LAFI. The Agency believes strongly that a certain amount of experience on TMGs is necessary to take part in the course and will not change the proposed amount of 30 hours nor accept any credit for flight time on aeroplanes.

comment 5165 comment by: *Dieter Zimmermann*

Zu FCL.915.FI:

Wie schon in FCL.915.LAFI aufgezeigt ist Absatz (b)(1) ersatzlos zu streichen.

Absatz (c) (1) und (2) ist wie folgt zu ändern: Mindestens 200 Flugstunden als verantwortlicher Führer von Flugzeugen mit einem maximalen Abfluggewicht von nicht mehr als 2000 kg oder Touringmotorseglern.

Grund: Die von der Agentur vorgeschlagene Regelung würde bedeuten, dass Inhaber eines CPL mit einer Erfahrung von gerade mal 30 Stunden Flugerfahrung - also quasi ohne - eine Fluglehrerausbildung durchführen dürften. Die kann mit Rücksicht auf die Flugschüler nicht sinnvoll sein.

response *Not accepted*

Thank you for providing your comment.

Regarding your first comment (instrument instruction time) please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.

Your second proposal asks for a deletion of the term 'at least a CPL' in (c)(2) based on the reasoning that a CPL holder would have advantages and could take part in the course with only 30 hours experience. As this is not true (please check Appendix 3 to realise the required flight training for the CPL and compare it with the PPL syllabus) the Agency will keep the distinction between the CPL holder and the PPL holder (who has to fulfil additionally the 200 hour requirement). The Agency is also following JAR-FCL closely with this proposal. (see JAR-FCL 1.335(a)).

The term 'and/or TMG' will be added.

comment 5190 comment by: Carsten Fuchs

Satz (b) (1), 10 Stunden Instrumentenflug, sollte ganz gestrichen werden.

Begründung:

Das ist übertrieben, wo soll ein ehrenamtlicher FI-Anwärter diese IFR-Stunden herbekommen?

Wer zahlt für ehrenamtliche FI-Tätigkeit 10 Stunden IFR Ausbildung?

Alternativ-Vorschlag:

Stattdessen 10 Stunden Überlandflug unter Verwendung von Funknavigation verlangen.

Außerdem muss der Anwärter eine 180° Umkehrkurve unter *simulierten* IFR-Bedingungen vorführen können.

response *Not accepted*

Thank you for providing your opinion.

Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.

comment 5787 comment by: UK CAA

**Paragraph:** 915.FI (c)(2)

**Page No:** 51

**Comment:** The requirements appear to exclude the possibility of a licence holder flying just TMGs being able to undergo a FI course as 915.FI (c)(2) excludes TMG.

**Justification: Proposed Text:  
(if applicable)**

Change 915.FI (c)(2) to include TMG

response *Not accepted*

Thank you for providing your opinion.

The requirements for the prerequisites for instructors are based on JAR-FCL requirements. Subparagraph (c)(2) is based on JAR-FCL 1.335 (c) which asks clearly for single-engine piston flight time. The Agency does not intend to change this.

However, it should be highlighted that the Agency will introduce the term 'in aeroplanes or TMG' in (c)(1) in order to clarify that this requirement can be fulfilled also with flight time in TMGs.

comment 5874 comment by: EFLEVA

EFLEVA suggests that an applicant for an FI rating should not be required to hold a CPL. A requirement of 200 hours for PPL holders seems appropriate.

response *Noted*

Thank you for providing your opinion.

Please see the response already provided to comment No 6601 (LAA) in the same segment below.

comment	<p>6022 <span style="float: right;">comment by: ENAC TLP</span></p> <p>as a pre requisite for FI (A) and (H) training course, should be added "having successfully passed the CPL theoretical knowledge examination"</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. The Agency agrees with your proposal to add the CPL theoretical knowledge. See also the response to comment No 2061.</p>
comment	<p>6515 <span style="float: right;">comment by: Austro Control GmbH</span></p> <p>Comment: ICAO Annex 1 Proposed Text: (c) additionally, for the FI(A): (1) <b>hold at least a CPL(A) theory exam</b> and completed at least 200 hours of flight time, of which 150 hours as pilot in command;</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. The Agency agrees with your proposal to add the CPL theoretical knowledge. See also the response to comment No 2061.</p>
comment	<p>6516 <span style="float: right;">comment by: Austro Control GmbH</span></p> <p>Comment: ICAO Annex 1 Proposed Text: (d) (1) additionally, for the FI(H), <b>hold a CPL(H) theory and have completed</b> 250 hours of helicopter flight time, of which: ..... <b>Delete</b> (d) (2)</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. The Agency agrees with your proposal to add the CPL theoretical knowledge. See also the response to comment No 2061.</p>
comment	<p>6601 <span style="float: right;">comment by: Light Aircraft Association UK</span></p> <p>Paragraph c)1). The LAA, as confirmed above, strongly supports that an applicant for an FI rating would not be required to be a CPL holder. A requirement of 200 hours for PPL holders seems appropriate.</p> <p>The LAA feel that an FI Training Course should not be open to pilots holding only a LPL, since the LAFI training course would be specifically established for them.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, based on the comments received and after careful consideration the Agency has decided to re-introduce the CPL theoretical knowledge requirement (not holding the CPL). This decision is based on the fact that it was decided to stay as close as possible with the JAR-FCL requirements and the ICAO</p>

standards.

As already mentioned in the response provided to a similar comment the comment is right when stating that the LPL holder is not allowed to hold an FI rating.

comment 6739 comment by: CAA Finland

FCL.915.FI(b)(2) and (c)(3):  
Amended text proposal:  
**VFR** cross-country

response *Accepted*

The Agency acknowledges your opinion.  
Please see the response provided already to comment No 3173 (FOCA Switzerland) in the same segment above.

comment 6911 comment by: CAA CZ

FCL.915.FI (b)  
The requirement for CPL(A) knowledge according to para 2.8.1.1 of ANNEX 1 should be added as specified in JAR-FCL 1.3.3.5(b) and JAR-FCL 2.310(a)(2).

response *Accepted*

Thank you for providing your opinion.  
The Agency agrees with your proposal to add the CPL theoretical knowledge.  
See also the response to comment No 2061.

comment 6913 comment by: CAA CZ

FCL.915.FI (c)(1)  
It is not clearly defined that 200 hours should be completed on aeroplanes, i.e. on appropriate aircraft category as stated for helicopters in the following letter (d):  
„at least 200 hours of **aeroplane** flight time, of which ...“

response *Partially accepted*

Thank you for providing your opinion.  
The requirements for the prerequisites for instructors were based on JAR-FCL requirements. The specific wording for the total amount of flight time in JAR-FCL 1.335 is 'at least 200 hours of flight time of which 150 hours as pilot-in-command if holding a PPL(A)'. The wording proposed in (c)(1) is exactly the same.

However, in order to clarify this issue the Agency partially agrees and will include the term: '200 hours of flight time in aeroplanes or TMGs, of which 150 hours as pilot-in-command'.

comment 6914 comment by: CAA CZ

FCL.915.FI (c)(3)  
For FI the same requirement for VFR cross-country flight should be added as for CPL:  
„have completed a **VFR** cross-country flight as pilot-in-command, including a

	flight of at least 540 km (300 NM) in the course of which full stop landings at two different aerodromes shall be made;”
response	<p><i>Accepted</i></p> <p>The Agency acknowledges your opinion. Please see the response provided already to comment No 3173 (FOCA Switzerland) in the same segment above.</p>
comment	<p>7048 <span style="float: right;">comment by: CAA Norway</span></p> <p>FCL.915.FI Should include the requirement for the applicant to have CPL theoretical knowledge, to stay in line with ICAO Annex 1.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. The Agency agrees with your proposal to add the CPL theoretical knowledge. See also the response to comment No 2061.</p>
comment	<p>7049 <span style="float: right;">comment by: CAA Norway</span></p> <p>915.FI(c)(3) Add “..completed a <u>VFR</u> cross-country flight...”</p>
response	<p><i>Accepted</i></p> <p>The Agency acknowledges your opinion. Please see the response provided already to comment No 3173 (FOCA Switzerland) in the same segment above.</p>
comment	<p>7514 <span style="float: right;">comment by: Graham PHILPOT</span></p> <p>g- This is too long and should not exceed 30hrs</p>
response	<p><i>Not accepted</i></p> <p>Thank you for your opinion.</p> <p>However, the Agency does not agree with your proposal to lower the entry requirement for an FI(B) to participate in an instructor course and to ask for only 30 hours flight time. The Agency does not consider this proposal adequate and safe.</p>
comment	<p>7624 <span style="float: right;">comment by: Reinhard Heineking</span></p> <p>Ein Fluglehrer für PPL(A) = FI(A) benötigt keine Instrumentenflugberechtigung. Daher ist es nicht erforderlich, dass 10 Stunden Instrumentenausbildung absolviert werden. Im Rahmen der Fluglehrerausbildung muss das Beherrschen der 180°-Umkehrkurve trainiert und beherrscht werden. Funknavigation gehört selbstverständlich auch dazu. Daher sollte der 1. Satz zu FCL.915.FI (b) (1) geändert werden, damit ausgedrückt wird, dass Funknavigation incl. 180° Umkehrkurve in diesem Part trainiert werden. Reinhard Heineking FI JAR_FCL PPL(A), TMG, GPL</p>
response	<p><i>Not accepted</i></p>

Thank you for providing your opinion.  
Please see response to comment No 906 (Geschäftsführer Luftsportverband) in the same segment above.

comment 7684 comment by: *Cristian Olinescu*

(c)(1) is not in conformity with Annex 1, art. 2.8.1.1 and should be brought in accordance for the prerequisite "having successfully passed the CPL theoretical knowledge examination."  
We should avoid any deviation from ICAO Annex 1 requirements.

response *Accepted*

Thank you for providing your opinion.  
The Agency agrees with your proposal to add the CPL theoretical knowledge.  
See also the response to comment No 2061.

comment 8166 comment by: *F Mortera*

### **3. About instructor certificates**

**FCL.910.LAFI B (b) (4) = FCL.910.FI B(c) (3) "Restricted privileges" (pages 47 and 52)**

**FCL.915.LAFI B (e) = FCL.915.FI B (g) "Pre-requisites" (pages 48 and 51)**

**FCL 925.LAFI = FCL.935.FI "Skill test" (pages 49 and 52)**

I am also confused in a similar way for the LAFI and FI certificates and their respective requirements.

response *Noted*

Thank you for providing again your standard comment.  
Please see the responses provided to the other similar comments.

comment 8289 comment by: *Paul Mc G*

Para c1). The applicant for an FI rating should not be required to be a CPL holder. A requirement of 100 hours for PPL holders would be adequate.

response *Noted*

Thank you for providing your opinion.

However, based on the comments received and after careful consideration the Agency has decided to re-introduce the CPL theoretical knowledge requirement (not holding the CPL). This decision is based on the fact that it was decided to stay as close as possible with the JAR-FCL requirements and the ICAO standards.

Regarding your second issue the Agency will keep the requirement for 200 hours flight time based on the fact that this is an ICAO requirement and was already introduced with JAR-FCL.

comment	<p>417 <span style="float: right;">comment by: <i>Geschäftsführer Luftsportverband RP</i></span></p> <p>Training course (b), (2), (i) siehe Anmerkung Nr 415; die Kosten beim FI (A) mit 30 Flugstunden belaufen sich auf ca € 10.000,- Der Landesverband Rheinland-Pfalz hat seit Einführung der JAR-FCL in 2003 keinen Fluglehrer für seine Vereine für Grundausbildung Motorflug bis 2 to bzw Motorsegler gewinnen können. Dies wird sich fortsetzen bei Aufrechterhaltung solcher Vorgaben.</p> <p>Der Syllabus muss so geändert werden, dass die Mindeststundenzahl von 10 Flugstunden erfüllt werden kann. Vieles kann mit Vorausbildung vorab zum Eingangstest für den Lehrgang vorgegeben werden und ist damit für den Vereinspiloten billiger. Die 10 Lehrgangsstunden sind ja nur eine Minimum-Vorgabe; reicht es für den Kandidaten nicht, so muss er mehr fliegen. <b>Letzendlich entscheidet wieder der Prüfungsflug zum Bestehen.</b> streichen bei (b), (2), (i) den FI (A) und neue Zeile unter (b), (2) mit (v) in the case if FI (A), at least 10 hours of flight instruction</p> <p>Ihre Vorgaben enthalten -ebenfalls wie die bisherige JAR-FCL-Fluglehrerausbildung- <b>keinerlei Anrechnung</b> einer Fluglehrerausbildung für LAFI oder FI(S)TMG, bei den <b>Lehrgangs-Flugstunden</b> usw. Die strikten Lehrgangsvorgaben -ohne jegliche Anrechnung von Vorausbildungen- versperren dem Luftsport zusätzlich dem Zugang zu einem FI(A).</p> <p>Hier muss auf jeden Fall eine 50 % Anrechnung auf die geforderten Flugstunden erfolgen.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency has understood the explanation about the actual situation in your country regarding the financial and organisational burdens related to the instructor courses.</p> <p>However, this is a requirement coming from JAR-FCL 1 and 2 (see JAR-FCL 1.340(b)) and the Agency has no safety evidence indicating that it could be amended. The issue was carefully reviewed and further discussed with the licensing experts. Finally it was decided not to lower the amount of training provided during the instructor training course at this stage without further assessment.</p> <p>Regarding your second proposal the Agency agrees that a certain crediting requirement for the theoretical and for the flight instruction (LAFI for the same category of aircraft only) should be included. As certainly the full amount of flight training provided during the LAFI course should be accepted for this crediting the Agency will introduce an additional requirement for the FI(A) and (H) which contains not only a 50 hours credit for the theoretical knowledge instruction (plus 25 hours for the common teaching and learning module) but also a credit for 12 hours of the required flight training.</p>
comment	<p>1351 <span style="float: right;">comment by: <i>Gerhard Hehl</i></span></p> <p>30 Stunden Flugausbildung sind entschieden zu viel! Verteuern die Ausbildung. 10 Stunden als flight instruction training (nicht: dual flight instruction) reichen</p>

	aus. Es wird am Ende ohnehin ein Prüfungsflug abgehalten.
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No 417 in the same segment above.</p>
comment	<p>1510 <span style="float: right;">comment by: <i>Volker ENGELMANN</i></span></p> <p>125 hrs of theoretical knowledge do not reflect anything but a number to be payed at the end of the course!</p> <p>All theoretical knowledge of the appropriate course is a predetermination to qualify for the course. On what topic shall be instructed 125 hrs?</p> <p>If somebody is a highly qualified teacher or even professor he must be teached 125 hrs according this document. This makes absolutely no sence.</p> <p>The methodivcaly and didaktik octacon for example shows, that an analysi of the group to be teached must be done prior the lessons in order to perform best teaching. This "125 hrs Rule" is an example, how teaching exactly does not work, but frustrates students!</p> <p>Cutdown all hours to an absblout minimum and allow exceptions for professional teachers in other branches.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The requirement for the FI course to contain 125 hours of theoretical knowledge instruction was already included in JAR-FCL 1 and 2. When developing the NPA, the Agency had no evidence that this should be amended.</p> <p>It should be mentioned also that 25 of these hours are the teaching and learning module required for all the instructor categories.</p> <p>Please be aware that the remaining 100 hours will contain issues like:</p> <ul style="list-style-type: none"> <li>- refreshing of technical knowledge,</li> <li>- providing pre-flight briefings,</li> <li>- logical sequence of a flight lesson,</li> <li>- long briefings of all the exercises,</li> <li>- progress tests (validity of questions),</li> <li>- discussion of possible hazards during instruction flights.</li> </ul>
comment	<p>1727 <span style="float: right;">comment by: <i>Sven Koch</i></span></p> <p>Theorieunterricht 125 Std und 30 Std Praxis beim FI(A) Theorie 30 Std u 10 Std oder 20 Starts Praxis beim FI(S) Praxiswerte nur verteuernnd; Minimumwert 10 Std als flight instruction training (nicht: dual flight instruction); entscheidend ist Prüfungsflug zum Bestehen</p>
response	<p><i>Noted</i></p>

Thank you for providing your opinion.  
Please see the response provided to comment No 417 in the same segment above.

comment 1807 comment by: Sebastian Grill

da die Fluglehrer in den Vereinen ehrenamtlich tätig sind, kann von Ihnen nicht ,wären die vorgesehen Regelungen zu aufwendig und unzumutbar. Sowohl zeitlich als auch finanziell gesehen käme eine sehr hohe Belastung auf die Fluglehrer zu, so daß sich kaum noch Personen bereit finden würden, eine Ausbildung zum Fluglehrer auf sich zu nehmen. Wer soll dann den Nachwuchs ausbilden.

response *Noted*

Thank you for providing your opinion.  
As it is a more general statement the Agency is not able to provide a detailed response. Please see the response provided to comment No 417 in the same segment above.

comment 1883 comment by: Markus Malcharek

Eine theoretische Ausbildung von 125 Stunden ist viel zu lange, zu aufwendig und zu teuer und kann kaum mit sinnvollen Inhalten befüllt werden. Anwärter müssten hierfür ca. 4 Wochen Urlaub nehmen, eventuell mit entsprechendem Verdienstausfall. Dies stellt eine Benachteiligung für ehrenamtliche Fluglehrer gegenüber den wenigen, kommerziellen Flugschulen dar.

Eine Flugausbildung von 30 Stunden ist viel zu hoch angesetzt, dies erzeugt nur Kosten und Aufwände. Zumal Anwärter gem. FCL.935.FI bereits in einem Skill Test ihre Fähigkeiten unter Beweis stellen müssen.

Dies alles würde dazu führen, daß der Nachwuchs an Fluglehrern wegbrechen würde mit entsprechenden negativen Folgen sowohl für die Flugsicherheit als auch für die Wirtschaft in Ländern, die dadurch weniger Piloten ausbilden können.

Gegenvorschlag: 50 bis 60 Stunden Theorie in Begleitung maximal 15-20 Flugausbildung in einer Einheit, die innerhalb von wenigen Wochen absolviert werden kann. Sinnvoll wäre hier die Forderung, theoretische und praktische Ausbildung verpflichtend in zusammenhängenden Blöcken zu absolvieren.

response *Not accepted*

Thank you for providing your opinion.  
Regarding your first issue the Agency would like to clarify that the requirement for the FI course to contain 125 hours of theoretical knowledge instruction was already included in JAR-FCL 1 and 2. When developing the NPA, the Agency had no evidence that this should be amended. It should be mentioned also that 25 of these hours are the teaching and learning module required for all the instructor categories. See also the response provided to comment No 1510 in the same segment above.

Your second comment is dealing with the required 30 hours flight training. Please see the response provided to comment No 417 in the same segment above. The Agency decided to keep the requirement in (b)(1)(i) and (b)(2)(i) unchanged.

comment	<p>1990 <span style="float: right;">comment by: <i>Volker Reichl</i></span></p>
	<p>Cost impact: The old german regulation of 10h of flight time for airplane instructors definitively have shown not to be adequate. Nevertheless the experience with the requirements of 30h of flight time during the FI(A) training course show to be too much. Finally it is still in the hands of the training instructor to clear the student flight instructor for the skill test or not. I would suggest therefore a compromis of 20h of instruction during FI Training Course.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No 417 in the same segment above.</p>
comment	<p>1999 <span style="float: right;">comment by: <i>Felix.Reichl</i></span></p>
	<p>30h of flight training for FI(A) is too much. 15h + 5h FFS are sufficient. In case a FI in training is not fit the FI-instructor can do more training. The cost of a FI-training is very high and often the last 10h of training are just flying around to do the flight time.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No 417 in the same segment above.</p>
comment	<p>2062 <span style="float: right;">comment by: <i>Thomas SIEWERT</i></span></p>
	<p>FCL.930.FI FI-Training course (b)(1)(i) Aus eigener Erfahrung kann ich angeben, dass 125 Stunden theoretische Ausbildung kaum sinnvoll gefüllt werden können. Die Ausbildung wird damit unnötig in die Länge gezogen. Wer also (ehrenamtlicher) Fluglehrer werden möchte, muss mindestens vier Wochen Urlaub nehmen und neben den hohen Kosten ggf. noch Verdienstauffälle in Kauf nehmen. Dies ist unsozial, da es so für Vereine immer schwieriger wird, geeignete und gewillte Fluglehreranwärter zu rekrutieren! Mit einer sinnvollen Auswahl der Themen und praktischen Übungen kann das Ausbildungsziel auch mit etwa 80 Unterrichtsstunden erreicht werden.</p> <p>(b)(2)(i) 30 Stunden Flugausbildung sind ebenfalls zu hoch angesetzt. Wer seine Fähigkeiten und grundsätzlich Eignung bereits bei der Vorauswahlprüfung gem. FCL.915.FI (a) bewiesen hat, braucht keine 30 h mehr. Die vorgeschriebenen 30 Stunden verteuern die Ausbildung unnötig und führt zu dem o. g. Effekt, dass es für die Vereine immer schwieriger wird Mitglieder zu finden, die diese finanzielle Belastung auf sich nehmen. Ein Ausbildungsumfang von 20 Stunden erscheint ausreichend.</p>
response	<p><i>Not accepted</i></p> <p>Thank your for providing your opinion. Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.</p>

comment	<p>2155 <span style="float: right;">comment by: <i>Rüdiger Braun</i></span></p>
	<p>125 hours of theory and 30 h practise is too much. The time you need for this training is too long. In Germany the holidays of 1 year will not be enough for this course. Reduce the theory to 80 hours (as before) and the flight-hours to 20.</p>
response	<p><i>Not accepted</i></p> <p>Thank your for providing your opinion. Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.</p>
comment	<p>2187 <span style="float: right;">comment by: <i>Oelschlaeger, Harald</i></span></p>
	<p>Praxiswerte nur verteuernnd; Minimumwert 10 Std. als flight instruction training ( nicht dual flight instruction); entscheidend ist der Prüfungsflug zum Bestrehen</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No 417 in the same segment above.</p>
comment	<p>2256 <span style="float: right;">comment by: <i>Reinhard Heineking</i></span></p>
	<p>FCL.930.FI b 2 i requires a minimum flight training time on 30 hrs. This seems to be very much compared the current JAR FCL regulations. It would increase the cost of the FI certificate very much. For a many interested pilots it would be too expensive. The costs should be kept on an acceptable level to ensure, that enough flight instructors can be educated within the general aviations private flying clubs and members, which have an average income. I would propose to reduce the minimum flight instruction time to 15 hours. Within this time all necessary items can be trained on an appropriate level. If an applicant needs more training, the instructor can decide case by case, how much more training should be performed. Reinhard Heineking PPL(A) FI JAR FCL and FI GPL</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No 417 in the same segment above.</p>
comment	<p>2341 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p>
	<p>The TRI Training course requirements seem to be inconsistent with JAR-FCL 2. (b)(1) <b>10</b> hours is the JAR requirement for theoretical knowledge. This is the type specific theoretical knowledge. (b)(2) <b>25</b> hours is the JAR requirement for instructional techniques. This subject requires 25 hours to cover the syllabus. (c) The credit arrangement should apply to the instructional technique course, not the type specific theoretical knowledge course. Change text to "fully credited towards the requirement of <b>(b)(2)</b></p>

	<p>Justification: Alignment with JAR-FCL rules and correction of instructor certificate credit for instructional techniques (common to all instructor certificates), rather than the type specific theoretical knowledge.</p>
response	<p><i>Not accepted</i></p> <p>(b)(1) The requirement for at least 25 hours was already included in JAR-FCL. The Agency saw no reason to change it.</p> <p>(b)(2) The requirement is to have at least 10 hours. This does not exclude that the course may have more hours.</p> <p>(c) What can be credited to holders of another instructor certificate is the general theoretical knowledge, not the instructional techniques, which vary from one instructor certificate to another, and from one type of aircraft to another.</p>
comment	<p>2383 <span style="float: right;">comment by: <i>Arnold Klapp</i></span></p> <p>Die geforderten 100 Std. sind sehr hoch. Eine Reduzierung auf 75 Std. bzw. 40 Std. auf Schlepnmuster halte ich für angebracht.</p> <p>Der Bewerber sollte im Lehrgang eine gut strukturierte, methodische Ausbildung erhalten. Die geforderte Stundenzahl für die Ausbildung erscheint zu hoch. Aufgrund mehrjähriger Erfahrung in der Segelfluglehrer-Ausbildung, halte ich im Segelflug 5 Std oder mind. 15 Starts Flugausbildung im Lehrgang für angemessen.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not understand your first comment as FCL.930.FI does not contain any requirement asking for 100 hours of instruction. (As you mention also the word 'towing aircraft type' you might as well check the responses to FCL.805).</p> <p>Regarding your second comment the Agency agrees that the training course should provide training in a well structured way following a certain methodology. This should be reached with the AMC provided to this requirement.</p> <p>Regarding your proposal to lower the training requirements for the FI(S) the Agency agrees that the proposed amount of flight hours can be lowered slightly. The proposed amount of 20 take-offs will be kept as the Agency believes that a certain amount of these flights should be spent on emergency exercises like simulated launch failures during the different launch methods or the training of stalling/spinning exercises. The other flights will be needed to cover the whole training syllabus of air exercises.</p>
comment	<p>2453 <span style="float: right;">comment by: <i>Dr. Horst Schomann</i></span></p> <p>Subparagraph (b) (i)</p>

Problem: The amount of theoretical knowledge instruction is too high.

Proposed solution: ... at least 90 hours of theoretical knowledge instruction ...

Justification: The FI training course should be performed within 3 weeks to be feasible by non-commercial applicants. 9 chapters of theory have to be supplied plus didactics. 8 hours per chapter should be sufficient in combination with the pre-conditions to the FI-Training course and ends up to 80 hours in total, leaving 10 hours for general application. With 30 hours theoretical knowledge instruction per week, the necessary amount of theoretical knowledge should be reached taking the pre-requisites into account. This leaves time for the required flight instruction.

response *Not accepted*

Thank your for providing your opinion.

Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.

comment 2608

comment by: *len vaughan*

uk ballooning instruction is carried out mostly by unpaid individuals,30 hurs classroom training and other over zealous ruling wil cause many good instructors to stand down,it will also discourage many from applying in the first place

response *Noted*

Thank you for providing your opinion.

However, the Agency firstly would like to point out that these requirements (e.g. the 30 hours required classroom teaching for the initial training course FI(B)) are not meant to be for any existing balloon instructor who is already certificated. Your statement that this 'will cause many good instructors to stand down' seems to be based on a misunderstanding because FCL.930.FI contains the requirements to become an instructor only.

The Agency also does not agree that this 30 hours requirement might discourage interested BPL pilots to become an FI(B). If an experienced BL pilot is not able and willing to spend two weekends for the theory his/her eligibility could be questioned. Please study the AMC material with the course content and you will directly discover that such a course is not only useful but also absolutely necessary for the future task of instructing. The Agency will keep this requirement unchanged.

comment 2786

comment by: *David COURT*

I would like to see the 30 hours of theoretical knowledge split into two 15 hour courses. After the first 15 hours the trainee Instructor would be allowed to Instruct to a limited level under the supervision of a full instructor.

After completion of the second half of the theoretical knowledge they would be allowed to instruct the full syllabus.

This will allow new Instructors to mix classroom theory with practical instruction. This then allows the trainee instructor to put the classroom work

	<p>into context.</p> <p>There are also some good potential instructors who would be reluctant to apply due to the high commitment of time and expense to complete the full course before they could teach a single student.</p>
response	<p><i>Noted</i></p> <p>Thank you for your comment. You have assigned a similar comment to FCL.930.LAFI; please see the response provided to this comment.</p> <p>A split of the theoretical knowledge as proposed by you is already possible but the instructor student will not receive any privilege (meaning: no 'real' instruction without the supervising instructor on board) before he/she has not completed the theory, the 3 training flights and passed the skill test. However, the required mix is anyhow given as the student instructor has to conduct his/her 3 dual training flights (which could be done with the supervising instructor only playing the role of the student pilot or with a student pilot and the supervising instructor as third person on board) which could be completed after having received a certain 5, 10 or 15 hours module of the theoretical part.</p>
comment	<p>2802 <span style="float: right;">comment by: <i>Frank Gesele</i></span></p> <p>Problem: Die Anforderungen sind zu hoch</p> <p>Lösung: es wird weniger Theorie abverlangt</p> <p>Begründung: Die FIs sind das Rückrad der Vereine in der GA. Praktisch alle arbeiten ehrenamtlich und in der Freizeit. Mit diesen Anforderungen ist es zu erwarten dass sich keiner mehr der Ausbildung stellen wird. Auch die Umfallzahlen sprechen dafür, dass die bisherigen Anforderungen ausreichen</p>
response	<p><i>Noted</i></p> <p>Thank your for providing your opinion. Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.</p>
comment	<p>2938 <span style="float: right;">comment by: <i>Robert WORSMAN</i></span></p> <p>For a balloon FI or LAFI, 30 hours of theoretical instruction before practical instruction commences does not follow best practise in education. 15 hours of classroom instruction should be followed by permission to instruct to set level.A further period of classroom instruction should then allow the instructor to instruct at all levels.</p> <p>Committing to all the training at the start of the course will:</p> <ol style="list-style-type: none"> <li>1. Discourage some of those interested from instructing from applying.</li> <li>2. Eliminate the chance to revise and revisit important segments of training course.</li> <li>3. Eliminate the chance to review and appraise how the instructor is progressing</li> <li>4. Eliminate the chance for classroom discussion on lessons learnt. This is particularly important in remote regions of the EU where contact with other</li> </ol>

	balloon pilots restricts the opportunity to discuss lessons learnt.
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.          You assigned a similar comment to FCL.940.LAFI. Please see the response provided to the other comment.          See also the response provided to comment No 2786 (D. Court) in the same segment above. Please keep in mind that the Basic Regulation clearly requires the person who provides flight instruction to hold a certificate. This is the reason why the FI(B) will only be allowed to provide instruction without having the experienced instructor providing the training on board when he/she has passed the skill test.</p>
comment	<p>3267 <span style="float: right;">comment by: <i>Egon Schmaus</i></span></p> <p>FCL.930.FI          add          (b)(4) "Pilots holding or having held an FI certificate on any other category of aircraft or a LAFI certificate on the appropriate category shall be credited towards the requirements of (b)(2) above with:          50% of the minimum flight instruction time"</p> <p>Reason: Second FI certificate needs only minor training of instruction techniques. The need is mostly specified aircraft techniques.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that a certain crediting requirement for the flight instruction should be included. As certainly the full amount of flight training provided during the course should be accepted for this crediting the Agency will introduce an additional requirement for the FI(A) and (H) which contains not only a 50 hours credit for the theoretical knowledge instruction but also a credit for half of the required flight training.          However, this will not include LAFI or FI certificates for other aircraft types (with one exception which is the LAFI(S) with TMG extension towards the FI(A)) because most of the training provided is different from aircraft category to aircraft category.          For the LAFI(S) and LAFI(B) a full crediting against the FI(S) or FI(B) certificate is foreseen.</p>
comment	<p>3555 <span style="float: right;">comment by: <i>Rory Worsman</i></span></p> <p>Reduce classroom theoretical training to 10 or 15 hours and permit that level to instruct up to solo flights.          Flying is a practical skill. The very best instructors are not necessarily academics. You need to encourage the practically minded and the skill flyers to be instructors - Not those with a high academic aptitude.          This proposal will alienate those that have the best skills to be past on.          You also reduce the opportunity to access and appraise the progression of the instructor during his training. Breaking the course into segments with allowable instruction in between will allow for greater control and quality in the system overall.</p>
response	<p><i>Noted</i></p>

Thank you for providing your opinion.  
 You assigned a similar comment to FCL.940.LAFI. Please see the response provided to the other comment.  
 See also the response provided to comment No 2786 (D. Court) in the same segment above. Please keep in mind that the Basic Regulation clearly requires the person who provides flight instruction to hold a certificate. This is the reason why the FI(B) will only be allowed to provide instruction without having the experienced instructor providing the training on board when he/she has passed the skill test.

See also the response already provided to you similar comment to FCL.930.LAFI.

comment 3850 comment by: *Luftfahrt-Bundesamt*

FCL.930.FI:  
 Please also our comment on FCL.920 which applies here, too.

response *Noted*

Thank you for providing your opinion.  
 Please see the response provided already to your comment in the segment for FCL.920.

comment 4108 comment by: *SFVHE*

**30 Stunden Praxis sind zu hoch, sind nur Kostentreiber. Realistisch wären 10 Std. als FI-Training.**

response *Noted*

Thank you for providing your opinion.  
 Please see the response provided to comment No 417 in the same segment above.

comment 4116 comment by: *Bob Berben*

You require 30 hours of theoretical knowledge instruction for an FI (B ).  
 This requirement will de-motivate a lot of good potential practical flight instructors in Ballooning.  
 If you really want to impose a "theoretical knowledge" course for instructors split up the privileges in 2 different qualifications.  
 This means 1) Theoretical instructor and 2 ) Practical flight instructor.  
 The necessary only possible combination of the 2 will reduce a large number of potential instructors both ways. There are very good theoretical instructors but they are not necessarily practical instructor as well, or do not have the ambition to be "flight" instructor  
 Another possible situation is a person with a denied medical, but can be an excellent theoretical instructor on ground.  
 Moreover in practise you will see a classroom with a few students following the theoretical part with 1 "ground" instructor.  
 Furthermore I hope you will not require this for the existing instructors in the transition requirements, otherwise a lot of them will quit.  
 And the required number of instructors / examiners will increase due to your new requirements.  
 There will be a serious problem.

response

*Noted*

Thank you for providing your opinion.  
You assigned a similar comment to FCL.940.LAFI. Please see the response provided to the other comment.

See also the response provided to comment No 2786 (D. Court) in the same segment above. Please keep in mind that the Basic Regulation clearly requires the person who provides flight instruction to hold a certificate. This is the reason why the FI(B) will only be allowed to provide instruction without having the experienced instructor providing the training on board when he/she has passed the skill test.

Regarding your second comment on the transition measures for already certified instructors it should be highlighted that the requirement in FCL.930.FI contains only the requirements for the initial course to become an instructor but not any transition measures. The existing instructors will not have to attend such a course.

See also the response already provided to you similar comment to FCL.930.LAFI.

comment

4132

comment by: *Bernd Hein*

30 Flugstunden sind eine finanzielle Hürde, die niemand mehr für ehrenamtliche Fluglehrertätigkeit auf sich nimmt. Den Vereinsfluglehrer wird es nicht mehr geben und damit wird die Ausbildung auf den gewerblichen Sektor gelenkt. Den Vereinen werden wieder wichtige Grundlagen entzogen. 5 Flugstunden mit einem "intelligenten" Programm sind viel aussagefähiger und bezahlbar.

response

*Noted*

Thank you for providing your opinion.  
Please see the response provided to comment No 417 in the same segment above.

comment

4260

comment by: *SFG-Mendig*

Zu hohe Flugausbildungszeit, Befähigung ist entscheidend, dual instruction sollte ebenfalls gestrichen werden, es kommt auf die Ausbildung zum Fleglehrer an.

response

*Noted*

Thank you for providing your opinion.  
Please see the response provided to comment No 417 in the same segment above.

It should be pointed out that the Agency does not agree at all with your proposal to delete also the term 'dual training'. The Agency would like to know how this kind of instructor course should work if there is no dual instruction provided by experienced instructors.

comment	4264 <span style="float: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></span>
	<p>Proposal</p> <p>(1) (i) In the case of an FI (A), (H) and (As), at least 80 hours of theoretical knowledge instruction, including progress tests;</p> <p>(2) (i) In the case of an FI (A) and (H), at least 15 hours of flight instruction, of which 12 hours shall be dual instruction, of which 3 may be conducted in a FFS, an FNPT I or II or an FTD 2/3;</p> <p>Justification: Compared to present requirements in Germany the requested theoretical and practical training is inappropriate high. The experience during the last decades did not show any safety hazards with lower requirements.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.</p> <p>It should be mentioned that the requirements proposed are based on JAR-FCL. The Agency is wondering about your statement in the justification that 'compared to the present requirements in Germany the requested theoretical and practical training is inappropriate high' as these courses for the FI in Germany should be based exactly on the same amount of hours as proposed.</p>
comment	4268 <span style="float: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></span>
	<p>Proposal: Add: A holder of an SPL and a LAFI(S) applying for an FI(S) is fully credited.</p> <p>Justification: Theoretical and practical requirements for both licenses are completely identical.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. The Agency agrees and will add a requirement providing a full credit for the LAFI(S) as well as for the LAFI(B) but with a slightly different wording.</p>
comment	4336 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span>
	<p>FCL.930.FI(b)(2)(i)</p> <p><b>Wording in the NPA</b></p> <p>(b)(2) (i) In the case of an FI (A) and (H), at least 30 hours of flight instruction, of which 25 hours shall be dual instruction, of which 5 may be conducted in a FFS, an FNPT I or II or an FTD 2/3;</p> <p><b>Our proposal</b></p> <p><b>Change:</b></p> <p>(b)(2) (i) In the case of an FI (A) and (H), at least 15 hours of flight instruction, of which 12 hours shall be dual instruction, of which 3 may be conducted in a FFS, an FNPT I or II or an FTD 2/3;</p> <p><b>Issue with current wording</b></p> <p>The requirement of 30 hours is not proportionate.</p>

**Rationale**

15 hours of flight instruction is completely sufficient. The required pre entry flight test has assessed that the applicant has sufficient flying skills to act as instructor. The dual training should only instruct standardization and instructional techniques. Adding more than necessary increases the difficulty to recruit instructors for the non commercial clubs and jeopardizes the goal to strengthen non commercial operations. This rationale is more detailed in **comment 3250 Nr. 1**

response *Not accepted*

Thank you for providing your opinion.  
Please see the response provided to comment No 417 in the same segment above.

comment

4337

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.930.FI(b)

**Wording in the NPA**

None

**Our proposal****Add:**

(b)(4) (i) in the case of FI(A) Pilots holding or having held an FI certificate for sailplanes or 3 axis controlled microlight shall be credited towards the requirement of (b)(2)(i) above with 5 hours.

(ii) in the case of FI(S) Pilots holding or having held an FI certificate for aeroplanes or 3 axis controlled microlight shall be credited towards the requirement of (b)(2)(iii) above with 5 hours or 10 launches.

**Issue with current wording**

In the fixed wing categories applicants with an instructor certificate in another fixed wing category must be credited against the flight instruction requirements

**Rationale**

Instructional techniques are to a great extent common across most types of aircraft and especially across all fixed wing aircraft. Therefore an instructor wishing to extend instruction privileges to a new type of aircrafts should be credited to a much higher extent as proposed in the NPA. This reasoning is more detailed in **comment 3250 Nr. 2. and 3.** An unnecessary high level of requirements increases the difficulty to recruit instructors for the non commercial clubs and jeopardizes the goal to strengthen non commercial operations. This rationale is more detailed in **comment 3250 Nr. 1**

response *Not accepted*

Thank you for providing your opinion.

The Agency agrees that a certain crediting requirement for the practical flight instruction should be included. As certainly the full amount of flight training provided during the course should be accepted for this crediting within the same category of aircraft the Agency will introduce an additional requirement for the FI(A) and (H) which contains not only a 50 hours credit for the theoretical knowledge instruction but also a credit for half of the required flight training.

However, this will not include LAFI or FI certificates for other aircraft types (with one exception which is the LAFI(S) with TMG extension towards the FI(A)) because most of the training provided (compare the air exercises in the AMC material containing the training courses for FIs) is totally different from aircraft category to aircraft category.

Please see also the response already provided to your similar comment to FCL.930.LAFI and to your comment No 3250.

comment

4710

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Die geforderten Bedingungen fuer Segelfluglehrer-Anwaerter sind nicht adaequat.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

***Aenderungen:***

(a)(2) Streiche ersatzlos 'ATO'

(b)(2)(iii) Veraendere auf 5 Stunden und 10 Starts

response

*Partially accepted*

Thank you for your comment.

Please see the response already provided to your similar comment to FCL.930.LAFI.

The term 'ATO' will not be deleted as it was decided that the training for the FI and the LAFI has to be provided by an ATO.

The practical training for the FI(S) will be reduced to 6 hours and 20 take-offs. The Agency does not consider your proposal of 10 flights as sufficient for such a training course.

comment 4973 comment by: *Graham PHILPOT*

b1ii -

Additional paper qualifications will not improve flying safety. The safety/quality check for instruction is the Examiner who is doing the 'Flight Exam'. Additionally this requirement will encourage those looking for earnings (therefore commercial pilots) and discourage competent pilots (maybe competition championship winners) from sharing their expertise.

1) If applied the requirement should require 'ongoing training', say an Instructor Seminar/workshop once every 3 years (as in UK ) to ensure skills are updated and do not stagnate.

2) If applied this should be structured such that after say 10hrs classroom a pilot can conduct training flights, on completion of the specified period they can 'Instruct to Recommend for Flight Test' level

response *Noted*

Thank you for providing your opinion.

Your proposal in 1) must have been based on a misinterpretation of this paragraph as it contains only the content of the initial training course which has to be completed only once. For the revalidation of an instructor certificate the FI may choose to participate in a refresher course for instructors every 3 years. You will find this requirement in FCL.940.FI.

Regarding your proposal 2) please see the response already provided to comment No 2786 (D. Court) in the same segment above and the response provided to a similar comment sent by you to FCL.930.LAFI.

comment 4975 comment by: *Graham PHILPOT*

b1ii -

Additional paper qualifications will not improve flying safety. The safety/quality check for instruction is the Examiner who is doing the 'Flight Exam'. Additionally this requirement will encourage those looking for earnings (therefore commercial pilots) and discourage competent pilots (maybe competition championship winners) from sharing their expertise.

1) If applied the requirement should require 'ongoing training', say an Instructor Seminar/workshop once every 3 years (as in UK ) to ensure skills are updated and do not stagnate, with a lower starting requirement eg 12hrs.

2) If applied this should be structured such that after say 10hrs classroom a pilot can conduct training flights, on completion of the specified period they can 'Instruct to Recommend for Flight Test' level

response *Noted*

The Agency acknowledges your opinion.

As it seems to be a duplicate of your comment No 4973, please see the

response already provided.

comment 5058 comment by: ECA- European Cockpit Association

Request for clarification

Delete last paragraph in (b)(3):

~~(ii) 10 hours in the case of sailplanes and balloons.~~

Justification:

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?

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.

response *Partially accepted*

Thank you for your comment.

The JAR-FCL requirements (Appendix 1 to JAR-FCL 1.340) introduced this 75 hours credit for pilots holding or having held an FI(H) rating towards the FI(A). Based on this the requirement was developed taking into account the additional FI certificates. Knowing that the teaching and learning part will be credited anyway the proposal is based on the fact that certain elements of the theoretical knowledge instruction for the different categories are the same. Only some aircraft category specific items and all the briefings for the air exercises are different.

The Agency agrees that the wording proposed in FCL.930.FI (b)(3) is not clear enough and needs further clarification. The Agency will therefore change the text to make the following clear:

1. Pilots holding or having held an FI certificate for aeroplanes, helicopters or airships shall be credited with:

- 75 h towards the requirement of (b)(1)(i)
- 18 h towards the requirement of (b)(1)(ii)

2. Pilots holding or having held an FI certificate for sailplanes or balloons shall be credited with:

- 18 hours towards the requirements in (b)(1)(i) or (b)(1)(ii)

Based on the comments received (see also the comments on the crediting for the different LAFI certificates and the responses provided to FCL.930.LAFI) the proposed amount of 10 hours for the FI(S) and FI(B) was raised slightly to 18 hours.

Additional requirements will be added to credit also the LAFI. The principle will

be that the LAFI of the same category shall be credited in full for the instruction he/she has already received (which will be 50 hours in the case of the LAFI(A) towards the FI(A)) and a pilot holding a LAFI for another category with a less amount of hours. Please see the resulting text.

comment 5129 comment by: *Allen A.*

(b)(1)(i) 125 Stunden Theorieunterricht sind zu viel, da ehrenamtliche Fluglehrer dies in Ihrer Freizeit aufbringen müssen und damit die Anzahl an Freiwilligen deutlich zurückgehen würde. Da die Fluglehreranwärter ausgebildete Piloten sind, haben sie bereits Theorieunterricht und Prüfung abgelegt.  
Vorschlag: 60 Stunden Theorieunterricht

response *Not accepted*

Thank you for providing your opinion.  
Please see the response provided to comment No 1510 in the same segment above.

comment 5130 comment by: *Allen A.*

(b)(2)(i) 30 Stunden Flugausbildung sind zu viel, da die fliegerischen Fertigkeiten bei Fluglehreranwärtern vorausgesetzt werden können. Diese hohe Forderung erhöht nur unnötig die Kosten und den zeitlichen Aufwand.  
Vorschlag: 10 Stunden

response *Not accepted*

Thank you for providing your opinion.  
Please see the response provided to comment No 417 in the same segment above.

comment 5179 comment by: *Dieter Zimmermann*

Zu FCL.930.FI, Absatz (b)(1)(i):

Das theoretische Wissen eines Luftfahrers wird von den Anwärtern in den Lehrgang mit eingebracht. Durch die Eingangsprüfung ist dies sichergestellt.

Die Agentur sollte abklären, ob der in einem Lehrerlehrgang zusätzlich zu vermittelnde Stoff ausreicht 125 Unterrichtsstunden zu füllen. Dies scheint mir sehr fraglich.

Zu FCL.930.FI, Absatz (b)(2)(i):

Die grundlegenden Fertigkeiten als Luftfahrer sollten vor Beginn der Lehrgangs vorhanden sein, dies wird ja durch den Eingangstest gefordert und auch sichergestellt. Unter dieser Voraussetzung sind die geforderten 30 Stunden Flugausbildung sicher übertrieben.

Zumal qualifizierte Personen, die sich als Fluglehrer nur auf ehrenamtlicher Basis rekrutieren lassen - für eine berufliche Tätigkeit in der Luftfahrt findet man allemal besser honorierte Tätigkeiten als Fluglehrer - sicher nicht bereit sind, unnötig in der Gegend herum zu fliegen und die daraus entstehenden erheblichen Kosten zu tragen.

response *Noted*

Thank your for providing your opinion.  
Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.

comment 5191 comment by: Carsten Fuchs

In (b) (1) (i) und (b) (2) (i) werden zu viele Stunden gefordert (die anderen FI(...) entsprechend).

Begründung:

Wer FI werden will, kann schon fliegen. Für eine erfolgreiche FI-Ausbildung ist viel entscheidender, wie gut die fliegerischen Fähigkeiten des Kandidaten schon vor der Ausbildung waren.

Letztenendes entscheidet der Prüfungsflug, ob die Fähigkeiten des Anwärters ausreichen.

Vorschlag:

Für FI(A) reichen 10 Stunden praktische und 80 Stunden theoretische Ausbildung, die anderen FI(...) entsprechend.

response *Not accepted*

Thank your for providing your opinion.  
Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.

comment 5403 comment by: Aerovision

To become a balloon instructor, there are too many theoretical hours required. It is the quality of training, not the quantity that is required. Attending a one-day course every two years would seem about right.

response *Noted*

Thank you for providing your opinion.

However, it seems that two different issues are mixed up in the comment. The instructor refresher course (one day every three years) is already one of the three options for the revalidation of the FI certificate. You will find the requirement in FCL.940.FI.

This paragraph contains only the initial course contents to become an instructor. The Agency does not agree with the statement provided that the required 30 hours during the training course 'are too many'. Please see some elements which should be covered during such a course and check also the AMCs to FCL.920 and FCL.930.FI:

- BPL training syllabus,
- refreshing of the technical knowledge in all subjects,
- developing classroom instruction techniques,
- giving of pre-flight briefings,
- progress tests,
- content of the pilot's skill test,
- long briefings of all the exercises contained in the syllabus,
- examples of hazards.

The Agency does not understand how these contents should be instructed in

less than 30 hours.

comment 5971 comment by: *Luftsport-Verband Bayern*

Die hohe Anzahl von Flugstunden im Fluglehrerkurs ist nicht erforderlich. Maßgeblich sind Art und Erfolgskontrolle des praktischen Unterrichts. 15 Stunden sind als Mindestvorgabe mehr als ausreichend. Im Anschluß an die Ausbildung erfolgt eine Prüfung, bei der die Fluglehrerfähigkeiten/ und -fertigkeiten kontrolliert werden. Vor Einführung von JAR-FCL wurde in Deutschland erfolgreich und sicher bei einer Vorgabe in Höhe von 10 Stunden ausgebildet. Da der Ausbildungsumfang (z.B. durch Instrumentenflugeinweisung) erhöht wurde ist eine Festlegung auf mindestens 15 Stunden angemessen und ausreichend.

response *Noted*

Thank you for providing your opinion.  
Please see the response provided to comment No 417 in the same segment above.

comment 6148 comment by: *Belgium*

Not every instructor wants to give theoretical instructions or not every instructor wants to give flight instructions.  
If you really want to impose a theoretical knowledge course we ask you to make 2 different qualifications.  
1) Theoretical instructor  
2) Practical instructor  
If you split it you also give the possibility that a person with a denied medical, who have a very good knowledge still can be an excellent theoretical instructor.

response *Noted*

Thank you for providing your opinion.

A specific instructor category for providing only theoretical instruction is not foreseen in these requirements. As it would be a totally new element and as the need for such an additional theory instructor was only proposed by two comments the Agency will not introduce such a proposal at this stage.  
Please see also the response to comment No 4116 (B. Berben) in the same segment above.

comment 6772 comment by: *Viehmann, Regierungspräsidium Kassel*

Der geplante Umfang der theoretischen und praktischen Ausbildung wird als zu hoch eingestuft.  
Wir können uns unter Berücksichtigung der vorliegenden Erfahrungen vorstellen, dass eine Reduzierung der Anforderungen auf 80 Stunden theoretische Ausbildung und 15 Stunden praktische Ausbildung ausreichen, um die für diese Tätigkeit notwendigen Kenntnisse und Fähigkeiten zu vermitteln.

response *Noted*

Thank you for providing your opinion.  
Please see the response provided to comment No 1883 (M. Malcharek) in the

same segment above.

comment

7028

comment by: UK CAA

**Paragraph:** FCL.930.FI

**Page No:** 52 of 647

**Comment:** It is stated that the aim of the FI course is to refresh the technical knowledge of the student instructor. In the absence of the requirement for CPL theoretical knowledge to teach PPL, SPL, BPL, and LPL, EASA should consider whether a dedicated FI theoretical knowledge syllabus should be developed which ensures a deeper understanding of the theoretical knowledge subjects than is required of a student in those aircraft categories.

**Justification:**

It is generally accepted that to teach a theoretical subject effectively, the instructor must have a deeper understanding of the subject than is required to be taught. The CAA recognises that much of the CPL theoretical knowledge is not relevant to an instructor teaching, for example the PPL, however it is important that the FI has an understanding of the theoretical knowledge syllabus in enough depth to be able to answer effectively and accurately questions from students.

response

Noted

Thank you for providing your opinion.

The Agency would like to explain firstly that it was decided to re-introduce the requirement for the CPL theoretical knowledge based on the amount of comments asking for such a change (see the other comments and responses to FCL.915.FI). This was already a requirement in JAR-FCL and it is mentioned also in the ICAO SARPS.

However, the Agency agrees that certain elements of the CPL theoretical knowledge syllabus are not relevant for an instructor who will provide instruction only to the PPL student pilots. The Agency supports also your statement that a certain deeper knowledge of the PPL syllabus in certain specific subjects is absolutely necessary in order to be able to cope with the questions of the students.

As the JAR AMC FCL 1.340 containing a suggested breakdown of the hours for the TK instruction for the FI course was not published with this NPA, the Agency will not introduce it at this stage. This document should be reviewed and aligned with the needs of the other instructor categories and could be covered by a future FCL rulemaking task.

comment

7320

comment by: Stampa Hartwig

The conditions for theoretical knowledge and flight instruction are too high: For the practice it is enough to reduce it to the half: 70 hours of theoretical knowledge instruction and 10 hours of flight instruction.

Reason: The training of FIs will be too long and expensive. The experience in Germany prove it.

response

Noted

Thank your for providing your opinion.

Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.

comment 7515 comment by: *Graham PHILPOT*

1ii - 300 hrs too long before someone can start instructing and will not improve safety in my opinion. Instructors should be able to start instructing after no more than 10hrs 'theory of instruction' and one or two observed instruction flights.  
Examiners are the quality check when students present for 'Flight Test'

response *Noted*

Thank you for providing your opinion.

However, your comment must have been based on a misinterpretation of the proposed requirements. FCL.930.FI does not contain any training requirement which asks for 300 hours of training.

However, the proposed amount of '10 hours theory of instruction and one or two observed instruction flights' cannot be accepted for any of the FI instructor categories.

Training experts have developed a certain catalogue of contents which should be definitely covered during such a course. Please see the possible course contents and be aware that the theoretical knowledge instruction will contain issues like:

- PPL/SPL or BPL training syllabus,
- refreshing of the technical knowledge in all subjects,
- developing classroom instruction techniques,
- giving of pre-flight briefings,
- progress tests,
- long briefings of all the exercises contained in the syllabus,
- examples of hazards.

The Agency does not understand how these contents should be instructed within 10 hours.

comment 8035 comment by: *Ingo Wiebelitz*

Die theoretischen Anforderungen und die praktischen Anforderungen sind zu hoch. Die in Deutschland in dieser Richtung gemachten Erfahrungen beweisen dies.

Die FI-Tätigkeit kann in den Vereinen in vielen Fällen ehrenamtlich durchgeführt werden. Zu hohe Anforderungen werden den gewohnten Vereinsbetrieb zum Erliegen bringen! Das kann nicht im Sinne von "Förderung des Luftsports" sein!

response *Noted*

Thank your for providing your opinion.

Please see the response provided to comment No 1883 (M. Malcharek) in the same segment above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 3: Specific requirements for the flight instructor — FCL.935.FI FI — Skill test**

p. 52

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

2232 Page: 52 FCL935.FI

Comment: Nomenclature "Skill Test" is confusing, based on agreed text of NPA-FCL-36

Proposal: For "Skill Test" replace with "Competency Assessment"

response

*Accepted*

Thank you for providing your opinion.

After having carefully reviewed the comments on instructor skill tests as well as the comments on Appendix 12, the Agency has concluded that there is a need to change the initial proposal (as introduced in NPA FCL 36) related to skill tests/proficiency checks for instructors and to Appendix 12.

The main reason for this is the fact that this Appendix was indeed based on a JAR-FCL Appendix that was based on JAR-FCL text that was originally meant just for the FI. The comments received clearly indicate that it is not adequate to all categories of instructors.

Therefore, the Agency has decided to:

- change the name of instructors' skill tests to 'assessment of competence';
- include a general paragraph in Section 1 on the assessment of competence. Specific paragraphs for the various instructor categories will only exist where necessary;
- transfer part of the content of Appendix 12 into AMC. Some of the paragraphs of this Appendix may be transferred to paragraphs in Subpart J on assessment for instructors, but the content of the skill test as determined in the table will be part of an AMC applicable to the FI only.

It is possible that in the future further AMC material for other categories of instructor will be developed.

comment

3727❖

comment by: *Klaus HARTMANN*

Da wahrscheinlich gemeint ist, dass der skill test mit einem flight instructor examiner durzuführen ist sollte es zur eindeutigen Klarstellung heißen :  
Statt '.... demonstrate to an examiner the ....'  
'..... demonstrate to an instructor examiner the ....' so wie es auch unter FCL.905.LAFI LAFI Privileges and conditions (f) (3) steht.

response

*Accepted*

Thank you for providing your opinion.

The Agency will change the wording into: 'shall pass an assessment of competence to demonstrate to an examiner qualified in accordance with

subpart K ...'. This should clarify which category of examiner is meant because subpart K contains the privileges of all instructor categories.

Please see the reply to comment above to understand why the wording for the skill test will be amended.

Please see also the reply to your comment on FCL.935.LAFI.

comment 3851 comment by: *Luftfahrt-Bundesamt*

FCL.935.FI:

In order to avoid any misinterpretation, 'examiner' should read 'flight instructor examiner' (FIE).

response *Not accepted*

Thank you for providing your comment.

The Agency will change the wording into: 'shall pass an assessment of competence to demonstrate to an examiner qualified in accordance with subpart K ...'. This should clarify which category of examiner is meant because subpart K contains the privileges of all instructor categories.

See also the reply to comment 2232 above to understand why the wording for the skill test will be amended.

comment 4339 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.935.FI

**Wording in the NPA**

An applicant for an FI certificate shall pass a skill test to demonstrate to an examiner the ability to instruct a student pilot to the level required for the issue of a PPL, SPL or BPL including preflight, postflight and theoretical knowledge instruction, in accordance with the requirements of Appendix 12 to this Part.

**Our proposal**

**Add:**

A holder of an SPL and a LAFI(S) applying for an FI(S) does not require a skill test and is granted the FI(S) certificate on request.

**Issue with current wording**

The current wording of the NPA would require a skill test when converting a LAFI(S) certificate in a FI(S) certificate which should not be the case

**Rationale**

LAFI(S) and FI(S) are technically identical and should be convertible on request if the SPL is held.

response *Not accepted*

Thank you for providing your comment.

However, the Agency does not agree and will not exclude the LAFI from this assessment of competence. Please keep in mind that the FI(S) will be checked every third revalidation whereas the LAFI has passed the skill test only once if he/she fulfils the other two revalidation criteria. Based on this the conversion

from the LAFI to the FI category should be initiated on the basis of such an assessment.

comment

4711

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Die geforderten Bedingungen fuer Segelfluglehrer-Anwaerter sind nicht adaequat.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

***Aenderungen:***

Ergaenzen fuer Segelflug und TMG, streiche 'examiner' und ersetze durch: 'erfahrenen Fluglehrer'

response

*Not accepted*

Thank you for providing your opinion.

As the first part is your standard comment please see the responses already provided to several other comments of yours. Regarding the proposal to delete 'examiner' and ask for a skill test (new wording: 'assessment of competence') with an experienced instructor the Agency does not agree.

This assessment of competence should not be done by an instructor but by an experienced examiner who is familiar with this task. The Agency is of the opinion that the system which is already in place with JAR-FCL and also with different national systems should not be amended and will ask for an FIE.

comment 5788 comment by: UK CAA

**Paragraph:** FCL 935.FI

**Page No:** 52 of 647

**Comment:** The examiner is not specified for the skill test and it should be nominated as a Flight Instructor Examiner.

**Justification:** Clarification/Consistency.

**Proposed Text:**

..pass a skill test to demonstrate to an **Flight Instructor Examiner** the ability to instruct to a student pilot....

response *Not accepted*

Thank you for providing your opinion.

The Agency will change the wording into: 'shall pass an assessment of competence to demonstrate to an examiner qualified in accordance with subpart K ...'. This should clarify which category of examiner is meant because subpart K contains the privileges of all examiner categories.

See also the reply to comment 2232 above to understand why the wording for the skill test will be amended.

Please check also the reply to your comment on FCL.935.LAFI.

comment 6810 comment by: CAA Finland

FCL.935.FI (and also LAFI):

Amended text proposal to harmonize with FCL.935.CRI and .IRI:

An applicant for an FI certificate shall pass a skill test to demonstrate ~~to an examiner~~ the ability to instruct a student pilot to the level required for the issue of

And in CRI/IRI: his ability > the ability

response *Not accepted*

Thank you for providing your opinion.

The Agency will change the wording into: 'shall pass an assessment of competence to demonstrate to an examiner qualified in accordance with subpart K ...'. This should clarify which category of examiner is meant because subpart K contains the privileges of all instructor categories.

See also the reply to comment 2232 above to understand why the wording for the skill test will be amended.

comment 8028 comment by: Bombardier Aerospace Training

Article 7 paragraph 5 of the Basic Regulation states that persons complying with Annex III of the Basic Regulation can provide flight simulation training. Annex III paragraph 1.i.2 reads in part "Flight instructors must also be entitled to act as pilot in command on the aircraft for which instruction is being given, except for training on new aircraft types." We believe that for FSTDs SFIs do not need to have a medical and thus not be required to act as Pilot In command.

As an SFI the instructor should still be required to complete a Skill test as specified in the Basic regulation.

response *Noted*

After having carefully reviewed the comments on instructor skill tests, as well as the comments on Appendix 12, the Agency has concluded that there is a need to change the initial proposal related to skill tests/proficiency checks for instructors and to Appendix 12.

The main reason for this is the fact that this Appendix was indeed based on a JAR-FCL Appendix that was based on JAR-FCL text that was originally meant just for the FI. The comments received clearly indicate that it is not adequate to all categories of instructors.

Therefore, the Agency has decided to:

- change the name of instructors' skill tests to 'assessment of competence';
- include a general paragraph in Section 1 on the assessment of competence. Specific paragraphs for the various instructor categories will only exist where necessary;
- transfer part of the content of Appendix 12 into AMC. Some of the paragraphs of this Appendix may be transferred to paragraphs in Subpart J on assessment for instructors, but the content of the skill test as determined in the table will be part of an AMC applicable to the FI only. There might be a need that in the future further AMC material for other categories of instructor will be developed.

In the case of the SFI, the only specific content is the second sentence of the paragraph. After having reviewed the related comments, the Agency has decided to transfer this sentence into AMC.

comment 8169

comment by: *F Mortera*

### **3. About instructor certificates**

**FCL.910.LAFI B (b) (4) = FCL.910.FI B(c) (3) "Restricted privileges" (pages 47 and 52)**

**FCL.915.LAFI B (e) = FCL.915.FI B (g) "Pre-requisites" (pages 48 and 51)**

**FCL 925.LAFI = FCL.935.FI "Skill test" (pages 49 and 52)**

I am also confused in a similar way for the LAFI and FI certificates and their respective requirements.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not understand the meaning behind your comment. Please see also the responses to your other similar comments in other segments.

The Agency does not understand why you are confused.

## renewal

comment 151 comment by: Michel Lacombe AF TRTO

*We need the definition of "flight instruction" is it on aircraft or also on simulators ???*

**FCL.940.FI FI Revalidation**

(a) For revalidation of an FI certificate, the holder shall complete in the case of an FI(A) and (H), at least 50 hours of flight instruction in the appropriate aircraft category during the period of validity of the certificate as FI, TRI, CRI, IRI, SFI

**If "flight instruction" means "in flight" , we may ask, what kind of "flight instruction" is a SFI, entitled to provide ???**

response *Partially accepted*

Thank you for providing your opinion.

The text in FCL.940.FI defines the flight instruction which will be counted for the revalidation of an FI certificate. In (i) the wording 'flight instruction in the appropriate aircraft category' is used. The Agency agrees that a clarification is needed.

Based on the fact that JAR-FCL excluded synthetic flight instruction the Agency will keep the wording 'in the appropriate aircraft category' and amend the text by mentioning the following instructor categories:  
LAFI/FI/TRI/CRI/IRI/MI

The answer to your question what kind of training the SFI is entitled to provide is contained in FCL. FCL.905.SFI. This requirement defines: 'The privileges of an SFI are to carry out synthetic flight instruction'. The revalidation for the SFI clearly mentions '50 hours as an instructor or examiner in FSTDs'.

comment 330 comment by: Michel Lacombe AF TRTO

Numbering error

(c) *Renewal*. If the FI certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

~~(2)~~ **(1)** attend an instructor refresher seminar;

~~(3)~~ **(2)** pass a proficiency check in accordance with Appendix 12 to this Part.

response *Accepted*

Thank your for identifying this editorial mistake.

comment 404 comment by: Rod Wood

(b) Amend:- re-write to indicate the upgrade proficiency test proposed for the FI(H) (restricted) in the comment on FCL.910 FI

response *Not accepted*

Thank you for providing your opinion.

However, based on the fact that the Agency does not see any link between the revalidation of the FI rating and the restricted privileges of an FI who is still under supervision (FCL.910.FI) no changes required for this paragraph.

Regarding the proposed 'upgrade proficiency check' for the FI please see the response to your comment in the appropriate segment.

comment

418

comment by: *Geschäftsführer Luftsportverband RP*

bei allen Nebensätzen die zusätzliche Forderung der Ausbildung innerhalb der letzten 12 Monaten streichen:

(a) (1) (i), (ii), (iii) und (iv) .... Im Luftsport sind es berufliche, familiäre, sonstige Gründe, warum ein ehrenamtlicher Fluglehrer im letzten Jahr mal keine Zeit für das Hobby hatte. Er macht das ja nicht beruflich und ausschließlich zum Nutzen meist jugendlicher Flugschüler.

streichen bei Passus (b): **or each third revalidation.** hiermit würde ein bewährtes ehenamtliches System zur Förderung jugendlichen Nachwuchses zerstört und es wird auch in keinster Weise dem mit der Tätigkeit verbundenen Risiko gerecht.

Das spätestens alle 9 Jahre geforderte Überprüfungssystem wird die Fliegerei nicht nur in gewaltigem Maße verteuern, sondern auch unsere jetzigen ehrenamtlichen Fluglehrer in ihrer Ausbildungstätigkeit zum Umdenken veranlassen. Verständlicher Weise kann nicht jeder Fluglehrer auch Prüfer werden, aber dieser Personenkreis wird sich zu einer direkten oder indirekten beruflichen Ausübung entwickeln. Es müssen sich also Fluglehrer ehrenamtlich in der Schulung einsetzen, während sein Kollege damit sein Geld verdient. Wie lange werden unsere Vereinsfluglehrer dies machen bzw werden wir bei diesem System überhaupt noch Nachwuchs finden? Aus meiner fliegerischen Vereinerfahrung heraus kann ich nur sagen, dass bei dieser Einführung sich der augenblickliche Abwärtstrend fortsetzen wird. Der französische Bereich hat ja seit Jahrzehnten diesen periodischen Überprüfungsapparat und der Segelflug ist in Frankreich in den letzten 20 Jahren auf ein Drittel geschmolzen. Soll das auch im restlichen Europa und auch beim Motorflug jetzt so weitergehen?

Es gibt heute in den Vereinen noch Alt-Lehrer JAR-FCL, aber die Masse benötigt einen Prüfercheckflug, da sie die geforderten Ausbildungsstunden innerhalb der 3 Jahre nicht erbringen kann. Da wird sich auch zukünftig nichts daran ändern. Wenn aber ein Fluglehrer jährlich 50 Stunden fliegt braucht er 40 Jahre, um die Voraussetzung für Fluglehrerprüfer zu werden. Wer also sind diese zukünftigen „FIE“: sie können nur aus dem Bereich der gewerblichen Flugschulen kommen und überprüfen dann einen Ehrenamtlichen Fluglehrer. Wie lange geht das wohl gut? Der Ehrenamtler gibt auf und wir werden ausschließlich bezahlte Fluglehrer haben mit dem geschilderten Rückgang an Flugschülern, da es zu teuer geworden ist.

Ein Sicherheitsrisiko ist ohne diesen proficiency check ebenfalls nicht gegeben, da das jahrzehnte alte Ausbildungssystem im deutschen Luftsport sich bestens bewährt hat.

response

*Partially accepted*

Thank you for providing your opinion.

The requirement for the FI to pass a proficiency check each alternate subsequent revalidation was already introduced with JAR-FCL (JAR-FCL 1.355). The Agency was asked to stay as close as possible with JAR-FCL and decided

therefore to keep this requirement and to ask for such a regular proficiency check in order to guarantee a certain level of standardisation.

For the FI(As), FI(S) and FI(B) a slightly different requirement was introduced (every third revalidation). The Agency does not agree with the proposal to exempt this group of instructors from the requirement totally. The requirement will not be amended.

The additional requirements for flight instruction time within the 12 months preceding the expiry date of the certificate was also transferred from JAR-FCL. The Agency carefully reviewed the feedback received on this issue and discussed this requirement with the experts involved. The Agency agrees that the total amount of flight instruction time required by the first sentence of (a)(1)(i) should be sufficient and will delete the requirement for a certain amount of flight instruction to be provided within the last 12 months in (i)(ii)(iii) and (iv).

comment 575 comment by: Jürgen Böttcher

FCL.940.FI A full fledged proficiency check with an examiner does not increase safety, it merely increases costs and effort and will discourage many FI's, causing an accute shortage that is already manifest today.

response *Noted*

Thank you for your opinion.  
See the response provided to comment No 418.

comment 643 comment by: British Microlight Aircraft Association

(b) is inconsistent with the revalidation requirements of the LAFI instructor rating.

FI "*For the first and at least each alternate subsequent revalidation in the case of FI(A)*" LAFI "*For at least each third revalidation of a LAFI certificate, the holder shall pass a proficiency check in ..*"

For clarity and consistency the revalidation requirements should be the same for the two instructor ratings.

response *Not accepted*

Thank you for your opinion.  
See also the response provided to comment No 418.

However, the Agency does not see a need to align all the requirements for the different instructor categories. Please compare also the prerequisites or the content of the training courses and you will discover some differences.

comment 667 comment by: FOCA Switzerland

J/Section 3  
FCL.940.FI

Missing item:

**In the list of the different flight instructors to be added: LAFI**

response

*Accepted*

Thank you for providing your opinion.

The Agency agrees and will add the LAFI in (a)(1)(i). (50 hours flight instruction)

See also the response to comment No 151 in the same segment above.

comment

1206

comment by: *Luftsportverband Rheinland Pfalz*

FCL 940 FI(a) (1)

(i) ...15 hours of flight instruction shall have been completed within 12 months preceding the expiry date of the FI certificate...

(ii) ...including at least 6 hours of flight instruction within the 12 months preceding the expiry date of the FI certificate...

(iii)...including at least 10 hours or 20 take offs of flight instruction within the 12 months preceding the expiry date of the FI certificate.

(iv) ...including at least 2 hours of flight instruction within the 12 months preceding the expiry date of the FI certificate...

Diese Sätze bitte streichen.

Der Passus benachteiligt junge Fluglehrer/innen (Väter und Mütter) und Ehrenamtler. Durch Auslandsaufenthalte und familiär bedingte Zwangspausen (Babypause) können Pausen zwingen und oftmals unvorhersehbar notwendig werden. Ohne die Streichung dieser Sätze wird bei all diesen Unterbrechungen die Fluglehrerlizenz ungültig.

(b) streichen

wird als nicht notwendig angesehen, zudem ist in 12 Jahren ein Engpass an FIE zu erwarten, da alle Fluglehrer ihre Lizenzen erneuern müssen. Bisher gibt es in Deutschland keine FIE und nur sehr wenige FI, die die Voraussetzungen für einen FIE erfüllen. Maximal sollte ein FE diese Überprüfungsflüge durchführen.

alternativ: ..in accordance with Appendix 9 (Flight with a FE)to this part...

(c) (2) streichen

Refresher Seminar und proficiency check würde die Erneuerung einer Lizenz sehr verteuern. Eine der Überprüfungsmaßnahmen ist ausreichend um die Lizenz zu erneuern.

Zudem sollte möglich sein, die Flugzeiten und Stunden unter Aufsicht eines FE nachzuholen.

(1) die Ausbildungszeiten und Starts sind unter Aufsicht eines erfahrenen Fluglehrers (FE) nachzuholen (zu absolvieren) or

(2)...

or

(3)...

response

*Partially accepted*

Thank you for providing your opinion.  
Please see the response provided to comment No 418 in the same segment above.

Regarding your additional issue to delete (c)(2) it has to be highlighted that this requirement for the renewal is based on JAR-FCL. The Agency does not understand why an FI who has not provided flight instruction for several years should be entitled to renew his/her certificate based on lower requirements as for the normal revalidation. The Agency believes strongly that in such a case the required proficiency check and a refresher seminar are definitely necessary.

Your last proposal to add a paragraph allowing the FI to complete missing instructing flight time under the supervision of an FE is not acceptable as this would mean that an FI with a lapsed certificate would provide flight instruction under supervision. The Agency will not add such a paragraph.

comment 1264 comment by: *Günter End*

45 Stunden in drei Jahren ist richtig. Festlegung auf 15 in den letzten 12 Monaten kann zu Problemen führen, wenn Mangel an Schülern oder beispielsweise berufsbedingter Zeitmangel des Lehrers im letzten Jahr.

response *Noted*

Thank you for your opinion.  
See the response provided to comment No 418 (last item).

comment 1353 comment by: *Gerhard Hehl*

Für die letzten 12 Monate vor der Verlängerung sind die Mindeststunden zu streichen. Nach wie vor wird in Vereinen ehrenamtlich geflogen, familiäre und berufliche Situationen müssen berücksichtigt werden.

**Ein Prüfercheckflug bei jeder 3. Verlängerung ist abzulehnen!**

response *Partially accepted*

Thank you for your opinion.  
See the response provided to comment No 418.

comment 1436 comment by: *Aero Club Oppenheim e. V.*

Es sollten aufgrund der in der Hauptsache nur an Wochenenden oder Feiertagen stattfindenden Schulung keine Werte für die letzten 12 Monate gefordert werden. Durch berufliche, familiäre Unterbrechungen könnte sonst die Lehrberechtigung verloren gehen.  
Der Dreijahreszeitraum ist ausreichend.

response *Partially accepted*

Thank you for your opinion.  
See the response provided to comment No 418 (last item).

comment	<p>1511 <span style="float: right;">comment by: <i>Volker ENGELMANN</i></span></p> <p>A specific number of instruction hours before renewal in a timeframe shorter than the overall timeframe is contra productive in what EASA may goal is: to achieve high flight safety regulations.          Especially Flight Instructors must be at a high state of training at the whole time frame.          Imagine a FI who only does check flights for a period of 22 Month and then does instructions for a few days... he will be qualified again ! ???</p>
response	<p><i>Accepted</i></p> <p>Thank you for your opinion.          See the response provided to comment No 418 (last item).</p>
comment	<p>1538 <span style="float: right;">comment by: <i>Danish Balloon Organisation</i></span></p> <p><b>FCL.940.FI (b):</b></p> <p>We suggest the wording in (b) be amended to read:          (b)          1. For the first and at least each alternate subsequent revalidation in the case of FI(A) or FI(H), the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part          2. For at least each third revalidation in the case of FI(As), (S) and (B), the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part.</p> <p>Justification: The wording in 2. is now in line with FCL.940.LAFI and more appropriate for the PPL(As), SPL and BPL holders.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.          The Agency agrees that the wording used could lead to some misinterpretations. In order to avoid unnecessary duplication it was decided not to separate the sentence but to change and amend it slightly to make clear that for the FI(As), FI(B) and FI(S) a proficiency check is required only every third revalidation.</p>
comment	<p>1728 <span style="float: right;">comment by: <i>Sven Koch</i></span></p> <p>Zwei von drei Vorgaben:          Beim FI(A) innerhalb 3 Jahren 50 Std Ausbildung, davon in letzten 12 Monaten 15 Std          Beim FI(S) 30 Std oder 60 Starts, davon 10 Std oder 20 Starts letzten 12 Monaten auf Segelflugzeugen, Sfl mit Hilfstriebwerk oder TMG          Eine Fluglehrerfortbildung          Ein Prüfercheckflug          Jede dritte Verlängerung ein Prüfercheckflug          Keine Werte für letzten 12 Monate; berufliche, familiäre Unterbrechungen können bestehen ohne dass gleich Lehrberechtigung verloren.          Ablehnung          Subpart K Prüfer</p>
response	<p><i>Partially accepted</i></p>

Thank you for your opinion.  
See the response provided to comment No 418.

comment 1816 comment by: *Sebastian Grill*

Die bisherige Regelung ist vollkommen ausreichend, da es meines Wissens nach nicht zu Unfällen gekommen ist, die auf einen mangelnden Ausbildungsstand des Fluglehrers zurückzuführen ist. Außerdem käme auf die ehrenamtlichen Fluglehrer zu große finanzielle Belastungen zu, so daß die Ausbildung in den Vereinen schwierig werden würde. Eine andere Möglichkeit wäre es, den Ausbildungsleiter in den Vereinen mit der Überprüfung der Fluglehrer zu betrauen.

response *Noted*

Thank you for your opinion.  
However, the Agency does not know which actual regulation you are referring to ('die bisherige Regelung'). Furthermore it should be highlighted that this experience requirement is aiming at the actual experience not at the initial training to become an instructor ('mangelnden Ausbildungsstand'). If the issue you are commenting on is the proficiency check you should be aware that this requirement was already introduced with JAR-FCL for the FI(A) and (H).

See the response provided to comment No 418 (last item). The chief flight instructor of a certain training organisation cannot conduct a proficiency check as this has to be the task of an examiner (by definition).

comment 1825 comment by: *Matthias SIEBER*

Durch Überprüfungen durch „FI-Examiner“ entsteht kein Mehrwert, weder für den Prüfer noch den zu Überprüfenden. Aufgrund der sehr hohen, an solche „FI-Examiner“ gestellten Forderungen wird die Hürde sehr hoch gesetzt, geeignetes Personal in ausreichender Anzahl, praktikabler Entfernung und vor allem zu bezahlbaren Konditionen verfügbar zu haben.

Diese Forderung ist daher für die Betroffenen unsozial und kommt einer Beeinträchtigung der freien Berufsausübung nahe. Noch dazu werden die in den Vereinen ehrenamtlich tätigen Fluglehrer unverhältnismäßig stark benachteiligt, da diesen im Vergleich zu ihren Kollegen in kommerziellen Flugschulen keine „Kostenträger“ für diese Überprüfungsmaßnahmen zur Seite stehen.

Alternativ könnten Fluglehrer durch Fluglehrer, die die Bedingungen gem. FCL.905 FI (j) (1) (ii) erfüllen, überprüft werden. Dies kann in Vereinen insbesondere der „HOT“ (Head of Trainig -Ausbildungsleiter) sein, der ein ureigenes Interesse daran haben muss, den Leistungsstand der Fluglehrer zu kennen - ohne die möglicherweise vorrangig finanziellen Interessen eines schwer zu findenden „FI-Examiners“ gem. FCL.1010.FIE.

response *Noted*

Thank you for your opinion.  
See the response provided to comment No 418.  
The chief flight instructor of a certain training organisation cannot conduct a proficiency check as this has to be the task of an examiner (by definition).

comment	<p data-bbox="359 201 430 235">1884</p> <p data-bbox="1005 201 1457 235" style="text-align: right;">comment by: <i>Markus Malcharek</i></p> <p data-bbox="359 257 1457 683">Durch eine Überprüfung mittels FI Examiner entshet keinerlei Mehrwert bzw. Sicherheitsgewinn, weder für Prüfer noch für zu Prüfenden. Durch die absolut übertriebenen Anforderungen würde die Hürde so hoch gesetzt, daß kaum noch geeignetes und ausgebildetes Personal zu bekommen wäre. Die Auswirkungen wären für die Betroffenen sozial ungerecht und unhaltbar (z.B. kleine Flugschulen). Zusätzlich werden ehrenamtliche Fluglehrer extrem benachteiligt, da sie dies nicht mehr aus eigener Kraft finanzieren können. Gegenvorschlag: Fluglehrer können durch Fluglehrer überprüft werden, die die Bedingungen gem. FCL.905.FI (j) (1) (ii) erfüllen. Sinnvollerweise die Ausbildungsleiter in (auch Vereinseigenen) Flugschulen, die von Haus aus ein Interesse daran haben, den Ausbildungs- und Trainingstand ihrer Fluglehrer zu kennen. Und zwar ohne die finanziellen Interessen eines äußerst schwierig zu findenen "FI Examiners" nach FCL.1010.FIE.</p>
response	<p data-bbox="359 694 438 728"><i>Noted</i></p> <p data-bbox="359 750 1005 817">Thank you for providing your opinion. See response to comment No 1825 (M. Sieber).</p>
comment	<p data-bbox="359 873 430 907">2008</p> <p data-bbox="1165 873 1457 907" style="text-align: right;">comment by: <i>Martin</i></p> <p data-bbox="359 929 1457 1030"><b>Im Unterpunkt (a) (1) (ii)</b> wird für die Verlängerung der Lizenz gefordert, daß 1/3 der gesamten Flugstunden oder Starts in den letzten 12 Monaten vor Ablauf der Lizenz erfolgt.</p> <p data-bbox="359 1030 1457 1131">Nach der bisherigen Regelung ist ein Nachweis der geforderten Flugstunden und Starts für Segelfuglehrer innerhalb des Zeitraums der Gültigkeit der Lizenz ausreichend.</p> <p data-bbox="359 1131 1457 1377">Da in fast allen Fällen Segelfuglehrer ehrenamtlich tätig sind, kann aufgrund von persönlichen oder beruflichen Gründen in einem Jahr nur eingeschränkt Zeit für dieses Ehrenamt vorhanden sein. Sollte dies auf ein Jahr vor Ende der Gültigkeit der Lizenz fallen müßte unter Umständen die Lizenz erneuert werden. Fällt hingegen ein Jahr ohne ausreichender Flugstundenanzahl und Startanzahl in z.B. das vorletzte Jahr der Gültigkeit der Lizenz hat dies keine Auswirkungen auf die Verlängerung. Dieses "Glückspiel" ist völlig unverständlich.</p> <p data-bbox="359 1377 1457 1702">Als extremes Beispiel könnte bei einer Gültigkeit der Lizenz von z.B. 3 Jahren der Lizenzinhaber in den ersten 2 Jahren der Gültigkeit keine anrechenbaren Flugstunden und Starts absolvieren und stattdessen alle Flugstunden in dem letzten Jahr der Gültigkeit seiner Lizenz durchführen. Dies wäre konform mit der Regelung. Eine Absolvierung der geforderten Flugstunden und Starts in dem ersten Jahr der Gültigkeit der Lizenz und anschließend keine weitere Tätigkeit wäre hingegen für eine Verlängerung der Lizenz nicht ausreichend. In beiden Fällen würde der Lizenzinhaber 2 Jahre keine Rechte aus seiner Lizenz ausüben. In dem ersten Fall wäre dies aber für die Verlängerung der Lizenz ohne Bedeutung.</p> <p data-bbox="359 1702 1457 1848">Als <b>Lösung</b> sollte die <b>bisherige Regelung für Segelfuglehrer</b> beibehalten werden, nach der die geforderten Flugstunden und Starts innerhalb des Zeitraums der Gültigkeit zu erreichen sind, ohne eine Auflage welcher Anteil davon im letzten Jahr der Gültigkeit erzielt werden muß.</p>
response	<p data-bbox="359 1859 486 1892"><i>Accepted</i></p> <p data-bbox="359 1915 1181 1982">Thank you for your opinion. See the response provided to comment No 418 (third issue).</p>

comment

2029

comment by: *Martin*Attachment [#52](#)

Der **Unterpunkt (b)** fordert einen proficiency check bei mindestens jeder 3. Verlängerung der Lizenz.

Nach den bisherigen Gesetzen existiert eine solche Überprüfung von Fluglehrern im **Segelflug** nicht. Trotzdem ist die Qualität der Ausbildung im Segelflug sehr hoch. Als Beweis dient die neueste Statistik der Bundesstelle für Flugunfalluntersuchung (BFU) aus dem Jahre 2007. Danach ergeben sich eine Anzahl von 92 Unfällen mit Segelflugzeugen (Segelflugzeuge mit Hilfsantrieb eingeschlossen), wobei 13 Unfälle während der Ausbildung stattgefunden haben, siehe Seite "Segelflugzeuge-Seite1" des beigefügten Dokumentes. Daraus ergibt sich eine Quote von 14%, d.h. nur 14% aller Unfälle ereignen sich während der Ausbildung. 86% aller Unfälle mit Segelflugzeugen werden von Piloten mit Lizenz verursacht. Somit ist es unverständlich, warum für die Personengruppe der Segelfluglehrer die Kriterien der Verlängerung der Lehrberechtigung derart verschärft werden sollen wie in Appendix 12 dargelegt. Eine derart ausführliche Überprüfung kommt einem Neuerwerb der Lizenz gleich.

Da fast alle Segelfluglehrer in Deutschland ehrenamtlich tätig sind ist eine Verlängerung der Lizenz unter Einbezug des proficiency checks im Rahmen des Ehrenamtes für viele Segelfluglehrer nur noch schwer erreichbar. Zum einen ist die Vorbereitung auf einen solchen Test sehr zeitaufwendig, was nur durch eine "Zeitersparnis" im Bereich der Ausbildung von Flugschülern kompensiert werden kann, wenn nicht noch mehr Zeit auf ehrenamtliche Tätigkeit verwendet werden kann. Damit würde die Qualität der Ausbildung sinken und nicht gesteigert werden! Diese Regelung ist somit kontraproduktiv für die Ausbildung im Segelflug.

Weiterhin würde eine solch umfangreiche Prüfung eine hohe Prüfungsgebühr nach sich ziehen. Damit würden wiederum die ehrenamtlich tätigen Segelfluglehrer zusätzlich belastet, ohne daß dies einen Sicherheitsgewinn bringt. Statt der Prüfungsgebühr würde eine Investition in Flugstunden oder Starts deutlich mehr zur Sicherheit beitragen!

Eine Umlegung der Kosten auf die Flugschüler ist auch nur in kommerziellen Ausbildungsbetrieben möglich. In den Vereinen mit ehrenamtlich tätigen Segelfluglehrern sollen vor allem junge Menschen für das Fliegen gewonnen werden. Gerade diese Personengruppe verfügt in der Regel über kein eigenes Einkommen und ist somit auf eine ehrenamtlich strukturierte Ausbildung angewiesen. Die von den Segelfluglehrern geleistete Jugendarbeit wird durch die vorgeschlagene Regelung somit deutlich erschwert.

Als **Lösung für Segelfluglehrer** wird die ersatzlose Streichung des Punktes FCL.940.FI FI (b) gefordert.

Als Kompromis könnte ein einfacher Überprüfungsflug mit einem FI (S) dienen, da dieser mehr als ausreichend ist und die deutlichen Einschränkungen der vorgeschlagenen Regelung nicht beinhaltet.

response

*Noted*

Thank you for your opinion.

See the response provided to comment No 418.

An FI (S) cannot conduct a proficiency check as this has to be the task of an examiner (by definition).

comment

2063

comment by: *Thomas SIEWERT*

FCL.940.FI FI-Revalidation an renewal

Durch Überprüfungen durch „FI-Examiner“ entsteht kein fliegerischer, didaktischer oder methodischer Mehrwert, weder für den Prüfer noch den zu Überprüfenden. Aufgrund der sehr hohen, an solche „FI-Examiner“ gestellten Anforderungen dürfte es äußerst schwierig werden, geeignetes Personal in ausreichender Anzahl, praktikabler Entfernung und vor allem zu bezahlbaren Konditionen verfügbar zu haben.

Ich muss auch hier darauf zurückkommen, dass die Masse der Fluglehrer in den Vereinen ehrenamtlich tätig ist. Es kann nicht sein, dass für solche Personen die im Grundsatz gleichen Regelungen wie für Fluglehrer/Examiner gelten sollen, die in der gewerblichen Luftfahrt (CPL und ganz besonders ATPL) hauptberuflich tätig sind und nicht selten durch firmeneigene „Checker“ kostenneutral überprüft werden!

Diese Forderung ist daher für die Betroffenen unsozial und kommt einer Beeinträchtigung der freien Berufsausübung nahe. Noch dazu werden die in den Vereinen ehrenamtlich tätigen Fluglehrer unverhältnismäßig stark benachteiligt, da diesen im Vergleich zu ihren Kollegen in kommerziellen Flugschulen keine „Kostenträger“ für diese Überprüfungsmaßnahmen zur Seite stehen.

Trotz entsprechender Recherchen, auch in der NPA2008-17a, konnte ich keine fachliche Begründung (insbesondere Sicherheitsmängel oder signifikante Ausbildungsdefizite beim Pilotennachwuchs) dafür finden, die derart bürokratische und kostenintensive Überprüfungsmaßnahmen für PPL-Fluglehrer erforderlich scheinen lassen.

Alternativ könnten Fluglehrer durch andere Fluglehrer, die die Bedingungen gem. FCL.905 FI (j) (1) (ii) erfüllen, überprüft werden. Dies kann in Vereinen insbesondere der „HOT“ (Head of Trainig -Ausbildungsleiter) sein, der ein ureigenes Interesse daran haben muss, den Leistungsstand der Fluglehrer zu kennen - ohne die möglicherweise vorrangig finanziellen Interessen eines schwer zu findenden „FI-Examiners“ gem. FCL.1010.FIE.

Die unter (b) getroffene Regelung, dass sich FI(A) und FI(H) bei jeder zweiten Verlängerung einer Überprüfung unterziehen soll, wobei für FI anderer Luftfahrzeugkategorien erst bei jeder dritten Verlängerung eine Überprüfung anzusetzen ist erscheint willkürlich.

Sofern diese Überprüfung fachlich überhaupt erforderlich sind, sollten für alle FI einheitliche Intervalle (9 Jahre) gelten.

response

*Noted*

Thank you for your opinion.  
See the response provided to comment No 418.

comment

2084

comment by: Markus Hitter / JAR-Contra

**Deutsch:** (english below)

Zu (a)(1): Relevant für die fortgesetzte Sicherheit ist vor Allem, ob ein Lehrer seine fliegerischen Fertigkeiten erhalten hat. Daher sollten hier nicht nur Flüge als Lehrer in der Ausbildung, sondern auch andere Flüge des Lehrers, ohne Schüler, anerkannt werden. Flüge des Lehrers ausserhalb der Ausbildung sind ermöglichen es diesem sogar, Situationen zu trainieren, die im normalen Schulungsalltag nicht vorkommen, deren Kenntnis dort jedoch eine gute Sicherheitsreserve bieten.

	<p>---</p> <p><b>English:</b></p> <p>Regarding (a)(1): Relevant for continued safety are above all an instructor's skills in flying. Accordingly, not only flights as an instructor doing instructions should be accepted, but his flights without students as well. Flights outside of instructions even allow him to train situations not common in daily instructions but offering significant safety reserves.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418.</p> <p>Regarding your specific proposal it should highlighted that the other flight time (not providing instruction) will be 'counted' already for the revalidation of the different ratings or in order to fulfil the recency requirements. Here in this paragraph specific attention should be paid to specific instructional experience which is clearly a different activity.</p>
comment	<p>2159 <span style="float: right;">comment by: <i>Rüdiger Braun</i></span></p> <p>15 hours within the last 12 month is impossible, if you have e.g. 2 students during the first 2 years of FI-validation and then no more students. the prices for flighthours are increasing and it is not for sure that you have always enough students.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418 (last item).</p>
comment	<p>2160 <span style="float: right;">comment by: <i>Rüdiger Braun</i></span></p> <p>proficiency not required. If you are training as FI(A) you need 50 hours for revalidation. After 9 years 150 hours. that is enough experience. if you don't have the 50 hours within 3 years , you have to fly with an examiner. that is enough qualification check. ergo: no proficiency checks after 9 years.</p>
response	<p><i>Not accepted</i></p> <p><b>Pending.</b> Thank you for your opinion. See the response provided to comment No 418.</p>
comment	<p>2188 <span style="float: right;">comment by: <i>Oelschlaeger, Harald</i></span></p> <p>Keine Werte für die letzten 12 Monate; berufliche, familiäre Unterbrechungen können bestehen ohne dass gleich die lehrberechtigung verleoren geht. Ablehnung!</p>
response	<p><i>Accepted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418 (last item).</p>

comment	<p data-bbox="352 208 427 235">2234</p> <p data-bbox="1091 208 1445 235" style="text-align: right;">comment by: <i>Nigel Roche</i></p> <p data-bbox="352 259 600 293">With regard to (c)</p> <p data-bbox="352 327 1437 389">(c) <i>Renewal</i>. If the FI certificate has lapsed, the applicant shall, within a period of 12 months before</p> <p data-bbox="352 392 488 421"><i>Renewal</i>..:</p> <p data-bbox="352 423 1437 517">This is poorly worded, an FI who wishes to continue training has to revalidate within the 12 months preceding the expiry date of his/her Instructing certificate.</p> <p data-bbox="352 551 852 584">This is covered in (a) (1) (2) and (3)</p> <p data-bbox="352 618 1437 712">(c) was implemented to allow an instructor who's Certificate has lapsed to regain the certificate without undergoing a full course of training PROVIDED it was renewed within 12 months of the expiry date.</p> <p data-bbox="352 745 1145 779">I would suggest that paragraph (c) is reworded as follows.</p> <p data-bbox="352 813 1437 875">(c) <i>Renewal</i>. If the FI certificate has lapsed, the applicant shall, within a period of 12 months after the expiry date, be eligible to renew the certificate by:</p> <ul style="list-style-type: none"> <li data-bbox="352 909 1198 943">(i) attend an instructor refresher seminar as per (a) (2) above</li> <li data-bbox="352 945 1437 1005">(ii) pass a proficiency check in accordance with Appendix 12 to this Part as per (a) (3) above</li> </ul>
response	<p data-bbox="352 1025 536 1059"><i>Not accepted</i></p> <p data-bbox="352 1081 863 1115">Thank you for providing your opinion.</p> <p data-bbox="352 1149 1437 1339">However, the Agency cannot follow your reasoning regarding the first issue. The renewal of a certificate is not included in (a) as this contains only the requirements for a revalidation. The requirement in (c) defines only that an instructor with a certificate which has lapsed for example 14 months before has only to participate in such a refresher seminar and to pass a proficiency check whereas no other specific flight training is required.</p> <p data-bbox="352 1350 1437 1467">Accepting your proposal would mean that no renewal would be possible if the certificate has lapsed for more than 12 months. This should not be the case. The requirement in (c) has been transferred from JAR-FCL (1.355) and will be kept.</p>
comment	<p data-bbox="352 1529 427 1556">2385</p> <p data-bbox="1078 1529 1445 1556" style="text-align: right;">comment by: <i>Arnold Klapp</i></p> <p data-bbox="352 1585 1437 1675">Es sollte ausreichen, wenn die für eine Verlängerung/Erneuerung geforderten Stunden bzw., Starts innerhalb der Gültigkeitszeit von 3 Jahren nachgewiesen werden.</p> <p data-bbox="352 1686 1437 1839">Die zusätzliche Festlegung einer bestimmten Anzahl von Stunden bzw. Starts in den letzten 12 Monaten muss entfallen. Da wir im Luftsport grundsätzlich in unserer Freizeit schulen, könnte eine durch berufliche oder familiäre Zwänge bedingte Nichterfüllung dieser Forderung zum Verlust der Lehrberechtigung führen.</p> <p data-bbox="352 1850 1437 1910">Der bei jeder dritten Verlängerung vorgesehene zusätzliche Prüfercheck ist nicht notwendig und sollte daher entfallen.</p>
response	<p data-bbox="352 1933 600 1966"><i>Partially accepted</i></p> <p data-bbox="352 1989 730 2022">Thank you for your opinion.</p>

See the response provided to comment No 418.

comment

2454

comment by: *Dr. Horst Schomann*

Subparagraph (a) (1) (i)

Problem: In the non-commercial world (aviation as sport), the requirement of 50 hours in the whole period and 15 hours of flight instruction within the last 12 month is an unnecessary hindrance.

Proposed solution: Use the 45 hours of flight instruction during the period of validity of the certificate only. Delete the 15 hours in the last 12 month.

Justification: 45 hours of flight instruction require in the non-commercial aviation a nearly continuous engagement of the FI. His foci in time are mainly driven by the FI's occupation. Though the necessary experience in the 3 year activity is sufficiently gained and provides the required flexibility.

Subparagraph (a) (1) (iii)

Problem: In the non-commercial world (aviation as sport), the requirement of 10 hours of flight instruction is an unnecessary hindrance.

Proposed solution: Use the 30 hours or 60 take-offs of flight instruction during the period of validity of the certificate only. Delete the 10 hours or 20 take-offs in the last 12 month.

Justification: 30 hours of flight instruction require in the non-commercial aviation a nearly continuous engagement of the FI. His foci in time are mainly driven by the FI's occupation. Though the necessary experience in the 3 year activity is sufficiently gained and provides the required flexibility.

Subparagraph (b)

Problem: Due to the anticipated low number of FIE's in the future and their high check price, driven by their own high expenses to keep their license, this subparagraph will drastically reduce the number of FI's and therefore reduce the number of aviation students as new blood.

Proposed solution: Define the items of the required proficiency check in Appendix 12 as a selective part of the defined skill test (standardized procedure) and dedicate the performance to instructors who fulfill the requirements of FCL.905.FI (j).

Justification: My experience from training flights according to JAR-FCL 1.245 (similar to FCL.740.A) with instructors and a number of training flights with instructor applicants encourage the feasibility of my proposed solution. It is a cost-effective solution to gain the intention of this subparagraph.

response

*Partially accepted*

Thank you for your opinion.

Regarding the first issue (subparagraph (a) items) please see the response provided to comment No 418.

Regarding the second issue (paragraph (c) issue) it has to be highlighted that

Appendix 12 will be transferred into an AMC. For the proficiency check (called now 'assessment of competence') alternative AMCs might be developed in order to address the issue proposed by you.

The task to conduct proficiency checks cannot be given to an FI because it is dedicated to examiners only (by definition).

comment 2723 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FCL 940 FI (b) :

FFA proposes to change the requirement "for each first and at least each alternate subsequent revalidation" into "every two revalidations".

Fifty year experience in PPL(A) training have shown to FFA that there is no specific risk related to the new qualified FIs. FFA can produce safety figures on that subject.

response *Not accepted*

Thank you for your opinion.  
See the response provided to comment No 418.

comment 2896 comment by: *Aero-Club of Switzerland*

FCL.940.FI (a) (1) (iii): Please add at the end: these flight hours and take-offs may be reduced by 50% if the FI (S) has at least 50 hours annual flight experience every year during the periode of validity of the certificate as pilot in command on sailplanes, powered sailplanes or TMG.

Justification: Total flight experience is as important as experience as FI.

FCL 940.FI (a) (3) and (b): A proficiency check is not necessary.

Justrification: The demanded experience for the renewal and the refresher seminar are sufficient for FI (S).

response *Not accepted*

Thank you for providing your opinion.

Regarding your proposal to provide some kind of crediting (50%) for the FI(S) if he/she has completed at least 50 hours flight time per year, the Agency does not agree. This requirement, if taken, would reduce the required instructing experience for an FI(S) to only 30 instructing take-offs which means 10 instruction flights per year. The Agency is of the opinion that 10 instruction flights in sailplanes (which might last only 5 minutes each) per year is not enough to ensure the necessary experience level for an instructor.

Please see also the response provided to comment No 418.

It should also be highlighted that (a)(3) has to be kept for the instructors who will not be able to fulfil the two requirements in (a)(1) and (a)(2).

comment 3014❖ comment by: *Deutscher Aero Club (DAeC)*

For the revalidation of FI certificate a FI has to complete flight instruction in means of take-offs and flight time. On the other side a student has to complete a significant amount supervised solo flight time. It's not appropriate that this time is not considered for the revalidation of the FI certificate. Further more the training of a pilot is a lifelong process where a FI is involved all the time. Therefore in all cases where a pilot asks a FI to support him/her improving his/her skills should be considered for the revalidation of the FI certificate.

If a pilot is holding FI certificates for more then one aircraft category it should be possible to accumulate instruction time on all categories of aircraft for revalidation. Also should the prof-check on the most complex category of aircraft be sufficient for the revalidation of all FI certificates hold by that person.

As the proficiency check of a FI is on a much more higher level as the "normal" pilots prof-check, the FIs prof-check should include the pilots one. This reduces bureaucratic burden and costs.

response *Not accepted*

Thank you for providing your opinion.

The Agency agrees in general that the supervision of student pilot's solo flights is also a very important element of the instructors activity. Nevertheless this activity cannot be counted for the practical experience as flight instructor in an aircraft. It is already taken into account that a certain percentage of supervising time as instructor has been completed when 50 hours of instructing time in an aircraft have been completed. As it was agreed to keep the JAR-FCL revalidation criteria the supervising time will not be included here.

Your second comment mentions the crediting for flight instruction provided in other aircraft categories. The Agency does not agree that flight instruction provided in a balloon or a sailplane should be counted for the instruction time on an aeroplane. As the handling characteristics and some of the flying exercises of a single engine piston aeroplane and a balloon or a sailplane are totally different such a crediting will not be introduced.

A similar issue is the proposal to ask for only one proficiency check in an aircraft of the 'most complex category of aircraft' if an FI holds FI certificates for different aircraft categories. Based on the same argument as explained already above a proficiency check on an aeroplane should not be accepted for the balloon category.

Your last proposal mentions the crediting of instructor proficiency checks for other proficiency checks. As the examiner during the FI proficiency checks will check only instructor competencies and abilities ('candidate' on the right or rear seat and normally not flying but instructing) this proficiency check (see Appendix 12 — transferred to AMC) will not cover the items of the licence related proficiency checks. The Agency does not agree with this proposal.

comment 3065

comment by: *Peter SCHMAUTZER*

This is a chance in relation to the JAR-FCL, which implies further burden to maintain the FI-Licence. There is not to see which objective will be reached if FI's have to make every second revalidations a new examination according to Appendix 12. It is sufficient if FI's are obliged to make a refresher seminar or a

	<p>proficiency check according to Appendix 12. It makes no sense to demand new full examinations after a certain period of time. It is sufficient, that the ability of a person is checked at refresher seminars or proficiency checks. Obviously is not taken into account that the majority of examiners and instructors are working in the General Aviation. If there are less instructors and examiners so the costs will rise also for all participants in the General Aviation.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418.</p>
comment	<p>3268 <span style="float: right;">comment by: <i>Egon Schmaus</i></span></p> <p>FCL.940.FI (i) ... during the period of validity of the certificate. .. <del>Delete " including at least 15 hours of flight instruction within the 12 months preceding the expiry date of the certificate;"</del></p> <p>Reason: see my comments to FCL.940.LAFI (comment No, 3264)</p>
response	<p><i>Accepted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418 (last item).</p>
comment	<p>3374❖ <span style="float: right;">comment by: <i>Luftsportvereinigung Schwarzwald-Baar</i></span></p> <p>These are comments on FCL.940.LAFI, FCL.940.FI and FCL.940.CRI:</p> <p>On (a) (1) (i): One should also have the alternative of take-offs for hours (e.g. 90 and 100 respectively) like in (ii) and (iii) respectively. Anyway experience is more a question of take-offs and landings than of hours.</p> <p>On (a) (1) (ii) and (iii) respectively: Why one third of hours/take-offs in the preceding 12 months? Normally an almost equally distribution will occur, and if not eventually for some reason, this doesn't make an unsafe FI!</p> <p>So cancel this sentence.</p> <p>On (a) (3): This is an unnecessary difficulty for sports aviation. If (1) and (2) are fulfilled there will not arise any safety risk. And additionally every FI will be checked (as pilot) by an other FI during his normal license revalidation.</p> <p>So cancel this paragraph.</p> <p>On (b): There is no advantage in safety to be seen but a lot of unnecessary bureaucracy!</p> <p>So cancel this paragraph.</p>
response	<p><i>Partially accepted</i></p>

Thank you for your opinion.  
See the response provided to comment No 418.

Regarding your first proposal the Agency agrees in general that a certain amount of take-offs and landings is more important than a fixed amount of flying time. It must be mentioned that these requirements and the given amount of flight time for (A) and (H) was transferred from JAR-FCL. For sailplanes an amount of 60 take-offs was already introduced as an alternative to fulfil the validation criteria. The Agency carefully reviewed and further discussed this issue with the experts and it was decided to stay with JAR-FCL and keep the required amount of hours as it is the only way to comply with this revalidation criteria.

Regarding your comment on (a)(3) you misunderstood the proposal as it is a 'two out of three' requirement. The mentioned proficiency check in (a)(3) is an alternative if an instructor does not comply with (1) and (2) and will definitely not be deleted.

comment	3477	comment by: <i>Herbert Sigloch</i>
	To (b): No periodical proficiency check	
response	<i>Not accepted</i>	
	Thank you for your opinion. See the response provided to comment No 418.	

comment	3728❖	comment by: <i>Klaus HARTMANN</i>
	Da wahrscheinlich gemeint ist, dass der proficiency check mit einem flight instructor examiner durzuführen ist sollte es zur eindeutigen Klarstellung heißen :	
	In (a) (3) , (b) und (c) (3), statt '.... pass a proficiency check in .....	
	<i>'.....pass a proficiency check with an instructor examiner in .....</i>	
	Ersatzweise könnte auch im Appendix 12 der Hinweis aufgenommen werden, dass der examiner ein instructor examiner ist.	
response	<i>Not accepted</i>	
	Thank you for providing your opinion.	
	The Agency agrees that the proficiency check for instructors has to be conducted with an FIE. The term 'examiner' is always used only as a general term without specifying which type of examiner is exactly meant. The privileges in the different sections for the specific examiners will provide the answer. FCL.1005.FIE describes the privileges of the FIE. The Agency does not see a need to add this here.	

comment	3852	comment by: <i>Luftfahrt-Bundesamt</i>
	FCL.940.FI: Regarding FCL.940.FI (a) (1) (i), MCCI and STI seem to be missing.	
	The last sentence of FCL.940.FI (a) (1) (i) should be deleted. There is a sufficiently safe regulation according to FCL.915(b)(1) and FCL.915(b)(3).	

Furthermore, the FI might only exercise his instructor privileges in an approved FTO under responsibility of HT and every holder of an instructor rating already has to undergo periodically one or several skill tests / prof. checks with an examiner for the purpose of revalidation/renewal of his licence / ratings. Avoid over-regulating FI 'certificates' and do not extend these specific requirements to other instructor certificates as well, as level playing field and for harmonisation.

The amount of IR hours required for instruction according to FCL.940.FI (a) (1) (i) seems to be too demanding in case of helicopters with regard to the small training capacities and relatively little demand. It is doubtful whether this amount of hours can be amassed in due time.

FCL.940.FI(b) should be deleted because there is a sufficiently safe regulation according to FCL.915 and FCL.940(a). A Prof.Check conducted by a FIE is not a real substitute for an actual recent instructor experience on approved courses in FTOs/TRTOs and therefore should only be applied in cases where the holder of the certificate / rating has not been able to act as instructor and to fulfil the recent experience requirements on FIs. Furthermore, an instructor might only exercise his instructor privileges in an approved FTO under responsibility of HT and supported by FTO- QMS. Every holder of an instructor rating has to undergo one or several skill tests or prof checks as licence / rating holder for the purpose of revalidation/renewal of his licence/ratings every 12 months (and probably also in accordance with EU-OPS or JAR-OPS). Avoid „checkitis“ and bureaucracy, when in the past there have not been any solid indications of violations of safety! Every additional test/check is a question of money, time and/or environmental pollution. Alternatively, make the instructor refresher seminars mandatory for FI and update/strengthen the contents of these seminars to keep up with developments in aviation and HPL for holder of a FI certificate.

While FCL.1010.FIE demands specific pre-qualifications and pre-experience for the issue of examiner certificate FIE for a.m. mandatory Prof. Checks by FIE(A) or (H) or(AS) etc., experience shows that regarding the categories (H) and (AS) specific difficulties occur in supplying an appropriate amount of FIE available because of relatively small training industry. Moreover, once an applicant has received a FIE 'certificate', requirements do not make sure that FIE's have to be current and active in the area of instruction for an instructor certificate/rating, because the requirements on examiner activity acc. to FCL.1025 do not specify specific activities in specific categories (see FCL.1025(b)(1) and (b)(2), the seminar is not specified in the examiner category). A FIE certificate is normally an add on to existing examiner certificates like FE, IRE etc (multiple role).

As a result, the deletion of FCL.940.FI(b) appears to be justified by the following:

The purpose of. a.m. mandatory prof. checks ( i.e. standardisation etc. of FI or other holders of an instructor certificate) may not be fulfilled by the mandatory prof. checks, as an FIE might be less current in instructional duties on the date of check than an active FI/CRI/TRI/IRI who has to pass the check. FIE may keep their instructor rating/FIE 'certificate' current for each 3 years period by attending a general instructor seminar and passing a proficiency check. No additional recurrent instructor activities are required. Consequently the recent instructor experience might have deteriorated or gone lost when exercising FIE privileges received from the community.

response *Partially accepted*

Thank you for your opinion.  
See the response provided to comment No 418.

Regarding the required total amount of instruction time for FI(H) no other comment raises this issue. As it is based on JAR-FCL the Agency will not change it at this stage without a proper safety assessment. It might be again reviewed within a future rulemaking task.

comment 4109

comment by: *SFVHE*

**Prüfercheckflug ist abzulehnen.**

response *Noted*

Thank you for your opinion.  
See the response provided to comment No 418.

comment 4125

comment by: *Bob Berben*

For FI revalidation the holder shall fulfil 2 of the 3 requirements.  
This will further reduce the number of instructors. See already my comments on FCL 930  
Who will and will be allowed to organise an instructor refresher seminar ??  
That is not so simple.  
In countries like Germany or France it will be probably possible to organise such a course. But in smaller countries with only a few instructors I do not see this course organised.  
That means that if an instructor didn't comply with the 6 hours of flight instruction, and a refresher is not organised, he cannot revalidate his certificate, and gradually this race will die out.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not understand why such a 1-day refresher course cannot be organised in a certain Member State. The competent authority of a Member State is allowed to authorise a training organisation to organise such a seminar. This is a system which is already in place in a lot of Member States — without any known organisational problems. If it would be really the case that a Member State would not be able to provide these refresher seminars, the instructors could attend also similar refresher course in another Member State.

The Agency is of the opinion that such a refresher seminar will be an important element for standardisation and will also ensure a certain 'active' level of theoretical knowledge (this is also required by the Basic Regulation — see the Annex). As the organisational 'workload' is not very high (as mentioned already: can be provided by an ATO approved by the competent authority to do this) for providing such a seminar the Agency will keep the requirement also for the FI(B).

The 'two out of three' requirement is based on JAR-FCL and different national revalidation requirements (also for balloon pilots) and will be kept.

comment 4133

comment by: *Bernd Hein*

	Keine Eingrenzung innerhalb des 3 Jahre Zeitraumes und Bewertung von Starts und Landungen.
response	<p><i>Noted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418. Regarding the proposal to include a certain number of take-offs please see the response to comment No 3374.</p>
comment	<p>4168 <span style="float: right;">comment by: <i>Elmar KUEMMEL</i></span></p> <p>Keine Werte für letzten 12 Monate; berufliche, familiäre Unterbrechungen können bestehen ohne dass gleich Lehrberechtigung verloren.</p> <p>Bleiben diese Bedingungen bestehen, wird sich der Negativtrend seit 2003 fortsetzen bzw. noch beschleunigen, da mittlerweile sogar junge Fluglehrer nicht mehr Willens und in der Lage sind, die Kriterien selbst in finanzieller Hinsicht zu erfüllen. Schlimmstenfalls hat man dann Fluglehrer, die nur noch ausbilden können. Zu mehr reicht es nicht. Will man das?</p> <p>Prüfercheck: Ablehnung. Was soll der Prüfer diesem Fluglehrer vermitteln? Das ist reine Kostenerhöhung und Proporzdenken. Der Passus ist ersatzlos zu streichen, Dafür reichen die Fortbildungen.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418.</p>
comment	<p>4262 <span style="float: right;">comment by: <i>SFG-Mendig</i></span></p> <p>Keine Festlegung für die letzten 12 Monate vor der Verlängerung akzeptabel. Der Prüfercheckflug für Fluglehrer wird nicht akzeptiert, da überflüssig.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418.</p>
comment	<p>4340 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span></p> <p>FCL.940.FI(a)(1) <b>Wording in the NPA</b> (i) in the case of an FI(A) and (H), at least 50 hours of flight instruction in the appropriate aircraft category during the period of validity of the certificate as FI, TRI, CRI, IRI, SFI or Examiner. 15 hours of flight instruction shall have been completed within the 12 months preceding the expiry date of the FI certificate. If the privileges to instruct for the IR are to be revalidated, 10 of these 15 hours shall be instruction for an IR; (ii) in the case of an FI (As), at least 20 hours of flight instruction in airships as FI or as Examiner during the period of validity of the certificate, including at least 6 hours of flight instruction within the 12 months preceding the expiry date of the FI certificate. If the privileges to instruct for the IR are to be revalidated, 10 of these 20 hours shall be instruction for an IR;</p>

(iii) In the case of an FI(S), at least 30 hours or 60 takeoffs of flight instruction in sailplanes, powered sailplanes or TMG as FI, LAFI or as Examiner during the period of validity of the certificate, including at least 10 hours or 20 takeoffs of flight instruction within the 12 months preceding the expiry date of the FI certificate;

### Our proposal

#### Change:

(i) in the case of an FI(H), at least 50 hours of flight instruction **<delete: in the appropriate aircraft category>** during the period of validity of the certificate as FI, TRI, CRI, IRI, SFI or Examiner. 15 hours of flight instruction shall have been completed within the 12 months preceding the expiry date of the FI certificate. If the privileges to instruct for the IR are to be revalidated, 10 of these 15 hours shall be instruction for an IR;

**(ii) in the case of an FI(A), at least 50 hours of flight instruction on aeroplanes, TMG, powered sailplanes, sailplanes or 3 axis controles micro lights during the period of validity of the certificate as FI, LAFI, TRI, CRI, IRI, SFI or Examiner. If the privileges to instruct for the IR are to be revalidated, 10 of these 15 hours shall be instruction for an IR;**

(iii) in the case of an FI (As), at least 20 hours of flight instruction in airships as FI or as Examiner during the period of validity of the certificate, including at least 6 hours of flight instruction within the 12 months preceding the expiry date of the FI certificate. If the privileges to instruct for the IR are to be revalidated, 10 of these 20 hours shall be instruction for an IR;

(iv) In the case of an FI(S), at least 30 hours or 60 takeoffs of flight instruction in sailplanes, powered sailplanes, TMG or aeroplanes as FI, LAFI, TRI, CRI, IRI, SFI or as Examiner during the period of validity of the certificate, **<delete: including at least 10 hours or 20 takeoffs of flight instruction within the 12 months preceding the expiry date of the FI certificate>**;

### Issue with current wording

Recency requirements are not proportional and crediting across fixed wing is missing.

### Rationale

This modification implements crediting of flight instruction across the fixed wing aircraft categories as discussed in more detail in our **comment 3250 Nr. 2 and 3**. The requirement for a minimum instruction time in the last 12 months before expiry is not appropriate in the non commercial environment. In this environment there is not a constant flow of students. Also in the non commercial space individuals must be given the option to shift priorities between private life, job and piloting. Continuity is sufficiently maintained for the FI recency if the required instruction time is fulfilled during the validity period. Our proposal maintains the proportionality with the risk level and supports the goals to strengthen the non commercial flying environment as discussed in our **comment 3250 Nr. 1**

response *Partially accepted*

Thank you for providing your opinion.

See the response provided to comment No 418.

Additionally it should be highlighted that certain changes propose are not in

line with the general framework to transfer the JAR-FCL requirements with only little changes.

Your first proposal would allow an FI(H) to do all his/her instruction time in an aeroplane (if he/she holds also another FI certificate). This is clearly not the aim of this requirement. The specification to a certain aircraft category will be kept (here: helicopter). See also the response to comment No 3014 (Deutscher Aero Club) in the same segment above.

A similar issue is your second proposal. Aeroplanes and TMG are already included if the FI(A) holds both class ratings. The other mentioned categories are clearly no categories on the FI(A) — therefore no 'crediting' is foreseen. Instructing time on a sailplane is not seen as an adequate alternative for the required experience on aeroplanes or TMGs. Experience shows clearly that a huge amount of flight training experience in the back-seat of a sailplane does not mean that this instructor is automatically well-trained for the right seat of a TMG or an SEP aeroplane.

comment 4341 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.940.FI(b)

**Wording in the NPA**

(b) For the first and at least each alternate subsequent revalidation in the case of FI(A) or FI(H), or each third revalidation, in the case of FI(As), (S) and (B), the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part.

**Our proposal**

**Delete** FCL.940.FI(b)

**Issue with current wording**

This requirement burdens the instructor with additional cost and time without a real gain in security.

**Rationale**

Each time an applicant for a license or rating is examined in reality the instructor is examined. These checks are the real assessment of the skills of the instructor. Therefore there is no need to do an additional proficiency check with the instructor under unrealistic conditions. This is not required by the basic regulation.

response *Not accepted*

Thank you for your opinion.

See the response provided to comment No 418.

comment 4554 comment by: *Hans Nobis*

The fact that I'm working for a global operating company and being forced to follow automotive industry quality-standards means that I do understand the need for auditing and consistent quality improvements. In spite of the need for common regulations including the assurance of a high quality level of pilot skills, we can not forget about the private –pilots. The planned proficiency checks with an examiner that pilots and FI-A must take every six years in order to continue flying goes beyond the scope. Compared to the flight review with an instructor during which the pilot become aware of his deficiencies, the test flight with a pass or fail result appears to me as less useful alternative. In addition there are not enough examiners in most countries to provide the

service required.

Since many pilots already feel inordinately beset and harassed by high cost and bureaucracy, they may simply no longer be willing to cope with such check flights and give up flying completely. The fact that organizations such as DAeC and AOPA already provide special a pilot-training for pirate pilots and in addition a regular FI-training, that instructors most take in a 3 year interval to continue to act as a instructor, means that we already have a reliable tool in place that guarantees flying on a good quality level.

I propose to adapt the existing to the EASA requirements and the leave flight-training and checks the hands of the mentioned organizations or flight-schools.

However, Proficiency checks performed by experienced flight instructors will meet all requirements.

Proficiency checks of FI-A carried out by senior FI – A (> 500 h as a flight instructor) will pass muster.

Flight checks (proficiency checks) do not improve flight-skills)!

Morane: PPL JAR, SEP/ TMG & GPL, Total flying hours 3000, 1500 h as a flight instructor / 10.000 flights

response *Noted*

Thank you for your opinion.

See the response provided to comment No 418.

It should be highlighted that proficiency checks by definition have to be carried out by examiners.

comment 4610

comment by: *Deutscher Aero Club*

FCL.940.FI (a) (1) (iii)

(iii) 30 hours or 60 take offs of flight instruction in sailplanes, powered sailplanes or TMG as FI, LAFI or as examiner during the period of validity of the certificate, including at least 10 hours or 20 take offs of flight instruction within 12 months preceding the expiry date of the certificate"

Comment:

Same comment as for FCL.940.LAFI (a) page 49

EGU Proposal:

(iii) In the case of an FI(S), at least 30 hours or 60 take offs of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as examiner during the period of validity of the certificate.

response *Partially accepted*

Thank you for providing your opinion.

Please see the response to your comment on FCL.940.LAFI(a).

Regarding your second issue (EGU proposal) please see the response to comment No 418 in the same segment above.

comment 4713

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich

Sicherheit **gegenüber Dritten unter Beachtung** der Verhältnismäßigkeit zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Es ist ausreichend, dass Fluglehrerlizenzen fuer Segelflug und TMG so lange gueltig bleiben, wie eine entsprechende gueltige Pilotenlizenz vorliegt, unter der Voraussetzung, dass eine Verpflichtung zum Besuch von Weiterbildungsveranstaltungen besteht und dieses nachgewiesen wird.

Allenfalls koennte eine zehnjaehrige Gueltigkeitsdauer festgelegt werden.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(a) Ueberarbeite fuer Fluglehrer Segelflug und TMG wie oben ausgefuehrt.

(a)(1)(iii) ueberarbeiten

(a)(2) ersetze 'instructor refresher seminar' durch Verpflichtung zum Besuch von einer Fluglehrer-Fortbildungsveranstaltung pro Jahr.

(a)(3) ersatzlos streichen.

(b) Aenderung in: 10 Jahre, anstatt 3x3 Jahre

(c)(2) streichen

response

*Not accepted*

Thank you for your opinion.

Regarding your first part please see the responses already provided to your general statement.

Regarding the additional issues mentioned at the end please it should be highlighted that the term used ('überarbeiten') is understood as 'please review' these paragraphs but as no proposal for a change is provided the Agency cannot provide an answer.

Please see the response provided to comment No 418 in the same segment above which covers some of the paragraphs you mentioned.

Some additional comments:

(a)(2) refresher seminar should be the same as your German proposal to

require a 'Fluglehrerfortbildungsseminar'. But the Agency does not agree with your proposal to ask for a yearly seminar.

(a)(3) cannot be deleted as this would mean that someone who is not able to fulfil (a)(1)(i) would have no chance to revalidate his(her certificate (two out of three).

(c)(2) will be kept as it is a JAR-FCL requirement and absolutely necessary if an instructor has not instructed for a longer time.

comment 5062 comment by: *Prof. Dr. Alexander Bubenik*

FCL.940.FI (a) (1)(ii) in case of an FI(s), at least 30 hours or 60 launches of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as Examiner during the period of validity of the certificate.

FI(S) usually perform their duties on weekends and mainly during the warmer parts of the year (approx. 8 - 9 month). This could cause severe problems meeting the "12 month requirements" in case of a series of bad weather days or some other unfortunate circumstances preventing training activities during the last year of the validity period. Furthermore I do not expect an improvement of safety and/or quality levels by implementing such a provision.

FCL.940.FI (b) Erase the entire clause. I'm afraid this will become a bureaucratic obstacle that will push a lot of seasoned and successful instructors out of business, who are not willing to get checked after 20 and more years of instruction practice without any incident.

response *Partially accepted*

Thank you for your opinion.  
See the response provided to comment No 418.

comment 5131 comment by: *Allen A.*

Eine Erschwerung der Verlängerung von Fluglehrerberechtigungen FI(A) und FI(H) ist nicht nachvollziehbar.  
Vorschlag: Bedingungen für FI(A) und FI(H) an die für FI(As), FI(S) und FI(B) anpassen.

response *Not accepted*

Thank you for your opinion.  
See the response provided to comment No 418.

The Agency cannot follow the statement that the requirements have been raised. This is not the case as most of the proposals are based on the JAR-FCL requirements for (A) and (H).

comment 5132 comment by: *Allen A.*

Proficiency Check sollte jede vierte Verlängerung durchgeführt werden, da dies mit jedem zweiten Proficiency Check der Lizenz (LPL(S)) identisch ist und angerechnet werden kann. Dies verringert bürokratischen und finanziellen Aufwand, bei gleichem Sicherheitsstandard.

response *Not accepted*

Thank you for your opinion.  
See the response provided to comment No 418.

Following your proposal would mean to introduce a proficiency check every 12 years (every fourth revalidation) in order to be in line with the proposed LPL licence proficiency check every 6 years. As the proficiency checks for the private licences were deleted no need for such an alignment exists any more.

comment 5180 comment by: Dieter Zimmermann

Zu FCL.940.FI: Es gelten die in FCL.940.LAFI gemachten Bemerkungen entsprechend.

response *Noted*

Thank you for providing your comments.  
Please see the response provided already to your comment in FCL.940.LAFI and see also the response to comment No 418 in the same segment above.

comment 5194 comment by: Carsten Fuchs

1. Die Sätze mit "...within the 12 months preceding the expiry date of the FI certificate." sollten gestrichen werden. D.h. die Flugstunden sind einfach irgendwann im Gültigkeitszeitraum der FI Berechtigung zu erbringen.
2. Satz (b) sollte gestrichen werden!

Begründung zu 1.:

Das verschafft den FI-Inhabern mehr Flexibilität - sehr hilfreich bei ehrenamtlicher Tätigkeit! (Aber auch im kommerziellen Umfeld.)

Begründung zu 2.:

Die Verlängerungsmöglichkeiten in (a) sehen den Flug mit Prüfer doch schon vor. Das ist zwar "optional", wenn man stattdessen 50 Stunden nachweist und eine Fortbildung besucht, aber es räumt dem FI größere Flexibilität ein.

Alternativ-Vorschlag zu 2.:

Es gibt mehrere, erheblich sinnvollere Alternativen:

- Den Satz (b) ersatzlos streichen.
- Statt einem Prüfungsflug einen Flug mit einem FII (Fluglehrer-Lehrer) verlangen; z.B. einmal innerhalb eines jeden zweiten dreijahres-Zeitraums, d.h. in einem Intervall von 6 Jahren jeweils im vierten bis sechsten Jahr.
- Irgend eine andere Art der Fortbildung verlangen, z.B. wenn während der Gültigkeit der FI Berechtigung eine IFR Berechtigung erworben wurde, ersetzt das den Prüfungsflug.

Die erste Alternative ist die beste!

response *Partially accepted*

Thank you for your opinion.  
See the response provided to comment No 418.

It should be mentioned that a proficiency check cannot be conducted by an

instructor (by definition).

comment 5427

comment by: CAA Belgium

Regarding FCL.940.FI (a) (1) (i), MCCI and STI seem to be missing.

The last sentence of FCL.940.FI (a) (1) (i) should be deleted. There is a sufficiently safe regulation according to FCL.915(b)(1) and FCL.915(b)(3).

Furthermore, the FI might only exercise his instructor privileges in an approved FTO under responsibility of HT and every holder of an instructor rating already has to undergo periodically one or several skill tests / prof. checks with an examiner for the purpose of revalidation/renewal of his licence / ratings. Avoid over-regulating FI 'certificates' and do not extend these specific requirements to other instructor certificates as well, as level playing field and for harmonisation.

The amount of IR hours required for instruction according to FCL.940.FI (a) (1) (i) seems to be too demanding in case of helicopters with regard to the small training capacities and relatively little demand. It is doubtful whether this amount of hours can be amassed in due time.

FCL.940.FI(b) should be deleted because there is a sufficiently safe regulation according to FCL.915 and FCL.940(a). A Prof.Check conducted by a FIE is not a real substitute for an actual recent instructor experience on approved courses in FTOs/TRTOs and therefore should only be applied in cases where the holder of the certificate / rating has not been able to act as instructor and to fulfil the recent experience requirements on FIs. Furthermore, an instructor might only exercise his instructor privileges in an approved FTO under responsibility of HT and supported by FTO- QMS. Every holder of an instructor rating has to undergo one or several skill tests or prof checks as licence / rating holder for the purpose of revalidation/renewal of his licence/ratings every 12 months (and probably also in accordance with EU-OPS or JAR-OPS). Avoid „checkitis“ and bureaucracy, when in the past there have not been any solid indications of violations of safety! Every additional test/check is a question of money, time and/or environmental pollution. Alternatively, make the instructor refresher seminars mandatory for FI and update/strengthen the contents of these seminars to keep up with developments in aviation and HPL for holder of a FI certificate.

While FCL.1010.FIE demands specific pre-qualifications and pre-experience for the issue of examiner certificate FIE for a.m. mandatory Prof. Checks by FIE(A) or (H) or(AS) etc., experience shows that regarding the categories (H) and (AS) specific difficulties occur in supplying an appropriate amount of FIE available because of relatively small training industry. Moreover, once an applicant has received a FIE 'certificate', requirements do not make sure that FIE's have to be current and active in the area of instruction for an instructor certificate/rating, because the requirements on examiner activity acc. to FCL.1025 do not specify specific activities in specific categories (see FCL.1025(b)(1) and (b)(2), the seminar is not specified in the examiner category). A FIE certificate is normally an add on to existing examiner certificates like FE, IRE etc (multiple role).

As a result, the deletion of FCL.940.FI(b) appears to be justified by the following:

The purpose of. a.m. mandatory prof. checks ( i.e. standardisation etc. of FI or other holders of an instructor certificate) may not be fulfilled by the mandatory

prof. checks, as an FIE might be less current in instructional duties on the date of check than an active FI/CRI/TRI/IRI who has to pass the check. FIE may keep their instructor rating/FIE 'certificate' current for each 3 years period by attending a general instructor seminar and passing a proficiency check. No additional recurrent instructor activities are required. Consequently the recent instructor experience might have deteriorated or gone lost when exercising FIE privileges received from the community.

response *Partially accepted*

Thank you for providing your opinion.

Regarding the different instructor categories mentioned, please see the response to comment No 151 in the same segment above.

Regarding the proposal to delete the last sentence in (a)(1)(i) please see the response provided to comment No 418 in the same segment above. The Agency agrees and will delete all the references to flight instruction within the last 12 months.

For all the other mentioned issues please see also the response to comment No 3852 (Luftfahrtbundesamt) in the same segment above.

comment 5593

comment by: *Belgian Gliding Federation*

*FCL.940.FI (a) (1) (iii)*

*(iii) 30 hours or 60 take offs of flight instruction in sailplanes, powered sailplanes or TMG as FI, LAFI or as examiner during the period of validity of the certificate, including at least 10 hours or 20 take offs of flight instruction within 12 months preceding the expiry date of the certificate"*

Comment:

Same comment as for *FCL.940.LAFI (a) page 49*

**Proposal:**

**(iii) In the case of an FI(S), at least 30 hours or 60 take offs of flight instruction in sailplanes, powered sailplanes or TMG as LAFI, FI or as examiner during the period of validity of the certificate.**

response *Accepted*

Thank you for your opinion.

See the response provided to comment No 418 (last issue mentioned).

comment 5619

comment by: *David Trowse*

FCL 940 LAFI (b) and 940 FI (b) should be the same.

There is no justification for them to be different.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree as also the prerequisites and the training course content for the LAFI and the FI are different. If all the requirements for the LAFI and the FI would be the same there would be no need to have both categories of instructors. Some differences will be kept also concerning the revalidation criteria.

comment	5642 <span style="float: right;">comment by: Klaus Melchinger</span>
	<p>Regarding (a)(1): Relevant for continued safety are above all an instructor's skills in flying. Accordingly, not only flights as an instructor doing instructions should be accepted, but his flights without students as well. Flights outside of instructions even allow him to train situations not common in daily instructions but offering significant safety reserves.</p>
response	Noted
	<p>Thank you for providing your opinion.</p> <p>Regarding your proposal it should be highlighted that the other flight time (not providing instruction) will be 'counted' already for the revalidation of the different ratings or in order to fulfil the recency requirements. Here in this paragraph specific attention should be paid to specific instructional experience which is different from non-instructing time.</p>
comment	5972 <span style="float: right;">comment by: Luftsport-Verband Bayern</span>
	<p>Eine Befähigungsüberprüfung von Fluglehrern nach 9 Jahren zusätzlich zu den regelmäßigen Verlängerungsvoraussetzungen ist nicht erforderlich. Wenn daran festgehalten wird, muß zumindest ein einheitlicher Rahmen über die durchzuführende Prüfung vorgegeben werden, welcher deutlich unter den Anforderungen zum Erwerb der Lehrberechtigung zurückbleibt.</p> <p>Hinsichtlich des zeitlichen Rahmens ist die Befähigungsüberprüfung erst nach der vierten Verlängerung vorzugeben, um einen Gleichlauf mit den periodischen Proficiency-Check bzgl. der Grundlizenz zu erreichen. Ansonsten muß ein Fluglehrer das erste mal nach 6 Jahren mit einem Prüfer zum Erhalt seiner Lizenz, dann nach weiteren 3 Jahren mit einem Fluglehrerprüfer zum Erhalt seiner Lehrerlizenz und nach weiteren 3 wieder mit einem Prüfer zum Erhalt der Grundlizenz fliegen. Erhöht man den Zeitraum auf 12 Jahre, könnte zumindest eine Prüfung eingespart werden, was zu einer Entlastung der eh nicht ausreichend zur Verfügung stehenden Prüfer führt. Eine erhöhtes Risiko ist dadurch nicht zu befürchten.</p>
response	Noted
	<p>Thank you for your opinion.</p> <p>See the response provided to comment No 418 in the same segment above.</p> <p>Following your proposal would mean to introduce a proficiency check every 12 years (every fourth revalidation) in order to be in line with the proposed LPL licence proficiency check every 6 years. As the proficiency checks for the private licences were deleted no need for such an alignment exists any more.</p>
comment	6158 <span style="float: right;">comment by: Belgium</span>
	<p>This will also reduce the number of instructors.</p> <p>In little countries, as Belgium, where you only have a few instructors, no one will organise this course. The costs will be to expensive, so you will understand that this will cost the organisation money so nobody will start with it!</p> <p>If nobody organise this, the instructor cannot revalidate his certificate and after a few months no instructors will be left...</p>
response	Noted

Thank you for providing your opinion.

The Agency has understood that you are talking about the instructor refresher seminar, right? As this should not be a specific course but only a one-day refresher seminar no specific problems can be seen at this stage. This kind of seminars are already in place for all kind of instructor certificates all over Europe — therefore the Agency does not understand your concerns. Please study the systems already in place in some other Member States and you will discover that it will not be a difficult organisational issue to provide such a course (a training organisation can be authorised by the competent authority).

Please see also the response already provided to comment No 4125 (B. Berben).

comment 6262 comment by: *Christoph Talle*

940.FI (b) I know that the basic regulation requires "Prof Checks", but it makes no sense for me, why FI (A) or FI(H) have to make a "Prof Check" each revalidation other than for Example a FI (S) [each third revalidation].  
In my experience as aeroplane and glider instructor and examiner and senior examiner i can` t see profit of safety, when there is a "Prof Check" at each revalidation !!!!!

response *Noted*

Thank you for providing your opinion.  
Please study the response provided to comment No 418 in the same segment above and you will discover that this requirement is transferred from JAR-FCL.

It should be mentioned also that the proposed requirement does not foresee a proficiency check for each revalidation.

comment 6307❖ comment by: *Axel Schwarz*

The renewal requirement states that the refresher seminar and the proficiency check shall be completed within 12 months of the renewal. This enables the pilot to freely choose the date of renewal up to 12 months after the date of the proficiency check.

The requirement therefore should read:

"... the applicant shall:

- (1) within a period of 12 months before the renewal attend a refresher seminar;
- (2) pass a proficiency check in accordance with Appendix 12 to this Part."

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree with your proposal.  
Your explanation in the first part clearly explains what is written and required in (c) for the renewal.

As it is written in your proposal it would allow a renewal when an instructor with the lapsed certificate attended a refresher seminar 11 months ago and passed a proficiency check 4 years ago. This should not be the case as the proficiency check should also be completed within the last 12 months before

renewal.

comment 6425 comment by: DCAA

FCL.940.FI (a) (1) (i) Flight time for revalidation of FI(A) shall be equal to the requirements in FCL

response *Noted*

Thank you for providing your opinion.  
Based on the discussions during the drafting phase with the experts involved the Agency agreed on the proposed requirement in (a)(1)(i). The numbers chosen (50 hours within the validity period) are based on the existing JAR-FCL 2 requirements.

The comments received on the required instructing flight time were carefully reviewed during the review phase and it was decided to keep the proposed figures as most of the comments agree with the numbers proposed. The proposal to add a certain amount of take-offs and landings was also discussed. Please see the response provided to comment No 3374 in the same segment above.

comment 6562 comment by: IAOPA Europe

<![endif]-->  
IAOPA supports the initiative to lower the FI requirement of 100 hr instruction to 50 hrs!

A FI has to pass a proficiency check for each 2<sup>nd</sup> revalidation, this is immoderate and wasn't required until today. This has not been a problem till now and the requirement should be deleted.

response *Noted*

Thank you for providing your opinion.  
Regarding the first issue please see the response to comment No 6425 in the same segment above.

Regarding the second issue (proficiency check), please see the response provided to comment No 418 in the same segment above.

comment 6599 comment by: Hans Nobis

The required proficiency checks **for the first and at least each alternate subsequent revalidation in the case of FI(A) or FI(H), or each third revalidation, in the case of FI(As), (S) and (B)**, need to be trimmed down and adapted to Private Pilot needs and possibilities! In addition there are not enough examiners in most countries to provide the service required.

Therefore, I propose to perform the proficiency checks by the means of experienced **flight instructors (Requirements of the instructors to be defined) and Proficiency checks of FI-A by senior FI-A (> 500 flying hours as a flight instructor)**

**In this case local Organizations such as DAeC and AOPA (and commercial flight schools) will be able to setup the structure required to fulfil the EASA requirements.**

**HN: PPL JAR FI-A SEP; TMG & FI- GPL 3000 h / 1500 as flight instructor.**

response	<i>Noted</i> Thank you for your opinion. See the response provided to comment No 418 in the same segment above. It should be mentioned that a proficiency check cannot be conducted by an instructor (by definition).
comment	6603 <span style="float: right;">comment by: <i>Light Aircraft Association UK</i></span> Paragraph b). The LAA suggests a change to the requirement "for each first and at least each alternate subsequent revalidation ..." <b>to</b> "every two revalidations".  The LAA considers that there is no specific risk related to new FIs following appropriate supervision from inception.
response	<i>Partially accepted</i> Thank you for providing your feedback. The Agency agrees and will delete the term 'each first'.
comment	6742 <span style="float: right;">comment by: <i>CAA Finland</i></span> FCL.940.FI(a)(1)(i): Amended text proposal to harmonize with FCL.940.LAFI:  in the case of an FI(A) and (H), at least <b>45</b> hours of flight instruction in the appropriate aircraft category
response	<i>Not accepted</i> Thank you for providing your opinion. Please see the response to comment No 6425 (DCAA) in the same segment above.
comment	6746 <span style="float: right;">comment by: <i>CAA Finland</i></span> FCL.940.FI(b) (and also LAFI, CRI, TRI...) The wording each other / third is very formal wording referred to for example FCL.140.A. Amended text proposal:  (b) For the first and at least <b>once in every 6 years</b> in the case of FI(A) or FI(H), or <b>in every 9 years</b> in the case of FI(As), (S) and (B), the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part.
response	<i>Not accepted</i> Thank you for providing your opinion. However, as the wording was transferred from JAR-FCL and no other comment is indicating that the wording used could cause problems, the Agency decided to keep the terms like 'each alternate subsequent revalidation'.
comment	6969 <span style="float: right;">comment by: <i>Michael Heiß</i></span> FIs who are member of a club and do their training lessons for the club members on planes which are owned by this club, normally train in a daily

benchmark. The other club members as the other FIs in the club are monitoring the FIs. Therefore, we don't need a proficiency check on a regular basis for these FIs. This check will only increase bureaucracy and the costs for flying.

I would say that refresher seminars are sufficient to assist the FIs in the exchange of experiences which is more important for the quality of the instructions than proficiency checks.

In Germany we have a long and good experience with this system of FIs who are involved in the clubs and I see no need to change this and destroy these structures. More bureaucracy and higher costs however will lead to the demolition of the soaring clubs in Germany.

response *Noted*

Thank you for providing your opinion.

The Agency understood that you are proposing to delete all the requirements for the revalidation but to keep only a refresher seminar. The Agency does not agree as a certain amount of practical instructing experience (or as an alternative a proficiency check) should be demonstrated as this is clearly an important element to ensure that the instructor is competent and current to fulfil his/her tasks. Your example provided is not right as Germany has introduced similar experience requirements for the FI(S) some years ago.

comment 6972

comment by: *Tim Wuehrmann*

It should be possible to require the proficiency check under (3) (b) at least each third revalidation (9 years) in case of a FI(A) as it is handled for the LAFI. There are no safety arguments against it.

My proposal for a wording:

For the first and at least each alternate subsequent revalidation in the case of FI(H), or each third revalidation, in the case of FI(A), (As), (S) and (B), the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part.

response *Not accepted*

Thank you for proposing a different interval for the proficiency checks FI(A). As this requirement is based on JAR-FCL the Agency transferred it into Part FCL. The issue was discussed and reviewed carefully during the review phase. Please see the response to comment No 418 in the same segment above.

comment 7433

comment by: *Werner LADNER*

Refer to FCL.940.FI (b)

This requirement costs the instructor time and money and sends no more security. In the clubs in Germany there are mostly unsalaried instructors.

I propose

**(b) to delete without replacement**

response *Not accepted*

Thank you for your opinion.

See the response provided to comment No 418 in the same segment above.

comment	<p data-bbox="359 206 427 235">7455</p> <p data-bbox="1093 206 1449 235" style="text-align: right;">comment by: <i>Anja Barfuß</i></p> <p data-bbox="359 257 1449 806">To focus only on the last 12 month concerning count of take-offs of flight instruction makes no sense. It is better to define a valid interval for the hole time from last revalidation. If you train as volunteer you have years with lots of students, better weather and more free time and years where you be are busy in other areas. Your experience level is the same, but with this rule you are forced to have the good year to fly only before revalidation is needed. It is good to define regularly checks. But please review also the different interval definitions for different checks. In case of a pilot has to follow all the different regulation, he has regularly dates for the different licences, for the English test and for the instruction certificate. Further on I have to refresh my trainer licence, my 'Sicherheitsüberprüfung'... all with different intervals and different requirements and actions. Please review if a simplification for pilots with more than 1 licence and (LA)FI could be found. I would prefer to do cover more in one check. To avoid that A Instructor has to pass a test and checks after 6 (SPL), then 3 ( FI 6+3=9) then 3 (SPL)...I propose to define the same interval or for this proficiency check every 12year or release for flight instructor the 6year check because covered by requirements for instructors</p>
response	<p data-bbox="359 828 438 862"><i>Noted</i></p> <p data-bbox="359 884 1449 985">Thank you for providing this comment. See the response to your comment No 7446 and to comment No 418 in the same segment above.</p>
comment	<p data-bbox="359 1041 427 1075">7609</p> <p data-bbox="1141 1041 1449 1075" style="text-align: right;">comment by: <i>cmueller</i></p> <p data-bbox="359 1097 694 1131">I disagree with proposal.</p> <p data-bbox="359 1164 1449 1288">When an FI practice training of students an continues without a break through the years, the FI has to fulfil the requiremntents of <b>FCL.940.FI (a)</b>. This should be sufficient. In my opinon the existing system in Germany shows, that this new, additional proposed procedure is not necessary.</p> <p data-bbox="359 1321 1449 1422"><b>FCL.940.FI (b)</b> would bring an additional bureaucracy with costs and time effort. Air-sports in a non-commercial environment would get some problems and maybe the club structure will not remain.</p>
response	<p data-bbox="359 1444 438 1478"><i>Noted</i></p> <p data-bbox="359 1500 1449 1568">Thank you for your opinion. See the response provided to comment No 418 in the same segment above.</p>
comment	<p data-bbox="359 1624 427 1657">7622</p> <p data-bbox="989 1624 1449 1657" style="text-align: right;">comment by: <i>Reinhard Heineking</i></p> <p data-bbox="359 1680 502 1713">FCL.940.FI</p> <p data-bbox="359 1747 1449 1937">Im Rahmen der Ausbildungs von Privatpiloten in Vereinen erfolgt die Fluglehrertätigkeit überwiegend ehrenamtlich in der Freizeit. Berufliche oder familiäre Gründe können diese Engagement in bestimmten Zeiten (z.B. berufl. Fortbilund, Schwangerschaft, etc) reduzieren. Sollte eine solche Phase zufällig mit dem "Jahr vor der Verlängerung" zusammentreffen, hätte der FI Probleme mit dem Erbringen der "15 Std innerhalb 12 Monaten vor Verlängerung".</p> <p data-bbox="359 1971 1356 2004">Daher sollte der Punkt FCL.940.FI (1) (i) lzweiter Satz gestrichen werden.</p>

	Reinhard Heineking FI JAR_FCL PPL(A), TMG, GPL
response	<p><i>Accepted</i></p> <p>Thank you for your opinion. Please see the reply to comment 418 (last issue) above.</p>
comment	<p>7953 <span style="float: right;">comment by: <i>Europe Air Sports, VP</i></span></p> <p>(b) should be changed to bring all instructor revalidation requirements in line with one rule. It is proposed to change (b) as follows:</p> <p>For the first and third subsequent revalidation in the case of FI A, FI H, FI As, S, and B, the holder shall pass a ...</p> <p>There is no justification for unequal revalidation procedures.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for your opinion.</p> <p>As the revalidation criteria were based on JAR-FCL the revalidation criteria such as the interval for the required proficiency check were based on the input received from the drafting group.</p> <p>Please see also the reply to comment 418 (last issue) above.</p>
comment	<p>8044 <span style="float: right;">comment by: <i>Ingo Wiebelitz</i></span></p> <p>FCL.940.FI(A)</p> <p>(1) (i) Es sollte dem FI(A) freigestellt werden, wann er seine Ausbildungszeit als FI(A) erbringt.</p>
response	<p><i>Accepted</i></p> <p>Thank you for your opinion. See the response provided to comment No 418 (last issue) in the same segment above.</p>
comment	<p>8049 <span style="float: right;">comment by: <i>Ingo Wiebelitz</i></span></p> <p>FCL.940.FI(S)</p> <p>(1) (iii) Es sollte dem FI(S) freigestellt werden, wann er seine Ausbildungszeit bzw. die Starts als FI(S) erbringt.</p>
response	<p><i>Accepted</i></p> <p>See the response to your comment No 8044 above.</p>
comment	<p>8058 <span style="float: right;">comment by: <i>Ingo Wiebelitz</i></span></p> <p>FCL.940.FI(S)</p> <p>(3) Der "Proficiency Check" ist eine nicht sinnvolle Erschwernis für den FI. Es</p>

ist davon auszugehen, dass jeder FI mit Verantwortungsgefühl bei der Sache ist. Der Proficiency Check ist in diesem Sinne ein bürokratischer Akt, der zudem nicht praxisgerecht abgewickelt werden kann.

Weitere Kostenerhöhung ohne die Sicherheit zu verbessern! Routine ist wichtig, nicht ständige Überprüfung!

response *Noted*

Thank you for your opinion.

See the response provided to comment No 418 (first part) in the same segment above.

comment *8122*

comment by: *Wolfgang Lammingen*

A FI has to pass a proficiency check for each 2nd revalidation, this is immoderate and wasn't required until today. This has not been a problem till now and the requirement should be deleted.

I supports the initiative to lower the FI requirement of 100 hr instruction to 50 hrs.

response *Noted*

Thank you for your opinion.

Regarding the first part of your comment please see the response provided to comment No 418 (last issue) in the same segment above.

Regarding the second part the Agency acknowledges your positive feedback. Please see the response to comment No 6425 (DCAA) in the same segment above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 4: Specific requirements for the type rating instructor — FCL.905.TRI TRI — Privileges and conditions** p. 53

comment *60*

comment by: *Michel Lacombe AF TRTO*

To train another TRI (or SFI) is a specific job. It is different from training a pilot.

So these instructors allowed to teach to others need more than just an experience of three year. It would be better after an amount of a specified teaching quantity (45 h for example) **and a specific training** (at least ground course).

As the future TRI need generally one year of experience on the aeroplane before entering the TRI course, he will be allowed to train others TRI after 4 years on the plane that means then in very many cases these TRI will have left the plane to another one before being allowed to train the new ones.

Furthermore nowadays TRI participate to the renewal of type ratings and instruments ratings when associated, we need to keep this privilege.

FCL.905.TRI TRI Privileges  
and conditions

(a) *General*. The privileges of the a type rating instructor (TRI) are to instruct

for:

- (1) the issue, revalidation and renewal of a multi-pilot aircraft type rating;
- (2) the revalidation and **the renewal** of instrument ratings, **when combined with the revalidation or the renewal of a multi-pilot type rating**, provided the TRI holds a valid instrument rating;
- (3) the issue of a TRI certificate (or SFI) , provided that the holder has :
  - **completed 45 hours of experience as a TRI in flight or simulator**
  - **passed successfully a proficiency check in accordance with Appendix 12 to this Part.**
  - **followed a specific training to be defined by the ATO.**

Example of specific training:

Ground course : (1 day)

- **Presentation of the TRI syllabus.**  
**Fundamentals of human performance and limitations.**
- **Instructor skills and attitude relevant to a TRI (SFI) training another TRI or SFI.**
- **Administratives documents to be fulfilled**
- **Supports studies and example of behaviour (study case).**
- **Fundamentals of evaluation relevant to applicant's performance.**

response *Partially accepted*

As regards your proposal for the requirements of a TRI to be able to instruct other TRIs, after carefully reviewing the comments received the Agency has decided to maintain the requirement for 3 years of experience as a TRI. This requirement was not found in an arbitrary way, as seems to be considered by some of the commenters, but was the result of reflection and study with a group of experts. The Agency considers that this requirement ensures that the instructor has sufficient knowledge of the functions of a TRI to be able to instruct others. Some of the alternative requirements presented by the commenters could eventually be suitable alternatives, but all of them would require further reflection and consideration. This could eventually be subject to a future rulemaking task.

As regards your comment related to the privileges for the renewal of instrument ratings, it is partially accepted. The Agency will add the privileges for the renewal.

comment 902

comment by: ERA

FCL.905.TRI Specific requirements for the type rating instructor - TRI

The current JAR-FCL paragraph (b) under 1.360 Type rating instructor rating (multi-pilot aeroplane) (TRI(MPA)) - Privileges states '*If the TRI(A) training is carried out in a flight simulator only, the TRI(A) rating will be restricted to exclude emergency/abnormal procedure training in an aircraft.....*'EASA FCL.910.revised wording under paragraph (a) General, is '*If the TRI training is carried out in a FFS only, the privileges of the TRI shall be restricted to training in FFS.*'

The perceived consequences of such a change are as follows:

- In a Type Rating course, which is carried out without a zero flight time simulator, a training flight (base flight) is required. This training flight will contain normal landings and so - called "touch - and -go" landings, which are normal operations without any simulated failures in a "real"

aircraft.

- The JAR-FCL allows this training flight to be done by a TRI - with simulator TRI - training only - and the EASA FCL appears restricts the same TRI privileges to FFS training only.

This means, that if the EASA FCL is implemented as such, an additional training flight with an aeroplane shall be added in TRI training program to practice skills (e.g. simulated engine failures), which are never needed in the normal Type Rating program, because this type of emergencies are trained in a FFS.

response *Noted*

The text in the Agency's proposal is coming directly from the text of the draft NPA FCL-36, which was agreed by the JAA LST. The JAA transferred this NPA to EASA, and it was agreed to include it in the text of this NPA. This was already indicated in the explanatory note.

After carefully considering the comments received on this subject, the Agency has decided to keep the text of FCL.905.TRI as proposed in NPA FCL-36, but to slightly amend the text of FCL.910.TRI, to clarify the privileges of the TRI restricted to simulators.

Please see amended text.

comment *1630*

comment by: *Finnair*

(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI.

*Current rules do not set any requirements for instructors on a TRI course. This 3 year limit is not related to instructor`s training experience.*

*PROPOSED TEXT:*

*(3) the issue of a TRI certificate, provided that the holder has 100 hours of experience as a TRI.*

response *Not accepted*

Please see response to comment No 60 above.

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

FCL.905.TRI (a) (3)

Comment 1: In case of a new type of aircraft for an operator, do we have to wait for three years before instructing new TRIs ?Justification: A TRI wishing to instruct a new TRI during a TRI training course must have three years of experience as TRI which is difficult when the rating is for a new aircraft.

In addition,

Comment 2: TRI privileges should include in (3) to instruct for the issue of a SFI certificate

	<p>Proposal:</p> <ul style="list-style-type: none"> <li>• add in (a) (3) the issue of a TRI or <b>SFI</b> certificate, provided ...</li> <li>• the issue of a TRI or <b>SFI</b> certificate, provided that the TRI has sufficient experience,</li> <li>• TRI and SFI instructor qualification and experience should be defined according to the course approval in accordance with the relevant OR requirements.</li> </ul>
response	<p><i>Partially accepted</i></p> <p>Response to comment 1: Not accepted. Please be informed that the special case of introduction of a new type is already covered by FCL.900 (b), which text has been amended. Although there can be other exceptional cases where a TRI does not have 3 years of experience, it is considered that these are already covered by the flexibility provisions of the Basic Regulation (Art. 14).</p> <p>Response to comment 2: Accepted. The Agency will add the privilege to instruct for the SFI.</p>
comment	<p>2603 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>(a)(3) Delete "provided that the holder has 3 years of experience as a TRI". Reason: too restrictive for the industry.</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 60 above.</p>
comment	<p>3001 <span style="float: right;">comment by: <i>lotus Balloons</i></span></p> <p>With respect to proposals for flight instructor - balloons</p> <p>All instructors will feel they are justified in charging for their time if they have gone through the effort of 30 hrs classroom training.</p> <p>There may be room for a compromise by having two levels of instructor who have different levels of training and are afforded limited privileges.</p>
response	<p><i>Noted</i></p> <p>Please see the replies to comments on the FI and LAFI for balloons.</p>
comment	<p>3248 <span style="float: right;">comment by: <i>john daly</i></span></p> <p>Referring FCL.905.TRI (a) (3), does this imply that a TRI of 3 years experience can train a candidate TRI with no further qualification nor formality?</p>
response	<p><i>Noted</i></p> <p>We appreciate and understand your concern. However FCL.905.TRI only lists the privileges of a TRI certificate holder. To obtain such a certificate and therefore to become a TRI the requirements of FCL.930.TRI and FCL.935.TRI shall first be met.</p>

comment	<p>3328 <span style="float: right;">comment by: DGAC FRANCE</span></p> <p>Part FCL 905 TRI (a) (3)</p> <p>This requirement was not in JAR-FCL and is too restrictive for industry where turnover of TRI can be a factor. An acceptable alternative could be the following :</p> <p style="padding-left: 40px;">(3) the issue of a TRI certificate, provided that the holder <del>has 3 years of experience as a TRI.</del> <b>has completed 50 hours of flight instruction in the appropriate aircraft category or FSTDs and meet the requirement of FCL.940.TRI (a) (3)</b></p>
response	<p><i>Not accepted</i></p> <p>Please see response to comment 60 above.</p>
comment	<p>3639 <span style="float: right;">comment by: M Wilson-NetJets</span></p> <p>FCL.905.TRI(a)(3)</p> <ul style="list-style-type: none"> <li>• The requirement for 3 years experience is arbitrary and may discriminate against able candidates.</li> </ul> <p>Suggestion: add ", or has passed a TRI proficiency check"</p>
response	<p><i>Not accepted</i></p> <p>Please see response to comment No 60 above.</p>
comment	<p>3734 <span style="float: right;">comment by: OAA Oxford</span></p> <p>FCL.905.TRI (a) (3) The requirement for 3 years experience is arbitrary and may discriminate against able candidates. There is no existing FAR-FCL requirement. Suggestion: add ", or has passed a TRI proficiency check"</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 60 above.</p>
comment	<p>3853 <span style="float: right;">comment by: Luftfahrt-Bundesamt</span></p> <p>FCL.905.TRI: FCL.905.TRI (a)(2) should either be deleted or corrected because there are no instructional requirements for the revalidation of an IR according to FCL.625(a) and FCL.625(b)(1) as well as FCL.625.A(a)(1).</p> <p>Just for clarification, FCL.905 TRI (c)(1) should be amended by a reference to the requirements according to FCL.910.TRI.(c).</p> <p>Regarding FCL.905.TRI (c) (3), how come an TRI(H) has the general privilege to conduct an IR-training for applicants who wish to extend their IR(SEH) to IR(MEH) for the first time? Is that on purpose? Any justification seems questionable, because for aeroplane this instruction shall be given by a FI (see FCL.905FI (h) or an IRI (see FCL.905.IRI). Accordingly, these specific privileges are not provided to CRI(A) or TRI(A).</p>

response

*Noted*

1st remark: It is true that there are no requirements for further training for the revalidation of an IR; however there are training requirements for the renewal of an IR, which has been added. Furthermore, the Agency has decided to leave the mention to revalidation to cover cases where a pilot fails an item on the proficiency check for the revalidation of the IR and needs to take further training before re-taking the proficiency check.

2nd remark: not accepted. Due to comment 5789, paragraph (a)(1) has been and should now be more clear. The reference you propose to add is therefore not necessary.

3rd remark: this is copied directly from JAR-FCL 2.330A.

comment

4409

comment by: *Bond Offshore Helicopters*

(a)(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI or **a TRI acceptable to the competent authority**

Justification: If no TRI with 3 years experience, who is to conduct training

response

*Not accepted*

Please be informed that the special case of introduction of a new type is already covered by FCL.900 (b), which text has been amended. Although there can be other exceptional cases where a TRI does not have 3 years of experience it is considered that these are already covered by the flexibility provisions of the Basic Regulation (Art. 14).

However as it relates to some of the other comments given, we would encourage you to assess the response to comment No 60 above.

comment

4483

comment by: *AEA*

**Relevant Text:** FCL.905.TRI (a) (3)

(a) (a) *General. The privileges of the a type rating instructor (TRI) are to instruct for:*

(1) (3) *the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI..*

**Comment:**

In case of a new type of aircraft for an operator, do we have to wait for three years before instructing new TRIs ?

*Justification: A TRI wishing to instruct a new TRI during a TRI training course must have three years of experience as TRI which is difficult when the rating is for a new aircraft.*

**Proposal:**

Delete (a) (3) or find another experience requirements

response

*Not accepted*

Please be informed that the special case of introduction of a new type is already covered by FCL.900 (b), which text has been amended. Although there can be other exceptional cases where a TRI does not have 3 years of experience it is considered that these are already covered by the flexibility provisions of the Basic Regulation (Art. 14).

However as it relates to some of the other comments given, we would encourage you to assess the response to comment No 60 above.

comment 4562 comment by: AEA

**Relevant Text:**

a) *General*. The privileges of the a type rating instructor (TRI) are to instruct for:

(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI.

**Comment:**

TRI privileges should include in (3) to instruct for the issue of a SFI certificate

**Proposal :**

(3) the issue of a TRI or SFI certificate, provided .....

response *Accepted*

Please see response to comment No 2221 above.

comment 4652 comment by: Héli-Union

(a)(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI or **a TRI acceptable to the competent authority**

Justification: If no TRI with 3 years experience, who is to conduct training?

response *Not accepted*

Please see response to comment No 4409 above.

comment 4809 comment by: Flight Training Europe

Page 53, FCL.905.TRI (b) (2)

States that to instruct on the MPL basic phase a TRI shall hold or have held an FI(A) or IRI(A) certificate. This infers that the FI(A) or IRI(A) qualification is or was issued in accordance with EASA, Part FCL. This will be restrictive and will preclude the use of a number of experienced TRIs that either did not convert their military QFI qualification or pre-JAR/EASA FI(A) or IRI(A) qualification to an JAR/EASA certificate. The decision that a TRI's lapsed FI(A) or IRI(A) qualification is acceptable for instruction at the basic phase should be delegated to the Authority. Change para (b) (2) to read:

**(2) the MPL course on the basic, intermediate and advanced phases, provided that, for the basic phase, they hold an FI(A) or IRI(A) certificate or have held an FI(A) or IRI(A) qualification acceptable to the Authority.**

response *Not accepted*

The Agency follows closely the text of JAR-FCL in this issue. It is considered that instructors for the MPL need to hold a licence issued in accordance with Part-FCL.

In relation to the issue of the conversion of military qualifications into Part-FCL qualifications, provisions have been included in the FCL cover regulation, as

was mentioned in the Explanatory Note.

comment 4873 comment by: HUTC

(a)(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI or **a TRI acceptable to the competent authority**

Justification: If no TRI with 3 years experience, who is to conduct training?

response *Not accepted*

Please see response to comment No 4409 above.

comment 5223 comment by: Flight Training Europe

Page 53/54, FCL.905&910.TRI and Page 59, FCL.905.SFI (b)

Both state that the privileges for the TRI and SFI are restricted to the FTD 2/3 or FS of the aircraft type in which the training course was taken. However, both the TRI and SFI's privileges allow them to instruct on the MPL course at the basic and intermediate phases in FTDs which may not be type specific to the qualification held. The training at these two phases is not for the issue of a type rating and therefore does not require type specific qualifications.

Suggest that a specific MPL FTD qualification be introduced for the basic and intermediate phases for non-type specific rated instructors.

**To initially instruct on the MPL course at the basic and/or intermediate phase, the FTD instructor must hold or have held in the previous five years a TRI or SFI qualification. Initial type training and recurrent training on the FTD to be used for the instruction on the MPL course for non-current TRIs or SFIs is to be approved by the authority. Following this training the MPL FTD instructor would complete the MPL Instructor Training Course. The successful assessment by an instructor examiner of practical competencies and of knowledge of the competency-based approach to training would finalise the MPL FTD instructor's (MPL FTDI) training. The MPL FTDI qualification certificate would then be issued. Once qualified as an MPL FTDI the revalidation or renewal of the instructor's certificate shall be similar to that of an MCCI; the maintenance of aircraft type specific certificate is not required to instruct on the basic and intermediate phases. To instruct on the basic phase the MPL FTDI must also hold or have held an FI (A) or an IRI (A) certificat**

response *Not accepted*

Please see the reply to your comment 4809 above.

comment 5298 comment by: AEA

**Relevant Text:**

(a) General. The privileges of the a type rating instructor (TRI) are to instruct for: ...

(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI.

**Comment:**

	<p>The requirement (a) (3) is too restrictive. It will conduct to a lack of instructors in AEA operators for, in some fleet, a TRI will not stay long enough to accumulate three years.</p> <p><b>Proposal:</b> Skip the paragraph. Let the management choose the TRIs to instruct other TRIs</p>
response	<p><i>Not accepted</i></p> <p>Please see response to your similar comment No 4483 above.</p>
comment	<p>5428 <span style="float: right;">comment by: CAA Belgium</span></p> <p>FCL.905.TRI (a)(2) should either be deleted or corrected because there are no instructional requirements for the revalidation of an IR according to FCL.625(a) and FCL.625(b)(1) as well as FCL.625.A(a)(1).</p> <p>Just for clarification, FCL.905 TRI (c)(1) should be amended by a reference to the requirements according to FCL.910.TRI.(c).</p> <p>Regarding FCL.905.TRI (c) (3), how come an TRI(H) has the general privilege to conduct an IR-training for applicants who wish to extend their IR(SEH) to IR(MEH) for the first time? Is that on purpose? Any justification seems questionable, because for aeroplane this instruction shall be given by a FI (see FCL.905FI (h) or an IRI (see FCL.905.IRI). Accordingly, these specific privileges are not provided to CRI(A) or TRI(A).</p> <p>Generally replace 'certificate' by 'rating' within FCL.905.TRI.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3853 above.</p>
comment	<p>5698 <span style="float: right;">comment by: FNAM (Fédération Nationale de l'Aviation Marchande)</span></p> <p>&lt;![endif]--&gt; (a) "the a type": suppress 'the'</p> <p>***</p> <p>FCL.905.TRI (a)(3) conducts irremediably airlines introducing new aircraft types in their fleet to face the impossibility to have their own TRI among their pilots.</p> <p>Considering a new aircraft type launched by a manufacturer, FCL.905.TRI(a)(3) would imply no TRI may conduct instructing for three years after the launch of the aircraft. No safety assessment seems to have been conducted to prove the pertinence of this disposal.</p> <p><u>We request suppression of FCL 905.TRI(a)(3)</u></p>
response	<p><i>Not accepted</i></p> <p>Please be informed that the special case of introduction of a new type is already covered by FCL.900 (b), which text has been amended. Although there can be other exceptional cases where a TRI does not have 3 years of experience, it is considered that these are already covered by the flexibility provisions of the Basic Regulation (Art. 14).</p>
comment	<p>5789 <span style="float: right;">comment by: UK CAA</span></p>

	<p><b>Paragraph:</b> FCL.905.TRI (a)(1)  <b>Page No*:</b> 53  <b>Comment:</b> Add privileges to the TRI Certificate for instruction in aeroplanes certificated as single-pilot aeroplane types TRI (SPA).  <b>Justification:</b> To ensure those qualified to instruct in specialised single-pilot aeroplanes are appropriately qualified to do so.  <b>Proposed Text: (if applicable)</b>  Change to read:</p> <p>(a)(1) "the issue, revalidation and renewal of an aircraft Type Rating." (ie removal of words 'multi-pilot')</p>
response	<p><i>Partially accepted</i></p> <p>The Agency has carefully reviewed your proposals in relation to TRI, CRI and SFI privileges, and the connection with training for single-pilot aeroplanes in multi-pilot operations.</p> <p>Taking also into account the need to cover other aspects related to very light jets and other high performance complex aeroplanes, the Agency has decided to create a new TRI(SPA).</p> <p>The provisions for this new category of instructor have been developed based on the comments received and on the work of experts contracted by the Agency.</p> <p>Please see amended text, and for more detailed explanations on the subject, the explanatory note to the CRD</p>
comment	<p>5790 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.TRI (a)(1)  <b>Page No:</b> 53 of 647  <b>Comment:</b> Use of the word 'initial' is not used consistently during the document.  <b>Justification:</b> 905.LAFI, 905.FI, 905.TRI, 905.CRI, 905.IRI, 905.STI, 905.MI do not use the word 'initial'.  <b>Proposed Text: (if applicable)</b>  Delete word 'initial' or include the word 'initial' in the other references.</p>
response	<p><i>Noted</i></p> <p>The Agency will review the whole NPA to ensure consistency.</p>
comment	<p>5792 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.TRI (a)(2)  <b>Page No:</b> 53 of 647  <b>Comment:</b> There is no provision for conducting renewal of the IR. The same privileges should be included as per the SFI at FCL.905.SFI (a)(3) on page 58  <b>Justification:</b> There are no additional training requirements between TRI and SFI so they should have the same privileges and conditions.  <b>Proposed Text: (if applicable)</b>  The issue, revalidation or renewal of an instrument rating, provided he/she has completed an IRI training course OR holds a valid instrument rating.</p>
response	<p><i>Partially accepted</i></p> <p>As regards your comment related to the privileges for the renewal of instrument ratings.</p>

Please see the reply to comment 3853 above.

As for your second proposal, to have as an alternative to holding an instrument rating to have completed an IRI training course, the Agency cannot agree. A TRI cannot teach an IR if he/she doesn't have an IR himself/herself.

comment

5793

comment by: UK CAA

**Paragraph:** FCL.905.TRI(b)

**Page No:** 53 of 647

**Comment:** The privileges for the TRI (PL) should be included alongside the multi-pilot aeroplane TRI privileges.

**Justification:** There are no privileges for the TRI (PL) instructor category.

**Proposed Text: (if applicable)**

FCL.905(b) "*Additional privileges of the TRI for multi-pilot aeroplane **and powered lift aircraft**. The privileges of a TRI for multi-pilot aeroplanes and powered lift shall include....."*

response

*Not accepted*

The Agency considers that the privileges in (b) are only relevant for aeroplanes. The privileges of the TRI for PL are covered by the general provisions of (a).

comment

5797

comment by: UK CAA

**Paragraph:** FCL.905 (a) (3)

**Page No:** 53 of 647

**Comment:** The 3 year experience requirement prior to being able to instruct other applicant TRIs is not logical.

**Justification:** Just because an instructor has held a TRI certificate does not mean he is competent to instruct another instructor to teach. The disciplines for teaching the teacher are very different to teaching an applicant for a rating. The tutor for an instructors certificate should have specific training in 'teach the teacher' techniques and then be assessed as competent before the privileges are extended to instruct for a TRI certificate. To be effective in the role tutors need to be in regular practice to maintain the necessary skills and knowledge. Refresher training should be provided to tutors who fall out of recency.

**Proposed Text: (if applicable)**

(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI and has attended a 'teach the teacher' course at an approved training organisation.

response

*Not accepted*

Please see the reply to comment 60 above.

comment

6070

comment by: Icelandic CAA

Condition specified in item (a)(3) is not necessary and too restrictive. In our experience this is not necessary and we have not seen data supporting this condition.

response

*Noted*

Please see the reply to comment 60 above.

comment 6111 comment by: *British Airways*

FCL.905.TRI (a) 3.

**the issue of a TRI certificate, provided the holder has 3 years experience as a TRI.**

It is not clear if this is 3 years experience on a specific type of aircraft or it is at least 3 years on any type. If introducing a new aircraft type into an operators fleet how could the operator train new TRI's if the requirement was on type?

Suggestion replace FCL.905.TRI (a) 3 with:

**the issue of a TRI certificate, provided the holder has at least 3 years experince as a TRI. This can include experience on previous types.**

response *Noted*

The text refers to 3 years of experience as a TRI and doesn't mention any specific type. It is the experience as an instructor that is relevant. The Agency does not consider that the additional text you propose is necessary.

Please be informed that the special case of introduction of a new type is already covered by FCL.900 (b), which text has been amended.

Additionally, please see also the reply to comment 60.

comment 6418 comment by: *DCAA*

FCL.905.TRI (a)(3) the issue of TRI **or SFI** certificate

Comment; The TRI should have the possibility to instruct for the issue of a SFI certificate

response *Accepted*

Please see the reply to comment 2221 above.

comment 6422 comment by: *DCAA*

FCL.935 (b) This restriction will mean that the TRI cannot do any aircraft training. The training for TRI is done in a simulator. It makes no sense to require the Skill test in the aeroplane, Delete FCL.935 (b).

response *Noted*

FCL.935.TRI (b) is related to the restriction already contained in FCL.910.TRI (a), which is coming from the text of draft NPA FCL 36. The Agency has decided to keep this restriction, but the text of FCL.910.TRI and FCL.935.TRI has been slightly amended to improve clarity. Please see amended text.

comment 7126 comment by: *CHC Europe EASA Ops Team - representing 550 pilots across Europe*

(a)(3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI or **a TRI acceptable to the competent authority**

Justification:

If no TRI with 3 years experience, who is to conduct training?

response	<i>Not accepted</i>	
	Please see response to comment No 4409 above.	
comment	7279	comment by: <i>ECOGAS</i>
	<p>Current wording:  "(a) General. The privileges of the a type rating instructor (TRI) are to instruct for:  (3) the issue of a TRI certificate, provided that the holder has 3 years of experience as a TRI."</p> <p>Issue:  The requirement for 3 years experience is arbitrary; not supported by a safety case, and may discriminate against able candidates. May be open to legal challenge on basis of discrimination.</p> <p>Suggestion:  add ", or has passed a TRI proficiency check" to the end of the sub-paragraph</p>	
response	<i>Noted</i>	
	Please see response to comment 60 above.	
comment	7532	comment by: <i>FlightSafety International</i>
	<p>1. In case of a new type of aircraft for an operator, do we have to wait for three years before instructing new TRIs? A TRI wishing to instruct a new TRI during a TRI training course must have three years of experience as TRI which is difficult when the rating is for a new aircraft.</p> <p>In FCL.905.TRI(a) add (4) In the case of a new aircraft, issue of a TRI certificate provided the holder has sufficient experience in similar aircraft.</p> <p>2. In FCL.905.TRI(a) add (4) In the case of a new aircraft, issue of a TRI certificate provided the holder has sufficient experience in similar aircraft.</p> <p>Add in (a) (3) the issue of a TRI or SFI certificate, provided ...</p>	
response	<i>Partially accepted</i>	
	Please see the reply to comment 6111 above. On the issue of the SFI certificate: see the replies to comment 2221.	
comment	7641	comment by: <i>Atlantic Training Support</i>
	FCL.905 TRI(a)(3) add 'or has passed a TRI proficiency check'	
response	<i>Not accepted</i>	
	Please see the reply to comment 60 above.	

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 4: Specific requirements for the type rating instructor — FCL.910.TRI TRI — Restricted privileges** p. 53-54

comment	<p>74 <span style="float: right;">comment by: <i>Michel Lacombe AF TRTO</i></span></p> <p>FCL 910 TRI Restricted privileges</p> <p>a)</p> <p>Presently a TRI whose training has only been carried on a FFS can assume all the normal operations on aircraft.</p> <p>In particular that mean "The restricted TRI" is allowed to participate to the flights under supervision following a ZFTT rating.</p> <p>Tomorrow with the new project these "restricted TRI" won't be allowed to be in these flights.</p> <p>So the only people doing base training in these particulars types ratings trainings would be the instructors. Is that the goal ???</p> <p>May we propose to keep the previous definition for the "restricted TRI" :</p> <p><b>FCL 910 TRI - Restricted privileges</b></p> <p>(a) If the TRI(A) training is carried out in a flight simulator only, the TRI(A) rating will be restricted to exclude emergency/abnormal procedure training in an aircraft.</p>
response	<p><i>Not accepted</i></p> <p>The text in the Agency's proposal is coming directly from the text of the draft NPA FCL-36, which was agreed by the JAA LST. The JAA transferred this NPA to EASA, and it was agreed to include it in the text of this NPA. This was already indicated in the explanatory note.</p> <p>After carefully considering the comments received on this subject, the Agency has decided to keep the text of FCL.905.TRI as proposed in NPA FCL-36, but to slightly amend the text of FCL.910.TRI, to clarify the privileges of the TRI restricted to simulators.</p> <p>Please see amended text.</p>
comment	<p>1278 <span style="float: right;">comment by: <i>Ryanair</i></span></p> <p>It appears as if there is a typo in (b) where it says "The priviliges of a TRI are restricted to the type of multi-<b>POWERED</b> aeroplane or powered-lift aircraft in which the skill test was taken."</p> <p>Should this read multi-pilot aeroplanes?</p>
response	<p><i>Accepted</i></p> <p>Thank you for pointing out this editorial error in FCL.910.TRI; it has been corrected.</p>
comment	<p>1397 <span style="float: right;">comment by: <i>Bristow Helicopters</i></span></p> <p>Proposed amendment:</p> <p>(c)(1)(iii) .... in order to demonstrate to an FIE <b>or TRE qualified for the purpose</b>, his/<b>her</b> ability to instruct.....</p> <p>Justification:</p> <p>A TRE with appropriate experience has the privilege to conduct TRI checks. Use of the male/female gender pronoun is not consistent throughout the rules. Suggest either all variations of "he/she" are used throughout, or use the male pronoun and include an editorial comment in the introduction that the female</p>

	pronoun should be inferred or assumed throughout.
response	<p><i>Partially accepted</i></p> <p>On the consistency issue, we thank you for your input. The Agency will completely review the NPA for the purpose of editorial and consistency improvements.</p> <p>On the FIE and TRE issue, the Agency has considered all comments received and amended the text concerning the privileges of the TRE and FIE. These changes have been reflected in the amended text of FCL.910.TRI.</p>
comment	<p>1631 <span style="float: right;">comment by: <i>Finnair</i></span></p> <p><b>FCL.910.TRI TRI Restricted Privileges</b></p> <p>(a) <i>General</i>. If the TRI training is carried out in a FFS only, the privileges of the TRI shall be restricted to training in FFS.</p> <p>(b) <i>TRI for multipilot aeroplanes and for poweredlift aircraft TRI(MPA) and TRI(PL)</i>. The privileges of a TRI are restricted to the type of <u>multipowered</u> aeroplane or poweredlift aircraft in which the skill test was taken.</p> <p><i>According to current rules TRI`s are classified to TRI or TRI restricted. TRI restricted can instruct in the simulator and in an aeroplane (provided no abnormal situations or emergencies are simulated). Since zero flight time training is becoming more and more common, airlines and TRTO`s do need TRI restricted. If there is a need for a training flight (base flight), it consists of normal landings only.</i></p> <p><i>A qualified TRI or (TRI restricted) is required during the first four take offs and landings in an aeroplane after zero flight time type rating course. According to this NPA a "full" TRI rating is required because training is performed in an aeroplane. This new text will cause extra, unnecessary costs to TRTO`s and airlines.</i></p> <p><i>Correct the typo in multipowered</i></p> <p>PROPOSED TEXT:</p> <p><u><i>(a) General. If the TRI training is carried out in a FFS only, the privileges of the TRI shall be restricted to</i></u></p> <p><u><i>i)training in FFS</i></u></p> <p><u><i>ii)training in an aeroplane if no abnormal situations or emergencies are simulated</i></u></p> <p><u><i>(b) TRI for multipilot aeroplanes and for poweredlift aircraft TRI(MPA) and TRI(PL). The privileges of a TRI are restricted to the type of multipilot aeroplane or poweredlift aircraft in which the skill test was taken.</i></u></p>
response	<p><i>Partially accepted</i></p> <p>Thank you for pointing out the editorial mistake (see also comment No 1278). On the issue of the restricted TRI, please refer to the response on comment No 74.</p>
comment	<p>1897 <span style="float: right;">comment by: <i>French Army AVN. FTO</i></span></p>

**TRI(H):**

What is the **right level of the examiner** for the rating of a TRI ?

**FCL.910.TRI (c) (1) (iii)**: "demonstrate to a **FIE** his hability to instruct a pilot"

or

**FCL.935.TRI**: "an applicant for a TRI certificate shall pas a skill test to demonstrate to a **TRE** his hability to instruct a pilot"

or

**FCL.1005 TRE (b) (5)**: "the privileges are to conduct skill tests for the issue of a TRI(H) certificate".

response

*Accepted*

Thank you for pointing out this inconsistency.  
Please refer to response on comment 1397 and the amended text of FCL.910.TRI.

comment

2128

comment by: *British International Helicopters*

Proposed amendment:

(c)(1)(iii) .... in order to demonstrate to an **FIE or TRE qualified for the purpose**, his/**her** ability to instruct.....

Justification:

A TRE with appropriate experience has the privilege to conduct TRI checks.

Use of the male/female gender pronoun is not consistent throughout the rules.

Suggest either all variations of "he/she" are used throughout, or use the male pronoun and include an editorial comment in the introduction that the female pronoun should be inferred or assumed throughout.

response

*Partially accepted*

Please see response to comment No 1397 above.

comment

2222

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

FCL.910.TRI (b)(1)TRI Restricted privileges

Comment: In (b)(1), one can understand that the 7 sectors in a FFS are compulsory. By deleting "at least", the sentence becomes clearer.

Proposal: Delete "at least" replace with a minimum of 15 route sectors, including take-offs and landings on the applicable type of which 7 sectors may be completed in an FFS

Note: most probably typo under (b) .Correct the script to reaf: the privileges of a TRI are restricted to the type of **multi-pilot aeroplane**.

response

*Accepted*

Thank you for your suggestion to improve the clarity/readability of the text by deleting 'at least'. The text has been amended as proposed.  
Thank you also for pointing out this editorial error in (b), it has been corrected.

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, 2388 IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

### **FCL.910.TRI (b)(1) (b)(2) TRI Restricted privileges**

**Comment:** This article doesn't take into account the mixed fleet operations. JOEB report describes the way for TRI to be qualified for CCQ course

#### **Proposal:**

Amend (b) (1) : insert After "on the applicable aircraft type" insert "or a similar type in accordance with Part 21 Subpart C OSC"

#### **FCL900(b)(1) would read:**

"(1) within the 12 months preceding the application, ... including take-off and landings on the applicable aircraft type, or similar type in accordance with Part 21 Subpart C OSC, of which..."

Amend (b) (2): After "TRI course" add or as specified in accordance with Part 21 Subpart C OSC"

#### **FCL900(b)(2) would read:**

"(2) the instructional techniques and flight instruction parts related to the new type rating of the relevant TRI course or as specified in accordance with Part 21 Subpart C OSC."

response

*Not accepted*

The Agency follows closely the text of JAR-FCL. The TRI certificate is type specific and the Agency sees no justification to change it at this time. The determination of the OSD on whether a type is similar to another or not is already included in FCL.710 and FCL.725.

comment

3277

comment by: *DGAC FRANCE*

Part FCL 910 TRI (a), 930 TRI(b)(3) , 935 TRI(b)

The conditions to train and assess a TRI (MPA) in the appropriate aircraft or simulator are not clearly identified and could lead to many different interpretations.

Regarding FCL 910.TRI (a), FCL. 930. TRI (b) (3), FCL.935TRI (b), a better way of presentation for TRI (MPA) could be to describe three different cases.

These conditions should be linked to the OPS 1.945(d) (ZFTT requirements) to define if there is any restriction on the TRI for that kind of training.

More generally, the TRI /SFI system should be reviewed entirely, because of inconsistencies between the different texts dealing with these items.

To reorganise the conditions for TRI (MPA) in 3 different cases:

#### **Conditions for TRI (MPA):**

**(a) aircraft only (no simulator available)**

**(1) 5 hours of training on the appropriate type of aircraft**

**(2) a skill test on the appropriate type of aircraft according to Appendix 12 to this part**

**(3) restricted to aircraft training**

**(b) simulator only**

**(1) 10 hours of training on the simulator representing the appropriate type including take off and landing and recovering manoeuvres**

**(2) skill test on the simulator according to Appendix 12 to this part**

**(3) restricted to simulator training, take off, landing and line training on the aircraft**

**(c) simulator with aircraft extension**

**(1) 6 to 8 hours training on the simulator**

**(2) 1 to 2 hours training on the appropriate type of aircraft**

**(3) skill test on simulator and on the aircraft of the appropriate type according to appendix 12 to this part**

**(4) unrestricted**

response *Not accepted*

Thank you for your proposal. After carefully assessing it, the Agency has decided not to follow it at this time, and stay with a closer version to JAR-FCL. Your proposal could nevertheless be the subject of future work.

comment 3367

comment by: DGAC FRANCE

Part FCL .910.TRI (c) (1) (iii)

Consistency with FCL.1005.TRE (b)(5)

Passed ,as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this part in order to demonstrate to an ~~an FIE~~ **TRE fulfilling the conditions of paragraph FCL.1005.TRE (b)(5)** his ability to instruct a pilot.....

response *Partially accepted*

Please see response to comment No 1397 above.

comment 3978

comment by: DGAC FRANCE

FCL .910.TRI (a)

Go back to previous wording from JAR-FCL 1.360(b). If not how would it be possible to perform the first 4 take-off and landing in the line flying under supervision phase of the ZFT training with a TRI !  
(same comments as FCL.935.TRI (b))

(a) General. If the TRI training is carried out in a FFS only, the privileges of the TRI shall be restricted to training in FFS. **to exclude emergency/abnormal procedure training in an aircraft.**

response	<p><i>Noted</i></p> <p>Please see response to comment No 74 above.</p>
comment	<p>4410 <span style="float: right;">comment by: <i>Bond Offshore Helicopters</i></span></p> <p>Proposed amendment:                  (c)(1)(iii) ... in order to demonstrate to an FIE <b>or TRE qualified for the purpose</b>, his/<b>her</b> ability to instruct.....                  Justification:                  A TRE with appropriate experience has the privilege to conduct TRI checks.                  Use of the male/female gender pronoun is not consistent throughout the rules.                  Suggest either all variations of "he/she" are used throughout, or use the male pronoun and include an editorial comment in the introduction that the female pronoun should be inferred or assumed throughout.</p>
response	<p><i>Partially accepted</i></p> <p>Please see response to comment No 1397 above.</p>
comment	<p>4469 <span style="float: right;">comment by: <i>CTC Aviation Services Ltd</i></span></p> <p><b>(b) title is multipilot so the use of multipowered is incorrect ---- editorial</b>  <b>(b) TRI for multipilot aeroplanes and for powered lift aircraft TRI (MPA) and TRI (PL). The privileges of a TRI are restricted to the type of multipilot aeroplane or powered lift aircraft in which the skill test was taken. The.....</b></p>
response	<p><i>Accepted</i></p> <p>Thank you for pointing out this editorial error, it has been corrected.</p>
comment	<p>4484 <span style="float: right;">comment by: <i>AEA</i></span></p> <p><b>Relevant Text :</b>  <i>(b) TRI for multi pilot aeroplanes and for powered lift aircraft TRI (MPA) and TRI (PL).</i>                  The privileges of a TRI are restricted to the type of multi powered aeroplane or powered lift aircraft in which the skill test was taken. The privileges of the TRI shall be extended to further types when the TRI has completed:                  (1) within the 12 months preceding the application, at least 15 route sectors, including takeoffs and landings on the applicable aircraft type, of which <b>at least</b> 7 sectors may be completed in a FFS;  <b>Comment:</b>                  In (b)(1), one can understand that the 7 sectors in a FFS are compulsory. By deleting "at least", the sentence becomes clearer.  <b>Proposal:</b>                  Delete "at least"</p>
response	<p><i>Accepted</i></p> <p>Thank you for your suggestion to improve the clarity/readability of the text by deleting 'at least'. The text has been amended.</p>
comment	<p>4486 <span style="float: right;">comment by: <i>AEA</i></span></p>

**Relevant Text :**

((b) TRI for multi pilot aeroplanes and for powered lift aircraft TRI(MPA) and TRI(PL).

The privileges of a TRI are restricted to the type of multi powered aeroplane or powered lift aircraft in which the skill test was taken. The privileges of the TRI shall be extended to further types when the TRI has completed:

(2) the instructional techniques and flight instruction parts related to the new type rating of the relevant TRI course;

**Comment:**

This article doesn't take into account the mixed fleet operations. JOEB report describes the way for TRI to be qualified for CCQ course.

**Proposal:**

In (b)(2) add " or in case of mixed fleet operations, refer to JOEB report (or equivalent in Part 21)"

response *Noted*

Please see response to comment No 2388 above.

comment 4566

comment by: AEA

**Relevant Text:**

(a) (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, post flight and theoretical knowledge instruction in accordance with the requirements of Appendix 12 to this Part.

(b) If the test is conducted in a simulator, the TRI certificate shall be restricted to instruction in simulators.

**Comment:**

The skill test should be conducted on simulator (if available) and the ability to conduct base training will be given after the TRI flight training as described in AMC No 1 to FCL.930.TRI -TRI training course aeroplanes

There will be no restricted TRI anymore but TRI and TRI approved for base training.

The first 4 sectors after the completion of ZFTT will be done by a TRI(he don't need to be qualified for base training)

**Proposal:**

(a) An applicant for a TRI certificate shall pass a skill test on simulator 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, post flight and theoretical knowledge instruction in accordance with the requirements of Appendix 12 to this Part.

(b) To conduct base training, TRI must follow flight training for this purpose.

(c) If there is no simulator available, the entire TRI course will be conduct on aircraft.

response *Not accepted*

Please see response to comment No 74 above.

Please note also that the text of FCL.935.TRI has been amended.

comment	4654	comment by: <i>Héli-Union</i>
<p>Proposed amendment:  (c)(1)(iii) .... in order to demonstrate to an FIE <b>or TRE qualified for the purpose, his/her</b> ability to instruct.....</p> <p>Justification:  A TRE with appropriate experience has the privilege to conduct TRI checks.  Use of the male/female gender pronoun is not consistent throughout the rules.  Suggest either all variations of "he/she" are used throughout, or use the male pronoun and include an editorial comment in the introduction that the female pronoun should be inferred or assumed throughout.</p>		
response	<i>Partially accepted</i>	
Please see response to comment No 1397 above.		
comment	4874	comment by: <i>HUTC</i>
<p>Proposed amendment:  (c)(1)(iii) .... in order to demonstrate to an FIE <b>or TRE qualified for the purpose, his/her</b> ability to instruct.....</p> <p>Justification:  A TRE with appropriate experience has the privilege to conduct TRI checks.  Use of the male/female gender pronoun is not consistent throughout the rules.  Suggest either all variations of "he/she" are used throughout, or use the male pronoun and include an editorial comment in the introduction that the female pronoun should be inferred or assumed throughout.</p>		
response	<i>Noted</i>	
Please see response to comment No 1397 above.		
comment	5224	comment by: <i>Flight Training Europe</i>
<u>Page 53/54, FCL.905&amp;910.TRI and Page 59, FCL.905.SFI (b)</u>		
<p>Both state that the privileges for the TRI and SFI are restricted to the FTD 2/3 or FS of the aircraft type in which the training course was taken. However, both the TRI and SFI's privileges allow them to instruct on the MPL course at the basic and intermediate phases in FTDs which may not be type specific to the qualification held. The training at these two phases is not for the issue of a type rating and therefore does not require type specific qualifications.</p>		
<p>Suggest that a specific MPL FTD qualification be introduced for the basic and intermediate phases for non-type specific rated instructors.</p>		
<p><b>To initially instruct on the MPL course at the basic and/or intermediate phase, the FTD instructor must hold or have held in the previous five years a TRI or SFI qualification. Initial type training and recurrent training on the FTD to be used for the instruction on the MPL course for non-current TRIs or SFIs is to be approved by the authority. Following this training the MPL FTD instructor would complete the MPL Instructor Training Course. The successful assessment by an instructor examiner of practical competencies and of knowledge of the competency-based approach to training would finalise the MPL FTD instructor's (MPL FTDI) training. The MPL FTDI qualification certificate would then be issued. Once qualified as an MPL FTDI the revalidation</b></p>		

**or renewal of the instructor's certificate shall be similar to that of an MCCI; the maintenance of aircraft type specific certificate is not required to instruct on the basic and intermediate phases. To instruct on the basic phase the MPL FTDI must also hold or have held an FI (A) or an IRI (A) certificat**

response *Not accepted*

The Agency follows closely the text of JAR-FCL in this issue. It is considered that instructors for the MPL need to hold a licence issued in accordance with Part-FCL.

At this time, the Agency does not intend to change the requirements related to the MPL coming from JAR-FCL. This may be however the subject to a future rulemaking task once more data exists on the implementation of the MPL.

comment 5699 comment by: *FNAM (Fédération Nationale de l'Aviation Marchande)*

This sentence is hardly understandable and there is a need to reformulate it, that could be done by:

"If the TRI(A) training is carried out in a flight simulator only, the TRI(A) rating will be restricted to exclude emergency/abnormal procedure training in an aircraft"

This change must be done according to JAR.FCL.1.360

response *Not accepted*

Please see response to comment No 74 above.

comment 5794 comment by: *UK CAA*

**Paragraph:** FCL.910 TRI (a)

**Page No:** 53 of 647

**Comment:** No reference is made to a TRI who has conducted simulator only training being given restricted privileges to permit aircraft training excluding emergency/abnormal procedure training in an aircraft.

**Justification:** This was permitted under JAR-FCL and there is no known safety case for not extending this under EASA FCL. This TRI certificate will then differentiate it from an SFI, which is a pure simulator only certificate.

**Proposed Text: (if applicable)**

'If the TRI training is carried out in a FFS only, the privileges of the TRI shall be restricted to exclude emergency/abnormal procedure training in an aircraft.'

response *Not accepted*

Please see response to comment No 74 above.

comment 5801 comment by: *UK CAA*

**Paragraph:** FCL.910.TRI(b)

**Page No:** 54 of 647

**Comment:** Typo in line 2.

**Justification:** Editorial

**Proposed Text: (if applicable)**

The words "multi-powered" should be replaced by "multi-pilot".

response

*Accepted*

Thank you for pointing out this editorial error; it has been corrected.

comment

5802

comment by: UK CAA

**Paragraph:** FCL.910.TRI (b)(1) & (c)(1)(ii) & FCL.915.TRI (a)(2)

**Page No:** 54 of 647

**Comment:** There are three expressions used to reflect the type of aircraft. "applicable aircraft type", "applicable type" and "applicable aeroplane type".

**Justification:**

This is not consistent and the equivalent expression should be standard throughout the whole document. There is no definition for aircraft in FCL.010. There is a definition for 'aeroplane'.

**Proposed Text: (if applicable)**

Use 'applicable aeroplane type' in this example but check others and ensure consistency throughout the document.

response

*Noted*

Thank you for your input. The Agency will completely review the NPA for the purpose of editorial and consistency improvements.

comment

5806

comment by: UK CAA

**Paragraph:** FCL.910.TRI (b)(1)

**Page No:** 54 of 647

**Comment:** The statement that at least 7 sectors may be completed in a FFS suggests that all 15 route sectors may be completed in the FFS. Consideration should be given to changing the wording to reflect that some aircraft experience is required. JAR-FCL stated that not more than 7 sectors may be completed in a flight simulator.

**Justification:** Some aircraft experience prior to extending to further type is essential to maintain the safety standard.

**Proposed Text: (if applicable)**

'within the 12 months preceding the application, at least 15 route sectors, including take-offs and landings in the applicable aircraft type, of which not more than 7 sectors may be completed in a FFS'

response

*Accepted*

Thank you for pointing out this error; it has been corrected as suggested.

comment

5815

comment by: UK CAA

**Paragraph:** FCL.910.TRI (b) (3)

**Page No:** 54 of 647

**Comment:** The TRI (MPA) may be revalidated by a FIE who is normally associated with single pilot testing. In this situation, the demonstration should be to a type rating examiner qualified for this purpose, as it is in FCL.935.TRI(a).

**Justification:** The FIE doesn't normally conduct multi pilot tests and therefore this should be restricted to a qualified TRE.

**Proposed Text: (if applicable)**

(3) in the case of the TRI(PL) and TRI(MPA),

.....to demonstrate to a type rating examiner qualified for this purpose, his

response	<p>ability.....</p> <p><i>Partially accepted</i></p> <p>Please see response to comment No 1397 above.</p>
comment	<p>5818 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.910.TRI(b)(3)  <b>Page No:</b> 54 of 647  <b>Comment:</b> The TRI (PL) may be revalidated by a FIE but the privileges of the FIE (FCL.1005.FIE) do not include the powered lift category. The FIE is normally associated with single pilot testing and currently all PL aircraft are planned to be multi pilot. In this situation, the demonstration should be to a type rating examiner qualified for this purpose, as it is in FCL.935.TRI(a).  <b>Justification:</b> The FIE doesn't normally conduct multi pilot tests and therefore this should be restricted to a qualified TRE.  <b>Proposed Text: (if applicable)</b>  (3) .....to demonstrate to a TRE(PL) qualified for this purpose, his ability.....</p> <p><i>Partially accepted</i></p> <p>Please see response to comment 1397 above.</p>
comment	<p>5820 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.910.TRI(b)(3)  <b>Page No:</b> 54 of 647  <b>Comment:</b> Why is the proficiency check requirement restricted to TRI(PL)? It is equally applicable for the TRI(MPA) and should be included. It is believed that this is an editorial error.  <b>Justification:</b> Possible editorial error.  <b>Proposed Text: (if applicable)</b>  Change (b)(3) to read " as a proficiency check, the relevant....." Delete the words "<del>in the case of the TRI(PL), that holder shall additionally pass,</del>"</p>
response	<p><i>Accepted</i></p> <p>Text has been amended accordingly.</p>
comment	<p>5822 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.910.TRI(c)(1)(iii)  <b>Page No:</b> 54 of 647  <b>Comment:</b> The FIE is normally associated with single pilot testing. Therefore, the TRI(H) test for single pilot helicopter instructors should be completed by a FIE but the tests for multi-pilot helicopter instructors should be conducted by TREs qualified for this purpose.  <b>Justification:</b> The FIE is not normally associated with multi-pilot operations or training and therefore their privileges should be restricted to single pilot testing. However, in the helicopter world, this test may be undertaken by either a FIE or a TRE for the single pilot check.  <b>Proposed Text: (if applicable)</b>  (iii) ....in order to demonstrate for single pilot instructors to an FIE or to a TRE, or for multi pilot instructors to a TRE qualified for this purpose, his ability to</p>

	instruct.....	
response	<i>Partially accepted</i>	
	Please see response to comment No 1397 above.	
comment	6102	comment by: <i>Icelandic CAA</i>
	(a) TRI should be able to perform training in the aeroplane (restricted to normal operations only) including landings even though the TRI training as such is carried out in a FFS. It is proposed to use the restriction: "For a/c normal operations only" instead of only training in FFS.	
response	<i>Noted</i>	
	Please see response to comment No 74 above.	
comment	6107	comment by: <i>British Airways</i>
	FCL.910.TRI.	
	The restriction placed on operators is too restrictive. Under JAR if the training was conducted in a FFS only then it restricted abnormal/emergency procedures training on the aircraft ZFTT course.	
	Suggestion: Replace FCL.910.TRI with:	
	General, If the TRI training is carried out in a FFS, the privileges of the TRI shall be restricted to training in a FFS or training under normal line operations. It shall exclude all emergency/non normal training including Base training.	
response	<i>Noted</i>	
	Please see response to comment No 74 above.	
comment	6308	comment by: <i>Axel Schwarz</i>
	A restricted TRI should be allowed to instruct on any type of FSTD (FFS, FTD, FNPT) instead of being restricted to FFS only. The same replacement (FSTD instead of FFS) applies to the privileges of an SFE.	
response	<i>Noted</i>	
	Please see response to comment No 74 above.	
comment	6433	comment by: <i>DCAA</i>
	FCL.910.TRI (a) If restriction deleted in FCL.935 (b) the restriction shall also be deleted in FCL.910.TRI (a)	
response	<i>Noted</i>	
	Please see response to comment 74 above.	
comment	6757	comment by: <i>CAA Finland</i>

	<p>FCL.910.TRI(a): Amended text proposal to be in harmony with JAR-FCL:</p> <p>(a) <i>General</i>. If the TRI training is carried out in a FFS only, the privileges of the TRI shall be restricted to training in FFS <b>and in an aircraft (excluding emergency/abnormal procedure training in an aircraft)</b>.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 74 above.</p>
comment	<p>6768 <span style="float: right;">comment by: CAA Finland</span></p> <p>FCL.905.TRI(c)(1)(ii): Word conduct could be translated as to give or to receive training. Amended text proposal: (ii) <b>received</b> at least 2 hours of flight instruction on the applicable type;</p>
response	<p><i>Partially accepted</i></p> <p>Text amended in line with your suggestion.</p>
comment	<p>6847 <span style="float: right;">comment by: CAA Finland</span></p> <p>FCL.910.TRI(b)(3): Proficiency check should always be required when privileges are extended. Amended text proposal:</p> <p>(iii) passed, as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this Part in order to demonstrate to a type rating examiner the ability to instruct a pilot to the level required for the issue of a type rating, including preflight, postflight and theoretical knowledge instruction. (iv) in the case of the TRI(PL)...</p>
response	<p><i>Partially accepted</i></p> <p>Please see response to comment No 5820 above.</p>
comment	<p>6855 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.910.TRI <b>Page No*:</b> 53 <b>Comment:</b> Define limitations of TRI (SPA) and the extension of privileges to additional SPA types. <b>Justification:</b> See UK CAA comment on FCL.905.TRI (a)(1) To ensure those qualified to instruct in specialised single-pilot aeroplanes are appropriately qualified to do so. <b>Proposed Text: (if applicable)</b> Add new paragraphs (d)(1) &amp; (d)(2); (d) TRI for single-pilot aeroplanes – TRI (SPA) (1) The privileges of a TRI (SPA) are restricted to the type of SPA in which the skill test for the issue of the certificate was taken. The TRI (SPA) shall be extended to further types when the TRI has: (i) conducted the appropriate type-technical part of the TRI course on the applicable type of aeroplane or an FSTD representing that type.</p>

(ii) conducted at least 2 hours of flight instruction on the applicable type. In the case of the first multi-engine TRI certificate this requirement shall be increased to 5 hours flight instruction.

(iii) passed, as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this part, in order to demonstrate to a TRE qualified for this purpose, his ability to instruct a pilot to the level required, for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.

(2) Before the privileges of a TRI (SPA) are extended from single engine to multi engine type, the holder shall have at least 30 hours pilot in command in multi-engine aeroplanes.

response *Partially accepted*

The Agency has carefully reviewed your proposals in relation to TRI, CRI and SFI privileges, and the connection with training for single-pilot aeroplanes in multi-pilot operations.

Taking also into account the need to cover other aspects related to very light jets and other high performance complex aeroplanes, the Agency has decided to create a new TRI(SPA).

The provisions for this new category of instructor have been developed based on the comments received and on the work of experts contracted by the Agency.

Please see amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.

comment

7062

comment by: *Oxford Aviation Academy*

**Subpart J. Section 4. FCL.905 TRI**

**(a) (3)** Change to " The issue of a SFI or TRI certificate"

Requirement for three years experience as TRI is too extensive.

response

*Not accepted*

Please see response to comment No 2221 to FCL.905.TRI for more details.

comment

7128

comment by: *CHC Europe EASA Ops Team - representing 550 pilots across Europe*

Proposed amendment:

(c)(1)(iii) ... in order to demonstrate to an FIE **or TRE qualified for the purpose**, his/**her** ability to instruct.....

Justification:

A TRE with appropriate experience has the privilege to conduct TRI checks.

Use of the male/female gender pronoun is not consistent throughout the rules.

Suggest either all variations of "he/she" are used throughout, or use the male pronoun and include an editorial comment in the introduction that the female pronoun should be inferred or assumed throughout.

response

*Partially accepted*

Please see response to comment No 1397 above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 4: Specific requirements for the type rating instructor — FCL.915.TRI Prerequisites for** p. 54-55

<b>the TRI training course</b>
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comment	644	comment by: <i>British Microlight Aircraft Association</i>
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Comment: Inconsistency in pre-training requirements: Recency required for A and PL not for H.

" (a) (2) completed, within the 12 months preceding the date of application, 30 route sectors, including takeoffs and landings, as pilot in command or co-pilot on the applicable aeroplane type, of which 15 sectors may be completed in a FFS representing that type;"

"(c) (2) completed, within the 12 months preceding the application, 30 route sectors, including takeoffs and landings, as pilot in command or co-pilot on the applicable powered lift type, of which 15 sectors may be completed in a FFS representing that type;"

For clarity and consistency the pre-course requirements should be the same for all the instructor ratings.

response	<i>Noted</i>
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We do concur that there is an inconsistency between the requirements for aeroplanes and helicopters. This is caused by the transfer of JAR-FCL, where this difference already existed. The Agency does not intend to change these requirements coming from JAR-FCL at this time, without a dedicated assessment.

comment	1019	comment by: <i>CAA Belgium</i>
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(a)(2) In JAR-FCL 1.365(b) lower experience requirements are foreseen for extending the TRI privileges to other MP types.

As this seems reasonable we propose to take them over. Similar is foreseen in FCL.905.SFI (c).

response	<i>Noted</i>
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These requirements already exist in FCL.910.TRI.

comment	2233	comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i>
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Page: 54 FCL915.TRI

Comment: Text does not concur with previous philosophy in JAR-FCL. Flexibility is best served by the possibility to include TRI training occasionally when the route sectors may not all have been completed.

Proposal: Replace "Before attending the TRI training course" with "Prior to the issue of a TRI certificate"

response	<i>Partially accepted</i>
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Text has been amended and the Agency will review the entire NPA to ensure

consistency.

comment 3854 comment by: *Luftfahrt-Bundesamt*

FCL.915. TRI:

FCL.915. TRI (b) needs clarification:

Is an applicant for a TRI(H) certificate for single pilot multiengine type(H) credited for the requirements under FCL.915.TRI (b)(2), when holding **any** FI(H) certificate or when holding an FI(H) certificate according to **FCL.905.FI (i) (2)??**

How come that there is no possibility for crediting holders of FI(H) certificate towards multi pilot helicopter TRI under (b)(3) ?

Basically almost all multiengine helicopter types are single pilot helicopters under VFR but might be required to be operated by a multi pilot crew under IFR or by flight manual. Obviously the holder of FI(H) will normally exercise the FI/TRI privileges in a „multi-crew-environment“ and is quite familiar with principles of MCC, CRM, etc.

response *Noted*

This requirement is copied from JAR-FCL 2.330E subparagraph (a), where there was already crediting towards the relevant single-pilot helicopters for any FI(H).

As for your second question, this was also the case in JAR-FCL. The reason is that the FI is considered a single-pilot aircraft instructor, and therefore should not be credited towards multi-pilot privileges.

comment 5430 comment by: *CAA Belgium*

FCL.915. TRI (b) needs clarification:

Is an applicant for a TRI(H) certificate for single pilot multiengine type(H) credited for the requirements under FCL.915.TRI (b)(2), when holding **any** FI(H) certificate or when holding an FI(H) certificate according to **FCL.905.FI (i) (2)??**

How come that there is no possibility for crediting holders of FI(H) certificate towards multi pilot helicopter TRI under (b)(3) ?

Basically almost all multiengine helicopter types are single pilot helicopters under VFR but might be required to be operated by a multi pilot crew under IFR or by flight manual. Obviously the holder of FI(H) will normally exercise the FI/TRI privileges in a „multi-crew-environment“ and is quite familiar with principles of MCC, CRM, etc.

response *Noted*

Please see response to comment No 3854 above.

comment 5842 comment by: *UK CAA*

**Paragraph:** FCL.915.TRI(c)(1)

**Page No:** 55 of 647

**Comment:** The prerequisite for a TRI(PL) if using helicopter experience only indicates that this experience could be gained in single pilot helicopters. This was not the intent and it should be changed.

**Justification:** Prevention of inappropriately qualified helicopter applicants applying for a course as a TRI(PL) when not qualified to do so.

**Proposed Text: (if applicable)**

	Change to read "(1) .....multi-pilot aeroplanes, powered lift, or <i>multi-pilot</i> helicopters: and...."
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, 5976 IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p><b>Comment:</b> text should be amended to reflect the notion of competency assessment and suggested Amendments for Apprndix 12 (see also comment 2240)</p> <p><b>Proposal :</b> FCL 940.TRI: amend (a) as follows: (a) for revalidation of a TRI certificate the applicant shall; within the validity period of the certificate, succesfully complete a competency assessment in accordance with Appendix 12 (see comment 2240) and one of the following: replace (a) (1) with: maintain competency by giving sufficient (flight) instruction in the appropriate aircraft category or FSTD. In the case of TRI(MPA) and TRI(PL), instruction shall be given as a TRI/TRE/SFI/SFE. In the case of TRI(H) instruction...(existing wording) delete text in (b) (c) becomes (b) (d) becomes (c) amend existing (d) as follows: if the certificate has lapsed, the applicant shall within 12 months prior to the renewal of the certificate, (1) undertake sufficient refresher training (2) complete a competency assesment in accordance with appendix 12 (amended comment 2240)</p> <p>Add AMC FCL 940.TRI as follows: Refresher training for TRI/SFI If the certificate has lapsed, prior to a competency assessment for renewal of the certificate the applicant should undertake refresher training as follows: (a) Certificate expired by less than 3 months: no supplementary requirements. (b) Certificate expired by more than 3 months but less than one year: a minimum of 2 training sessions. (c) Certificate expiry by more than 1 year but less than 3 years: a minimum of 3 training sessions in which the most important malfunctions in the available systems are covered. (d) Expiry more than 5 years: the applicant should again undergo the training required for the initial issue of the certificate.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comments on FCL.940.TRI and the amended text.</p> <p>The majority of the content of Appendix 12 has been transferred to AMC. The Agency considers that an assessment of competence each alternate revalidation is sufficient, combined with the other requirements included for</p>

revalidation.

The text in relation to the refresher training for revalidation has been amended following the proposals received.

comment

6084

comment by: *Flybe Ltd*

The requirements for TRI(MPA) do not make provision for the addition of a MPA type in the way JAR-FCL1.365 allowed. If the suggestion is that all existing TRIs undergo a full TRI course every time they need to add a type, then that is unnecessary, costly and unjustified. Suggest adding to the proposed Part FCL wording the following:

FCL.915.TRI

(a) *For TRI(MPA):*

(3) Before the privileges are extended to further MPA types, the holder shall have:

(i) completed, within the 12 months preceding the application, at least 15 route sectors, to include take-offs and landings as pilot-in-command or co-pilot on the applicable aeroplane type, or a similar type as agreed by the Authority, of which not more than 7 sectors may be completed in a flight simulator;

(ii) satisfactorily completed the relevant technical training content of an approved TRI course at an approved ATO;

and

(iii) conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of a TRI(MPA) on the applicable type of aeroplane and/or flight simulator under the supervision and to the satisfaction of a TRI(A) notified by the Authority for this purpose.

response

*Noted*

Please see response to comment 1019 above.

comment

6127

comment by: *Icelandic CAA*

Item (a)(2). It is proposed to give possibility to give credit for recent experience on similar types as specified in JAR-FCL 1.365 (a)(3) to fulfill the pre-requisite conditions for the TRI course.

response

*Noted*

Please see response to comment No 1019 above.

comment

6858

comment by: *UK CAA*

**Paragraph:** FCL.915.TRI (d)

**Page No\*:** 55

**Comment:** Define pre-entry requirements for TRI (SPA)

(NB. These are the same as existing requirements for issue of initial CRI certificate but with specific experience on the SPA type or similar type.)

**Justification:** See UK comment on FCL.910.TRI To ensure those qualified to instruct in specialised single-pilot aeroplanes are appropriately qualified to do so.

**Proposed Text: (if applicable)**

Add new paragraph

(d): For TRI (SPA):

- (1) for multi-engine aeroplanes
  - (i) 500 hours flight time as pilot of aeroplanes
  - (ii) 30 hours as pilot in command on the applicable type of aeroplane or similar type(s) as determined by the competent authority.
- (2) for single engine aeroplanes
  - (i) 300 hours flight time as pilot of aeroplanes
  - (ii) 30 hours as pilot in command on the applicable type of aeroplane or similar type(s) as determined by the competent authority.

response *Partially accepted*

The Agency has carefully reviewed your proposals in relation to TRI, CRI and SFI privileges, and the connection with training for single-pilot aeroplanes in multi-pilot operations.

Taking also into account the need to cover other aspects related to very light jets and other high performance complex aeroplanes, the Agency has decided to create a new TRI(SPA).

The provisions for this new category of instructor have been developed based on the comments received and on the work of experts contracted by the Agency.

Please see amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 4: Specific requirements for the type rating instructor — FCL.930.TRI TRI — Training course**

p. 55

comment

1020

comment by: *CAA Belgium*

(c) Does this mean that LAFI or FI(B) is also credited for the (b)(1) requirement ?

There is a considerable difference in theoretical knowledge instruction between FI (A), (H) or (As) and (S) or LAFI.

See e.g. FCL.93. MCC (c).

response

*Noted*

Based on the comments received on this paragraph, the requirements related to the training course will be amended. The teaching and learning part is the one that comprises 25 hours; this part is common for every category instructor course, therefore all instructors are credited in full towards this part of the course.

The 10 hours refer to technical training, which in the case of the TRI is type specific. Please see the amended text.

comment

1160

comment by: *Michel Lacombe AF TRTO*

(c) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (b)(1).

That means that when changing to another aircraft, the TRI should go through a new course of 10 hours of instruction on this new FFS before being checked.

I agree that for the initial course the futur TRI has to learn how to instruct and

I suppose that's the objective of these 10 hours. But I am not sure the **instructor extend** to others aircrafts need to have a so long training, one or two session should be enough.

Instructors having held an instructor certificate should do a little more like a refreshing course.

**proposals :**

(c) Applicants holding an instructor certificate shall be fully credited towards the requirement of (b)(1) and (b) (2) and credited only 50 % towards the requirements of (b) (3).

(d) Applicants having held an instructor certificate shall be fully credited towards the requirement of (b)(1) and credited only of 50 % towards the requirements of (b) (2) and (b) (3).

response *Noted*

Please see response to comment No 1020 above.

comment 1253

comment by: *Ryanair*

**Comment**

It is in the area of TRI and SFI training that we have struggled to grasp and understand the content and the intent of the rules in the NPA.

In general, the thrust of the rules and AMCs seem to be intent on making the training and testing of TRIs and SFIs as similar as possible to the processes that qualify Instructors of less sophisticated aircraft and operations. This might seem to be sensible, but years of producing dozens of high quality SFI/TRI/TREs tells us that such a radical re-structuring of the training and testing process is un-necessary. In addition, it will cause significant disruption to established courses and documentation and will inevitably cost time and money.

We are fully aware that the terms of JAR FCL in relation to the training and checking of TRIs and SFIs were weak and we know that certain TRTOs and Operators complied only with these requirements to produce instructors in a commercial approach to training.

This fact was recognised and, in close conjunction with the Irish Aviation Authority, Ryanair developed a programme of training and testing which has been in operation for several years. This program has been audited by the IAA and other external auditors. While it follows the structure required by JAR FCL its content is significantly superior to it. Consequently, our existing TRI training course matches and exceeds the requirements proposed in this Part. However, it does not seem to fit the shape that the rulemakers have decided to propose in this critical activity.

This misfit is based on a perceived lack of clarity regarding the intent and content of the sections of this Part. I can only ask specific questions to highlight the areas of confusion: -

1. What is required in the "25 hours of theoretical knowledge"?
2. Is this a direct replacement for the Teaching and Learning Course (the CORE Course) required in JAR FCL.

3. Will our currently approved CORE course satisfy this requirement?
4. Does this 25 hours represent "Part 1" as referred to in AMC FCL 930.TRI?
5. Can the Competencies be specifically assessed at the end of the first Part and generally assessed as part of the TRI Skills Test as they are at present?
6. Is the 10 hours referred to in (2) and the 10 hours flight Instruction referred to in (3) constitute "Part 2" as referred to in AMC FCL.930 TRI?

### Proposal

#### FCL.930.TRI TRI Training Course

- (a) An applicant for a TRI certificate shall have completed at an approved training organization a course of theoretical knowledge instruction and flight training.
- (b) The TRI course shall include, at least:
  - 1) 25 hours theoretical training and 10 hours of instructional techniques, preparation of lesson plans and development of classroom/simulator instructional skills during a Teaching and Learning Course.
  - 2) A minimum of 5 hours of flight instruction in the appropriate aircraft or a flight simulator representing that aircraft for single-pilot aircraft and 10 hours for multi-pilot multi-engine aircraft or a simulator representing that aircraft
- (c) Applicants holding or having held an Instructor certificate shall be fully credited towards the requirement of (b) 1).

#### Justification

The industry requires an efficient means of producing TRIs who can conduct MPA training in a TRTO or Airline. The existing IAA approved SFI/TRI course meets the basic requirements of the Rule and is a proven process that produces quality TRIs for MPA simulator training.

response

*Noted*

Please see the reply to comment 1020 above.

The 25 hrs are the teaching and learning part of the course where the core competencies are included.

As for your question on whether your course is complete or not, we cannot really assess it since we don't know its details. However the intention of the wording is not to change the system currently in place.

We will also check the content of the AMC to ensure consistency with the rule paragraph.

comment

1282

comment by: *Ryanair*

The requirement to undergo a proficiency check only once every 6 years is very lenient. The other options that allow the TRI certificate to be re-validated instead of a proficiency check do not offer the same certainty that a TRI is retaining the required standard of proficiency. A TRI in Ryanair can expect to undergo an Proficiency Check once a year.

As you will see from other comments in the CRT we are very uncomfortable with the content and nature of the skills test specified in Appendix 12. A proficiency check every three years which is not as demanding on the resources of an airline or ATO's would be desirable but **NOT** if it is as per Appendix 12 as presently constituted.

response

Please see our proposals in relation to the conduct of the skills test submitted in the context of Appendix 12.

*Noted*

Please see the reply to comments on FCL.940.TRI.

The Agency considers that the requirement for alternate assessments of competence is sufficient, when combined with the other requirements for revalidation.

Regarding Appendix 12, the Agency has passed the majority of its content to AMC, since it was not tailored for all categories of instructors.

comment

1309

comment by: *Tag Aviation SA*

NPA 2008-17b

FCL 930.TRI TRI - Training course

Resume of the foreseen regulation:

25 hours of theoretical knowledge

10 hours of instructional techniques preparation of lesson plans and development of classroom

5 hours of flight instruction in aircraft or simulator

This regulation is probably good for a first new TRI but doesn't make sense for new type TRI who have gone already through this in the past. The 25 hours of theoretical knowledge should be credited towards TRI as long as this pilot had a valid type of that kind without discontinuity since his initial type rating.

The 10 hours of instructional technique should be credited with the refresher program but without preparation of lesson plans and development of classroom as this is nothing new for a previous rated TRI.

The 5 hours of flight instruction (simulator or aircraft) are less penalizing for the industry but I would suggest better: a minimum of 2 different training session of 2 hours each (total 4 hours).

Indeed, it doesn't make sense to do 5 hours in a row.

Laurent Dupraz-Dange

Crew Training Manager

TAG Aviation S.A.

response

*Noted*

Please see response to comment No 1020 above.

Please note also that the extension of TRI privileges to further types is regulated in FCL.910.TRI, and does not require that the TRI undergoes the whole course: only the specific technical content for the new type for which extension of the privileges is sought.

comment

1323

comment by: *Bristow Helicopters*

The TRI Training course requirements seem to be inconsistent with JAR-FCL 2.

(b)(1) **10** hours is the JAR requirement for theoretical knowledge. This is the type specific theoretical knowledge.

	<p>(b)(2) <b>25</b> hours is the JAR requirement for instructional techniques. This subject requires 25 hours to cover the syllabus.</p> <p>(c) The credit arrangement should apply to the instructional technique course, not the type specific theoretical knowledge course. Change text to "fully credited towards the requirement of <b>(b)(2)</b></p> <p>Justification:</p> <p>Alignment with JAR-FCL rules and correction of instructor certificate credit for instructional techniques (common to all instructor certificates), rather than the type specific theoretical knowledge.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 1020 above.</p>
comment	<p>2129 <span style="float: right;">comment by: <i>British International Helicopters</i></span></p> <p>The TRI Training course requirements seem to be inconsistent with JAR-FCL 2.</p> <p>(b)(1) <b>10</b> hours is the JAR requirement for theoretical knowledge. This is the type specific theoretical knowledge.</p> <p>(b)(2) <b>25</b> hours is the JAR requirement for instructional techniques. This subject requires 25 hours to cover the syllabus.</p> <p>(c) The credit arrangement should apply to the instructional technique course, not the type specific theoretical knowledge course. Change text to "fully credited towards the requirement of <b>(b)(2)</b></p> <p>Justification:</p> <p>Alignment with JAR-FCL rules and correction of instructor certificate credit for instructional techniques (common to all instructor certificates), rather than the type specific theoretical knowledge.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 1020 above.</p>
comment	<p>2223 <span style="float: right;">comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></span></p> <p>FCL.930.TRI TRI rating training course</p> <p>Comment: Requirements (2) and (3) are new from JAR-FCL. Placing the text in AMC would allow for differences in aircraft and philosophies of training Proposal: delete (b) and (c) and transfer into AMC</p>
response	<p><i>Noted</i></p> <p>These requirements already existed in Appendix 1 to JAR-FCL 1.380 (text was amended by draft NPA FCL 36) and Appendix 1 to JAR-FCL 2.320C. Please see also response to comment No 1020 above.</p>
comment	<p>2229 <span style="float: right;">comment by: <i>Nigel Roche</i></span></p> <p>With regard to (c)</p>

(c) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (b)(1).  
The way (b) (1) and (2) are written it is not abundantly clear as to whether the holder of an Instructors Certificate is credited with (1) 25 hours of theoretical knowledge, of which 10 hours would be instructional technique etc.

or

Whether the holder of an Instructors Certificate is only credited with (1) 25 hours of theoretical knowledge only and has to undertake (2) 10 hours of instructional technique etc.

If the former is how the order should be interpreted I would suggest that the order is rephrased:

(1) 25 hours of theoretical knowledge;

(2) of which 10 hours of instructional techniques, including revision of technical knowledge, the preparation of lesson plans and the development of classroom / simulator instructional skills;

If the latter then I would question why a current instructor would need to undertake (2).

I would also question why there is no backstop on giving this easement for applicants who have held an instructors certificate. I would suggest that it is limited to twelve months after the date revalidation has lapsed as per FCL.940.FI (c).

so that:

(c) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of . . .

is altered to read

(c) Crediting

(1) Applicants holding Instructor Certificate shall be fully credited towards the requirement of ....

(2) Applicants who have held an Instructor Certificate which is no more than 12 months out of date shall be fully credited towards the requirement of ....

response

*Noted*

Please see response to comment No 1020 above.

On the issue of the crediting, the Agency follows closely the text of JAR-FCL. At this point the Agency will not change the text from JAR-FCL.

comment

3281

comment by: *DGAC FRANCE*

Part FCL 910 TRI (a), 930 TRI(b)(3) , 935 TRI(b)

The conditions to train and assess a TRI (MPA) in the appropriate aircraft or simulator are not clearly identified and could lead to many different

interpretations.

Regarding FCL 910.TRI (a), FCL. 930. TRI (b) (3), FCL.935TRI (b), a better way of presentation for TRI (MPA) could be to describe three different cases.

These conditions should be linked to the OPS 1.945(d) (ZFTT requirements) to define if there is any restriction on the TRI for that kind of training.

More generally, the TRI /SFI system should be reviewed entirely, because of inconsistencies between the different texts dealing with these items.

To reorganise the conditions for TRI (MPA) in 3 different cases:

**Conditions for TRI (MPA):**

**(a) aircraft only (no simulator available)**

**(1) 5 hours of training on the appropriate type of aircraft**

**(2) a skill test on the appropriate type of aircraft according to Appendix 12 to this part**

**(3) restricted to aircraft training**

**(b) simulator only**

**(1) 10 hours of training on the simulator representing the appropriate type including take off and landing and recovering manoeuvres**

**(2) skill test on the simulator according to Appendix 12 to this part**

**(3) restricted to simulator training, take off, landing and line training on the aircraft**

**(c) simulator with aircraft extension**

**(1) 6 to 8 hours training on the simulator**

**(2) 1 to 2 hours training on the appropriate type of aircraft**

**(3) skill test on simulator and on the aircraft of the appropriate type according to appendix 12 to this part**

**(4) unrestricted**

response *Not accepted*

Thank you for your proposal. After carefully assessing it, the Agency has decided not to follow it at this time, and stay with a closer version to JAR-FCL. Your proposal could nevertheless be the subject of future work.

comment 3855

comment by: *Luftfahrt-Bundesamt*

FCL.930. TRI:

There is no general applicability of FCL.930. TRI (b) (3) to all aircraft. To our understanding flight instruction on a single-pilot aeroplane would be provided by a CRI, so a TRI with regard to single-pilot aeroplane does not exist. We also consider the words "multi pilot multi engine aircraft" somewhat confusing. In case of helicopters for instance, all multi pilot helicopters are required to be multi engine helicopters, but not every multi engine helicopter is a multi pilot helicopter or will be operated with a co-pilot. So does the requirement comprise multi engine aircraft in every case or only in case of being required to be operated by a multi pilot flight crew? For clarification we suggest deleting the words "multi engine".

Furthermore, as far as multi pilot helicopters are concerned, the idea of doubling the amount of flight hours required (just based on the fact of a

	second pilot) is not supported (see our comment on FCL.720.H and our general comment). We recommend a revision of the requirement and suggest a differentiation according to the types of aircraft.
response	<p><i>Partially accepted</i></p> <p>Regarding the first part of your comment, the Agency considers that the text provides enough clarity.</p> <p>The second element of your comment regarding deletion of 'multi-engine' is accepted and the text will be amended accordingly.</p> <p>The third element of your comment is not accepted by the Agency as it stems directly from the transposition of JAR-FCL 2.</p>

comment	<p>4411 <span style="float: right;">comment by: <i>Bond Offshore Helicopters</i></span></p> <p>The TRI Training course requirements seem to be inconsistent with JAR-FCL 2.  (b)(1) <b>10</b> hours is the JAR requirement for theoretical knowledge. This is the type specific theoretical knowledge.  (b)(2) <b>25</b> hours is the JAR requirement for instructional techniques. This subject requires 25 hours to cover the syllabus.  (c) The credit arrangement should apply to the instructional technique course, not the type specific theoretical knowledge course. Change text to "fully credited towards the requirement of <b>(b)(2)</b>  Justification:  Alignment with JAR-FCL rules and correction of instructor certificate credit for instructional techniques (common to all instructor certificates), rather than the type specific theoretical knowledge.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment 1020 above.</p>

comment	<p>4487 <span style="float: right;">comment by: <i>AEA</i></span></p> <p>Relevant Text:  (a) An applicant for a TRI certificate shall have completed at an approved training organisation a course of theoretical knowledge instruction and flight training.  (b) The course shall include, at least:  (1) 25 hours of theoretical knowledge;  (2) 10 hours of instructional techniques, including revision of technical knowledge, the preparation of lesson plans and the development of classroom / simulator instructional skills;  (3) 5 hours of flight instruction in the appropriate aircraft or a simulator representing that aircraft for single pilot aircraft and 10 hours for multi pilot multi engine aircraft or a simulator representing that aircraft.  (c) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (b)(1).  <b>Comment:</b>  Requirements (2) and (3) are new from JAR-FCL. Instructional techniques and flight training are useful in the TRI course but the amount of hours is much more too demanding.</p>
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	<p><b>Proposal:</b> Change the new requirements into a syllabus (2) Instructional techniques:</p> <ul style="list-style-type: none"> <li>• revision of technical knowledge,</li> <li>• the preparation of lesson plans</li> <li>• the development of classroom/simulator instructional skills.</li> </ul> <p>If a TRI rating for multi-pilot aircraft is sought, particular attention shall be given to multi-crew cooperation; (3) Flight training: flight instruction in the appropriate aircraft or a simulator representing that aircraft</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 1020 above.</p>
comment	<p>4655 <span style="float: right;">comment by: <i>Héli-Union</i></span></p> <p>The TRI Training course requirements seem to be inconsistent with JAR-FCL 2. (b)(1) <b>10</b> hours is the JAR requirement for theoretical knowledge. This is the type specific theoretical knowledge. (b)(2) <b>25</b> hours is the JAR requirement for instructional techniques. This subject requires 25 hours to cover the syllabus. (c) The credit arrangement should apply to the instructional technique course, not the type specific theoretical knowledge course. Change text to "fully credited towards the requirement of <b>(b) (2)</b> Justification:</p> <p>Alignment with JAR-FCL rules and correction of instructor certificate credit for instructional techniques (common to all instructor certificates), rather than the type specific theoretical knowledge.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment 1020 above.</p>
comment	<p>4875 <span style="float: right;">comment by: <i>HUTC</i></span></p> <p>The TRI Training course requirements seem to be inconsistent with JAR-FCL 2. (b)(1) <b>10</b> hours is the JAR requirement for theoretical knowledge. This is the type specific theoretical knowledge. (b)(2) <b>25</b> hours is the JAR requirement for instructional techniques. This subject requires 25 hours to cover the syllabus. (c) The credit arrangement should apply to the instructional technique course, not the type specific theoretical knowledge course. Change text to "fully credited towards the requirement of <b>(b) (2)</b> Justification:</p> <p>Alignment with JAR-FCL rules and correction of instructor certificate credit for instructional techniques (common to all instructor certificates), rather than the type specific theoretical knowledge.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment 1020 above.</p>
comment	<p>5319 <span style="float: right;">comment by: <i>ECA- European Cockpit Association</i></span></p>

	<p>Add text:  (c) Applicants holding or having held an instructor certificate <b><u>in the same aircraft category</u></b> shall be fully credited towards the requirement of (b)(1).</p> <p>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 of different aircraft category to train professional pilots.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 1020 above.</p>
comment	<p>5431 <span style="float: right;">comment by: CAA Belgium</span></p> <p>There is no general applicability of FCL.930. TRI (b) (3) to all aircraft. To our understanding flight instruction on a single-pilot aeroplane would be provided by a CRI, so a TRI with regard to single-pilot aeroplane does not exist. We also consider the words "multi pilot multi engine aircraft" somewhat confusing. In case of helicopters for instance, all multi pilot helicopters are required to be multi engine helicopters, but not every multi engine helicopter is a multi pilot helicopter or will be operated with a co-pilot. So does the requirement comprise multi engine aircraft in every case or only in case of being required to be operated by a multi pilot flight crew? For clarification we suggest deleting the words "multi engine".</p> <p>Furthermore, as far as multi pilot helicopters are concerned, the idea of doubling the amount of flight hours required (just based on the fact of a second pilot) is not supported (see our comment on FCL.720.H and our general comment). We recommend a revision of the requirement and suggest a differentiation according to the types of aircraft.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 3855 above.</p>
comment	<p>5705 <span style="float: right;">comment by: FNAM (Fédération Nationale de l'Aviation Marchande)</span></p> <p>As expressed before and in a general extend, the qualification of minimum amount of hours should be addressed in AMC.  Only a syllabus should be described in IR:  "(2) Instructional techniques:</p> <ul style="list-style-type: none"> <li>• Revision of technical knowledge</li> <li>• The preparation of lesson plans</li> <li>• The development of classroom/simulator instructional skills</li> </ul> <p>If a TRI rating for multi-pilot aircraft is sought, particular attention shall be given to multi-crew cooperation;</p> <p>Flight training: flight instruction in the appropriate aircraft or a simulator representing that aircraft."</p>
response	<p><i>Noted</i></p> <p>As for your remark regarding the minimum hours for the training, the Agency considers that it is adequate to keep them in the rule.  As for the specific mention to multi-crew cooperation, it is included in AMCs No</p>

1 and 2 to FCL.930.TRI.

comment 5843 comment by: UK CAA

**Paragraph:** FCL.930.TRI

**Page No\*:** 55

**Comment:** Reduce 5 hours flight instruction requirement of TRI course to 2 hours for non HPA aeroplane types, for existing holders of an applicable instructor's certificate.

**Justification:** 5 hours is more than necessary in non HPA types for existing instructors.

**Proposed Text: (if applicable)**

(d)(1) Applicants for multi engine TRI (SPA), where the aeroplane is not certificated as high performance aeroplane (HPA), holding a valid FI or CRI for multi engine aeroplanes shall be credited with 3 hours towards the requirement of (b)(2)

(d)(2) Applicants for single engine TRI (SPA), where the aeroplane is not certificated as high performance aeroplane (HPA), holding a valid FI or CRI shall be credited with 3 hours towards the requirement of (b)(2)

response *Partially accepted*

The Agency has carefully reviewed your proposals in relation to TRI, CRI and SFI privileges, and the connection with training for single-pilot aeroplanes in multi-pilot operations.

Taking also into account the need to cover other aspects related to very light jets and other high performance complex aeroplanes, the Agency has decided to create a new TRI(SPA).

The provisions for this new category of instructor have been developed based on the comments received and on the work of experts contracted by the Agency.

Please see amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.

comment 5847 comment by: UK CAA

**Paragraph:** FCL.930.TRI (c)

**Page No\*:** 55 of 647

**Comment:** Paragraph c is too loose, the instructor privileges may not have been exercised for a short **or** a very long period of time. Therefore, a time limit should be included to ensure refresher training is given prior to the next TRI training course.

**Justification:** If an instructor has not exercised the privileges of his instructor certificate within, say, the last 5 years, he will need refresher training.

**Proposed Text: (if applicable)**

"(c) Applicants holding or having held *within the last 5 years*, an instructor certificate....."

response *Noted*

Please see response to comment No 2229 above.

comment 6310 comment by: Axel Schwarz

Credits of (c) should be rather for the teaching and learning part of the TRI

response	<p>course (b)(2) instead of (b)(1).</p> <p><i>Noted</i></p> <p>Please see response to comment No 1020 above.</p>
comment	<p>6915 <span style="float: right;">comment by: CAA CZ</span></p> <p>FCL.930.TRI (b)(2) a (b)(3) It should be specified more in detail how many hours of training (or ratio) is required and on which device (classroom/simulator/aircraft).</p>
response	<p><i>Noted</i></p> <p>Further details can be found in the AMC to this paragraph.</p>
comment	<p>7132 <span style="float: right;">comment by: CHC Europe EASA Ops Team - representing 550 pilots across Europe</span></p> <p>The TRI Training course requirements seem to be inconsistent with JAR-FCL 2. (b)(1) <b>10</b> hours is the JAR requirement for theoretical knowledge. This is the type specific theoretical knowledge. (b)(2) <b>25</b> hours is the JAR requirement for instructional techniques. This subject requires 25 hours to cover the syllabus. (c) The credit arrangement should apply to the instructional technique course, not the type specific theoretical knowledge course. Change text to "fully credited towards the requirement of <b>(b)(2)</b>" Justification:  Alignment with JAR-FCL rules and correction of instructor certificate credit for instructional techniques (common to all instructor certificates), rather than the type specific theoretical knowledge.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 1020 above.</p>
comment	<p>7533 <span style="float: right;">comment by: FlightSafety International</span></p> <p>1. Requirements (2) and (3) are new from JAR-FCL. Placing (b) and (c) in AMC allows for differences in aircraft and philosophies of training and further opportunities for an alternate means of compliance  Delete (b) and (c) and transfer into AMC  2. Does not make provision for the conduct of training by instructors who do not hold an EASA licence or instructor certificate. Many organizations use instructors and facilities outside the EU and there are no safety impact with the training. The intent of the EC is to replicate the current JAR-FCL in Part FCL. Insert (b) (after deleted for above) for training conducted outside member states by instructors not holding an instructor certificate issued under this Subpart. Copy Appendix 1 to JAR-FCL 1.300 transferring the text or in the AMC</p>
response	<p><i>Noted</i></p> <p>1. Please see the reply to comments 2223 and 1020 above.</p>

2. Please see the reply to comments on this issue in FCL.900, and the amended text.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 4: Specific requirements for the type rating instructor — FCL.935.TRI TRI — Skill test**

p. 55

comment

75

comment by: *Michel Lacombe AF TRTO*

We can agree that the skill test described in Appendix 12, is very well adapted to check the skills for an instructor flying the plane with a student pilot in command.

But everybody shall admit, that is not adapted to control the skills we need for others types of instructors like MCCI, restricted TRI or even SFI (who will never instruct on an aircraft).

The project explains that the MCCI have to practice 3 hours of practical instruction, which may be flight instruction or MCC instruction on the relevant FNPT, FTD 2/3 or FFS, under the supervision of a TRI, SFI or MCCI nominated by the training organization for that purpose. These hours of instruction under supervision shall include the assessment of the applicant's competence as described in FCL.920(a).

We may take the same spirit for the "restricted TRI" or the SFI to propose an amendment of the FCL 935.

**FCL 935 TRI -Skill test**

(a) An applicant for a TRI certificate shall conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of a TRI(MPA) on the applicable type of flight simulator 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, post-flight and theoretical knowledge instruction.

(b) The TRI certificate will be restricted to exclude emergency/abnormal procedure training in an aircraft.

(c) To remove this restriction the holder of a TRI(A) restraint shall, before been trained on the plane, pass on simulator a skill test (as described in Appendix 12) to demonstrate, to a type rating examiner qualified for this purpose, his ability to instruct a pilot from the copilot seat.

response

*Noted*

After having carefully reviewed the comments on instructor skill tests as well as the comments on Appendix 12, the Agency has concluded that there is a need to change the initial proposal (as introduced in NPA FCL 36) related to skill tests/proficiency checks for instructors and to Appendix 12.

The main reason for this is the fact that this Appendix was indeed based on a JAR-FCL Appendix that was based on JAR-FCL text that was originally meant just for the FI. The comments received clearly indicate that it is not adequate to all categories of instructors.

Therefore, the Agency has decided to:

- change the name of instructors' skill tests to 'assessment of competence';
- include a general paragraph in Section 1 on the assessment of competence.

Specific paragraphs for the various instructor categories will only exist where necessary;

- transfer part of the content of Appendix 12 into AMC. Some of the paragraphs of this Appendix may be transferred to paragraphs in Subpart J on assessment for instructors, but the content of the skill test as determined in the table will be part of an AMC applicable to the FI only.

It is possible that in the future further AMC material for other categories of instructor will be developed.

Therefore, the text of FCL.TRI.935 will be limited to the provisions on the restriction of privileges.

Concerning your comment on this aspect, the text in the Agency's proposal is coming from draft NPA FCL 36, which was approved by the LST and agreed to be included in the text of Part-FCL, as described in the Explanatory note to the NPA FCL. The agency does not intend to change at this time the text that was agreed at the LST.

As for your proposal for the removal of the limitation, it is not adapted to the limitation as foreseen in the text, and therefore cannot be accepted.

However, the Agency agrees that a way to remove the limitation needs to be included in the text, and therefore the text will be amended to say that the limitation may be removed if the TRI has passed an assessment of competence in the aircraft.

comment

269

comment by: *Michel Lacombe AF TRTO*

When we read the AMC n°1 to FCL 930 TRI, we can see that in this AMC the skill test are conducted in simulator. And after this skill test the training on plane is started with as completion only a flight to be conducted under supervision, and we agree with that.

But that means that text FCL 935-TRI paragraph b) is not in compliance with the idea behind the AMC.

In fact it is not the fact that the skill test has been taken on simulator that's restraint the certificate but the fact that the training on the aircraft has not been completed.

New text :

FCL 935 . TRI

a) idem

b) Once the skill test passed, the TRI certificate shall be restricted to normal operations in line or to instruction in simulators until the training on aircraft has been satisfactorily completed.

response

*Noted*

Please see the reply to your comment 75 above.

comment

1022

comment by: *CAA Belgium*

(b) The skill test is nearly always to be taken in a simulator.

We propose to delete (b) and replace it by an additional mention under FCL.930 TRI Training course: "*if the training is carried out in a flight simulator only, the TRI certificate will be restricted....*"

as provided in JAR-FCL

response	<p><i>Noted</i></p> <p>Please see the reply to comment 75 above.</p>
comment	<p>1279 <span style="float: right;">comment by: <i>Ryanair</i></span></p> <p>Existing SFI/TRI MPA testing procedures that have been developed between the IAA and Ryanair meet the requirements of this Part. However, due to the "one test fits all" approach to the content and processes contained in Appendix 12, this well proven process does not fit the requirements in the Appendix. It is assumed that Appendix 12 has the force of a Rule and must be complied with.</p> <p>Could some consideration be given to changing the status of Appendix 12 from an Appendix to an AMC? If this were the case we would comply with the Rule and we could propose our existing testing procedures as an Alternative Means of Compliance.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 75 above.</p>
comment	<p>1633 <span style="float: right;">comment by: <i>Finnair</i></span></p> <p><b>FCL.935.TRI TRI Skill Test</b></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.</p> <p>(b) If the test is conducted in a simulator, the TRI certificate shall be restricted to instruction in simulators.</p> <p><i>According to current rules TRI`s are classified to TRI or TRI restricted. TRI restricted can instruct in the simulator and in an aeroplane (provided no abnormal situations or emergencies are simulated). Since zero flight time training is becoming more and more common, airlines and TRTO`s do need TRI restricted. If there is a need for a training flight (base flight), it consists of normal landings only.</i></p> <p><i>A qualified TRI or (TRI restricted) is required during the first four take offs and landings in an aeroplane after zero flight time type rating course. According to this NPA a "full" TRI rating is required because training is performed in an aeroplane. This new text will cause extra, unnecessary costs to TRTO`s and airlines.</i></p> <p>PROPOSED TEXT:  <del><i>(b) If the test is conducted in a simulator, the TRI certificate shall be restricted to instruction in simulators.</i></del></p> <p>Remove the requirement</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 75 above.</p>

comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2237</p> <p>Page: 55 FCL935.TRI</p> <p>Comment: The information in Appendix 12 is not relevant and appropriate to a TRI Competency Assessment Nomenclature "Skill Test" is confusing.</p> <p>Proposal: For "Skill Test" replace with "Competency Assessment" and replace current contents of Appendix 12 with the "Competency Assessment" Methodology in AMC 920</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 75 above.</p>
comment	<p>2404</p> <p>comment by: <i>Henk van den Berg</i></p> <p>New in FCL, compared with JAR-FCL is the TRI/SFI skill test. For several reasons we think it will not be necessary to conduct this TRI/SFI skill test.</p> <p>First of all the TRI/SFI training course has expanded, which we think is a good idea, and the TRI applicant will do 10 hours (MPA) of instruction under supervision of a TRI (currently notified by the authority). In our opinion this process (FCL930.TRI and SFI) will be sufficient for training and qualifying new instructors. That means after the applicant TRI/SFI has completed FCL.930.TRI/SFI with a qualified TRI/SFI and has shown that he/she qualifies as a TRI the training should be finished and the qualification should be added to the license.</p> <p>An experienced TRI has all capabilities to fulfill this task and sign off a TRI or SFI. Conducting an TRI/SFI skill test on top does not add more quality to this process and may even slowdown the process. A lot of new pilots need to be trained in the future and that means a lot of (new) instructors are required. There is already a shortage of instructors currently, a TRE is even harder to get. We think this will create waiting lists which will not benefit the pilot training process.</p> <p>We think finalizing the training with an experienced TRI during the training under supervision (like we have done for many years) will be sufficient to enable us to expand with high quality new TRI and SFI.</p>
response	<p><i>Noted</i></p> <p>The requirement for an assessment of competence for the TRI is in fact not new; it existed in JAR-FCL 2. When developing the requirements for instructors, the Agency decided to harmonise the requirements between aeroplanes and helicopters and require this for the TRI(A) also. Please see also the reply to comment 75 above.</p>
comment	<p>3282</p> <p>comment by: <i>DGAC FRANCE</i></p>

Part FCL 910 TRI (a), 930 TRI(b)(3) , 935 TRI(b)

The conditions to train and assess a TRI (MPA) in the appropriate aircraft or simulator are not clearly identified and could lead to many different interpretations.

Regarding FCL 910.TRI (a), FCL. 930. TRI (b) (3), FCL.935TRI (b), a better way of presentation for TRI (MPA) could be to describe three different cases.

These conditions should be linked to the OPS 1.945(d) (ZFTT requirements) to define if there is any restriction on the TRI for that kind of training.

More generally, the TRI /SFI system should be reviewed entirely, because of inconsistencies between the different texts dealing with these items.

To reorganise the conditions for TRI (MPA) in 3 different cases:

**Conditions for TRI (MPA):**

**(a) aircraft only (no simulator available)**

**(1) 5 hours of training on the appropriate type of aircraft**

**(2) a skill test on the appropriate type of aircraft according to Appendix 12 to this part**

**(3) restricted to aircraft training**

**(b) simulator only**

**(1) 10 hours of training on the simulator representing the appropriate type including take off and landing and recovering manoeuvres**

**(2) skill test on the simulator according to Appendix 12 to this part**

**(3) restricted to simulator training, take off, landing and line training on the aircraft**

**(c) simulator with aircraft extension**

**(1) 6 to 8 hours training on the simulator**

**(2) 1 to 2 hours training on the appropriate type of aircraft**

**(3) skill test on simulator and on the aircraft of the appropriate type according to appendix 12 to this part**

**(4) unrestricted**

response *Not accepted*

Thank you for your proposal. After carefully assessing it, the Agency has decided not to follow it at this time, and stay with a closer version to JAR-FCL.

Your proposal could nevertheless be the subject of future work.

The Agency had decided to change the name of instructors' skill tests to 'assessment of competence' (see the first part of the reply to comment 75 above).

comment 3856

comment by: Luftfahrt-Bundesamt

FCL.935. TRI:

FCL.935. TRI needs clarification:

Is it correct to understand that for a TRI(A) rating the applicant has to follow the course according to AMC No 1 to FCL.930.TRI and to:

- pass a skill test according to FCL.935.TRI (a),
- pass a skill test to demonstrate the competencies listed in FCL.920 (a) and to

- conduct a training flight under the supervision and to satisfaction of authority designated TRI(A) according to item 10 of the AMC No 1 to FCL.930.TRI?

That would mean 3 skill tests/assessments. Is that really intended?

Furthermore, according to FCL.935.TRI(a) an applicant for a TRI certificate shall pass a skill test conducted by a TRE (not an FIE!) **qualified for this purpose.** What are the qualification requirements towards the holder of a TRE certificate for this purpose/privilege?

The requirements according to FCL.935 appear to be new licensing requirements for aeroplane pilots and seem to be copied from JAR-FCL2 (amendment 4 and after). Is it intended to apply them to the aeroplane requirements? There appears to be an undesired mix of skill test and assessment where authorities will be involved without any obvious benefit. To our knowledge lean and unbureaucratic JAR-FCL1 requirements (up to amendment 7) have fitted well into the demand of the civil market without any indication of being unsafe concerning these requirements.

The requirement Stated in FCL.935.TRI(b) would turn the TRI into a SFI. Please indicate means or additional requirements in order to delete the restriction to instruct in simulators only and to become an unrestricted TRI again (take part of the TRI skill test or the whole skill test in an aircraft?).

response *Partially accepted*

Thank you for your comment.

There was some inconsistency between the text of AMC No 1 to FCL.930.TRI and the paragraphs in the rule. The text of the AMC has been amended to ensure consistency.

The TRI has to pass only one assessment of competence that will include the elements of FCL.920.

As for the competence to conduct the assessment, please see Subpart K: the TRE has the competence to conduct assessments for the TRI.

For the remaining elements of your comment, regarding the limitation of privileges of the TRI, please see the reply to comment 75 above.

comment 3980

comment by: DGAC FRANCE

FCL.935.TRI (b)

Go back to previous wording from JAR-FCL 1.360(b). If not how would it be possible to perform the first 4 take-off and landing in the line flying under supervision phase of the ZFT training with a TRI !

(same comments as FCL.910.TRI (a))

(a) If the test is conducted in a simulator, the TRI certificate shall be restricted to instruction ~~in simulators.~~ **to exclude emergency/abnormal procedure training in an aircraft.**

response *Noted*

Please see the reply to comment 75 above.

comment	<p>5334 <span style="float: right;">comment by: <i>ECA- European Cockpit Association</i></span></p> <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. <b><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></b></p> <p>Justification: 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>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 75 above.</p>
comment	<p>5432 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>FCL.935. TRI needs clarification: Is it correct to understand that for a TRI(A) rating the applicant has to follow the course according to AMC No 1 to FCL.930.TRI and to:</p> <ul style="list-style-type: none"> <li>· pass a skill test according to FCL.935.TRI (a),</li> <li>· pass a skill test to demonstrate the competencies listed in FCL.920 (a) and to</li> <li>· conduct a training flight under the supervision and to satisfaction of authority designated TRI(A) according to item 10 of the AMC No 1 to FCL.930.TRI?</li> </ul> <p>That would mean 3 skill tests/assessments. Is that really intended?</p> <p>Furthermore, according to FCL.935.TRI(a) an applicant for a TRI certificate shall pass a skill test conducted by a TRE (not an FIE!) <b><u>qualified for this purpose.</u></b> What are the qualification requirements towards the holder of a TRE certificate for this purpose/privilege?</p> <p>The requirements according to FCL.935 appear to be new licensing requirements for aeroplane pilots and seem to be copied from JAR-FCL2 (amendment 4 and after). Is it intended to apply them to the aeroplane requirements? There appears to be an undesired mix of skill test and assessment where authorities will be involved without any obvious benefit. To our knowledge lean and unbureaucratic JAR-FCL1 requirements (up to amendment 7) have fitted well into the demand of the civil market without any indication of being unsafe concerning these requirements.</p> <p>The requirement Stated in FCL.935.TRI(b) would turn the TRI into a SFI. Please indicate means or additional requirements in order to delete the restriction to instruct in simulators only and to become an unrestricted TRI again (take part of the TRI skill test or the whole skill test in an aircraft?).</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 3856 above.</p>

comment	<p>5707 comment by: <i>FNAM (Fédération Nationale de l'Aviation Marchande)</i></p> <p>&lt;![endif]--&gt; JAR.FCL.1.365 does not require a test for the issue of a TRI rating.</p> <p>No assessment is made demonstrating this would improve safety.</p> <p>An assessment should be provided or this article suppressed or changed. The impact of the suppression of the skill test in FCL 935.TRI should also be cascaded in related articles.</p>
response	<p><i>Noted</i></p> <p>Please see the replies to comments 2404 and 75 above.</p>

comment	<p>5844 comment by: <i>UK CAA</i></p> <p><b>Paragraph:</b> FCL.935.TRI (a) <b>Page No:</b> 55 of 647 <b>Comment:</b> Elsewhere the testing of the TRI is conducted by an FIE but here it is by a TRE. The FIE should be able to conduct tests for the issue and revalidation of single pilot helicopter TRIs but not multi-pilot TRIs. <b>Justification:</b> The FIE is not normally associated with multi-pilot operations or training and therefore their privileges should be restricted to single pilot testing. The paragraph needs breaking down into two subparagraphs. <b>Proposed Text: (if applicable)</b> (a)     (1) <i>For multi-pilot aeroplane, powered lift aircraft and multi-pilot helicopter tests, the applicant for a TRI certificate shall.....</i>     (2) <i>For single-pilot helicopter instructor tests, the applicant for a TRI certificate shall pass a skill test to demonstrate to either a FIE or a TRE qualified for this purpose, his ability to .....</i></p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 75 above.</p> <p>The competent examiners are indicated in Subpart K.</p>

comment	<p>6099 comment by: <i>British Airways</i></p> <p>FCL.935.TRI. (b)</p> <p>The restriction of priveleges, if the skill test is conducted in a FFS, is far too restrictive. In operators that conduct the majority of the training as ZFTT the Agency is imposing additional aircraft training for its instructors. This has both an enviromental and safety impact.</p> <p>AMC No 1 to FCL.930.TRI includes all the skills required to undertake training on the aircraft under normal line operations, e.g. Over controlling, baulked landings. It would be inappropriate and be environmentally unacceptable to repeat all of these procedures on board an aircraft under the assessment of a TRI (A) when the candidate has already demonstrated his competence in those ares in the simulator.</p> <p>If the Skill test(Competency assessment) is conducted in a FFS then any instruction, by the TRI, on the aircraft should be restricted to normal line</p>
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operations. This will ensure that the requirement for a TRI(A) to conduct the first 4 sectors of LFUS following a ZFTT course will be allowed without the requirement for aircraft training on the TRI course.

Should any non normal/base training be required, then further training on an aircraft is required before the TRI (A) can exercise those privileges.

Suggestion:

Replace FCL.935.TRI (b) with:

If the Skill test (Competency assessment) is conducted in a FFS then any instruction, by the TRI, on the aircraft should be restricted to normal line operations.

and refer to my comments on FCL.910.TRI(a)

response *Noted*

Please see the reply to comment 75 above.

comment 6308❖

comment by: *Axel Schwarz*

A restricted TRI should be allowed to instruct on any type of FSTD (FFS, FTD, FNPT) instead of being restricted to FFS only. The same replacement (FSTD instead of FFS) applies to the privileges of an SFE.

response *Noted*

The Agency has followed the provisions of JAR-FCL, and does not intend to change them at this time.

Please note also that the Agency will conduct a revision of all the references to the different kind of FSTDs in Part-FCL to ensure consistency.

comment 6419

comment by: *DCAA*

FCL.935.TRI The content of the TRI Skill Test shall be specified. Skill Test form needed

response *Noted*

Please see the reply to comment 75 above.

comment 6783

comment by: *CAA Finland*

FCL.935.TRI(b):

Normal landing circuit training shall be the privilege (my comment FCL.910.TRI) for a TRI. Based on FCL.915(b)(3) he/she is on PIC level. Paragraph (b) should be removed.

response *Noted*

Please see the reply to comment 75 above.

comment 7065

comment by: *Oxford Aviation Academy*

**Subpart J. Section 4. FCL.935. TRI**

Change to same writing as in present JAR-FCL 1.364 (a) (4)

have conducted on a complete type rating course at least 3 hrs of flight instruction related to the duties of a TRI (A) on the applicable type of aeroplane under the supervision and to the satisfaction of a TRI(A) notified by the Authority for this purpose.

response *Noted*

Please see the reply to comment 75 above.

comment 7269

comment by: UK CAA

**Paragraph:** FCL.935.TRI (b)

**Page No:** 55 of 647

**Comment:** If the test is conducted in a simulator then the TRI certificate should include the no emergency/abnormal restriction. See UK CAA comment on FCL.910.TRI(b)(3).

**Justification:** There is no safety case that concludes that this would affect flight safety. If the TRI wished to have the restriction lifted they would have to conduct training and test in the aircraft.

**Proposed Text: (if applicable)**

'If the TRI test is carried out in a FFS only, the privileges of the TRI shall be restricted to exclude emergency/abnormal procedure training in an aircraft.'

response *Noted*

Please see the reply to comment 75 above.

comment 7534

comment by: FlightSafety International

The information in Appendix 12 is not relevant and appropriate to a TRI Competency Assessment  
Nomenclature "Skill Test" is confusing.

For "Skill Test" replace with "Competency Assessment" and replace current contents of Appendix 12 with the "Competency Assessment" Methodology in AMC 920

response *Noted*

Please see the reply to comment 75 above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 4: Specific requirements for the type rating instructor — FCL.940.TRI TRI — p. 55-56  
Revalidation and renewal**

comment 329

comment by: Michel Lacombe AF TRTO

Numbering error.

(d) *Renewal*. If the certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

(1) attend an instructor refresher seminar;

~~(3)~~ **(2)** pass, as a proficiency check, the relevant sections of the skill test set out Appendix 12 to this

Part.

response	<p><i>Accepted</i></p> <p>Editorial amended.</p>
comment	<p>645 <span style="float: right;">comment by: <i>British Microlight Aircraft Association</i></span></p> <p>Comment: All revalidation periods and requirements should be consistent. There are differences between ratings with regard to the period between required proficiency checks. This is unsafe and will cause confusion.</p> <p><i>"(b) For the first and at least each alternate subsequent revalidation of a TRI certificate, the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part."</i></p> <p>For clarity and consistency the pre-course requirements should be the same for all the instructor ratings.</p>
response	<p><i>Noted</i></p> <p>The difference in the prerequisites for the different categories of instructor, as well as in the requirements for revalidation is coming from JAR-FCL 1 and 2, where they were established on the basis of an assessment, taking into account the different privileges of the different categories of instructors. The Agency does not intend to change the provisions of JAR-FCL at this time without a dedicated assessment.</p>
comment	<p>1133 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>Question: a TRI for 2 types of aeroplanes does he has to fullfill all requirements on both types of aircraft ? Is not very clear.</p>
response	<p><i>Noted</i></p> <p>See response to comment No 5340.</p>
comment	<p>1280 <span style="float: right;">comment by: <i>Ryanair</i></span></p> <p>Sub paragraph (3) seems to suggest that there is a difference in content between the Skills Test in Appendix 12 and the proficiency check discussed in this paragraph. It is not apparent from the Parts or Appendix 12 what these differences are and how the proficiency check is to be managed.</p> <p>Please see our proposal in relation to the skills test/proficiency check submitted in relation to Appendix 12.</p>
response	<p><i>Partially accepted</i></p> <p>After having carefully reviewed the comments on instructor skill tests, as well as the comments on Appendix 12, the Agency has concluded that there is a need to change the initial proposal (as introduced in NPA FCL 36) related to skill tests/proficiency checks for instructors and to Appendix 12.</p> <p>The main reason for this is the fact that this Appendix was indeed based on a JAR-FCL Appendix that was based on JAR-FCL text which was originally meant just for the FI. The comments received clearly indicate that it is not adequate to all categories of instructors.</p>

Therefore, the Agency has decided to:

- change the name of instructors' skill tests to 'assessment of competence';
- include a general paragraph in Section 1 on the assessment of competence. Specific paragraphs for the various instructor categories will only exist where necessary;

- transfer part of the content of Appendix 12 into AMC. Some of the paragraphs of this Appendix may be transferred to paragraphs in Subpart J on assessment for instructors, but the content of the skill test as determined in the table will be part of an AMC applicable to the FI only.

It is possible that in the future further AMC material for other categories of instructor will be developed.

comment 1328 comment by: *Bristow Helicopters*

(d)(1) attend an instructor refresher seminar **or refresher training at the discretion of the Head of Training of an approved organisation;**

Justification:

Where access to a seminar within an appropriate time frame is not available, an option should be for refresher training as required followed by the proficiency check.

response *Partially accepted*

Thank you for providing your opinion.

The Agency carefully reviewed the comments on this issue and further discussed this topic with the experts. It was finally decided to stay as close as possible with the requirements already in place with JAR-FCL (for the TRI revalidation the term 'refresher training' was used).

Since also in other sections of the NPA the expression refresher training is used (refresher seminar only for LAFI, FI and SFI), the Agency will amend the paragraph to mention an instructor refresher training, which should be performed in a training organisation, in accordance with an adequate training programme. The proposed term 'seminar' will be deleted.

comment 2130 comment by: *British International Helicopters*

(d)(1) attend an instructor refresher seminar **or refresher training at the discretion of the Head of Training of an approved organisation;**

Justification:

Where access to a seminar within an appropriate time frame is not available, an option should be for refresher training as required followed by the proficiency check.

response *Partially accepted*

Thank you for providing your opinion.

Please see the response to comment No 1328 in the same segment above.

comment 2235 comment by: *Nigel Roche*

With regard to (d)

(d) *Renewal*. If the certificate has lapsed, the applicant shall, within a period of

12 months before  
renewal:

(1) attend an instructor refresher seminar;

(3) pass, as a proficiency check, the relevant sections of the skill test set out  
Appendix 12 to this  
Part.

Firstly it should read (2) not (1)

Secondly it is poorly worded, a TRI who wishes to continue training has to  
revalidate within the 12 months preceding the expiry date of his/her  
Instructing certificate.

This is covered in (a) (1) (2) and (3)

(d) was implemented to allow an instructor who's Certificate has lapsed to  
regain the certificate without undergoing a full course of training PROVIDED it  
was renewed within 12 months of the expiry date.

I would suggest that paragraph (d) is reworded as follows.

(d) *Renewal*. If the TRI certificate has lapsed, the applicant shall, within a  
period of 12 months after the expiry date, be eligible to renew the certificate  
by:

(i) attend an instructor refresher seminar as per (a) (2) above

(ii) pass a proficiency check in accordance with Appendix 12 to this Part as per  
(a) (3) above

response

*Noted*

Thank you for providing your input.

The Agency has amended the text to make it more clear.

However it should be highlighted that the text is copied from the JARs, which  
did not contain the requirement to renew within 12 months following the expiry  
date. The Agency does not intend to change this requirement at this moment,  
without a dedicated assessment.

The requirement as it is written is asking for the renewal criteria to be fulfilled  
within the last 12 months before the renewal date.

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters,  
Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International,  
2238 IAAPS (International Association of Aviation Personnel Schools), IACA,  
IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group  
Airlines)*

Page 55: FCL940TRI (a) (3) and (b)

Comment: The information in Appendix 12 is not relevant and appropriate to a  
TRI Competency Assessment  
Nomenclature "Skill Test" is confusing.

Proposal: For "Skill Test" replace with "Competency Assessment" and replace

	current contents of Appendix 12 with the "Competency Assessment" Methodology in AMC 920
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 1280 in the same segment above.</p>
comment	<p>2274 <span style="float: right;">comment by: <i>Bundespolizei-Fliegergruppe und Polizeihubschrauberstaffeln/ -fliegerstaffeln der Länder</i></span></p> <p>Die neue Regelung stellt eine deutliche Verschlechterung gegenüber der in der Bundesrepublik Deutschland gültigen deutschen Fassung der JAR-FCL 2 Amdt.2 dar. Gem. JAR-FCL 2.370 kann die Flugausbildung/Schulung sowohl während eines vollständigen Lehrganges für Musterberechtigungen als auch während einer Auffrischungsschulung bzw. einer wiederkehrenden Schulung geleistet werden, wie der u.a. Text belegt.</p> <p>Der Begriff "flight instruction" sollte neben der Mustereinweisung auch Standardisierungen und wiederkehrende Schulungen auf diesem Muster umfassen.</p> <p>Vorschlag:</p> <p>(1) complete 50 hours of <u>flight instruction</u> in the appropriate aircraft category or FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the TRI certificate. <b>The flight instruction includes type ratings, standardisations and recurrent trainings.</b></p> <p>In the case of TRI(MPA) and TRI(PL), these hours of flight instruction shall be flown as a type rating instructor or examiner, or synthetic flight instructor or examiner. In the case of TRI(H) time flown as flight instructor, instrument rating instructor, synthetic training instructor or as any kind of examiner shall also be relevant for this purpose;</p>
response	<p><i>Not accepted</i></p> <p>The requirements in JAR-FCL 2 have changed considerably since Amendment 2. The Agency is transposing Amendment 6 together with NPA FCL-34 and NPA FCL-36, therefore you can no longer refer to Amendment 2 of JAR-FCL 2, even though this is the current Amendment applicable in Germany.</p> <p>The hours to be considered flight instruction are already defined in the second paragraph of this rule.</p>
comment	<p>3067 <span style="float: right;">comment by: <i>Peter SCHMAUTZER</i></span></p> <p>This is a chance in relation to the JAR-FCL, which implies further burden to maintain the FI-Licence. There is not to see which objective will be reached if FI's have to make every second revalidations a new examination according to Appendix 12. It is sufficient if FI's are obliged to make a refresher seminar or a proficiency check according to Appendix 12. It makes no sense to demand new full examinations after a certain period of time. It is sufficient, that the ability of a person is checked at refresher seminars or proficiency checks. Obviously is</p>

	<p>not taken into account that the majority of examiners and instructors are working in the General Aviation. If there are less instructors and examiners so the costs will rise also for all participants in the General Aviation.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, it seems that this comment should have been sent to another segment as FCL.940.TRI is not dealing with FI requirements.</p> <p>Regarding the requirement for the FI to pass a proficiency check each alternate subsequent revalidation, it should be highlighted that this requirement was already introduced with JAR-FCL. The Agency decided to keep this requirement and to ask for such a regular proficiency check in order to guarantee a certain level of standardisation.</p>
comment	<p>3642 <span style="float: right;">comment by: <i>M Wilson-NetJets</i></span></p> <p>FCL.940.TRI(a)(2)</p> <ul style="list-style-type: none"> <li>• The requirement to attend a refresher seminar is appropriate for FI's, but inappropriate for holders of higher qualifications</li> </ul> <p>Suggestion: delete para (2)</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency carefully reviewed the comments on this issue and further discussed this topic with the experts. It was finally decided to stay as close as possible with the requirements already in place with JAR-FCL (using the term 'refresher training' for the TRI revalidation).</p> <p>Since also in other sections of the NPA the expression refresher training is used (refresher seminar only for LAFI, FI and SFI), the Agency will amend the paragraph to mention an instructor refresher training, which should be performed in a training organisation, in accordance with an adequate training programme. The proposed term 'seminar' will be deleted but 'refresher training' will be kept.</p>
comment	<p>3736 <span style="float: right;">comment by: <i>OAA Oxford</i></span></p> <p>FCL.940TRI(a)(2) The requirement to attend a refresher seminar is appropriate for FIs but inappropriate for holders of higher qualifications. Suggestion: delete requirement</p>
response	<p><i>Partially accepted</i></p> <p>Please see response to comment No 3642 in the same segment above.</p>
comment	<p>3857 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>FCL.940. TRI: Please clarify: If a <u>restricted or unrestricted</u> TRI certificate is revalidated by a prof. check using a simulator, will there be an restriction acc to FCL.935.TRI (b)? And if so,</p>

how can this restriction be deleted (see our comment on FCL935.TRI).

According to FCL.940(c) (2) the crediting requirement for single engine and multiengine helicopter types provides credit for a TRI(H) proficiency check on a single engine piston type ( 2 seats, non complex type) towards TRI(H) privileges on a complex single –or multiengine turbine high level of technology (complex?) helicopter type. This crediting appears to be questionable. But if this is definitely EASA`s intention, why not crediting towards TRI(H) privileges on multi pilot helicopter type, because the only difference in type and operation might be the second pilot and not an airworthiness requirement on the helicopter type itself ?

And, consequently, a comparable crediting according to FCL.940(c)(2) would also have to be considered for the much more demanding requirements under **FCL.940.CRI** (i.e. crediting a CRI(A) prof. check on SEP(A) for CRI(A) on singlepilot multiengine piston, propeller-turbine resp. turbine powered class/type, e.g. C525 or Beechcraft Premier I ,II etc. ).

EASA should thoroughly reconsider its requirements and harmonize them.

response *Noted*

In relation to the restricted privileges, please see the replies to comments on FCL.935.TRI.

As for the credit for the revalidation, please see the reply to comment 5340 below.

comment 3999

comment by: *Airbus*

**Page 55 FCL.940.TRI (a)(3) & (b)**

- **Comment:** proficiency check for TRI **revalidation** refers to appendix 12, and test described in this appendix is supposed to be conducted in the aircraft. For proficiency check **for revalidation**, it should be made clear that this can be conducted in an FSTD qualified for this purpose instead of an aircraft.

response *Noted*

Please see the reply to comment 1280 above.

comment 4412

comment by: *Bond Offshore Helicopters*

(d)(1) attend an instructor refresher seminar **or refresher training at the discretion of the Head of Training of an approved organisation;**

Justification:

Where access to a seminar within an appropriate time frame is not available, an option should be for refresher training as required followed by the proficiency check.

response *Noted*

See response comment 1328.

comment 4473

comment by: *CTC Aviation Services Ltd*

**Comment**

There are legitimate reasons why a certificate cannot be revalidated within the validity period, such as temporary loss of medical or shortfall of training capacity which do not incur immediate loss of competence and do not require the full renewal process. Revalidation should be available for a period of twelve months after certificate lapses.

### Proposal

(a) *Revalidation*. For revalidation of a TRI certificate, the applicant shall, within the validity period of the certificate, or within twelve months after the certificate validity lapses, fulfil 2 of the following requirements.

response *Not accepted*

The reason you give has already been considered in the drafting and resulted in the fact that only 2 of the requirements need to be fulfilled. In the case of shortfall of training capacity, the first requirement cannot be met, and the other 2 need to be fulfilled in order to revalidate.

comment

4480

comment by: *CTC Aviation Services Ltd*

### Comment

This refresher seminar for Renewal addresses a much more complex refresher requirement than that appropriate to revalidation of a current certificate holder. There is no definition of this term or defined structure for either revalidation or renewal

Item d(2) is missing and should reflect the need to revise the whole training course at the renewal -- ie a lapse in excess of twelve months

### Proposal

(1) attend an instructor refresher seminar **appropriate to renewal**;

**(2) complete at least the minimum requirements of the TRI training course.**

(3) pass, as a proficiency check, the relevant sections of the skill test set out Appendix 12 to this Part.

response *Partially accepted*

Thank you for providing your input.

The Agency has amended the text to say that the refresher training should cover the relevant elements of the TRI training course.

comment

4498

comment by: *AEA*

### Relevant Text:

(a) Revalidation. For revalidation of a TRI certificate, the applicant shall, within the validity period of the certificate, fulfil 2 of the following requirements:

(1) complete 50 hours of flight instruction in the appropriate aircraft category or FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the TRI certificate. In the case of TRI(MPA) and TRI(PL), these hours of flight instruction shall be

flown as a type rating instructor or examiner, or synthetic flight instructor or examiner. In the case of TRI(H) time flown as flight instructor, instrument rating instructor, synthetic training instructor or as any kind of examiner shall also be relevant for this purpose;

**Comment: (a) (1)** New requirements for revalidation of a TRI rating are much more demanding than the previous requirements of JAR-FCL 1.370. This is not acceptable.

**Proposal:**

Come back to the JAR-FCL 1.370 text

a) For revalidation of a TRI(MPA) rating, the applicant shall within the last 12 months, preceding the expiry date of the rating:

(1) conduct one of the following parts of a complete type rating/refresher/recurrent training course:

(i) one simulator session of at least 3 hours; or

(ii) one air exercise of at least 1 hour comprising a minimum of 2 take offs and landings; or

(2) receive TRI(A) refresher training acceptable to the Authority.

(b) If the rating has lapsed the applicant shall have:

(1) completed within the 12 months preceding the application at least 30 route sectors, to include take-offs and landings as pilot-in-command or co-pilot on the applicable aeroplane type, or a similar type as agreed by the Authority, of which not more than 15 sectors may be completed in a flight simulator;

(2) successfully completed the relevant parts of an approved TRI(MPA) course, agreed by the Authority (see Appendix 1 to JAR-FCL 1.365 and AMC FCL 1.365), taking into account the recent experience of the applicant; and

(3) conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of a TRI(MPA) on the applicable type of aeroplane and/or flight simulator under the supervision and to the satisfaction of a TRI(A) notified by the Authority for this purpose.

response *Not accepted*

The changes made in relation to the requirements of JAR-FCL 1 were the result of a decision to try to harmonise the requirements with those applicable to the TRI(H), which were considered by the Agency to be the most adequate to the role of the TRI.

The Agency sees no reason why the difference between the requirements for the TRI(H) and (A) in the aspect should be maintained.

comment 4501

comment by: AEA

**FCL 940.TRI and FCL.940.SFI SFI Revalidation and renewal**

Relevant Text:

(b) For the first and at least each alternate subsequent revalidation of a TRI certificate, the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part.

**Comment:**

Reference to Appendix 12 is not adequate. Delete (b) and change the requirements as follow.

The amount of instruction hours is reduced but the three requirements must all be met. In this way, the TRI will be assessed every three years.

This is more in line with the JAR requirements (JAR-FCL 1.370)

**Proposal:**

(a) *Revalidation.* For revalidation of a TRI certificate, the applicant shall, within the validity period of the certificate, fulfill all the following

	<p><b>requirements:</b></p> <p>(1) complete <b>18</b> hours of flight instruction in the appropriate aircraft category or FSTDs, of which at least <b>6</b> hours shall be within ....</p> <p>(2) attend an instructor refresher seminar;</p> <p>(3) the holder shall have to be assessed by a TRI during one flight instruction session.</p>
response	<p><i>Noted</i></p> <p>Thank you for your input.</p> <p>In relation to your comment on Appendix 12, please see the reply to comment 1280 above.</p> <p>In relation to your other proposals, please see the reply to your comment 4498 above.</p>
comment	<p>4504 <span style="float: right;">comment by: AEA</span></p> <p>Relevant Text: FCL 940.TRI (a) (3) and (d) (2) (3) pass, as a proficiency check, the relevant sections of the skill test set out Appendix 12 to this Part. <b>Comment:</b> Reference to the relevant sections of Appendix 12 is not clear. What are those sections? There is not AMC on this article. <b>Proposal:</b> Describe in an AMC (not an Appendix) what specific proficiency check for revalidation or renewal of a TRI certificate must be performed. (This comment will be obsolete if the previous one will be accepted)</p>
response	<p><i>Noted</i></p> <p>See response to comment No 1280.</p>
comment	<p>4656 <span style="float: right;">comment by: Héli-Union</span></p> <p>(d)(1) attend an instructor refresher seminar <b>or refresher training at the discretion of the Head of Training of an approved organisation;</b> Justification: Where access to a seminar within an appropriate time frame is not available, an option should be for refresher training as required followed by the proficiency check.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the response to comment No 1328 in the same segment above.</p>
comment	<p>4876 <span style="float: right;">comment by: HUTC</span></p> <p>(d)(1) attend an instructor refresher seminar <b>or refresher training at the discretion of the Head of Training of an approved organisation;</b> Justification: Where access to a seminar within an appropriate time frame is not available, an option should be for refresher training as required followed by the</p>

response	<p>proficiency check.</p> <p><i>Partially accepted</i></p> <p>Please see the response to comment No 1328 in the same segment above.</p>
comment	<p>5340 <span style="float: right;">comment by: <i>ECA- European Cockpit Association</i></span></p> <p>Delete (editorial) and add words:</p> <p>(a) (3) pass, as a proficiency check, the relevant sections of the skill test <b><u>in each of the types of aircraft in which instruction will be given</u></b> in accordance with Appendix 12 to this Part.</p> <p>(d) (3) pass, as a proficiency check, the relevant sections of the skill test <b><u>in each of the types of aircraft in which instruction will be given</u></b> <del>set out in</del> accordance with Appendix 12 to this Part.</p> <p>Justification: 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: 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>
response	<p><i>Partially accepted</i></p> <p><b>Internal discussion!!!</b></p> <p>Even though the Agency recognises the justification for your proposal, it considers that it is too stringent in the case of revalidation.</p> <p>The requirement to pass an assessment of competence for revalidation or renewal of the TRI was included for aeroplanes to harmonise with what already existed for helicopters. In JAR-FCL 2, it was foreseen that passing the assessment of competence in one type would revalidate the other types — this was included in the Agency’s proposal for helicopters, but not for aeroplanes. Therefore, the Agency has decided to extend the requirement in FCL.940.TRI(c)(2) to the TRIs for other category of aircraft. The Agency will clarify that this assessment of competence will only count for the other types of aircraft within the same category of aircraft if the TRI holds a certificate on more than one type and in both categories. In the case of renewal, your proposal is accepted.</p>
comment	<p>5433 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>Please clarify: If a <u>restricted or unrestricted</u> TRI certificate is revalidated by a prof. check using a simulator, will there be an restriction acc to FCL.935.TRI (b)? And if so, how can this restriction be deleted (see our comment on FCL935.TRI).</p> <p>According to FCL.940(c) (2) the crediting requirement for single engine and multiengine helicopter types provides credit for a TRI(H) proficiency check on a</p>

single engine piston type ( 2 seats, non complex type) towards TRI(H) privileges on a complex single –or multiengine turbine high level of technology (complex?) helicopter type. This crediting appears to be questionable. But if this is definitely EASA`s intention, why not crediting towards TRI(H) privileges on multi pilot helicopter type, because the only difference in type and operation might be the second pilot and not an airworthiness requirement on the helicopter type itself ?

And, consequently, a comparable crediting according to FCL.940(c)(2) would also have to be considered for the much more demanding requirements under **FCL.940.CRI** (i.e. crediting a CRI(A) prof. check on SEP(A) for CRI(A) on singlepilot multiengine piston, propeller-turbine resp. turbine powered class/type, e.g. C525 or Beechcraft Premier I ,II etc. ).

EASA should thoroughly reconsider its requirements and harmonize them.

response *Noted*

See response comment No 3857.

comment 5708 comment by: *FNAM (Fédération Nationale de l'Aviation Marchande)*

These new requirements are a philosophy change compared to JAR-FCL1.370.

They are more restrictive than FCL1, which is not financially affordable.

No assessment is made demonstrating this would improve safety. An assessment should be provided or the previous disposals of JAR FCL 1.370 must be kept unchanged.

response *Noted*

Please see the reply to comment 4498 above.

comment 5853 comment by: *UK CAA*

**Paragraph:** FCL.940.TRI

**Page No:** 55 of 647

**Comment:**

1. The fulfilling of 2 out of three of the requirements will result in 6 years prior to a standards check being conducted on the TRI. As per the Examiners requirements a standard check should be conducted every three years to ensure the instructor standards are being maintained and able to be demonstrated.

2. The proficiency check does not indicate who should make the competency assessment.

**Justification:**

1. It is clear that 6 years between standardisation checks is too long to ensure the safety standards are maintained. In no other area of pilot competence is 6 years considered a suitable time period.

2. The reference to appropriate aircraft category is not specific enough as this instruction could be conducted on any aeroplane.

**Proposed Text:**

**(if applicable)**

(a) Revalidation. For revalidation of a TRI certificate, the applicant shall, within the validity period of the certificate, fulfil the following requirements:

(1) Complete 50 hours of flight instruction in the role of TRI in **the**

**specific aircraft type within the appropriate aircraft category** or FSTDs or an examiner, of which at least 15 hours shall be within the 12 months preceding the expiry date of the TRI certificate. In the case of TRI(MPA) and TRI(PL), these hours of flight instruction.....relevant for the purpose;

**OR**

(2) Receive refresher training as a TRI at an approved training organisation or attend an instructor refresher seminar

**AND**

Pass, as a proficiency check, to a type rating examiner, the relevant sections of the skill test in accordance with Appendix 12 to this Part.

response *Partially accepted*

Your proposal for paragraph (a) (1) has been accepted, and the text has been amended accordingly.

As for your proposal to make the assessment of competence mandatory for each revalidation, the Agency considers that it is too stringent. The requirement for the assessment each alternate revalidation was already included in JAR-FCL 2, and the Agency considers that it provides an adequate level of safety.

comment 5869

comment by: UK CAA

**Paragraph:** FCL.940.TRI (a)(1)

**Page No\*:** 55

**Comment:** To ensure that the TRI (SPA) retains currency in high performance, multi engine aeroplanes when the privileges to instruct are revalidated.

**Justification:** To ensure those qualified to instruct in sophisticated single-pilot, multi-engine aeroplanes are appropriately current.

**Proposed Text: (if applicable)**

Add new second sentence; before "In the case of TRI (H)..."

"In the case of TRI (SPA) valid on multi engine aeroplane(s) that are designated High Performance Aeroplane (HPA), 10 of these hours shall be flown as either TRI, TRE, SFI or SFE on single pilot, multi engine type(s) that are designated as HPA.

response *Partially accepted*

The Agency has carefully reviewed your proposals in relation to TRI, CRI and SFI privileges, and the connection with training for single-pilot aeroplanes in multi-pilot operations. At this time, the Agency considers that it is sufficient to extend the privileges of the TRI to single-pilot aeroplane type ratings when the privileges for multi-pilot operations are sought.

Therefore, the Agency has only amended the reference to TRI(MPA) to just TRI(A).

comment 5870

comment by: UK CAA

**Paragraph:** FCL.940.TRI (d)

**Page No:** 56 of 647

**Comment:** There is a lack of standardisation between TRI, CRI and SFI renewal criteria.

**Justification:** EASA maintain that part of their objective is to standardise as much as possible. There is no appreciable reason why the renewal criteria

should differ between these three instructor certificates.

**Proposed Text: (if applicable)**

(d) Renewal. If the certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

(1) receive refresher training as a TRI at an approved training organisation

**OR**

(2) attend an instructor refresher seminar

**AND**

(3) pass, as a proficiency check, to a type rating examiner, the relevant sections of the skill test in accordance with Appendix 12 to this Part.

response *Partially accepted*

Please see the reply to comment 1328 above.

Your proposal to add 'and' has been accepted, and the text will be amended accordingly.

comment 5882

comment by: UK CAA

**Paragraph:** FCL.940.TRI (d)(3)

**Page No:** 56 of 647

**Comment:** The paragraph needs to be renumbered correctly.

**Justification:** Editorial

**Proposed Text: (if applicable)**

Change "(3)" to read "(2)".

response *Noted*

Thank you for pointing out this editorial mistake.

comment	6307❖ <span style="float: right;">comment by: <i>Axel Schwarz</i></span>
	<p>The renewal requirement states that the refresher seminar and the proficiency check shall be completed within 12 months of the renewal. This enables the pilot to freely choose the date of renewal up to 12 months after the date of the proficiency check.</p> <p>The requirement therefore should read:  "... the applicant shall:  (1) within a period of 12 months before the renewal attend a refresher seminar;  (2) pass a proficiency check in accordance with Appendix 12 to this Part."</p>
response	<p><i>Noted</i></p> <p>See response comment No 2235.</p>
comment	6566 <span style="float: right;">comment by: <i>IAOPA Europe</i></span>
	<p>A TRI has to pass a proficiency check for each 2<sup>nd</sup> revalidation, this is immoderate and wasn't required until today. This has not ben a problem till now and the requirement should be deleted.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 4498 above.</p>
comment	6790 <span style="float: right;">comment by: <i>CAA Finland</i></span>
	<p>FCL.940.TRI(a)(1)(i):  Amended text proposal to harmonize with FCL.940.LAFI:  (1) complete <b>45</b> hours of flight instruction</p>
response	<p><i>Not accepted</i></p> <p>The 50 hrs are taken from alignment with the TRI requirements in JAR-FCL 2. The intent of the LAFI is to have a 'light' requirement in the sport/recreational aviation, and therefore these 'lighter' requirements should not be transposed beyond those areas of aviation.</p>
comment	7066 <span style="float: right;">comment by: <i>Oxford Aviation Academy</i></span>
	<p><b>Subpart J. Section 4. FCL.940 TRI</b>  <b>(a)</b> Change to same writing as in present JAR-FCL 1.370  (1) Conduct one simulator session of at least 3 hrs  or  (2) one air exercise of at least 1 hr comprising a minimum of 2 take offs and landings</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 4498 above.</p>
comment	7282 <span style="float: right;">comment by: <i>ECOGAS</i></span>
	<p>Current wording:  "(a) Revalidation. For revalidation of a TRI certificate, the applicant shall,</p>

within the validity period of the certificate, fulfil 2 of the following requirements:  
(2) attend an instructor refresher seminar;"

Issue: The requirement to attend a refresher seminar is appropriate for FI's, but inappropriate for holders of higher qualifications such as these.

Suggestion: delete para (a)(2)

response *Noted*

Please see the reply to comment 1328 above.

comment

7535

comment by: *FlightSafety International*

Reference to Appendix 12 is not adequate. Delete (b) and change the requirements as follow. The amount of instruction hours is reduced but the three requirements must all be met. In this way, the TRI will be assessed every three years. This is more in line with the JAR requirements (JAR-FCL 1.370)

Proposal: (a) Revalidation. For revalidation of a TRI certificate, the applicant shall, within the validity period of the certificate, fulfill all the following requirements: (1) complete 18 hours of flight instruction in the appropriate aircraft category or FSTDs, of which at least 6 hours shall be within .... (2) attend an instructor refresher seminar; (3) the holder shall have to be assessed by a TRI during one flight instruction session.

response *Noted*

Please see the replies to comments 1208 and 4501 above.

comment

8131

comment by: *Konrad Polreich*

FCL.940 TRI - Revalidation

For small companies with only a few longtime pilots, it is difficult to get 50 hrs of flight instruction within 3 years, especially if they do not have their own ATO.

This means they are totally dependent on external ATO's. In our case the only simulator for our type is in the USA.

Therefore the amount required of flight instruction should be significantly lower (=15hrs)

response *Not accepted*

The problem you identify is exactly the reason why the TRI for revalidation only needs to fulfil only 2 of the 3 requirements. The Agency does not intend to lower the revalidation requirements below these experience requirements. In the case the experience requirement cannot be met, a refresher training (this was amended during the review) and an assessment of competence shall be required.

comment 5880 comment by: UK CAA

**Paragraph:** FCL.XXX.CRI

**Page No\*:** 56 and 57 of 647

**Comment:** There is no mention of the use of FSTDs as a method of gaining the required experience or qualification criteria.

**Justification:** There are a large number of simulators worldwide in which training and testing of SPA is now conducted. There are a number of CRIs who conduct training on simulators and not the aircraft. It is considered that the simulator environment can offer a greater benefit to the learning process and therefore simulator consideration should be provided within this Section.

**Proposed Text: (if applicable)**

Include simulator experience as applicable when considering pre-requisites, training course, skill test, and revalidation/renewal criteria in the same way as the TRI requirements.

response *Noted*

Thank you for your input.

At this point, the Agency does not intend to deviate from the requirements of JAR-FCL.

However, the Agency has already included in its work programme a specific task on FSTDs qualification and use that may cover this aspect.

comment 6725 comment by: Icelandic CAA

It is proposed to apply the same conditions as for TRI in the case of instructors for single pilot high performance aeroplanes. The current JAR-FCL minimum requirements and those proposed in this NPA are not strict enough when considering the complexity and performance of many single pilot HPA aeroplanes.

response *Noted*

The Agency has carefully reviewed the proposals received in relation to TRI, CRI and SFI privileges, and the connection with training for very light jets and other high performance complex aeroplanes, as well as for single-pilot aeroplanes in multi-pilot operations.

Taking also into account, the Agency has decided to amend its initial proposals, with the help of experts in the field.

Please see amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 5: Specific requirements for the class rating instructor — FCL.905.CRI CRI — Privileges and conditions</b>	p. 56
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comment 549 comment by: Norwegian Air Sports Federation

Aerobatic rating should also be applicable to CRI and the wording other ratings should be included in para (a) and para (b). For all ratings the necessary training must be completed and likewise a specific CRI skill test taken for the relevant rating. The applicable other ratings should be spelled out; aerobatic rating etc

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees in general with the statement provided in several comments saying that aerobatic instruction requires additional capabilities and skills. However, it has to be recognised also that this additional aerobatic experience is very difficult to describe by asking for a certain amount of aerobatic flight time as a prerequisite. Additionally, there is a problem on how to record these aerobatic flight hours.

Based on a careful review of the all the comments received on this issue — some of them questioning the required amount of aerobatic flight time as too low and some of them proposing to delete it totally — the Agency decided to delete it as a prerequisite for the instructor and to introduce the demonstration of the ability to instruct for the aerobatic rating to an adequately qualified FI, as it was already proposed for the instruction for the night rating. The same change was introduced in the case of providing instruction for the towing rating (see the resulting text for FCL.905.FI).

Additionally, a considerably high number of comments asked for an extension of the privileges to provide instruction for the aerobatic, towing and mountain rating for the CRI (and TRI).

The Agency does not agree in the case of the instruction for the mountain rating, based on the fact that section 10 of this Subpart contains already the requirements for a specific new category of instructor: the 'Mountain Instructor'. One of the prerequisites will be that the applicant shall hold a valid FI, TRI or CRI certificate. As there are some more prerequisites to fulfil and a specifically designed training course for these instructors, the Agency does not agree with the proposal to add this additional privilege in to the FI or CRI.

However, the Agency agrees to add the privilege to provide instruction for the aerobatic rating and the towing rating in FCL.905.CRI (a), provided that the instructor holds the relevant rating and has demonstrated the ability to provide that instruction to an FI qualified in accordance with FCL.905.FI(i).

comment 550 comment by: *Norwegian Air Sports Federation*

Aerobatic flying requires above average flying skills. Continuity and high level of activity is necessary. Dedicated, motivated and skilled aerobatic pilots normally increases their level of competence participating in aerobatic competition or display flying. In order to recruit those pilots as certified aerobatic instructors, the CRI will undoubtedly be the most feasible option. FI pilots, on the other hands, normally continue as commercial airline pilots and experience shows that it is often difficult for this category of pilots to keep a satisfactory skill level as aerobatic instructors.

response *Accepted*

Please see response to comment No 549 above.

comment 668 comment by: *FOCA Switzerland*

J/Section 5  
FCL.905.CRI

**(b)(1) Adaption to the requirements with regard to the minimum flight**

	<b>experience for CRI (10 hours) compared to FI (15 hrs) if privileges shall be extended to further types or classes.</b>
response	<i>Accepted</i> Text has been amended as proposed.
comment	671 <span style="float: right;">comment by: FOCA Switzerland</span>  J/Section FCL.905.CRI  Proposal: <b>(a) Privileges should be extended to instruct for "aerobatic, towing and Mountain landing" under the same conditions as stated in FCL.905.FI.</b>
response	<i>Partially accepted</i> Please see response provided to comment No 549 above.
comment	1090 <span style="float: right;">comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</span>  <b>Comment:</b> The text needs clarification. Is it clear that there now is a new class "single-engine class rating sea" and a new CRI Sea?  <b>Proposal:</b> Rephrase the text so that it is clear that there are different kinds of CRI, e.g. land, sea, SE and ME.
response	<i>Noted</i>  It is clear that there is a new class rating — sea. This is foreseen in Subpart H. The text already says that the CRI is restricted to the class or type where the instructor assessment of competence was taken. Therefore, if it was taken in a class rating land, the CRI will have to comply with FCL.905.CRI (b) in order to extend to the class rating sea. The Agency considers that the text is clear enough.
comment	1276 <span style="float: right;">comment by: Marduc Aeronautical Consults</span>  FCL 905 CRI, privileges, A CRI should not teach crew in a multi crew concept, (most operators are flying the SPA in a multi crew concept) unless the CRI meets the requirements to teach MCC as well.
response	<i>Accepted</i>  Text has been amended to exclude the privileges of the CRI for SPA type ratings when the privileges sought by the pilot are to fly in multi-pilot operations. For this and other changes related to operation of SPA in multi-pilot operations, as well as for the operation of single-pilot high performance complex aeroplanes, please see the explanatory note to this CRD for more details.
comment	3463 <span style="float: right;">comment by: Susana Nogueira</span>

response	<p>(a) Privileges should be extended to 'Aerobatics', 'Towing' and 'Mountainin' ratings skill test and proficiency checks</p> <p><i>Partially accepted</i></p> <p>Please see response provided to comment No 549 above.</p>
comment	<p>3619 <span style="float: right;">comment by: <i>Susana Nogueira</i></span></p> <p>(b)(1) Change 10 hours by <b>15 hours</b> Justification: As for FI</p>
response	<p><i>Accepted</i></p> <p>Please see response to comment 668 above.</p>
comment	<p>3779 <span style="float: right;">comment by: <i>DGAC FRANCE</i></span></p> <p>Part FCL 905.CRI (b)(1)</p> <p>Consistency with FCL 915 (b)(2)(i)</p> <p>(1) <del>10</del> <b>15</b> hours of flight time...</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 668 above.</p>
comment	<p>3858 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>FCL.905.CRI: Regarding single pilot aeroplanes according to FCL.905.CRI(a), the general privileges for a CRI do not sufficiently respect the complexity and level of technology of today CS 23 airplane ( propeller-turbine or turbine driven, VLJ, cabin pressurisation etc.). According to EU-OPS these SP airplanes are required to be operated by a multi pilot flight crew. See also our comment on FCL.905.TRI.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 1276 above, and the comments on FCL.905.TRI.</p>
comment	<p>4743 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>FCL.905.CRI General remark regarding the CRI training course versus the CRI privileges. We find it worrying that a CRI who only has completed the 3 hrs flight instruction on the CRI course, then accumulates just 10 hrs and a supervised flight on an advanced single-engine High Performance Aeroplane, will have the privilege to give instruction on such HPA aircraft. The CRI could also do the 5 hrs multi-engine course, accumulate 10 hrs and a supervised flight on type, and start instructing on single-pilot multi-engine jet aeroplanes.</p> <p>With the increasing introduction of further advanced HPA and Very Light Jets,</p>

response	<p>we find the CRI course seems to be “overtaken by events”, and suggest the CRI be limited to non-HPA classes/types. For the instruction on HPA, a further “advanced CRI”-course needs to be developed.</p> <p><i>Noted</i></p> <p>Please see the replies to comment 1276 and 3858 above.</p>
comment	<p>4777 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>(a) privileges should be extended for “Aerobatics” and “Towing” and “Mountain rating”</p>
response	<p><i>Partially accepted</i></p> <p>Please see response provided to comment No 549 above.</p>
comment	<p>5434 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>Regarding single pilot aeroplanes according to FCL.905.CRI(a), the general privileges for a CRI do not sufficiently respect the complexity and level of technology of today CS 23 airplane ( propeller-turbine or turbine driven, VLJ, cabin pressurisation etc.). According to EU-OPS these SP airplanes are required to be operated by a multi pilot flight crew. See also our comment on FCL.905.TRI.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 3858 above.</p>
comment	<p>6434 <span style="float: right;">comment by: <i>DCAA</i></span></p> <p>FCL.905.CRI (a) Add the following text: If the training is conducted in accordance to IFR the CRI shall have e privileges to instruct for IR privileges.</p>
response	<p><i>Not accepted</i></p> <p>The Agency follows closely JAR-FCL 1, where this privilege was not included. The Agency does not intend to change the text in this aspect with a dedicated safety assessment.</p>
comment	<p>6607 <span style="float: right;">comment by: <i>Light Aircraft Association UK</i></span></p> <p>The LAA suggests a change to the privileges of CRIs to include the privilege to instruct in tow ratings and aerobatics subject to the same conditions as LAFIs and FIs. This is to cater for those instructors who may wish to specialise in those areas without the desire to acquire full ab-initio privileges.</p>
response	<p><i>Accepted</i></p> <p>Please see response provided to comment No 549 above.</p>
comment	<p>6862 <span style="float: right;">comment by: <i>UK CAA</i></span></p> <p><b>Paragraph:</b> FCL.905.CRI – CRI – Privileges and conditions <b>Page No*:</b> 56 of 647</p>

response	<p><b>Comment:</b> Paragraph (b) (2) states that privileges can be extended to further types/class by completing a training flight. However, FCL.915 paragraph (b) (2) (i) and (ii) states that 15 hours or a skill test or a proficiency check is required.</p> <p><b>Justification:</b> Clarification.</p> <p><i>Noted</i></p> <p>Please see response to comment No 668 above.</p>
comment	<p>6863 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.CRI (b)(1)  <b>Page No:</b> 56 of 647</p> <p><b>Comment:</b> The 10 hrs flight time on aeroplanes of the applicable class or type of aeroplane is not specific enough.</p> <p><b>Justification:</b> The 10 hrs gained could be as co-pilot on aircraft certified for single pilot operations but operated two pilots for commercial air transport operations. The 10 hrs should be as pilot in command.</p> <p><b>Proposed Text: (if applicable)</b>  10 hours pilot in command on aeroplanes of the applicable class or type of aeroplane;</p>
response	<p><i>Accepted</i></p> <p>Text has been amended in line with your suggestion.</p>
comment	<p>6865 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.CRI (b)  <b>Page No:</b> 56 of 647</p> <p><b>Comment:</b> The limited two requirements at paragraph (1) and (2) would satisfy the addition of class aircraft only. For types or complex single pilot aircraft (i.e. Very Light Jets and turbo-props) there must be a check of competence by an authorised examiner. It is insufficient to lay the burden of checking competence to a CRI who is not training to examine and make competency-based assessments on complex types.</p> <p><b>Justification:</b> EASA must ensure that safety standards and risk management objectives are met in regard to protecting both the pilots and passenger who may fly on these aircraft.</p> <p><b>Proposed Text: (if applicable)</b>  Add additional paragraph (3) to cover the complex single pilot aircraft which would include the paragraphs (1) and (2) from (b) but include a (3) which would state 'pass, as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this Part.</p>
response	<p><i>Partially accepted</i></p> <p>The Agency has carefully reviewed your proposals in relation to TRI, CRI and SFI privileges, and the connection with training for single-pilot aeroplanes in multi-pilot operations.</p> <p>Taking also into account the need to cover other aspects related to very light jets and other high performance complex aeroplanes, the Agency has decided to exclude the privileges of the CRI(A) for single-pilot aeroplanes operated in multi-pilot operations, and for single-pilot high performance complex aeroplanes.</p> <p>Please see amended text, and for more detailed explanations on the subject</p>

the explanatory note to the CRD.

comment 6866 comment by: UK CAA

**Paragraph:** FCL.905.CRI (b)(2)

**Page No:** 56 of 647

**Comment:** It does not specify that the CRI who is supervising the observed flight must occupy a pilot's seat.

**Justification:** There should be no doubt or room for interpretation that could lead to a reduction in safety.

**Proposed Text: (if applicable)**

One training flight from the right hand seat under the supervision of another CRI occupying the other pilots seat qualified for that class or type.

response *Accepted*

Text has been amended as proposed.

comment 6869 comment by: UK CAA

**Paragraph:** FCL.905.CRI (a)

**Page No\*:** 56

**Comment:** Remove privileges of the CRI certificate to instruct in aeroplanes certificated for operation within the privileges of a single pilot type\_rating.

This effectively restricts the CRI to instruction within the class ratings only.

**Justification:**

With the development of the VLJ, The range of SPA performance capabilities is wider than anticipated during the development of the single pilot instructor privileges. Type specific instruction should be contained within the type-specific privileges of the TRI.

**Proposed Text: (if applicable)**

(a) Line 1: Remove words; "type or"

(b) Line 1: Remove words; "type or"

(b) Line 2: Remove words; "types or"

(b) (1): Remove words; "or type"

response *Partially accepted*

Please see the reply to your comment 6865 above.

comment 6870 comment by: UK CAA

**Paragraph:** 905.CRI (b)

**Page No:** 56

**Comment:** These conditions apply to a CRI but appear not to apply to an FI who, in accordance with 915(b)(2)(i), just needs 15 hour on type. This was the situation under JAR. Is it still the intention?

**Justification:**

**Proposed Text:**

**(if applicable)**

Consider whether these conditions should apply to FI as well as CRI.

response *Noted*

Please see the reply to comment 668 above.

comment

6877

comment by: UK CAA

**Paragraph:** FCL.905.CRI (b)(2)

**Page:** 56

**Comment:** Add an appropriate training and test requirement to the extension of CRI privileges to other classes of aeroplane.

**Justification:** The experience requirement of 10 hours and a single flight with another FI is insufficient preparation or proof of skill.

**Proposed Text:**

Delete (b)(1) & (b)(2)

Add new sub paragraphs:

(i) the appropriate part of the CRI course on the applicable class of aeroplane in order to;

(ii) pass, as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this part, in order to demonstrate to a FIE his ability to instruct a pilot to the level required for the issue of the class rating, including pre-flight, post-flight and theoretical knowledge instruction.

response

Noted

The Agency does not intend to introduce this new requirement for the CRI.

Please see also the reply to your comment 6865.

comment

6882

comment by: UK CAA

**Paragraph:** FCL 905 (b) (2)

**Page No:** 56

**Comment:** Paragraph is too general.

Presumably this is intended to assess the CRI's ability to instruct on the new type. It doesn't say so and the supervising CRI may not be qualified to assess an instructor. This is especially important on complex HPA types, which are now very common.

**Justification:** Not specific enough. Need to state the intention of this flight.

**Proposed Text: (if applicable)**

One flight showing a satisfactory demonstration of instructional ability on the new type under the supervision of an appropriately qualified CRE or FIE.

response

Noted

This is an instruction flight, not an assessment. This was the system in JAR-FCL, and the Agency does not intend to change it.

Please see also replies to your comment No 6865.

comment

7051

comment by: CAA Norway

FCL.905.CRI

General remark regarding the CRI training course versus the CRI privileges. We find it worrying that a CRI who only has completed the 3 hrs flight instruction on the CRI course, then accumulates just 10 hrs and a supervised flight on an advanced single-engine High Performance Aeroplane, will have the privilege to give instruction on such HPA aircraft. The CRI could also do the 5 hrs multi-engine course, accumulate 10 hrs and a supervised flight on type,

	and start instructing on single-pilot multi-engine jet aeroplanes.
	With the increasing introduction of further advanced HPA and Very Light Jets, we find the CRI course seems to be "overtaken by events", and suggest the CRI be limited to non-HPA classes/types. For the instruction on HPA, a further "advanced CRI"-course needs to be developed.
response	<i>Noted</i> Please see response to comment No 4743 above.
comment	7052 <span style="float: right;">comment by: CAA Norway</span> FCL.905.CRI In this NPA, aerobatic instruction privileges can only be obtained by FIs and LAFIs. We find this limitation could pose an obstacle to the recruitment of experienced aerobatic pilots to pass on their experience as instructors.  The CRI should also have the possibility to instruct for the aerobatic rating. There should be an experience requirement regarding instruction, e.g. at least 50 hrs flight instruction. There should also be a corresponding experience requirement regarding aerobatic experience, e.g. 100 hrs aerobatics.  This is in line with the established principle establishing the difference between the "generic" FI certificate and other "specialist" instructor certificates: One can get the privileges to instruct either through a thorough FI-course, or through a shorter course compensated by having considerable practical experience in the task to be instructed.
response	<i>Accepted</i> Please see response to comment No 549 above.
comment	7271 <span style="float: right;">comment by: UK CAA</span> <b>Paragraph:</b> FCL.905.CRI <b>Page No*:</b> 56 <b>Comment:</b> Remove privileges of the CRI certificate to instruct in aeroplanes certificated for operation within the privileges of a single pilot type_rating. This effectively restricts the CRI to instruction within the class ratings only. <b>Justification:</b> With the development of the VLJ, the range of SPA performance capabilities is wider than anticipated during the development of the single pilot instructor privileges. Type specific instruction should be contained within the type-specific privileges of the TRI. <b>Proposed Text: (if applicable)</b> (a) (2): Remove words; "type or"  (b)(2): Remove words; "type or"
response	<i>Noted</i> Please see the reply to your comment 6869 above.
comment	7643 <span style="float: right;">comment by: Atlantic Training Support</span> FCL.905 IRI delete 'revalidation and renewal'

response	<i>Not accepted</i> The IR renewal requirement refers to training, therefore the IRI should be able to give this renewal instruction.
comment	7981 <span style="float: right;">comment by: Ingo Wiebelitz</span> FCL.905.CRI (2) ... under the supervision of another CRI or FI qualified...
response	<i>Accepted</i> Text has been amended as suggested.
comment	8290 <span style="float: right;">comment by: Paul Mc G</span> The LAA suggests a change to the privileges of CRIs to include the privilege to instruct in tow ratings and aerobatics subject to the same conditions as LAFIs and FIs. This is to cater for those instructors who may wish to specialise in those areas without the desire to acquire full ab-initio privileges. This makes sense.
response	<i>Accepted</i> Please see response to comment No 549 above.

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 5: Specific requirements for the class rating instructor — FCL.915.CRI Pre-requisites for the CRI training course</b>	p. 56
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comment	5743 <span style="float: right;">comment by: Susana Nogueira</span> To add new paragraph:  (c) For seaplanes: (1) 50 hours flight time as pilot of seaplanes (2) 100 take offs and landings on water  The seaplanes are missing by mistake.
response	<i>Not accepted</i> The Agency considers that the requirements for the CRI for sea-ratings do not need to be specific. They will follow the requirement for multi-engine or single-engine aeroplanes, as applicable.
comment	6795 <span style="float: right;">comment by: CAA Finland</span> FCL.915.CRI: Minimum requirements for seaplane instructor is missing. New text proposal:  (c) <i>For seaplanes:</i> (1) 50 hours flight time as a pilot of seaplanes; (2) 100 take-offs and landings on water.

response *Not accepted*

Please see response to comment 5743 above.

**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

comment

669

comment by: FOCA Switzerland

J/Section 5  
FCL.930.CRI

Based on which conditions or requirements does a training organisation nominate the instructor for this purpose?

Proposal:

**(b)(3) Minimum conditions for such nomination should be given and clarified.**

response

*Noted*

See responde to comment No 3780.

comment

828

comment by: OAA Oxford

We feel that (c) should exempt (b) (2) also as it applies to current or past Instructors. Recommendation: add (2) after (b) (1) under (c)

response

*Noted*

The Agency has carefully considered all comments adressing inconsistencies and harmonised all requirements for instructor training courses.

The requirement for 25 hours is for the teaching and learning part of the training course, which should contain the elements of FCL.920, and is common to all instructors. Therefore, all instructors can be credited for this part of the course.

Please see amended text.

comment

1023

comment by: CAA Belgium

(b)(3) propose to delete "*given by an instructor nominated by a training organisation for this purpose*".

Any training at a training organisation is given by an instructor nominated by this organisation.

(c) also valid for FI(B), FI(S) or LAFI ?

response

*Noted*

See response to comment No 3780.

comment

2223❖

comment by: Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International,

	<p style="text-align: center;"><i>IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>FCL.930.TRI TRI rating training course</p> <p>Comment: Requirements (2) and (3) are new from JAR-FCL. Placing the text in AMC would allow for differences in aircraft and philosophies of training</p> <p>Proposal: delete (b) and (c) and transfer into AMC</p>
response	<p><i>Not accepted</i></p> <p>These requirements were already included in Appendix 1 to JAR-FCL 1.380. The Agency considers that the text in the rule is general enough to allow for tailored courses.</p>
comment	<p>3780 <span style="float: right;">comment by: DGAC FRANCE</span></p> <p>Part FCL 930.CRI (b)(3)</p> <p>Consistency with FCL 905 (j)(2) and with our proposal for FCL 905.TRI (a). To authorise a CRI to conduct instruction for CRI certificates as for a FI, it should be asked a certain amount of experience as a CRI and a skill test.</p> <p>(b)</p> <p>(3) 5 hours of flight instruction for multi-engine aeroplanes, or 3 hours of flight instruction for single-engine aeroplanes, given by <del>an instructor nominated by a training organisation for this purpose.</del> <b><u>a FI(A) fulfilling the requirements FCL 905 (j) or a CRI having completed 50hours flight instruction hours as a CRI in multi engine or single engine aeroplane and having demonstrate to an instructor examiner the ability to instruct for the CRI certificate, during a skill test conducted in accordance with appendix 12 to this part in the appropriate type.</u></b></p>
response	<p><i>Partially accepted</i></p> <p>The Agency will include reference to the FI as proposed. However, the CRI does not have the privilege to instruct for other CRIs, so this part of your proposal is not accepted.</p>
comment	<p>3859 <span style="float: right;">comment by: Luftfahrt-Bundesamt</span></p> <p>FCL.930. CRI:</p> <p>Regarding FCL.930.CRI(a), the training required for CRI does not sufficiently respect the complexity and level of technology of today's CS 23 airplane (propeller-turbine or turbine driven, VLJ airplane , cabin pressurisation etc.). The CRI course contents in most items basically refer to piston powered airplane ( i.e. manifold pressure, setting of RPM etc.). According to EU-OPS these SP airplanes (propeller-turbine or turbine driven, VLJ airplane) are required to be operated by a multi pilot flight crew and the CRI course should be amended to competency-based and up to proficiency.</p>
response	<p><i>Noted</i></p> <p>Please see the replies to comments on FCL.905.CRI, on the privileges of the instructor.</p>

Please note also that the hours included in the rule are minimum requirements, and that specifically the content of the technical training part of the course should depend on the complexity of the aircraft.

comment 4371 comment by: *DCA Malta*

FCL 930.CRI (b) (3)  
Conditions for nomination should be added

response *Noted*

See response to comment No 3780.

comment 4491 comment by: *AEA*

Relevant Text:

(a) An applicant for the CRI certificate shall have completed at an approved training organisation a course of theoretical knowledge and flight instruction.

(b) The course shall include, at least:

(1) 25 hours of theoretical knowledge instruction;

(2) 10 hours of instructional techniques, including revision of technical knowledge, the preparation of lesson plans and the development of classroom/simulator instructional skills;

(3) 5 hours of flight instruction for multiengine aeroplanes, or 3 hours of flight instruction for single engine aeroplanes, given by an instructor nominated by a training organisation for this purpose.

(c) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (b)(1).

**Comment:**

Requirements (2) and (3) are new from JAR-FCL. Instructional techniques and flight training are useful in the CRI course but the amount of hours is much more too demanding.

**Proposal**

Change the new requirements into a syllabus

(2) Instructional techniques:

- revision of technical knowledge,
- the preparation of lesson plans
- the development of classroom/simulator instructional skills.

If a CRI rating for multi-pilot aircraft is sought, particular attention shall be given to multi-crew cooperation;

(3) Flight training: flight instruction in the appropriate aircraft or a simulator representing that aircraft

response *Noted*

Please see the reply to comment 2223 above.

comment 4744 comment by: *CAA Belgium*

FCL.930.CRI(b)(3)

The flight instruction part of the CRI course shall be "...given by an instructor nominated by a training organisation for this purpose". For harmonisation, it is essential to establish minimum requirements for these. Will it be acceptable to e.g. nominate an instructor who just became CRI?

response *Noted*

Please see the reply to comment 3780 above.

comment 5321 comment by: *ECA- European Cockpit Association*

Add text:

(c) Applicants holding or having held an instructor certificate **in the same aircraft category** shall be fully credited towards the requirement of (b)(1).

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.

response *Not accepted*

Your comment seems to be a duplication of a comment you made in the TRI section.

Nevertheless, the same reply we gave to your comment there applies here too: the requirement for 25 hours is for the teaching and learning part of the training course, which should contain the elements of FCL.920, and is common to all instructors. Therefore, all instructors can be credited for this part of the course.

comment 5435 comment by: *CAA Belgium*

Regarding FCL.930.CRI(a), the training required for CRI does not sufficiently respect the complexity and level of technology of today's CS 23 airplane (propeller-turbine or turbine driven, VLJ airplane , cabin pressurisation etc.). The CRI course contents in most items basically refer to piston powered airplane ( i.e. manifold pressure, setting of RPM etc.). According to EU-OPS these SP airplanes (propeller-turbine or turbine driven, VLJ airplane) are required to be operated by a multi pilot flight crew and the CRI course should be amended to competency-based and up to proficiency.

response *Noted*

See response to comment No 3859.

comment 5747 comment by: *Susana Nogueira*

To add new paragraph:

(b)

(4) *For seaplanes:* 7 hours of flight instruction for multi-engine aeroplanes sea or 5 hours of flight instruction for single-engine aeroplanes sea, given by an instructor nominated by a training organisation for this purpose.

response *Not accepted*

The Agency does not consider that there is a need to specify the hours for the seaplane. It should be included in the same provisions as all other aeroplanes, and if the hours of flight instruction need to be adapted to the complexity of the aircraft, the rule allows for sufficient flexibility for that.

comment 5887 comment by: *UK CAA*

	<p><b>Paragraph:</b> FCL.930.CRI (c)  <b>Page No:</b> 56 of 647  <b>Comment:</b> The paragraph is not specific and takes no account of the effect time has over the competence of an individual.  <b>Justification:</b> A time limit should be included to ensure refresher training is given prior to the next TRI training course if the applicant has not exercised the privileges of that rating.</p>
response	<p><i>Noted</i></p> <p>The Agency could not understand your comment. It seems to have been included in this segment by mistake, since it seems to refer to the renewal of TRI ratings.  Please see the reply to your comments on that segment.</p>
comment	<p>6137 <span style="float: right;">comment by: Icelandic CAA</span></p> <p>Item (a)(3). The wording, "<i>nominated by a training organisation for this purpose</i>" is not necessary. Formal nomination is not needed for a qualified instructor within a training organisation.</p>
response	<p><i>Noted</i></p> <p>See response to comment No 3780.</p>
comment	<p>6798 <span style="float: right;">comment by: CAA Finland</span></p> <p>FCL.930.CRI:  Training requirements for seaplane instructor are missing. New text proposal:</p> <p>(4) <i>For seaplanes:</i> 7 hours of flight instruction for multi-engine aeroplanes sea or 5 hours of flight instruction for single-engine aeroplanes sea, given by an instructor nominated by a training organisation for this purpose.</p>
response	<p><i>Noted</i></p> <p>See response to comment No 5747.</p>
comment	<p>6916 <span style="float: right;">comment by: CAA CZ</span></p> <p>FCL.930.CRI (b)(3)  We suggest to omit „given by an instructor nominated by a training organisation for this purpose“. This would mean that FTO has to nominate an instructor for each course. What would happen when 2 instructors are providing the course?</p>
response	<p><i>Noted</i></p> <p>See response to comment No 3780.</p>
comment	<p>7054 <span style="float: right;">comment by: CAA Norway</span></p> <p>FCL.930.CRI(b)(3)  The flight instruction part of the CRI course shall be "...given by an instructor nominated by a training organisation for this purpose". For harmonisation, it is essential to establish minimum requirements for these. Will it be acceptable to</p>

	e.g. nominate an instructor who just became CRI?
response	<i>Noted</i> Please see the reply to comment 3780 above.
comment	7538 <span style="float: right;">comment by: <i>FlightSafety International</i></span> 1. Requirements (2) and (3) are new from JAR-FCL. Placing (b) and (c) in AMC allows for differences in aircraft and philosophies of training and further opportunities for an alternate means of compliance  Delete (b) and (c) and transfer into AMC  2. Does not make provision for the conduct of training by instructors who do not hold an EASA licence or instructor certificate. Many organizations use instructors and facilities outside the EU and there are no safety impact with the training. The intent of the EC is to replicate the current JAR-FCL in Part FCL.  Insert (b) (after deleted for above) for training conducted outside member states by instructors not holding an instructor certificate issued under this Subpart. Copy Appendix 1 to JAR-FCL 1.300 transferring the text or in the AMC
response	<i>Noted</i> 1. Please see the reply to comment 2223 above.  2. Please see the replies to comments on FCL.900 and FCL.915 and the amended text.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 5: Specific requirements for the class rating instructor — FCL.935.CRI CRI — Skill test**

p. 57

comment	3151 <span style="float: right;">comment by: <i>Susana Nogueira</i></span> A skill test form for CRI should be proposed
response	<i>Noted</i> After having carefully reviewed the comments on instructor skill tests, as well as the comments on Appendix 12, the Agency has concluded that there is a need to change the initial proposal related to skill tests/proficiency checks for instructors and to Appendix 12.  The main reason for this is the fact that this Appendix was indeed based on a JAR-FCL Appendix that was based on JAR-FCL text which was originally meant just for the FI. The comments received clearly indicate that it is not adequate to all categories of instructors.  Therefore, the Agency has decided to: - change the name of instructors' skill tests to 'assessment of competence'; - include a general paragraph in Section 1 on the assessment of competence. Specific paragraphs for the various instructor categories will only exist where necessary; - transfer part of the content of Appendix 12 into AMC. Some of the paragraphs of this Appendix may be transferred to paragraphs in Subpart J on

assessment for instructors, but the content of the skill test as determined in the table will be part of an AMC applicable to the FI only.  
It is possible that in the future further AMC material for other categories of instructor will be developed.

After having carefully reviewed the comments on instructor skill tests, as well as the comments on Appendix 12, the Agency has concluded that there is a need to change the initial proposal related to skill tests / proficiency checks for instructors and to Appendix 12.

comment 3860 comment by: *Luftfahrt-Bundesamt*

FCL.935. CRI:  
Which examiner certificate is required for a CRI skill test, a FIE(A) or a CRE(A)? Indicate precisely who will be enabled to conduct the skill test.

See also our comment on FCL.935.TRI (a) and FCL.1005.CRE.

response *Noted*

Please see the reply to comment 5888 below.

comment 5436 comment by: *CAA Belgium*

Which examiner certificate is required for a CRI skill test, a FIE(A) or a CRE(A)? Indicate precisely who will be enabled to conduct the skill test.

See also our comment on FCL.935.TRI (a) and FCL.1005.CRE.

response *Noted*

Please see the reply to comment 5888 below.

comment 5888 comment by: *UK CAA*

**Paragraph:** FCL.935.CRI

**Page No:** 57 of 647

**Comment:** The applicant for a CRI certificate has to pass a skill test but it does not specify who is authorised to conduct the skill test.

**Justification:** As the qualification of a CRE can be class or type specific it is imperative that the qualification of the examiner is appropriate to the type of skill test being applied.

**Proposed Text: (if applicable)**

An applicant for a CRI certificate shall pass a skill test to demonstrate, to a FIE or CRE qualified for this purpose on the specific class or type of aircraft, his ability to instruct .....

response *Noted*

The examiner who is qualified for this is defined in Subpart K: it is the FIE, since the CRE does not have the privilege to conduct assessments of competence for CRI.

Please note also that the Agency has amended the text to include the assessment of competence for instructors as a general paragraph in Section 1.

comment 7539 comment by: *FlightSafety International*

The information in Appendix 12 is not relevant and appropriate to a CRI Competency Assessment  
Nomenclature "Skill Test" is confusing.

For "Skill Test" replace with "Competency Assessment" and replace current contents of Appendix 12 with the "Competency Assessment" Methodology in AMC 920

response *Noted*

Please see the reply to comment 3151 above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 5: Specific requirements for the class rating instructor — FCL.940.CRI CRI — p. 57**  
**Revalidation and renewal**

comment 150

comment by: *Michel Lacombe AF TRTO*

Why the CRI - Revalidation is not built in the same spirit than all the others instructors. This one has only one activity to be followed in the last 12 months. We might have thought all the instructors to have got the same type of experience to be revalidated.  
Furthermore there are several errors of numbering.

**So we might have read :**

(a) For revalidation of a CRI certificate, the applicant shall, within the validity period of the certificate, **fulfill 2 of the following requirements :**

- (1) complete at least 50 hours of flight instruction in the appropriate aircraft class during the period of validity of the certificate as FI, TRI, CRI or Examiner. 10 hours of flight instruction shall have been completed within the 12 months preceding the expiry date of the CRI certificate in the role of CRI. If the applicant has CRI privileges in both single. (*idem*).....; or
- (2) receive refresher training as a CRI at an approved training organization; or
- (3) pass, as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this Part.

(b) For the first and at least each alternate subsequent revalidation of a CRI certificate, the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part.

~~(d)~~ **(c) Renewal.** If the certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

- (1) receive refresher training as a CRI at an approved training organization;
- ~~(3)~~ **(2)** pass, as a proficiency check, the relevant sections of the skill test set out Appendix 12 to this Part.

response *Partially accepted*

Thank you for pointing out the editorial mistake, it will be corrected in the text.

On the other matter to harmonise the recency requirement with the other categories of instructor, the Agency followed the requirements of JAR-FCL 1.385, which were established after an assessment, taking into account the scope of the privileges and functions of the CRI.

Although the Agency agrees with your general idea to align the revalidation criteria of the different instructor categories, the Agency does not intend to change these requirements at this time, without a dedicated assessment, and considers that the changes that were introduced already provide for a sufficient level of harmonisation with other categories of instructor while maintaining proportionality.

comment 574 comment by: *Jürgen Böttcher*

FCL.940.CRI (b) The requirement for a full proficiency check for each alternate revalidation does not increase safety, it only causes increased cost. As hardly any income can be made as a CRI it will discourage many, leading to an acute shortage that is manifest even today.

response *Noted*

Thank you for providing your opinion, but the Agency considers that the requirement for the alternate assessment of competence is adequate and proportionate.

This requirement is based on JAR-FCL where a mandatory proficiency check every alternate revalidation was introduced for some of the instructor categories.

comment 646 comment by: *British Microlight Aircraft Association*

Comment: All revalidation periods and requirements should be consistent. There are differences between ratings with regard to the period between required proficiency checks. This is unsafe and will cause confusion.

*"(b) For the first and at least each alternate subsequent revalidation of a CRI certificate, the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part."*

For clarity and consistency the pre-course requirements should be the same for all the instructor ratings.

response *Noted*

Please see the reply to the comments 150 and 4745.

The Agency could really not understand your proposal, since it seems to be a copy of what is proposed. To clarify the issue it should be mentioned that based on the JAR-FCL requirements a mandatory assessment of competence for all the instructor categories was introduced. Only for the LAFI category the assessment was deleted from the proposals. For all the categories the validity of the certificate will be three years.

comment 1024 comment by: *CAA Belgium*

(d) should be (c)

response *Accepted*

Text will be amended accordingly.

comment 2236 comment by: *Nigel Roche*

With regard to (d)

(d) *Renewal*. If the certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

(1) receive refresher training as a CRI at an approved training organisation;

(3) pass, as a proficiency check, the relevant sections of the skill test set out Appendix 12 to this Part.

Firstly it should read (2) not (1)

Secondly it is poorly worded, a TRI who wishes to continue training has to revalidate within the 12 months preceding the expiry date of his/her Instructing certificate.

This is covered in (a) (1) (2) and (3)

(d) was implemented to allow an instructor who's Certificate has lapsed to regain the certificate without undergoing a full course of training PROVIDED it was renewed within 12 months of the expiry date.

I would suggest that paragraph (c) is reworded as follows.

(d) *Renewal*. If the TRI certificate has lapsed, the applicant shall, within a period of 12 months after the expiry date, be eligible to renew the certificate by:

(i) attend an instructor refresher seminar as per (a) (2) above

(ii) pass a proficiency check in accordance with Appendix 12 to this Part as per (a) (3) above

response *Partially accepted*

The editorial corrections you mention will be amended as proposed.

As for your suggestion to amend the text, the Agency is following the text of JAR-FCL.1.385, which did not limit the possibility of renewal to 12 months after the expiry date.

comment 3374❖ comment by: *Luftsportvereinigung Schwarzwald-Baar*

These are comments on FCL.940.LAFI, FCL.940.FI and FCL.940.CRI:

On (a) (1) (i):

One should also have the alternative of take-offs for hours (e.g. 90 and 100 respectively) like in (ii) and (iii) respectively.

Anyway experience is more a question of take-offs and landings than of hours.

On (a) (1) (ii) and (iii) respectively:

Why one third of hours/take-offs in the preceding 12 months? Normally an

almost equally distribution will occur, and if not eventually for some reason, this doesn't make an unsafe FI!

So cancel this sentence.

On (a) (3):

This is an unnecessary difficulty for sports aviation. If (1) and (2) are fulfilled there will not arise any safety risk. And additionally every FI will be checked (as pilot) by an other FI during his normal license revalidation.

So cancel this paragraph.

On (b):

There is no advantage in safety to be seen but a lot of unnecessary bureaucracy!

So cancel this paragraph.

response

*Not accepted*

Your proposals on (a)(1) doesn't seem to concern the CRI, but be directed at other categories of instructors. Please check the responses provided to the appropriate segment in the FI section and you will discover some changes.

As for (a) (3), it is an alternative requirement, that the CRI will only have to complete if he/she does not comply with (a)(1) or (2).

As for (b), the Agency considers that the requirement is adequate and proportionate. It was decided to introduce this requirement which was already introduced with JAR-FCL for all the instructor categories except the LAFI.

comment

3861

comment by: *Luftfahrt-Bundesamt*

FCL.940. CRI:

What is the purpose of the equal division mentioned in (a) (1). This requirement appears to be too rigid.

Which examiner certificate is required for CRI skill test /prof.checks? Is a FIE(A) or a CRE(A) qualified for this purpose? Indicate precisely who will be enabled to conduct the proficiency check.

In FCL.940.CRI (d) (3) the notation is not correct. No 2 is either missing or mislabelled as No 3.

See our comments on FCL.935.CRI and FCL.940.TRI.

response

*Partially accepted*

The division mentioned in (a)(1) is coming from JAR-FCL 1.385(a)(1)(ii).

It is the FIE. It is clear in subpart K that the CRE does not have the privilege to conduct assessments of competence for instructors.

The editorial error you mention will be corrected.

comment

4265

comment by: *SFG-Mendig*

Es sollte kein Prüfungsflug für die Verlängerung erforderlich werden.

response

*Noted*

Please see the reply to comment 574.

comment 4745 comment by: CAA Belgium

FCL.940.CRI(a)(1)

One revalidation requirement for a CRI is to have conducted at least 10 hrs flight instruction within the last 12 months. For the FI(A), in FCL.940.FI(a)(1)(i), the requirement is for 15 hrs to be done last 12 months. Why this difference?

response *Noted*

Please see the reply to comment 150 above.

The difference is coming from JAR-FCL, and is based on the different scope of privileges and functions of the FI and the CRI.

comment 5437 comment by: CAA Belgium

What is the purpose of the equal division mentioned in (a) (1). This requirement appears to be too rigid.

Which examiner certificate is required for CRI skill test /prof.checks? Is a FIE(A) or a CRE(A) qualified for this purpose? Indicate precisely who will be enabled to conduct the proficiency check.

In FCL.940.CRI (d) (3) the notation is not correct. No 2 is either missing or mislabelled as No 3.

See our comments on FCL.935.CRI and FCL.940.TRI.

response *Noted*

See response to comment No 3861.

comment 5891 comment by: UK CAA

**Paragraph:** FCL.940.CRI

**Page No:** 57 of 647

**Comment:** There are a number of disconnects between the CRI/TRI and SFI revalidation/renewal criteria. The CRI requires his currency to be within last 12 months of preceding expiry plus one out of three, the TRI within validity of the certificate plus two out of three, the SFI within period of validity plus two out of three.

**Justification:** The current policy will result in 6 years prior to a standards check being conducted and provide differing qualification criteria for what is essentially the same certificate but allocated to different types/class SPA/MPA combinations. As per the Examiners requirements a standard check should be conducted every three years to ensure the instructor standards are being maintained and able to be demonstrated. It is clear that 6 years between standardisation checks is too long to ensure the safety standards are maintained. In no other area of pilot competence is 6 years considered a suitable time period. Therefore all three (CRI/SFI and TRI) should be altered to reflect similar requirements for revalidation.

**Proposed Text:**  
**(if applicable)**

(a) *Revalidation*. For revalidation of a CRI certificate, the applicant shall, within the validity period of the certificate, fulfil the following requirements:

(3) Complete 30 hours of flight instruction in the role of CRI on the specific type or class within the appropriate aircraft category or FSTDs or an examiner, of which at least 10 hours shall be within the 12 months preceding the expiry date of the CRI certificate. If the applicant has CRI privileges on both single-engine and multi-engine aeroplanes, the 10 hours of instruction/examining shall be equally divided between single-engine and multi-engine aeroplanes;

**OR**

(4) Receive refresher training as a CRI at an approved training organisation or attend an instructor refresher seminar

**AND**

Pass, as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this Part.

response *Not accepted*

As for your proposal to increase the recency requirement, please see the reply to comment 150 above.

As for the proposal to make the assessment of competence mandatory, the Agency considers that the requirement as proposed, to have the assessment at each alternate revalidation, is adequate and proportionate.

comment 6307❖

comment by: *Axel Schwarz*

The renewal requirement states that the refresher seminar and the proficiency check shall be completed within 12 months of the renewal. This enables the pilot to freely choose the date of renewal up to 12 months after the date of the proficiency check.

The requirement therefore should read:

"... the applicant shall:

(1) within a period of 12 months before the renewal attend a refresher seminar;

(2) pass a proficiency check in accordance with Appendix 12 to this Part."

response *Not accepted*

The requirement is an exact copy of the requirement in JAR-FCL 1.380 (b). Also, from a practical point of view, the Agency does not see why the instructor would wait 12 months after passing the assessment of competence to renew the certificate.

comment 6568

comment by: *IAOPA Europe*

A CRI has to pass a proficiency check for each 2<sup>nd</sup> revalidation, this is immoderate and wasn't required until today. This has not been a problem till now and the requirement should be deleted.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No 574 in the same segment above. The Agency transferred the requirement for a mandatory proficiency check every alternate revalidation from JAR-FCL (only in place for some of the instructor

categories).

comment *6808* comment by: *CAA Finland*

FCL.940.CRI(a)(2) and (d)(1):  
Amended text proposal to harmonize with for example FCL.940.TRI:  
attend an instructor refresher seminar;

response *Partially accepted*

Text has been harmonised, but not in accordance with you proposal. Please see amended text.

comment *6921* comment by: *CAA CZ*

FCL.940.CRI (b)  
The requirement should be added, on which class should be each second proficiency checked when CRI is a holder of both SE and ME SPA privileges. Is the objective to take turns or should it be executed on ME SPA everytime?

response *Partially accepted*

The assessment should be in either multi-engine or single-engine, and if both privileges are held, in both.  
The text has been amended to clarify this.

comment *6922* comment by: *CAA CZ*

FCL.940.CRI (d)  
Numbering of paragraphs should be corrected, (c) is missing in the text.

response *Accepted*

Text will be amended accordingly.

comment *6981* comment by: *Tim Wuehrmann*

It should be possible to require the proficiency check under (3) (b) at least each third revalidation (9 years) in case of a CRI as it is handled for the LAFI. There are no safety argues against it.  
My proposal for a wording:  
For at least each third revalidation of a CRI certificate, the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part.

response *Not accepted*

The Agency considers that in the case of the CRI the proficiency check should be at each alternate revalidation.

comment *7055* comment by: *CAA Norway*

FCL.940.CRI(a)(1)  
One revalidation requirement for a CRI is to have conducted at least 10 hrs flight instruction within the last 12 months. For the FI(A), in FCL.940.FI(a)(1)(i), the requirement is for 15 hrs to be done last 12 months. Why this difference?

response	<i>Noted</i> See response to comment No 4745.
comment	7642 <span style="float: right;">comment by: <i>Atlantic Training Support</i></span> FCL.940(a)(2) delete para (2)
response	<i>Not accepted</i> This requirement was already contained in JAR-FCL 1 and the Agency does not intend to delete this requirement.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 6: Specific requirements for the instrument rating instructor — FCL.905.IRI IRI — p. 57 Privileges and conditions**

comment	1330 <span style="float: right;">comment by: <i>Bristow Helicopters</i></span> The meaning of (a) is unclear "... provided that the instructor meets the requirements to instruct on the specific type or class of aircraft"  Does this mean the General Requirements of FCL.915, or is it implying that a TRI or FI rating needs to be held on the specific type or class, which is not specifically stated. I propose the following amendment for clarity: .... provided that the instructor meets the requirements <b>of FCL.915.</b>  Justification: Clarity of meaning.
response	<i>Partially accepted</i> Text has been deleted. There is no need to refer to the general paragraph FCL.915.
comment	2342 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span> The meaning of (a) is unclear "... provided that the instructor meets the requirements to instruct on the specific type or class of aircraft"  Does this mean the General Requirements of FCL.915, or is it implying that a TRI or FI rating needs to be held on the specific type or class, which is not specifically stated. We propose the following amendment for clarity: .... provided that the instructor meets the requirements <b>of FCL.915.</b>  Justification: To clarify
response	<i>Partially accepted</i> Please see response to comment No 1330 above.
comment	3643 <span style="float: right;">comment by: <i>M Wilson-NetJets</i></span> FCL.905.IRI <ul style="list-style-type: none"><li>• No instruction is required for the revalidation and renewal of an IR, so</li></ul>

	<p>the inclusion of this activities is irrelevant</p> <p>Suggestion:</p> <p>delete "revalidation and renewal"</p>
response	<p><i>Not accepted</i></p> <p>There is a requirement for refresher training for the renewal of an IR. It is true that for revalidation there are no requirements, but the Agency has decided to leave it in to cover the cases where an applicant for the revalidation of an IR does not pass the proficiency check and needs some training before re-taking the check.</p>
comment	<p>3862 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>FCL.905.IRI: Is it correct to understand that in order to be consistent with the requirements in FCL.905.FI (h)(3)(i) and FCL.905.FI(h)(3)(ii) the holder of an IRI-certificate may only exercise his IRI privileges to instruct on the specific type or class of aircraft when he also holds an FI, CRI or TRI rating/certificate? If the answer is 'yes', this should be indicated precisely in FCL.905.IRI.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 1330 above.</p>
comment	<p>4413 <span style="float: right;">comment by: <i>Bond Offshore Helicopters</i></span></p> <p>The meaning of (a) is unclear "... provided that the instructor meets the requirements to instruct on the specific type or class of aircraft"</p> <p>Does this mean the General Requirements of FCL.915, or is it implying that a TRI or FI rating needs to be held on the specific type or class, which is not specifically stated. We propose the following amendment for clarity: .... provided that the instructor meets the requirements <b>of FCL.915</b>.</p> <p>Justification: Clarity of meaning.</p>
response	<p><i>Partially accepted</i></p> <p>Please see response to comment No 1330 above.</p>
comment	<p>4618 <span style="float: right;">comment by: <i>OAA Oxford</i></span></p> <p>FCL.905.IRI (b) (1) requires that, for the basic phase of the MPL course, IRI(A)s hold an instrument rating for multi engine aeroplanes. Recommendation: revise requirement to state "or have held" <b>Requires adjustment to FCL.905.MCCI (a) (2) please cross refer with note 4605.</b></p> <p>The majority of MCCIs are highly experienced former airline pilots who have lost their medical certificate and will not previously have been FIs. Without a medical certificate they cannot achieve FI(A) certification. However, with an IRI(A) qualification they would be excellent instructors for the MPL basic phase.</p>
response	<p><i>Not accepted</i></p>

This requirement is coming from JAR-FCL. During the initial phase of implementation of the MPL, the Agency does not intend to change these requirements. This may be done in the future once more data on the MPL implementation are available.

comment 4657 comment by: *Héli-Union*

The meaning of (a) is unclear "... provided that the instructor meets the requirements to instruct on the specific type or class of aircraft"

Does this mean the General Requirements of FCL.915, or is it implying that a TRI or FI rating needs to be held on the specific type or class, which is not specifically stated. We propose the following amendment for clarity:  
.... provided that the instructor meets the requirements **of FCL.915**.

Justification: Clarity of meaning.

response *Partially accepted*

Please see response to comment No 1330 above.

comment 4877 comment by: *HUTC*

The meaning of (a) is unclear "... provided that the instructor meets the requirements to instruct on the specific type or class of aircraft"

Does this mean the General Requirements of FCL.915, or is it implying that a TRI or FI rating needs to be held on the specific type or class, which is not specifically stated. We propose the following amendment for clarity:  
.... provided that the instructor meets the requirements **of FCL.915**.

Justification: Clarity of meaning.

response *Partially accepted*

Please see response to comment No 1330 above.

comment 5438 comment by: *CAA Belgium*

Is it correct to understand that in order to be consistent with the requirements in FCL.905.FI (h)(3)(i) and FCL.905.FI(h)(3)(ii) the holder of an IRI-certificate may only exercise his IRI privileges to instruct on the specific type or class of aircraft when he also holds an FI, CRI or TRI rating/certificate? If the answer is 'yes', this should be indicated precisely in FCL.905.IRI.

response *Noted*

Please see response to comment No 3862 above.

comment 7135 comment by: *CHC Europe EASA Ops Team - representing 550 pilots across Europe*

The meaning of (a) is unclear "... provided that the instructor meets the requirements to instruct on the specific type or class of aircraft"

Does this mean the General Requirements of FCL.915, or is it implying that a

	<p>TRI or FI rating needs to be held on the specific type or class, which is not specifically stated. We propose the following amendment for clarity: ... provided that the instructor meets the requirements <b>of FCL.915.</b></p> <p>Justification: Clarity of meaning.</p>
response	<p><i>Partially accepted</i></p> <p>Please see response to comment No 1330 above.</p>

comment	<p>7283 <span style="float: right;">comment by: ECOGAS</span></p> <p>Current wording: "The privileges of an IRI are to instruct for the issue, revalidation and renewal of an instrument rating on the appropriate aircraft category, provided that the instructor meets the requirements to instruct on the specific type or class of aircraft."</p> <p>Issue: No instruction is required for the revalidation and renewal of an IR, so the inclusion of this activities is irrelevant</p> <p>Suggestion: delete "revalidation and renewal"</p>
response	<p><i>Not accepted</i></p> <p>Please see response to comment No 3643 above.</p>

comment	<p>7647 <span style="float: right;">comment by: Atlantic Training Support</span></p> <p>FCL.915 IRI. Delete proposed wording and replace with 'must hold a current Instrument Rating; and' (requires an adjustment to FCL.905 MCCI(2) )</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 4618 above.</p>

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 6: Specific requirements for the instrument rating instructor — FCL.915.IRI p. 57-58 Prerequisites for the IRI training course**

comment	<p>378 <span style="float: right;">comment by: REGA</span></p> <p><b>STATEMENT</b> The requirement of 500 hours of IFR flight time is too excessiv.</p> <p><b>PROPOSAL</b> To require a minimum of <u>250 hours of IFR</u> flight time in helicopters.</p>
response	<p><i>Not accepted</i></p> <p>This requirement is not considered to be too excessive. The 500 hours have been contained in JAR-FCL 2 since its initial issue, whereas the 250 helicopter instrument flight hours were incorporated at a later amendment. The Agency transposed this requirement as it is widely accepted throughout all the JAA member States.</p>

comment	<p>1612 <span style="float: right;">comment by: <i>Helikopter Air Transport GmbH / Christophorus Flugrettungsverein</i></span></p> <p><b>STATEMENT</b> The requirement of 500 hours of IFR flight time is too excessive.</p> <p><b>PROPOSAL</b> To require a minimum of <u>250 hours of IFR</u> flight time in helicopters.</p>
response	<p><i>Not accepted</i></p> <p>Please see response to comment No 378 above.</p>
comment	<p>3413 <span style="float: right;">comment by: <i>NACA</i></span></p> <p><b>FCL.915.IRI (b)</b></p> <p>1. Flying the required hours under IFR does not necessarily mean "instrument flight time". Requiring some recent "hands-on instrument flight time" is well worth considering as a pre-requisite (like for an IRI(As)).</p>
response	<p><i>Partially accepted</i></p> <p>Please see response to comment No 5894 below.</p>
comment	<p>3644 <span style="float: right;">comment by: <i>M Wilson-NetJets</i></span></p> <p>FCL.915.IRI</p> <ul style="list-style-type: none"> <li>• the proposed wording is impossible to police since actual Instrument Flying time is not recorded, and the proposed wording doesn't stipulate requirement for current IR.</li> </ul> <p>Suggestion: Delete proposed wording and replace with "must hold a current Instrument Rating; and"</p>
response	<p><i>Not accepted</i></p> <p>This wording is a direct transfer from JAR-FCL. In JAR-FCL 1.080 and the respective IEM there is a provision to record the operational conditions of the flight, one of which can be IFR. This is also foreseen in the proposal for the pilot log book (AMC to FCL.050) which was published with this NPA. Please note also that the requirement for the IRI to hold an IR is already covered by the general requirements of FCL.915.</p>
comment	<p>3674 <span style="float: right;">comment by: <i>SHA Guido Brun</i></span></p> <p>Statement: procedures are the same for helicopters and aeroplanes. Therefore 100 hrs in helicopters are more than adequate.</p> <p>Proposal: FCL.915.IRI (b) For an IRI(H), have completed at least 500 hours of flight time under IFR, of which at least <b>100</b> hours shall be in helicopters;</p>
response	<p><i>Not accepted</i></p> <p>This wording is a direct transfer from JAR-FCL 2. The Agency sees no reason to</p>

change it at this time.  
Please see also response to comment No 378 above.

comment 3863 comment by: *Luftfahrt-Bundesamt*

FCL.915. IRI:

Since there is a differentiation between single engine and multiengine aeroplanes in FCL.915.IRI(a), a differentiation between single engine and multi engine helicopters in FCL.915.IRI(b) seems to be appropriate and should be incorporated into the requirements. Otherwise the requirements appear to be unbalanced, incomplete or inconsistent and would set aeroplanes in disadvantage. Therefore, the requirement listed under FCL.915.IRI(b) should be listed as FCL.915.IRI(b)(1) and a further requirement should be added as FCL.915.IRI(b)(2) which should read: In the case of applicants of an IRI(H) for multi engine helicopters, meet the requirements of paragraph FCL.905.FI(h)(3)(ii) or FCL.905.TRI(c) in conjunction with FCL.910.TRI(c).

response *Partially accepted*

Text has been amended following your proposal.

comment 5439 comment by: *CAA Belgium*

Since there is a differentiation between single engine and multiengine aeroplanes in FCL.915.IRI(a), a differentiation between single engine and multi engine helicopters in FCL.915.IRI(b) seems to be appropriate and should be incorporated into the requirements. Otherwise the requirements appear to be unbalanced, incomplete or inconsistent and would set aeroplanes in disadvantage. Therefore, the requirement listed under FCL.915.IRI(b) should be listed as FCL.915.IRI(b)(1) and a further requirement should be added as FCL.915.IRI(b)(2) which should read: In the case of applicants of an IRI(H) for multi engine helicopters, meet the requirements of paragraph FCL.905.FI(h)(3)(ii) or FCL.905.TRI(c) in conjunction with FCL.910.TRI(c).

response *Partially accepted*

Please see the reply to comment 3863 above.

comment 5894 comment by: *UK CAA*

**Paragraph:** FCL.915.IRI(b)

**Page No:** 58 of 647

**Comment:** In the change in JAR-FCL 2 from Amendment 3 to Amendments 4, 5 & 6, the prerequisites for the IRI changed subtly from "500 hours flight under IFR" to "500 hours flight under IFR of which at least 250 hours shall be instrument flight time". This latter is defined in EASA Part FCL as flight by sole reference to instruments. In the UK and other states, night flight is regarded as IFR and therefore a prospective IRI could legally claim 500 hours night flight to meet the prerequisites to become an IRI without ever having flown under real instrument flight rules.

NPA 2008-17b has reverted this prerequisite back to FCL 2 amendment 3.

**Justification:** The NPA should be in line with JAR-FCL 2 Amendment 4

**Proposed Text: (if applicable)**

915.IRI(b) to read "...500 hours flight time under IFR of which at least 250 shall be *instrument flight time* in helicopters;"

response	<i>Accepted</i> Text has been amended as proposed.
comment	7284 <span style="float: right;">comment by: ECOGAS</span>  Current wording: "Before attending the IRI training course, an applicant for an IRI certificate shall: (a) for an IRI for aeroplanes IRI(A): (1) have completed at least 800 hours of flight time under IFR, of which at least 400 hours shall be in aeroplanes; and"  Issue: The proposed wording is impossible to police since actual Instrument Flying time is not recorded, and the proposed wording doesn't stipulate requirement for current IR.  Suggestion: Delete proposed wording and replace with "must hold a current Instrument Rating; and"  NB: Also requires adjustment to FCL.905.MCCI(a)(2)
response	<i>Not accepted</i> Please see the reply to comment 3644 above.

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 6: Specific requirements for the instrument rating instructor — FCL.930.IRI IRI — Training course</b>	p. 58
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comment	1025 <span style="float: right;">comment by: CAA Belgium</span>  (c) " <i>instructor nominated by a training organisation</i> " should be deleted. See remark under FCL.930 CRI  Last (c) should become (d).
response	<i>Partially accepted</i>  1. See response comment 3781. 2. Thank you for pointing out the editorial error.
comment	1369 <span style="float: right;">comment by: Bristow Helicopters</span>  Same comment as for FCL.930.TRI. (b)(1) should be <b>10</b> hours of TKI according to JAR-FCL 2 (b)(2) should be <b>25</b> hours of instructional techniques according to JAR-FCL 2. (c) text should be ... requirements of <b>(b) (2)</b> .  Justification: Consistency with current JAR rules. The instructional technique course is credited from other instructor certificates, not the theoretical knowledge instruction.
response	<i>Partially accepted</i>

The Agency has carefully reviewed the comments and harmonised the requirements concerning the various instructor training courses. Please refer to the revised text as it resembles your comment.

comment 2131 comment by: *British International Helicopters*

Same comment as for FCL.930.TRI.  
 (b)(1) should be **10** hours of TKI according to JAR-FCL 2  
 (b)(2) should be **25** hours of instructional techniques according to JAR-FCL 2.  
 (c) text should be ... requirements of **(b) (2)**.

Justification:

Consistency with current JAR rules. The instructional technique course is credited from other instructor certificates, not the theoretical knowledge instruction

response *Noted*

See response to comment No 1369.

comment 2343 comment by: *AECA(SPAIN)*

Same comment as for FCL.930.TRI.  
 (b)(1) should be **10** hours of Theoretical Knowledge Instruction according to JAR-FCL 2  
 (b)(2) should be **25** hours of instructional techniques according to JAR-FCL 2.  
 (c) text should be ... requirements of **(b) (2)**.

Justification:

Consistency with current JAR rules. The instructional technique course is credited from other instructor certificates, not the theoretical knowledge instruction.

response *Noted*

See response to comment No 1369.

comment 3364 comment by: *DGAC FRANCE*

Part FCL .930.IRI (b) (3) (ii)

Editorial and consistency

For an IRI(H), at least 10 hours of flight instruction in a helicopter, FFS, FTD 2/3 or FNPT II / **III**

response *Accepted*

Thank you for pointing out this editorial error.

comment 3781 comment by: *DGAC FRANCE*

Part FCL 930.IRI (c)

FCL 905 (j) deals with this case.

	(c) Flight instruction shall be given <del>by an instructor nominated by a training organisation for this purpose</del> <b><u>by a FI qualified in accordance with FCL 905(j).</u></b>
response	<i>Accepted</i> The Agency has amended the text in line with your suggestion.
comment	4414 <span style="float: right;">comment by: <i>Bond Offshore Helicopters</i></span> Same comment as for FCL.930.TRI. (b)(1) should be <b>10</b> hours of TKI according to JAR-FCL 2 (b)(2) should be <b>25</b> hours of instructional techniques according to JAR-FCL 2. (c) text should be ... requirements of <b>(b) (2)</b> .  Justification: Consistency with current JAR rules. The instructional technique course is credited from other instructor certificates, not the theoretical knowledge instruction.
response	<i>Noted</i> See response to comment No 1369.
comment	4658 <span style="float: right;">comment by: <i>Héli-Union</i></span> Same comment as for FCL.930.TRI. (b)(1) should be <b>10</b> hours of TKI according to JAR-FCL 2 (b)(2) should be <b>25</b> hours of instructional techniques according to JAR-FCL 2. (c) text should be ... requirements of <b>(b) (2)</b> .  Justification: Consistency with current JAR rules. The instructional technique course is credited from other instructor certificates, not the theoretical knowledge instruction.
response	<i>Noted</i> See response to comment No 1369.
comment	4824 <span style="float: right;">comment by: <i>OAA Oxford</i></span> (b) (3) IR (A) should read IRI(A)
response	<i>Accepted</i> Editorial, text amended accordingly.
comment	4878 <span style="float: right;">comment by: <i>HUTC</i></span> Same comment as for FCL.930.TRI. (b)(1) should be <b>10</b> hours of TKI according to JAR-FCL 2 (b)(2) should be <b>25</b> hours of instructional techniques according to JAR-FCL 2. (c) text should be ... requirements of <b>(b) (2)</b> .  Justification:

	Consistency with current JAR rules. The instructional technique course is credited from other instructor certificates, not the theoretical knowledge instruction.	
response	<i>Noted</i>	
	See response to comment No 1369.	
comment	5275	comment by: CAA Belgium
	Part FCL .930.IRI (b) (3) (ii) Editorial and consistency For an IRI(H), at least 10 hours of flight instruction in a helicopter, FFS, FTD 2/3 or FNPT II / <b>III</b>	
response	<i>Accepted</i>	
	Thank you for pointing out this editorial error.	
comment	5323	comment by: ECA- European Cockpit Association
	Editorial, rename paragraph and add text: (ed) Applicants holding or having held an instructor certificate <b><u>in the same aircraft category</u></b> shall be fully credited towards the requirement of (b)(1).  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.	
response	<i>Not accepted</i>	
	The Agency has carefully reviewed all the comments related to the training course and decided to harmonise these requirements. Crediting is only provided for the Teaching and Learning part, which is the same for all instructors and therefore this part is credited towards all instructors.	
comment	6758	comment by: CAA CZ
	FCL.930.IRI (b)(3)(i) Missing <b>I</b> should be added – for the IRI (A)...	
response	<i>Accepted</i>	
	Editorial, text amended accordingly.	
comment	6759	comment by: CAA CZ
	FCL.930.IRI (c) The second provision lettered (c) should be corrected to (d).	
response	<i>Accepted</i>	
	Editorial, text amended accordingly.	
comment	7141	comment by: CHC Europe EASA Ops Team - representing 550 pilots across Europe

Same comment as for FCL.930.TRI.  
 (b)(1) should be **10** hours of TKI according to JAR-FCL 2  
 (b)(2) should be **25** hours of instructional techniques according to JAR-FCL 2.  
 there are two paragraphs entitled (c) the second should presumably be (d) and  
 in this para the text should be ... requirements of **(b)(2)**.

Justification: Consistency with current JAR rules. The instructional technique course is credited from other instructor certificates, not the theoretical knowledge instruction.

response *Noted*

See response to comment No 1369.

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 6: Specific requirements for the instrument rating instructor — FCL.935.IRI IRI — Skill test</b>	p. 58
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comment 152 comment by: *Michel Lacombe AF TRTO*

Is it correct to think that the only examiner allowed to conduct the skill test for the IRI issue is a FIE ??? (FCL 1005 FIE privileges)

We might have thought that an IRE would have been better than any FIE (as there are no conditions imposed for that FIE to have an IR).

response *Noted*

It is only the FIE, since the IRE does not have the privilege to examine other instructors. This was already the system in JAR-FCL.

comment 3152 comment by: *Susana Nogueira*

A skill test form for IRI should be proposed

response *Noted*

Please see the reply to comments on Appendix 12.  
 This may be subject to future work.

comment 3864 comment by: *Luftfahrt-Bundesamt*

FCL.935. IRI:  
 Indicate precisely who will conduct the skill test.

response *Noted*

Please see the reply to comment 152 above.

comment 5440 comment by: *CAA Belgium*

Indicate precisely who will conduct the skill test.

response *Noted*

Please see the reply to comment 152 above.

comment	5895	comment by: UK CAA
	<p><b>Paragraph:</b> FCL.935.IRI  <b>Page No:</b> 58 of 647  <b>Comment:</b> The paragraph doesn't specify who should conduct this skill test.  <b>Justification:</b> A qualified person must conduct any test conducted on a pilot.  <b>Proposed Text: (if applicable)</b>  Change to read "...shall pass a skill test to demonstrate, to an IRE or FIE qualified for this purpose, his ability to instruct ....."</p>	
response	<p>Noted</p> <p>Please see the reply to comment 152 above.</p>	

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 6: Specific requirements for the instrument rating instructor — FCL.940.IRI IRI —</b>	p. 58
<b>Revalidation and renewal</b>	

comment	3069	comment by: Peter SCHMAUTZER
	<p>This is a chance in relation to the JAR-FCL, which implies further burden to maintain the FI-Licence. There is not to see which objective will be reached if FI's have to make every second revalidations a new examination according to Appendix 12. It is sufficient if FI's are obliged to make a refresher seminar or a proficiency check according to Appendix 12. It makes no sense to demand new full examinations after a certain period of time. It is sufficient, that the ability of a person is checked at refresher seminars or proficiency checks. Obviously is not taken into account that the majority of examiners and instructors are working in the General Aviation. If there are less instructors and examiners so the costs will rise also for all participants in the General Aviation.</p>	
response	<p>Noted</p> <p>Thank you for providing your opinion.</p> <p>However, your comment seems to refer to the revalidation of the FI certificate, not the IRI. Please see the replies to comments on FCL.940.FI. It should be mentioned here already that the requirement for a mandatory proficiency check is based on JAR-FCL where such a requirement for every alternate revalidation was already in place. Please check JAR-FCL 1.355(b) (Amendment 7).</p>	

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 7: Specific requirements for the synthetic flight instructor</b>	p. 58
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comment	7929❖	comment by: General Aviation Manufacturers Association / Hennig
	<p><b><u>GAMA Comments about Synthetic Flight Instructors and Medical Requirement:</u></b></p> <p>GAMA recommends that EASA clarify the connection between FCL.915 and FCL.905.SFI as it relates to the requirement for holding a medical certificate.</p>	

FCL.915(b)(3) states that the general requirements for instructors is to “be entitled to act as pilot-in-command of the aircraft during such instruction.” GAMA understands this is intended to address in-airplane flight instruction provided by the instructor who then may act as pilot-in-command.

However, synthetic flight instructor requirements outlined in Section 7 is silent about requiring a medical certificate.

GAMA believes and EASA should recognize that there is not a safety justification to require synthetic flight instructors to hold a medical certificate, since there is not a safety of flight issue in place for synthetic flight instruction.

GAMA requests that EASA confirm the agency’s intent not to require Synthetic Flight Instructors (SFIs) to meet the requirements of FCL.915 to be entitled to act as pilot-in-command, since this could be seen as inferring a requirement to hold a medical certificate.

response *Noted*

The Agency sees no need to specify that an SFI, STI or MCCI does not require a medical certificate. FCL.915 (b) is only applicable for those instructors with ‘privileges to conduct flight instruction in an aircraft’. Furthermore FCL.915.SFI (a) states that an SFI could only ‘have held’ a licence. Since the requirement to hold a medical certificate is related to the licence (not the instructor certificate) if the instructor does not hold a licence, he/she doesn’t need a medical certificate.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 7: Specific requirements for the synthetic flight instructor — FCL.905.SFI SFI — p. 58-59 Privileges and conditions**

comment 65

comment by: *Michel Lacombe AF TRTO*

**The SFI should be allowed to participate to the training and the formation of the others SFI and TRI as soon they have got enough experience, being trained and checked. The TRI checked on FFS only got the same privileges.**

Furthermore, nowadays SFI may participate in the revalidation and renewal of instruments rating for additional type rating even if they didn’t follow the IRI training course. We request to keep this privilege.

**FCL.905.SFI SFI Privileges and conditions**

a) *General*. The privileges of an SFI are to carry out synthetic flight instruction for:

- (1) the initial issue, revalidation and renewal of type ratings;
- (2) multi-crew cooperation; and
- (3) the revalidation or renewal of an instrument rating,
- (4) the issue of a SFI and TRI certificate, provided that the holder has:
  - **completed**45 hours of experience as a SFI
  - **passed successfully a proficiency check in accordance with FCL 935 SFI.**
  - **followed a specific training to be defined by the ATO.**

Example of specific training:

Ground course : (1 day)

	<ul style="list-style-type: none"> <li>• <b>Presentation of the TRI syllabus. Fundamentals of human performance and limitations.</b></li> <li>• <b>Instructor skills and attitude relevant to a TRI (SFI) training another TRI or SFI.</b></li> <li>• <b>Administrative documents to be fulfilled</b></li> <li>• <b>Supports studies and example of behaviour (study case).</b></li> <li>• <b>Fundamentals of evaluation relevant to applicant's performance.</b></li> </ul>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your input. After carefully assessing your proposal to include the privilege to train other SFIs, the Agency has decided to continue with the text of JAR-FCL in this field. However, it is possible that your proposal may be subject to a future rulemaking task.</p> <p>Regarding the request to delete the reference to the IRI training course, the Agency considers that if the SFI wishes to instruct for the IR he/she needs to have completed the related training course. Please note that in JAR-FCL the privilege to instruct for the IR was not granted to the SFI.</p>
comment	<p>672 <span style="float: right;">comment by: FOCA Switzerland</span></p> <p>J/Section 7 FCL.905.SFI (</p> <p>Correction: <b>(a)(3) A SFI is entitled to carry out synthetic flight instruction for:</b></p> <p><b>&gt; the revalidation of instrument ratings, provided the SFI holds a valid instrument rating.</b></p>
response	<p><i>Partially accepted</i></p> <p>Requirement to hold or have held a valid IR is going to be included.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2225</p> <p>FCL.905.SFI SFI privileges and conditions</p> <p>Comment: SFIs must be able to train for the revalidation and renewal of an IR part of type rating. There is no separation here between training for the initial issue of an IR, versus the revalidation and renewal.</p> <p>Proposal:</p> <ul style="list-style-type: none"> <li>• delete wording in (a) (3) "issue" and "provided he/she has completed an IRI training course." to read (a)(3) "the revalidation or renewal of an instrument rating"</li> <li>• then add sub para (4) "the issue of initial instrument rating provided that he/she has completed an IRI training course."</li> </ul>
response	<p><i>Not accepted</i></p> <p>The Agency considers that in order to be able to instruct for an instrument</p>

rating, the SFI needs to have completed the IRI training course.  
See also the reply to comment 672 above.

comment 2564 comment by: CAA Belgium

(c)  
Question: Is an SFI(A) allowed to give IR(H) instruction on an FNPT(H) ? Vice versa ?

response Noted

No. The privileges are restricted to providing instruction within the relevant aircraft category.  
The initial sentence of paragraphs (a) and (c) will be amended to clarify this.

comment 3865 comment by: Luftfahrt-Bundesamt

FCL.905.SFI:  
FCL.905.SFI (a)(3) should either be deleted or corrected because there are no instructional requirements for the revalidation of an IR according to FCL.625(a) and FCL.625(b)(1) as well as FCL.625.A(a)(1).

response Noted

It is true that there are no requirements. However, the Agency has decided to maintain the reference to revalidation to cover the cases where an applicant may fail a proficiency check and need to have instruction before re-taking it.

comment 4338 comment by: CAE

Section 7 FCL.905.SFI paragraph (b)

If the SFI is able to conduct synthetic flight instruction for the basic and intermediate phases of the MPL course then the SFI should also be able to conduct synthetic flight instruction for the issue, revalidation or renewal of an instrument rating and a class or type rating for single-pilot aircraft.  
Reference comment #4031.

response Noted

The objectives of the MPL course are not to give instruction for single-pilot aircraft.  
Please note also that FCL.905.SFI requires the SFI to hold or have held an FI or IRI.  
Please see the replies to comments 672 and 2225 above.

comment 4508 comment by: AEA

**Relevant Text:**

(a) *General*. The privileges of an SFI are to carry out synthetic flight instruction for:

- (1) the initial issue, revalidation and renewal of type ratings;
- (2) multicrew cooperation; and
- (3) the issue, revalidation or renewal of an instrument rating, provided he/she has completed an IRI training course.

**Comment:**

response	<p>(a) (1) Why SFI privileges allow to carry out instruction for the initial issue, revalidation and renewal of type ratings and TRI privileges are limited to MPA type ratings? (and why there is a (b) in FCL 905 TRI?)</p> <p><i>Noted</i></p> <p>Please note that FCL.905.SFI has been re-structured in a more similar way to FCL.905.TRI. Please see amended text, which should be clearer.</p>
comment	<p>4510 <span style="float: right;">comment by: AEA</span></p> <p>Relevant Text:  (a) <i>General</i>. The privileges of an SFI are to carry out synthetic flight instruction for:  (1) the initial issue, revalidation and renewal of type ratings;  (2) multicrew cooperation; and  (3) the issue, revalidation or renewal of an instrument rating, provided he/she has completed an IRI training course.  <b>Comment:</b>  Many SFI, in major operators, are previous TRI that have problem with their medical requirements or have retired.  <b>Proposal:</b>  (a)(3) Change in:  "The issue of an instrument rating provided he/she has completed an IRI rating training course, the revalidation or renewal of an instrument rating, provided he/she holds or have held an IR rating"</p>
response	<p><i>Partially accepted</i></p> <p>Please see the replies to comments 672 and 2225 above.</p>
comment	<p>4949 <span style="float: right;">comment by: Flight Training Europe</span></p> <p><u>Page 58, FCL.905.SFI (b)</u></p> <p>States that to instruct on the MPL basic phase an SFI shall hold or have held an FI(A) or IRI(A) certificate. This infers that the FI(A) or IRI(A) qualification is or was issued in accordance with EASA, Part FCL. This will be restrictive and will preclude the use of a number of experienced SFIs that either did not convert their military QFI qualification or pre-JAR/EASA FI(A) or IRI(A) qualification to an JAR/EASA certificate. The decision that an SFI's lapsed FI(A) or IRI(A) qualification is acceptable for instruction at the basic phase should be delegated to the Authority. Change para (b) (2) to read:</p> <p><b>(2) <i>Additional privileges for the SFI(A). Additionally, the privileges of an SFI(A) are to carry out synthetic flight instruction for the MPL course on the basic, intermediate and advanced phases, provided that, for the basic phase, they hold an FI(A) or IRI(A) certificate or have held an FI(A) or IRI(A) qualification acceptable to the Authority.</i></b></p>
response	<p><i>Not accepted</i></p> <p>The addition you propose to the paragraph is not needed. Provisions on credit for military experience have been included in the draft cover regulation, published with this CRD. Transition measures will also be included where it will be established that licences, ratings and other qualifications that were issue by the Member States</p>

in accordance with JAR-FCL will be considered to have been issued in accordance with Part-FCL.

comment 5225 comment by: *Flight Training Europe*

Page 53/54, FCL.905&910.TRI and Page 59, FCL.905.SFI (c)

Both state that the privileges for the TRI and SFI are restricted to the FTD 2/3 or FS of the aircraft type in which the training course was taken. However, both the TRI and SFI's privileges allow them to instruct on the MPL course at the basic and intermediate phases in FTDs which may not be type specific to the qualification held. The training at these two phases is not for the issue of a type rating and therefore does not require type specific qualifications.

Suggest that a specific MPL FTD qualification be introduced for the basic and intermediate phases for non-type specific rated instructors.

**To initially instruct on the MPL course at the basic and/or intermediate phase, the FTD instructor must hold or have held in the previous five years a TRI or SFI qualification. Initial type training and recurrent training on the FTD to be used for the instruction on the MPL course for non-current TRIs or SFIs is to be approved by the authority. Following this training the MPL FTD instructor would complete the MPL Instructor Training Course. The successful assessment by an instructor examiner of practical competencies and of knowledge of the competency-based approach to training would finalise the MPL FTD instructor's (MPL FTDI) training. The MPL FTDI qualification certificate would then be issued. Once qualified as an MPL FTDI the revalidation or renewal of the instructor's certificate shall be similar to that of an MCCI; the maintenance of aircraft type specific certificate is not required to instruct on the basic and intermediate phases. To instruct on the basic phase the MPL FTDI must also hold or have held an FI (A) or an IRI (A) certificat**

response *Not accepted*

The text of the proposals follows closely the text of JAR-FCL. The Agency does not intend to change it at this time.

comment 5441 comment by: *CAA Belgium*

FCL.905.SFI (a)(3) should either be deleted or corrected because there are no instructional requirements for the revalidation of an IR according to FCL.625(a) and FCL.625(b)(1) as well as FCL.625.A(a)(1).

response *Noted*

Please see the reply to comment 3865 above.

comment 5711 comment by: *FNAM (Fédération Nationale de l'Aviation Marchande)*

The main idea is to realize that SFI, in major operators, are usually TRO retired or have medical problems. (a)(3) could be change for :

["The issue of an instrument rating provided he/she has completed an IRI rating training course; the revalidation or renewal of an instrument rating, provided,](#)

	<p>he/she <b>holds or have held</b> an IR rating”</p> <p>So the wording “holds or have held’ would be in accordance with disposals of FCL.915.SFI, itself stating “hold or have held”</p>
response	<p><i>Partially accepted</i></p> <p>Please see the replies to comments 672 and 2225 above.</p>
comment	<p>5898 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.SFI (a)(1)  <b>Page No:</b> 58 of 647  <b>Comment:</b> Use of the word ‘initial’ is not used consistently during the document.  <b>Justification:</b> 905.LAFI, 905.FI, 905.TRI, 905.CRI, 905.IRI, 905.STI, 905.MI do not use the word ‘initial’.  <b>Proposed Text: (if applicable)</b>  Delete word ‘initial’ or include the word ‘initial’ in the other references</p>
response	<p><i>Accepted</i></p> <p>The Agency will conduct an editorial review to ensure consistency.</p>
comment	<p>5899 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.SFI (a)(1)  <b>Page No:</b> 58 of 647  <b>Comment:</b> It is noted that unlike the TRI the SFI only specifies type ratings. It does not clarify if these type ratings are single-pilot or multi-pilot.  <b>Justification:</b> The SFI rating is a multi-pilot only certificate and therefore to be consistent to the wording and layout of the TRI section the wording should be the same.  <b>Proposed Text: (if applicable)</b>  ...revalidation and renewal of multi-pilot aircraft type ratings.</p>
response	<p><i>Noted</i></p> <p>The Agency has carefully reviewed your proposals in relation to TRI, CRI and SFI privileges, and the connection with training for single-pilot aeroplanes in multi-pilot operations.  Taking also into account the need to cover other aspects related to very light jets and other high performance complex aeroplanes, the Agency has decided to create a new SFI(SPA).  The provisions for this new category of instructor have been developed based on the comments received and on the work of experts contracted by the Agency.  Please see the amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.</p>
comment	<p>5901 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.SFI (a)(3)  <b>Page No:</b> 58 of 647  <b>Comment:</b> The SFI and TRI content require standardising.  <b>Justification:</b> There is no logical reason why the privileges between TRI and</p>

	<p>SFI should be different as they are in effect the same certificate (one for aircraft and one for simulator).</p> <p><b>Proposed Text: (if applicable)</b> the issue, revalidation or renewal of an instrument rating, provided he/she has completed an IRI training course OR holds a valid instrument rating.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the replies to comments 672 and 2225 above.</p>
comment	<p>5902 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.SFI (c) 2<sup>nd</sup> paragraph <b>Page No:</b> 59 of 647 <b>Comment:</b> The requirements to extend to other FSTDs representing further types of aircraft should require a check of competence. <b>Justification:</b> The differences between a multi-pilot Citation and a Boeing 747 require differing experience, skill and knowledge. It would not be appropriate for extending such a privilege without a check of competence to an examiner authorised for the purpose. Add a third paragraph as a requirement <b>Proposed Text: (if applicable)</b> and (3) in the case of the SFI(MPA), that holder shall additionally pass, as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this part in order to demonstrate to a TRE or SFE qualified for the purpose, his ability to instruct a pilot to the level required for the issue of a type rating, including pre-flight, post-flight and theoretical knowledge instruction.</p>
response	<p><i>Not accepted</i></p> <p>This is already covered by FCL.930.SFI (a) (to complete a training course), FCL.915.SFI (b) (to have completed a proficiency check), and FCL.935 (to pass an assessment of competence).</p>
comment	<p>5905 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.905.SFI(c) <b>Page No:</b> 59 of 647 <b>Comment:</b> Paragraph (c) is not a direct copy of what is contained in JAR-FCL 1.410(b) and is not logical. <b>Justification:</b> Incorrect transposition of JAR-FCL 1.410(b) <b>Proposed Text: (if applicable)</b> Amend 905.SFI(c) to read as follows; "The privileges may be extended to other FSTDs representing further types of aircraft when the holder has; (1) <i>satisfactorily completed the simulator content of the relevant type rating course; and</i> (2) <i>conducted on a complete type rating course at least 3 hours of flight instruction related to the duties of a SFI on the applicable type under the supervision and to the satisfaction of a TRE qualified for this purpose"</i></p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>

comment	6423	comment by: DCAA
	FCL.905.SFI Add new (4) line: the initial issue of a SFI or TRI certificate.	
response	<i>Not accepted</i>	
	Please see the reply to comment 65 above.	
comment	6821	comment by: CAA Finland
	FCL.910.SFI(c)(1): Term pre-requisites is in FCL.720.A and there are only general requirements that must have been fulfilled for the first SFI. Demonstraton of skills should always be requires when extending the privileges. Amended text proposal:  (1) completed the theoretical and simulator content of the corresponding type rating course; (2) completed the instructional techniques and flight instruction parts of the relevant SFI course; (3) passed, as a proficiency check, the relevant sections of the skill test in accordance with Appendix 12 to this Part in order to demonstrate to a type rating examiner the ability to instruct a pilot to the level required for the issue of a type rating, including preflight, postflight and theoretical knowledge instruction.	
response	<i>Not accepted</i>	
	Please see the reply to comment 5902 above.	
comment	6925	comment by: CAA CZ
	FCL.905.SFI (a)(3) In accordance with FCL.915(b)(1) it is not sufficient for SFI(H) who has never been holder of IR, to complete IRI training course only for the issue, revalidation or renewal of an instrument rating.	
response	<i>Accepted</i>	
	Please see the reply to comment 672 above.	
comment	7070	comment by: Oxford Aviation Academy
	<b>Subpart J. Section 7. FCL.905 SFI</b> <b>(a)</b> Add new (4) the initial issue of a SFI and TRI certificate	
response	<i>Not accepted</i>	
	Please see the reply to comment 65 above.	
comment	7540	comment by: FlightSafety International
	1. For simulator only training organizations, the predominant instructor will be SFI. They should also have the ability to teach for the issue of an SFI certificate  Add (a)(4) the issue of a SFI certificate	

2. There is no qualifier as to the type rating the SFI is authorized to instruct for, Since many single-pilot aeroplanes are operated multi-pilot, the SFI should be able to instruct for a single-pilot aeoplane operated in a multi-pilot operation as well as single-pilot operations

Add in (a)(1) after type ratings, both single-pilot and multi-pilot

response *Noted*

In relation to your proposal for (a)(4):  
Please see the reply to comment 65 above.

In relation to (a)(1): Please see the reply to comment 5899 above.

comment 7929❖ comment by: *General Aviation Manufacturers Association / Hennig*

**GAMA Comments about Synthetic Flight Instructors and Medical Requirement:**

GAMA recommends that EASA clarify the connection between FCL.915 and FCL.905.SFI as it relates to the requirement for holding a medical certificate.

FCL.915(b)(3) states that the general requirements for instructors is to “be entitled to act as pilot-in-command of the aircraft during such instruction.” GAMA understands this is intended to address in-airplane flight instruction provided by the instructor who then may act as pilot-in-command.

However, synthetic flight instructor requirements outlined in Section 7 is silent about requiring a medical certificate.

GAMA believes and EASA should recognize that there is not a safety justification to require synthetic flight instructors to hold a medical certificate, since there is not a safety of flight issue in place for synthetic flight instruction.

GAMA requests that EASA confirm the agency’s intent not to require Synthetic Flight Instructors (SFIs) to meet the requirements of FCL.915 to be entitled to act as pilot-in-command, since this could be seen as inferring a requirement to hold a medical certificate.

response *Noted*

The requirement in FCL.915(b) is only for instructors providing instruction in an aircraft. In addition, FCL.915.SFI (a) clearly states that the applicant can only ‘have held’ a licence. Therefore, the medical certificate is not mandatory, since the requirement to hold a medical certificate is linked to the licence, not the instructor certificate.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 7: Specific requirements for the synthetic flight instructor — FCL.915.SFI Prerequisites for the SFI training course**

p. 59

comment 3

comment by: *ADAC Luftrettung GmbH*

Why should a FI(H) or TRI(H) who has lost his medical due to health reasons, with thousands of hours as an Instructor on e.g. a medium size, twin engine

helicopters (not MPH!), not have the continuing ability to instruct on a STD. Especially if he had done that before as TRI(H) on a simulator?

Therefore we request to change FCL.915.SFI as follows:

\*\*\*\*\*

FCL.915.SFI

(D) additionally, for a SFI(H), have:

(1) at least 1000 hours flying experience as a pilot of helicopters, ~~including at least 350 hours as a pilot of multi-pilot helicopters;~~

(2) including at least 350 hours as a pilot of multi-pilot helicopters, for instruction on MPH as specified per flight manual or equivalent documentation;

~~(2)~~ (3) completed as an observer, at least 1 hour of flight time on the flight deck of the applicable type, within the 12 months preceding the application.

\*\*\*\*\*

response *Noted*

In relation to your first point, since the SFI can only 'have held' a licence, and the requirement to hold a medical certificate is related to the licence, it is possible for an SFI not to have a medical certificate.

In relation to your second point, the text proposed is a direct copy from JAR-FCL 2.350B(b), and the Agency sees no benefit in accepting your proposal.

comment

1375

comment by: *Bristow Helicopters*

There are TRI(H) certificates for both single-pilot helicopters and multi-pilot helicopters, each with differing pre-requisite experience requirements. This should be reflected in the helicopter SFI(H) certificate and reflected in the SFI(H) pre-requisites in paragraph (d). Propose amended text as follows:

(d)(1) **(i) for SFI(H) MPH at least 1000 hours flying experience as a pilot of helicopters, including at least 350 hours as a pilot of multi-pilot helicopters: or (ii) for instruction on single-pilot multi-engine FSTD, at least 500 hours flying experience as a pilot of helicopters, including at least 100 hours as pilot in command of single-pilot multi-engine helicopters; or (iii) for instruction on single pilot single engine FSTD, at least 250 hours as a pilot of helicopters**

Justification: The difference between SPH and MPH already exists in the TRI(H) certificate, and should be reflected in the SFI(H) certificate. Multi-pilot experience is not usual in onshore CAT work, and by restricting the SFI(H) to those with multi-pilot experience it will not be available to a high proportion of the helicopter pilot workforce. One of the privileges of the SFI is to give IR instruction (provided an IRI course has been completed in the FSTD) and synthetic instrument instructors are in very short supply due to the restrictive pre-requisites. There will be many pilots with considerable IFR experience in SPH who will be denied the opportunity to train as SFI's unless the pre-requisites allow those who would meet the SPH TRI pre-requisites to train asSFI SPH.

response *Accepted*

The text will be amended accordingly.

Please note that also the text of FCL.905.SFI had to be changed, to adjust the privileges to this distinction between multi-pilot and single-pilot helicopters.

comment 1898 comment by: *French Army AVN. FTO*

The French Army Aviation FTO suggests to create (or to validate) a "non pilot licenced, simulator instructor qualification".

Actually, we do have these specialised instructors (pilots' ground instructors) in our FTO, ***not qualified pilot, but cleared to train in a FCL2 approved course.*** They are qualified after a ***French Armed Forces specific course of instructor on FSD (flight synthetic device)***. All the training hours provided by those instructors are counted in all courses (CPL, IR, SE TR, ME TR) in compliance with the ***"grand father's law"***.

response *Not accepted*

Provisions for the conversion of military qualification into Part-FCL qualifications will be included in the Cover Regulation.

comment 2132 comment by: *British International Helicopters*

There are TRI(H) certificates for both single-pilot helicopters and multi-pilot helicopters, each with differing pre-requisite experience requirements. This should be reflected in the helicopter SFI(H) certificate and reflected in the SFI(H) pre-requisites in paragraph (d). Propose amended text as follows:

(d)(1) **(i) for SFI(H) MPH at least 1000 hours flying experience as a pilot of helicopters, including at least 350 hours as a pilot of multi-pilot helicopters: or (ii) for instruction on single-pilot multi-engine FSTD, at least 500 hours flying experience as a pilot of helicopters, including at least 100 hours as pilot in command of single-pilot multi-engine helicopters; or (iii) for instruction on single pilot single engine FSTD, at least 250 hours as a pilot of helicopters**

Justification: The difference between SPH and MPH already exists in the TRI(H) certificate, and should be reflected in the SFI(H) certificate. Multi-pilot experience is not usual in onshore CAT work, and by restricting the SFI(H) to those with multi-pilot experience it will not be available to a high proportion of the helicopter pilot workforce. One of the privileges of the SFI is to give IR instruction (provided an IRI course has been completed in the FSTD) and synthetic instrument instructors are in very short supply due to the restrictive pre-requisites. There will be many pilots with considerable IFR experience in SPH who will be denied the opportunity to train as SFI's unless the pre-requisites allow those who would meet the SPH TRI pre-requisites to train as SFI SPH.

response *Accepted*

Please see response to comment No 1375 above.

comment 2224 comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA,*

	<p style="text-align: right;"><i>IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>FCL.915.SFI Pre-requisites for the SFI training course</p> <p>Comment: Some SFI are active pilots. They don't need to observe a flight</p> <p>Proposal: Add in (c) (2) and (d) (2) "completed as an observer or as an active pilot, within the 12 months preceding the application,...."</p>
response	<p><i>Accepted</i></p> <p>Text has been amended accordingly.</p>
comment	<p>2273 <span style="float: right;">comment by: <i>Bundespolizei-Fliegergruppe und Polizeihubschrauberstaffeln/ -fliegerstaffeln der Länder</i></span></p> <p>Before attending the SFI training course, an applicant for an SFI certificate shall:</p> <p>(a) hold or have held a CPL, MPL or ATPL in the appropriate aircraft category;</p> <p>(b) have completed the proficiency check for the issue of the specific aircraft type rating on a FFS representing the applicable type, within the 12 month preceding the application; and</p> <p>(c) additionally, for an SFI(A) or SFI(PL), have:</p> <p>(1) at least 1500 hours flight time as a pilot of multi-pilot aeroplanes or power-lift, as applicable;</p> <p>(2) completed, as an observer, within the 12 month preceding the application, at least</p> <p>(i) 3 route sectors on the flight deck of the applicable aircraft type; or</p> <p>(ii) 2 line orientated flight training based simulator sessions conducted by qualified flight crew on the flight deck of the applicable type. These simulator sessions shall include 2 flights between 2 different aerodromes with a duration of at least 2 hours each, and the associated pre-flight planning and de-briefing.</p> <p>(d) additionally, for a SFI(H), have:</p> <p>(1) at least 1000 hours flying experience as a pilot of helicopters, including at least 350 hours as a pilot of multi-pilot helicopters:</p> <p>(2) completed, as an observer, at least 1 hour of flight time on the flight deck of the applicable type, within the 12 months preceding the application.</p> <p>Zu kommentieren ist der Teil FCL915.SFI Absatz (d) da hier eine Voraussetzungsvermischung zur Bewerbung zum SFI(H) Kurs niedergelegt ist welche zu Unklarheiten führt.</p> <p>Nach vorliegendem Originaltext könnte sich ein Bewerber zum SFI(H) Kurs nicht anmelden wenn er zwar als Pilot auf Hubschraubern 1000 Stunden tätig war aber kein Rating auf Multi-Pilot-Hubschraubern hätte.</p> <p>Es muss eine Textänderung eingefügt werden die es einem SFI(H)-Bewerber ermöglicht auch ohne 350 Stunden Multi-Pilot-Hubschrauberzeit einen SFI(H)-Lehrgang besuchen zu können um eine Tätigkeit als Lehrkraft für Single-Pilot Hubschraubermuster durchzuführen.</p> <p>Dies wird im ersten Halbsatz der nachfolgenden Kommentierung festgezurr; im zweiten Halbsatz folgt die Einschränkung für die SFI(H)-Ausbildungstätigkeit auf Multi-Pilot-Hubschraubern.</p> <p>Ich empfehle diese Passage wie folgt zu ändern</p>

	<p>(d) additionally, for a SFI(H), have:</p> <p>(1) at least 1000 hours flying experience as a pilot of helicopters; if the applicant is intending to perform multi-pilot helicopter training at least 350 hours as a pilot of multi-pilot helicopters must be included herein;</p> <p>(2) completed, as an observer, at least 1 hour of flight time on the flight deck of the applicable type, within the 12 months preceeding the application.</p>
response	<p><i>Noted</i></p> <p>Please see response to comment No 1375 above.</p>
comment	<p>2280 <span style="float: right;">comment by: <i>Nigel Roche</i></span></p> <p>I notice in this order that under (c) additionally, for an SFI(A) or SFI(PL), have:</p> <p>(1) at least 1500 hours flight time as a pilot of multipilot aeroplanes or poweredlift, <b>as applicable;</b> is used.</p> <p>The point I was considering is will there be sufficient pilots available who will quality under these requirements when airlines eventually take up powered-lift machines to meet the regulatory needs.</p>
response	<p><i>Noted</i></p> <p>Although your comment is valid, please be aware that this issue was also identified by the drafting group and is addressed as a special condition in FCL.900 (b).</p>
comment	<p>2344 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p> <p>There are TRI(H) certificates for both single-pilot helicopters and multi-pilot helicopters, each with differing pre-requisite experience requirements. This should be reflected in the helicopter SFI(H) certificate and reflected in the SFI(H) pre-requisites in paragraph (d). Propose amended text as follows:</p> <p>(d)(1) <b>(i) for SFI(H) MPH</b> at least 1000 hours flying experience as a pilot of helicopters, including at least 350 hours as a pilot of multi-pilot helicopters: or <b>(ii) for instruction on single-pilot multi-engine FSTD, at least 500 hours flying experience as a pilot of helicopters, including at least 100 hours as pilot in command of single-pilot multi-engine helicopters; or</b></p> <p><b>(iii) for instruction on single pilot single engine FSTD, at least 250 hours as a pilot of helicopters</b></p> <p>Justification: The difference between SPH and MPH already exists in the TRI(H) certificate, and should be reflected in the SFI(H) certificate. Multi-pilot experience is not usual in onshore CAT work, and by restricting the SFI(H) to those with multi-pilot experience it will not be available to a high proportion of the helicopter pilots. One of the privileges of the SFI is to give IR instruction (provided an IRI course has been completed in the FSTD) and synthetic instrument instructors are in very short supply due to the restrictive pre-requisites. There will be many pilots with considerable IFR experience in SPH who will be denied the opportunity to train as SFI's unless the pre-requisites allow those who would meet the SPH TRI pre-requisites to train as SFI SPH.</p>
response	<p><i>Accepted</i></p> <p>Please see response to comment No 1375 above.</p>

comment 3450 comment by: Boeing

**Boeing Commercial Airplanes comments re:  
NPA 2008-17b**

Page: 59

Paragraph: FCL.915.SFI (a)

Boeing suggests that the following changes be made: Change paragraph (a) to read as follows:

*"(a) hold or have held a CPL, MPL or ATPL in the appropriate aircraft category  
**any ICAO acceptable professional pilot license;**"*

-----  
**JUSTIFICATION:** This change will allow non-EASA licensed instructors to continue teaching as under the current JAR-FCL rule, and will allow ATOs to continue employment of their current non-EASA licensed personnel.

response *Noted*

In relation to the issue of training outside of Europe, please see the new amended text for FCL.900.

comment 3645 comment by: M Wilson-NetJets

FCL.915.SFI(a)

- Eliminates potential candidates with acceptable non-civil qualifications

Suggestion: Add "or with other acceptable non-civil experience"

response *Noted*

Please see the reply to comment 1898 above.

comment 3749 comment by: OAA Oxford

FCL.915.SFI (a) This requirement eliminates potential candidates with acceptable non-civil qualifications. JAR-FCL provided for a non JAR-FCL licence acceptable to the Authority. Suggestion: add, "or with other acceptable non-civil experience"

response *Noted*

Please see the reply to comment 1898 above.

comment 4346 comment by: CAE

Section 7 FCL.915.SFI (c) (1)

1500 hours multi pilot is a very large amount for an SFI and restricts the number of possible candidates for corporate type-rating instruction. Recommend reducing the hourly requirement to 750 hours multi pilot with 1000 hours total time. Additionally, include experience requirement for STI privileges for the SFI rating; i.e. 1000 hours experience on aeroplanes. Reference comments #4031 & 4338.

response

*Noted*

The Agency's proposals follow closely the requirements of JAR-FCL, and at this point the Agency sees no safety benefit in changing them.

comment

4415

comment by: *Bond Offshore Helicopters*

There are TRI(H) certificates for both single-pilot helicopters and multi-pilot helicopters, each with differing pre-requisite experience requirements. This should be reflected in the helicopter SFI(H) certificate and reflected in the SFI(H) pre-requisites in paragraph (d). Propose amended text as follows:

(d)(1) **(i) for SFI (H)** MPH at least 1000 hours flying experience as a pilot of helicopters, including at least 350 hours as a pilot of multi-pilot helicopters: or **(ii) for instruction on single-pilot multi-engine FSTD, at least 500 hours flying experience as a pilot of helicopters, including at least 100 hours as pilot in command of single-pilot multi-engine helicopters; or**

**(iii) for instruction on single pilot single engine FSTD, at least 250 hours as a pilot of helicopters**

Justification: The difference between SPH and MPH already exists in the TRI(H) certificate, and should be reflected in the SFI(H) certificate. Multi-pilot experience is not usual in onshore CAT work, and by restricting the SFI(H) to those with multi-pilot experience it will not be available to a high proportion of the helicopter pilot workforce. One of the privileges of the SFI is to give IR instruction (provided an IRI course has been completed in the FSTD) and synthetic instrument instructors are in very short supply due to the restrictive pre-requisites. There will be many pilots with considerable IFR experience in SPH who will be denied the opportunity to train as SFI's unless the pre-requisites allow those who would meet the SPH TRI pre-requisites to train as SFI SPH.

response

*Accepted*

Please see response to comment No 1375 above.

comment

4505

comment by: *AEA***Relevant Text:**

*Before attending the SFI training course, an applicant for an SFI certificate shall:*

- (a) hold or have held a CPL, MPL or ATPL in the appropriate aircraft category;*
- (b) have completed the proficiency check for the issue of the specific aircraft type rating on a FFS representing the applicable type, within the 12 months preceding the application; and*
- (c) additionally, for an SFI(A) or SFI(PL), have:*
  - (1) at least 1500 hours flight time as a pilot of multi pilot aeroplanes or powered lift, as applicable;*
  - (2) completed, as an observer, within the 12 months preceding the application, at least*
    - (i) 3 route sectors on the flight deck of the applicable aircraft type;*
    - or*
    - (ii) 2 line orientated flight training based simulator sessions conducted by qualified flight crew on the flight deck of the applicable type. These simulator sessions shall include 2*

*flights between 2 different aerodromes with a duration of at least 2 hours each, and the associated preflight planning and debriefing.*

**(d) Comment:**

Some SFI are active pilots. They don't need to observe a flight

**Proposal:**

Add in (c) (2)

"completed as an observer or as an active pilot, within the 12 months preceding the application,...."

response

*Accepted*

Please see response to comment 2224 above.

comment

4659

comment by: *Héli-Union*

There are TRI(H) certificates for both single-pilot helicopters and multi-pilot helicopters, each with differing pre-requisite experience requirements. This should be reflected in the helicopter SFI(H) certificate and reflected in the SFI(H) pre-requisites in paragraph (d). Propose amended text as follows:

(d)(1) **(i) for SFI(H) MPH at least 1000 hours flying experience as a pilot of helicopters, including at least 350 hours as a pilot of multi-pilot helicopters: or**  
**(ii) for instruction on single-pilot multi-engine FSTD, at least 500 hours flying experience as a pilot of helicopters, including at least 100 hours as pilot in command of single-pilot multi-engine helicopters; or**

**(iii) for instruction on single pilot single engine FSTD, at least 250 hours as a pilot of helicopters**

Justification: The difference between SPH and MPH already exists in the TRI(H) certificate, and should be reflected in the SFI(H) certificate. Multi-pilot experience is not usual in onshore CAT work, and by restricting the SFI(H) to those with multi-pilot experience it will not be available to a high proportion of the helicopter pilot workforce. One of the privileges of the SFI is to give IR instruction (provided an IRI course has been completed in the FSTD) and synthetic instrument instructors are in very short supply due to the restrictive pre-requisites. There will be many pilots with considerable IFR experience in SPH who will be denied the opportunity to train as SFI's unless the pre-requisites allow those who would meet the SPH TRI pre-requisites to train as SFI SPH.

response

*Accepted*

Please see response to comment No 1375 above.

comment

4697

comment by: *Noel WHITE*

It seems that an ATPL is required to undertake training as SFI. I assume the ATPL referred to here would have to be an EASA ATPL/IR. An existing instructor with UK ATPL/IR presently able to carry out instruction on a MEP simulator will have the UK ATPL downgraded to EASA CPL/IR, and therefore it seems the instructor would not be able act as MEP/IR simulator instructor under EASA rules. This removes another earning opportunity for the instructor thus attacking his/her right to work and gainful employment.

response

*Noted*

This is an issue related to transition measures. Requirements on the conversion of national aeroplane and helicopter licences into Part-FCL licences are detailed in Annex IV to the cover regulation, and follow closely the provisions of JAR-FCL.

comment 4879

comment by: HUTC

There are TRI(H) certificates for both single-pilot helicopters and multi-pilot helicopters, each with differing pre-requisite experience requirements. This should be reflected in the helicopter SFI(H) certificate and reflected in the SFI(H) pre-requisites in paragraph (d). Propose amended text as follows:

(d)(1) **(i) for SFI(H) MPH at least 1000 hours flying experience as a pilot of helicopters, including at least 350 hours as a pilot of multi-pilot helicopters: or (ii) for instruction on single-pilot multi-engine FSTD, at least 500 hours flying experience as a pilot of helicopters, including at least 100 hours as pilot in command of single-pilot multi-engine helicopters; or**

**(iii) for instruction on single pilot single engine FSTD, at least 250 hours as a pilot of helicopters**

Justification: The difference between SPH and MPH already exists in the TRI(H) certificate, and should be reflected in the SFI(H) certificate. Multi-pilot experience is not usual in onshore CAT work, and by restricting the SFI(H) to those with multi-pilot experience it will not be available to a high proportion of the helicopter pilot workforce. One of the privileges of the SFI is to give IR instruction (provided an IRI course has been completed in the FSTD) and synthetic instrument instructors are in very short supply due to the restrictive pre-requisites. There will be many pilots with considerable IFR experience in SPH who will be denied the opportunity to train as SFI's unless the pre-requisites allow those who would meet the SPH TRI pre-requisites to train as SFI SPH.

response *Accepted*

Please see response to comment No 1375 above.

comment 5712

comment by: FNAM (Fédération Nationale de l'Aviation Marchande)

When SFI are active pilots, there is no need nor sense to observe a flight so there should be an adding :

"(c)(2) "completed as an observer or as an active pilot, within the 12 months preceding the application..."

response *Accepted*

Please see response to comment No 2224 above.

comment 5908

comment by: UK CAA

**Paragraph:** FCL.915.SFI (e)

**Page No\*:** 59

**Comment:** Add privileges to SFI Certificate to instruct in aeroplanes certificated as single-pilot aeroplane types - SFI (SPA).

**Justification:** To ensure the privileges of the TRI (SPA) are reflected within SFI privileges.

**Proposed Text: (if applicable)**

	<p>Add new paragraph:  (d) Additionally for SFI (SPA) have either:  (i) at least 1000 hours flying experience as pilot of aeroplanes including at least 350 hours as pilot of aeroplanes certificated for operation within the privileges of a single pilot type rating.  (ii) at least 500 hours flight time as pilot of aeroplanes including at least 30 hours as pilot in command on the applicable type of aeroplane.</p>
response	<p><i>Partially accepted</i></p> <p>The Agency has carefully reviewed your proposals in relation to TRI, CRI and SFI privileges, and the connection with training for single-pilot aeroplanes in multi-pilot operations.  Taking also into account the need to cover other aspects related to very light jets and other high performance complex aeroplanes, the Agency has decided to create a new SFI(SPA).  The provisions for this new category of instructor have been developed based on the comments received and on the work of experts contracted by the Agency.  Please see amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.</p>
comment	<p>6315 <span style="float: right;">comment by: <i>Axel Schwarz</i></span></p> <p>It seems strange to require a pass in the typerating proficiency check before the course, when an applicant for the SFI rating completes the FFS content of the typerating course during his training. The requirement of (b) should be completed at the end of the SFI course rather than as a pre-requisite.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for pointing this out. Text has been amended to solve this issue.</p>
comment	<p>7144 <span style="float: right;">comment by: <i>CHC Europe EASA Ops Team - representing 550 pilots across Europe</i></span></p> <p>There are TRI(H) certificates for both single-pilot helicopters and multi-pilot helicopters, each with differing pre-requisite experience requirements. This should be reflected in the helicopter SFI(H) certificate and reflected in the SFI(H) pre-requisites in paragraph (d). Propose amended text as follows:</p> <p>(d)(1) <b>(i) for SFI (H) MPH</b> at least 1000 hours flying experience as a pilot of helicopters, including at least 350 hours as a pilot of multi-pilot helicopters: or  <b>(ii) for instruction on single-pilot multi-engine FSTD, at least 500 hours flying experience as a pilot of helicopters, including at least 100 hours as pilot in command of single-pilot multi-engine helicopters; or</b>  <b>(iii) for instruction on single pilot single engine FSTD, at least 250 hours as a pilot of helicopters</b></p> <p>Justification: The difference between SPH and MPH already exists in the TRI(H) certificate, and should be reflected in the SFI(H) certificate. Multi-pilot experience is not usual in onshore CAT work, and by restricting the SFI(H) to those with multi-pilot experience it will not be available to a high proportion of the helicopter pilot workforce. One of the privileges of the SFI is to give IR instruction (provided an IRI course has been completed in the FSTD) and synthetic instrument instructors are in very short supply due to the restrictive</p>

	pre-requisites. There will be many pilots with considerable IFR experience in SPH who will be denied the opportunity to train as SFI's unless the pre-requisites allow those who would meet the SPH TRI pre-requisites to train as SFI SPH.
response	<i>Accepted</i> Please see response to comment No 1375 above.
comment	7285 <span style="float: right;">comment by: ECOGAS</span> Current wording: "Before attending the SFI training course, an applicant for an SFI certificate shall: (a) hold or have held a CPL, MPL or ATPL in the appropriate aircraft category;"  Issue: Eliminates potential candidates with acceptable non-civil qualifications  Suggestion: Add "or with other acceptable non-civil experience" to the end of sub-para (a)
response	<i>Noted</i> Please see the reply to comment 1898 above.
comment	7541 <span style="float: right;">comment by: FlightSafety International</span>  1. The requirement to hold or have held a licence implies a EASA issued licence. Many SFIs do not hold valid medicals and will not qualify for the issue of an EASA licence. This should be extended to include licences issued in accordance with ICAO Annex 1. There is no safety of flight issue with this.  Add in (a) after category, issued in accordance with ICAO Annex 1  2. Some SFI are active pilots. They don't need to observe a flight  Add in (c) (2) and (d) (2) "completed as an observer or as an active pilot, within the 12 months preceding the application,...."
response	<i>Partially accepted</i>  1. The issue you mention is a transition issue. Appropriate transition measures will be included in the cover regulation.  See also the amended text for FCL.900.  2. Please see the reply to comment 2224 above.
comment	7651 <span style="float: right;">comment by: Atlantic Training Support</span> FCL.915 SFI(a) Add 'or with other acceptable non-civil experience'.
response	<i>Noted</i> Please see the reply to comment 1898 above.

comment	8046	comment by: <i>Bombardier Aerospace Training</i>
	We would like to ensure that: FCL.915.SFI para (a) "hold or have held a CPL,MPL or ATPL in the aircraft category" based on a recognized ICAO licence.	
response	<i>Noted</i>	
	In relation to the issue of training outside of Europe, please see the new amended text for FCL.900.	

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 7: Specific requirements for the synthetic flight instructor — FCL.930.SFI SFI — Training course</b>	p. 59
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comment	57	comment by: <i>Michel Lacombe AF TRTO</i>
	Who is better than another SFI to train a SFI ?? The TRI is not the best qualified to train a SFI. If we apply the TRI training course, the quality of the instructor required is not specified.	
response	<i>Noted</i>	
	Thank you for providing your input. After carefully assessing your proposal to include the privilege to train other SFIs, the Agency has decided to continue with the text of JAR-FCL in this field. However, it is possible that your proposal may be the subject of a future rulemaking task. Please see also the reply to your comment 65 on FCL.905.SFI.	
comment	73	comment by: <i>Michel Lacombe AF TRTO</i>
	When we read the prerequisites or the contents of the TRI training course, we can see that nobody has been designated to train the SFI population. Nor the SFI, neither the TRI have presently the privileges to train a future SFI.  For the others population of instructors, this has been fulfilled, so we have to design a specific trainer population for this job, why not the SFI (in common with the TRI) with an amount of experience to be defined ??	
response	<i>Noted</i>	
	Please see the reply to comment 73 above.	
comment	674	comment by: <i>FOCA Switzerland</i>
	J/Section 7 FCL.930.SFI  Proposal: <b>As for the other instructors such training course includes 25 hours of theoretical knowledge, the same requirements need to be added also for the SFI.</b>	
response	<i>Noted</i>	

FCL.930.SFI (b)(2) calls for the content of the TRI training course (FCL.930.TRI) where these hours are included.

comment 1285

comment by: *Ryanair*

**Comment**

Paragraph (b) seems to imply that ALL applicant SFIs need to complete ALL the content of the applicable type rating course during the simulator training phase of the SFI course. Is it intended that applicant SFIs who are already type rated and experienced on the relevant aircraft type comply with this rule?

Type rating courses consist of normal and non normal manoeuvres the majority of which are repeated. Many procedures will be repeated several times. It would be very inefficient to have an applicant SFI who is type rated and experienced on the type complete the entire course with all its repetitions during the simulator training phase of the SFI course.

**Proposal**

In addition to the existing text, state in this paragraph the content of AMC No 1 to FCL.930.TRI 6: -

Applicants who are type rated on the relevant aircraft type must complete elements of the type rating course which will give the applicant experience in training a variety of exercises, covering both normal and abnormal operations. The syllabus should be tailored appropriate to the aircraft type, using exercises considered more demanding for the student. This should include engine-out handling and engine out operations in addition to representative exercises from the type transition course.

response *Not accepted*

This is an exact reproduction of the requirements in JAR-FCL 1.410 (a)(2) and JAR-FCL 2.350C(a).  
The Agency does not see any safety benefit in changing it at this point.

comment 3176

comment by: *FOCA Switzerland*

J/Section 7  
FCL.930.SFI

Proposal

**Provisions for additional types has to be foreseen**

response *Noted*

The provisions for the extension to new types are included in FCL.905.SFI(c). Please see the replies to comments on that segment and the amended text.

comment 3462

comment by: *Susana Nogueira*

Provisions for additional types has to be foreseen.

response *Noted*

Please see the reply to comment 3176 above.

comment	3783	comment by: DGAC FRANCE
	Part FCL 930 SFI (b)	
	To be clear that the FFS part of the skill test must be required, and to be clear that if the applicant holds a licence with the applicable type rating (valid), he doesn't have to fulfil this requirement.	
	(b) The course shall include: (1) the FFS content of the applicable type rating course, <b><u>including the skill test, if the applicant is not holder of the applicable type rating.</u></b>	
response	Noted	
	The requirement to complete the type rating skill test is included in paragraph FCL.915.SFI, as a prerequisite for the issuance of the certificate. Please see the replies to comments on that segment, as well as the amended text.	
comment	3928	comment by: DCA Malta
	Provisions for additional types has to be foreseen	
response	Noted	
	Please see the reply to comment 3176 above.	
comment	4778	comment by: CAA Belgium
	Provisions for additional types has to be foreseen	
response	Noted	
	Please see the reply to comment 3176 above.	
comment	5909	comment by: UK CAA
	<b>Paragraph:</b> FCL.930.SFI <b>Page No:</b> 59 of 647 <b>Comment:</b> The qualifications of TRI for simulator only and SFI are exactly the same yet the Training Course requirements are different. Because they have the same role, it would make sense to undertake the same training course. <b>Justification:</b> Consistency in training of instructors. <b>Proposed Text: (if applicable)</b> Transfer the complete text in FCL.930.TRI (page 55), including the changes recommended above for the time scale in subparagraph (c).	
response	Noted	
	The SFI training course (FCL.930.SFI (b) (2)) requires the content of the TRI training course. That means that FCL.930.TRI is applicable.	
comment	6854	comment by: CAA Finland
	FCL.930.SFI(b)(1): SFI may previously have been a pilot holding the type rating on the applicable type. There is no need to have the whole course again. Renewal requirements	

(AMC to FCL.740(b)(1)) should be regarded. Amended text proposal:

(b) The course shall include:

(1) If a pilot does not hold (or has held and fulfils renewal requirements, AMC to FCL.740(b)(1)) the type rating, the theoretical and simulator content of the corresponding type rating course;

(2) the content of the TRI training course.

response *Noted*

Please see the reply to comment 1285 above.

**B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 7: Specific requirements for the synthetic flight instructor - FCL.935.SFI SFI - Skill test**

p. 59

comment 76

comment by: *Michel Lacombe AF TRTO*

We can agree that the skill test described in Appendix 12, is very well adapted to check the skills for an instructor flying the plane with a student pilot in command.

But everybody shall admit, that is not adapted to control the skills we need for others types of instructors like MCCI, restricted TRI or even SFI (who will never instruct on an aircraft).

The project explains that the MCCI have to practice 3 hours of practical instruction, which may be flight instruction or MCC instruction on the relevant FNPT, FTD 2/3 or FFS, under the supervision of a TRI, SFI or MCCI nominated by the training organization for that purpose. These hours of instruction under supervision shall include the assessment of the applicant's competence as described in FCL.920(a).

We may take the same spirit for the SFI to propose an amendment of the FCL 935.

**FCL 935 SFI -Skill test**

(a) An applicant for a SFI certificate shall conducted on a complete type rating course related to the duties of a SFI on the applicable type of flight simulator to demonstrate, to a TRE or SFE qualified for this purpose, his ability to instruct a pilot to the level required for the issue of a type rating.

(b) The assessment shall consist of at least 3 hours of flight instruction on the applicable FFS or FTD 2/3.

It will include pre-flight, post-flight and theoritical knowledge instruction, in accordance with Appendix 12 to this Part.

response *Partially accepted*

After having carefully reviewed the comments on instructor skill tests, as well as the comments on Appendix 12, the Agency has concluded that there is a need to change the initial proposal related to skill tests/proficiency checks for instructors and to Appendix 12.

The main reason for this is the fact that this Appendix was indeed based on a JAR-FCL Appendix that was based on JAR-FCL text which was originally meant just for the FI. The comments received clearly indicate that it is not adequate to all categories of instructors.

Therefore, the Agency has decided to:

- change the name of instructors' skill tests to 'assessment of competence';
- include a general paragraph in Section 1 on the assessment of competence. Specific paragraphs for the various instructor categories will only exist where necessary;

- transfer part of the content of Appendix 12 into AMC. Some of the paragraphs of this Appendix may be transferred to paragraphs in Subpart J on assessment for instructors, but the content of the skill test as determined in the table will be part of an AMC applicable to the FI only.

It is possible that in the future further AMC material for other categories of instructor will be developed.

In the case of the SFI, the only specific content is the second sentence of the paragraph.

After having reviewed the related comments, the Agency has decided to transfer this sentence into AMC.

comment	<p>1283 <span style="float: right;">comment by: <i>Ryanair</i></span></p> <p>Please see our discussion relating to Appendix 12 elsewhere in the CRT. Our proposed format for the MPA Skills Test would be ideal for the SFI Skills Test and proficiency check as the emphasis will be on the ability to brief, train, de-brief and assess in a simulator.</p> <p>Proposal Our proposed format for the SFI/TRI MPA skills test/proficiency check be accepted.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 76 above.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2226</p> <p>Comment: Appendix 12 is a bad copy and paste of the Appendix 2 to JAR-FCL 1.330 &amp; 1.345 who is related to the FI(A) skill test. It's not applicable for TRI or SFI skill test</p> <p>Proposal: Replace all references to "skill tests" for instructor qualification and renewal/revalidation with "competency assessment "reference to Appendix 12 (as for TRI) Appendix 12 wording to be replaced with that in AMC to FCL 920 which is generic to all instructor qualifications. Appendix 12 to be transferred into Guidance Material</p> <p>Note - editorial: the word "tests" should be "test", singular not plural.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 76 above. Editorial accepted. The text will be amended accordingly.</p>

comment	<p data-bbox="351 201 430 235">2405</p> <p data-bbox="989 201 1457 235" style="text-align: right;">comment by: <i>Henk van den Berg</i></p> <p data-bbox="351 257 1436 324">New in FCL, compared with JAR-FCL is the TRI/SFI skill test. For several reasons we think it will not be necessary to conduct this TRI/SFI skill test.</p> <p data-bbox="351 347 1436 459">First of all the TRI/SFI training course has expanded, which we think is a good idea, and the TRI applicant will do 10 hours (MPA) of instruction under supervision of a TRI (currently notified by the authority).</p> <p data-bbox="351 459 1436 526">In our opinion this process (FCL930.TRI and SFI) will be sufficient for training and qualifying new instructors.</p> <p data-bbox="351 526 1436 616">That means after the applicant TRI/SFI has completed FCL.930.TRI/SFI with a qualified TRI/SFI and has shown that he/she qualifies as a TRI the training should be finished and the qualification should be added to the license.</p> <p data-bbox="351 638 1436 705">An experienced TRI has all capabilities to fulfill this task and sign off a TRI or SFI.</p> <p data-bbox="351 705 1436 772">Conducting an TRI/SFI skill test on top does not add more quality to this process and may even slowdown the process.</p> <p data-bbox="351 772 1436 907">A lot of new pilots need to be trained in the future and that means a lot of (new) instructors are required. There is already a shortage of instructors currently, a TRE is even harder to get. We think this will create waiting lists which will not benefit the pilot training process.</p> <p data-bbox="351 929 1436 1041">We think finalizing the training with an experienced TRI during the training under supervision (like we have done for many years) will be sufficient to enable us to expand with high quality new TRI and SFI.</p>
response	<p data-bbox="351 1041 430 1086"><i>Noted</i></p> <p data-bbox="351 1108 989 1153">Please see the the reply to comment 76 above.</p>
comment	<p data-bbox="351 1198 430 1232">3981</p> <p data-bbox="1053 1198 1457 1232" style="text-align: right;">comment by: <i>DGAC FRANCE</i></p> <p data-bbox="351 1254 510 1288">FCL.915.SFI</p> <p data-bbox="351 1321 1436 1422">This clarification is needed to make differences between the prof-check (FCL.915.SFI (b) he has to perform at the controls and the skill test he has to pass as an instructor seating behind the pilots.</p> <p data-bbox="351 1444 1436 1556">An applicant for an SFI certificate shall pass a skill tests to demonstrate to a synthetic flight or type rating examiner his ability to instruct a pilot, <b><u>from the instructor seat</u></b>, to the level required for the issue of a type rating, .....</p>
response	<p data-bbox="351 1556 430 1601"><i>Noted</i></p> <p data-bbox="351 1624 989 1668">Please see the the reply to comment 76 above.</p> <p data-bbox="351 1691 1436 1758">With the new text, this difference is now clearer. Therefore, there is no need to amend the text as suggested.</p>
comment	<p data-bbox="351 1803 430 1836">4511</p> <p data-bbox="1197 1803 1457 1836" style="text-align: right;">comment by: <i>AEA</i></p> <p data-bbox="351 1870 542 1904">Relevant Text:</p> <p data-bbox="351 1904 1436 2033">An applicant for an SFI certificate shall pass a skill tests to demonstrate to a synthetic flight or type rating examiner 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 Appendix 12 to this Part.</p>

	<p>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</p> <p><b>Comment:</b> Appendix 12 is a bad copy and paste of the Appendix 2 to JAR-FCL 1.330 &amp; 1.345 who is related to the FI(A) skill test. It's not applicable for TRI or SFI skill test.</p> <p><b>Proposal:</b> Delete reference to Appendix 12 (as for TRI)</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 76 above.</p>
comment	<p>5276 <span style="float: right;">comment by: CAA Belgium</span></p> <p>FCL.915.SFI This clarification is needed to make differences between the prof-check (FCL.915.SFI (b) he has to <b>from the instructor seat</b>, to the level required for the issue of a type rating,...</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3981 above.</p>
comment	<p>5342 <span style="float: right;">comment by: ECA- European Cockpit Association</span></p> <p>Delete and add words:</p> <p>The assessment shall consist of at least 3 hours of flight instruction related to the duties of an SFI on the applicable FFS <del>or FTD 2/3</del> <b><u>in each of the types on which the SFI instructs.</u></b></p> <p>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 devise, 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.</p> <p>Tests must be performed on the type/class on which the SFI instructs.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 76 above.</p> <p>Please note also that the extension to further types is included in FCL.905.SFI (c)</p>
comment	<p>5910 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.935.SFI 2<sup>nd</sup> paragraph <b>Page No:</b> 59 of 647 <b>Comment:</b> The minimum time specified is superfluous. <b>Justification:</b> The test content is specified in Appendix 12. If the minimum time is important then a similar time should be applied to the CRI and TRI skill test. <b>Proposed Text: (if applicable)</b></p>

	Delete 2 <sup>nd</sup> paragraph.
response	<i>Noted</i> Please see the reply to comment 76 above.
comment	6864 <span style="float: right;">comment by: CAA Finland</span> FCL.935.SFI: The amount of demonstration for instructor certificates shall be on App 12. Move text for harmonization with for example FCL.935.TRI:  The assessment shall consist of <del>at least 3 hours</del> of flight instruction related to the duties of an SFI on the applicable FFS or FTD 2/3.
response	<i>Noted</i> Please see the reply to comment 76 above.
comment	7073 <span style="float: right;">comment by: Oxford Aviation Academy</span> <b>Subpart J. Section 7. FCL.935. SFI</b> Change to same writing as in present JAR-FCL 1.401 (5) have conducted on a complete type rating course at least 3 hrs of flight instruction related to the duties of a TRI (A) on the applicable type of aeroplane under the supervision and to the satisfaction of a TRI(A) notified by the Authority for this purpose.
response	<i>Noted</i> Please see the reply to comment 76 above.
comment	7487 <span style="float: right;">comment by: British Airways</span> Delete reference to Skill test and replace with competency assessment. Delete reference to Appendix 12.
response	<i>Noted</i> Please see the reply to comment 76 above.
comment	7542 <span style="float: right;">comment by: FlightSafety International</span> The information in Appendix 12 is not relevant and appropriate to a SFI Competency Assessment Nomenclature "Skill Test" is confusing.  For "Skill Test" replace with "Competency Assessment" and replace current contents of Appendix 12 with the "Competency Assessment" Methodology in AMC 920
response	<i>Noted</i> Please see the reply to comment 76 above.

**requirements for the synthetic flight instructor — FCL.940.SFI SFI —  
Revalidation and renewal**

comment	<p>59 <span style="float: right;">comment by: <i>Michel Lacombe AF TRTO</i></span></p> <p>For <b>revalidation</b> and renewal, we need to check that :</p> <ul style="list-style-type: none"> <li>- they know to use the device</li> <li>- they have the FH qualities to teach the trainees</li> <li>- <b>And they keep the ability as a pilot on the differents aircraft types they are working on. (SFI (A) may work on several aeroplanes types.</b></li> </ul> <p><b>New text :</b></p> <p>(a) <i>Revalidation.</i> For revalidation of an SFI certificate the applicant shall, within the validity period of the certificate, fulfill 2 of the following requirements:</p> <ol style="list-style-type: none"> <li>(1) complete 50 hours as an instructor or an examiner in FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the certificate;</li> <li>(2) attend an instructor refresher seminar;</li> <li>(3) pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI.</li> <li><b>(4) have completed, on a FFS, the proficiency checks for the issue of the specifics aircrafts types ratings representing the applicables types requested, within the 12 months preceding the SFI revalidation.</b></li> </ol> <p>(b) For the first and at least each alternate subsequent revalidation of an SFI certificate, the holder shall have to pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI.</p> <p>(c) <i>Renewal.</i> If the certificate has lapsed, the applicant shall, within the 12 months preceding the application:</p> <ol style="list-style-type: none"> <li>(1) complete the simulator content of the SFI training course;</li> <li>(2) pass a proficiency check for the specifics aircrafts types ratings on an FSTD of the applicables <b>types requested</b>;</li> <li>(3) pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI.</li> <li><b>(4) attend an instructor refresher seminar.</b></li> </ol>
response	<p><i>Partially accepted</i></p> <p>Thank you for your input.</p> <p>The changes proposed with the NPA were caused by the attempt to align the requirements for the SFI(H) and SFI(A). Your proposal brings the text closer to JAR-FCL 1.415.</p> <p>The Agency carefully reviewed the issue and the comments received and further discussed it with the experts involved in the review. The Agency partially agrees with your proposals and it was decided to add proficiency checks for the specific aircraft types but as a mandatory additional item. For the renewal these additional proficiency checks will also be required. The text will be amended accordingly.</p>
comment	<p>213 <span style="float: right;">comment by: <i>CAA - The Netherlands</i></span></p> <p>FCL.940.SFI</p> <p>The content of this article is rather changed in relation to the JAA reference 1.415.</p>

response	<p>What is the cause or reason?</p> <p><i>Noted</i></p> <p>Please see the reply to comment 59 above.</p>
comment	<p>647 <span style="float: right;">comment by: <i>British Microlight Aircraft Association</i></span></p> <p>Comment: All revalidation periods and requirements should be consistent. There are differences between ratings with regard to the period between required proficiency checks. This is unsafe and will cause confusion.</p> <p><i>"(b) For the first and at least each alternate subsequent revalidation of an SFI certificate, the holder shall have to pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI."</i></p> <p>For clarity and consistency the pre-course requirements should be the same for all the instructor ratings.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your input.</p> <p>However, the Agency does not understand the meaning behind your comment as for most of the other instructor categories the same mandatory proficiency check was introduced.</p> <p>Please see for example the FI or CRI revalidation criteria to clarify this. As this requirement was for the SFI(H) already in place with JAR-FCL, the Agency does not see the need to delete it.</p> <p>Please see also the reply to comment 59 above.</p>
comment	<p>2245 <span style="float: right;">comment by: <i>Nigel Roche</i></span></p> <p>(c) <i>Renewal</i>. If the certificate has lapsed, the applicant shall, within the 12 months preceding the application:</p> <p>(1) complete the simulator content of the SFI training course;</p> <p>(2) pass a proficiency check for the specific aircraft type rating on an FSTD of the applicable type;</p> <p>(3) pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI.</p> <p><b>Firstly</b> (c) is poorly worded, the requirements for an SFI who wishes to continue training has to revalidate within the 12 months preceding the expiry date of his/her Instructing certificate are given in(a) (1) (2) and (3).</p> <p>(c) was implemented to allow an instructor who's Certificate has lapsed to regain the certificate without undergoing a full course of training PROVIDED it was renewed within 12 months of the expiry date.</p>

**Secondly** what is the logic behind making an SFI who's Certificate has lapsed but within the 12 month grace period undertake the training detailed in (c) :

- (1) complete the simulator content of the SFI training course;
- (2) pass a proficiency check for the specific aircraft type rating on an FSTD of the applicable type;
- (3) pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI.

When an FI, TRi, CRI or IRI has only to:  
attend an instructor refresher seminar  
pass a proficiency check in accordance with Appendix 12 to this Part

I would suggest that (c) is rewritten:

(d) *Renewal*. If the SFI certificate has lapsed, the applicant shall, within a period of 12 months after the expiry date, be eligible to renew the certificate by:

- (i) attend an instructor refresher seminar as per (a) (2) above
- (ii) pass a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI, for the specific aircraft type rating on an FSTD of the applicable type.

response *Noted*

It seems that you misunderstand this renewal requirement. There is no 12 months 'grace' period. If SFI certificate has lapsed for any reason, he/she has during the 12 months **before** the application to fulfil the requirement set out in FCL.940.SFI (c). The certificate could be elapsed for more than 12 months. This can occur anytime after the expiry date of the certificate.

Please see also the reply to comment 59 above.

comment 3070

comment by: Peter SCHMAUTZER

This is a chance in relation to the JAR-FCL, which implies further burden to maintain the FI-Licence. There is not to see which objective will be reached if FI's have to make every second revalidations a new examination according to Appendix 12. It is sufficient if FI's are obliged to make a refresher seminar or a proficiency check according to Appendix 12. It makes no sense to demand new full examinations after a certain period of time. It is sufficient, that the ability of a person is checked at refresher seminars or proficiency checks. Obviously is not taken into account that the majority of examiners and instructors are working in the General Aviation. If there are less instructors and examiners so the costs will rise also for all participants in the General Aviation.

response *Noted*

Please see the reply to comment 647 above.

comment 3646

comment by: M Wilson-NetJets

	<p>FCL.940.SFI</p> <ul style="list-style-type: none"> <li>The requirement to attend a refresher seminar is appropriate for FI's, but inappropriate for holders of higher qualifications</li> </ul> <p>Suggestion: delete para (2)</p> <p>FCL.940.SFI(c)</p> <ul style="list-style-type: none"> <li>Requirements should be alternatives, not cumulative requirements</li> </ul> <p>Suggestion: insert "; or" after sub-para (c)(1) and (c)(2)</p>
response	<p><i>Not accepted</i></p> <p>(a)(2) Not accepted. The Agency considers that the requirement for a refresher course is adequate for all instructors. The content of that course will need to be adapted to the privileges/functions of the instructor. Furthermore it should be stated that the requirement is asking for fulfilling two of the three mentioned requirements. This means that the SFI who chooses to participate in such a seminar has to fulfil also (1) or (3). A similar requirement was already in place in JAR-FCL 2.350F for the SFI(H) revalidation procedure.</p> <p>(c) Not accepted. In the case of renewal, the Agency considers that the requirements should be cumulative.</p>
comment	<p>3753 <span style="float: right;">comment by: OAA Oxford</span></p> <p>FCL.940.SFI(a)(2) The requirement to attend a refresher seminar is appropriate for FIs but inappropriate for holders of higher qualifications. Suggestion: delete requirement</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 3646 above.</p>
comment	<p>3982 <span style="float: right;">comment by: DGAC FRANCE</span></p> <p>1) Editorial 2 "I" at fulfill ! Requirement in (a)(3) covers the requirement in (b) and deviate from previous requirement in JAR-FCL 1.415(a)</p> <p>(2). (a) <i>Revalidation</i>. For revalidation of an SFI certificate the applicant shall, within the validity period of the certificate, <u>fulfill</u> 2 of the following requirements: (1) complete 50 hours as an instructor or an examiner in FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the certificate; (2) attend an instructor refresher seminar; (3) <del>pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI.</del> <b><u>have completed the proficiency check for the issue of the specific aircraft type rating on a FFS representing the applicable type, within the 12 months preceding the application</u></b></p>

	(b) For the first and at least each alternate subsequent revalidation of an SFI certificate, the holder shall have to pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI.
response	<i>Partially accepted</i> Please see the reply to comment 59 above.
comment	4514 <span style="float: right;">comment by: AEA</span>  Relevant Text: (a) <i>Revalidation</i> . For revalidation of an SFI certificate the applicant shall, within the validity period of the certificate, fulfill 2 of the following requirements: (1) complete 50 hours as an instructor or an examiner in FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the certificate; (2) attend an instructor refresher seminar; (3) pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI. <b>Comment:</b> Use the same requirements for SFI renewal as for TRI renewal (FCL.940.TRI (d)) <b>Proposal:</b> (a) <i>Revalidation</i> . For revalidation of a TRI certificate, the applicant shall, within the validity period of the certificate, fulfill all the following requirements:  (1) complete 18 hours of flight instruction in the appropriate aircraft category or FSTDs, of which at least 6 hours shall be within ...  (2) attend an instructor refresher seminar;  (3) the holder shall have to be assessed by a TRI during one flight instruction session.
response	<i>Noted</i> Please see the reply to comment 59 above.
comment	5714 <span style="float: right;">comment by: FNAM (Fédération Nationale de l'Aviation Marchande)</span>  These new requirements are a philosophy change as compared to JAR-FCL1.415.  They are more restrictive, which is not financially affordable.  No assessment is made demonstrating this would improve safety. An assessment should be provided or the previous disposals of JAR FCL 1.415 must be kept unchanged.
response	<i>Noted</i> Please see the reply to comment 59 above.
Comment	5912 <span style="float: right;">comment by: UK CAA</span>

**Paragraph:** FCL.940.SFI

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**Comment:** The fulfilling of 2 out of three of the requirements will result in 6 years prior to a standards check being conducted on the SFI. As per the Examiners requirements a standard check should be conducted every three years to ensure the instructor standards are being maintained and able to be demonstrated.

**Justification:** It is clear that 6 years between standardisation checks is too long to ensure the safety standards are maintained. In no other area of pilot competence is 6 years considered a suitable time period.

**Proposed Text: (if applicable)**

a) Revalidation. For revalidation of a SFI certificate, the applicant shall, within the validity period of the certificate, fulfil the following requirements:

(5) Complete 50 hours as an instructor in the role of SFI or as an examiner in the role of SFE in FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the SFI certificate

**OR**

(6) Receive refresher training as a SFI at an approved training organisation or attend an instructor refresher seminar

**AND**

Pass, as a proficiency check, the relevant sections of the skill test, in accordance with Appendix 12 to this Part.

response *Noted*

Please see the reply to comment 59 above.

comment 5915

comment by: UK CAA

**Paragraph:** FCL.940.SFI (c)

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**Comment:** There is a lack of standardisation between TRI, CRI and SFI renewal criteria.

**Justification:** EASA maintain that part of their objective is to standardise as much as possible. There is no appreciable reason why the renewal criteria should differ between these three instructors certificates.

**Proposed Text: (if applicable)**

(c) Renewal. If the certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

(1) receive refresher training as a SFI at an approved training organisation

**OR**

(2) attend an instructor refresher seminar

**AND**

(3) pass, as a proficiency check, to a type or synthetic flight examiner, the relevant sections of the skill test in accordance with Appendix 12 to this Part.

response *Noted*

Please see the reply to comment 59 above.

comment 6572

comment by: IAOPA Europe

A SFI has to pass a proficiency check for each 2<sup>nd</sup> revalidation, this is immoderate and wasn't required until today. This has not ben a problem till

	now and the requirement should be deleted.
response	<p><i>Noted</i></p> <p>Please see the reply to comment 647 above.</p> <p>It should be mentioned that JAR-FCL 2 already required the SFI(H) to undergo a proficiency check every alternate revalidation. As it was decided to merge the JAR-FCL requirements for the SFI(A) and (H), this requirement was taken over. The Agency does not see why the SFI should be excluded from this requirement to pass a mandatory assessment of the instructor's competence every alternate revalidation and will also introduce a mandatory proficiency check for each specific aircraft type for which privileges are held.</p>
comment	<p>7074 <span style="float: right;">comment by: <i>Oxford Aviation Academy</i></span></p> <p><b>Subpart J. Section 7. FCL.940 SFI</b>  <b>(a)</b> Change to same writing as in present JAR-FCL 1.415  (1) Conduct one simulator session of at least 3 hrs as part of a complete type rating / refresher / recurrent training course.  (2) Have completed a proficiency check</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 59 above.</p>
comment	<p>7286 <span style="float: right;">comment by: <i>ECOGAS</i></span></p> <p>Current wording:  "(a) Revalidation. For revalidation of an SFI certificate the applicant shall, within the validity period of the certificate, fulfil 2 of the following requirements:  (2) attend an instructor refresher seminar;"</p> <p>Issue: The requirement to attend a refresher seminar is appropriate for FI's, but inappropriate for these holders of higher qualifications</p> <p>Suggestion: delete para (2)</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3646 above.</p>
comment	<p>7288 <span style="float: right;">comment by: <i>ECOGAS</i></span></p> <p>Current wording:  "(c) Renewal. If the certificate has lapsed, the applicant shall, within the 12 months preceding the application:  (1) complete the simulator content of the SFI training course;  (2) pass a proficiency check for the specific aircraft type rating on an FSTD of the applicable type;  (3) pass, as a proficiency check, the relevant sections of the SFI skill test, in accordance with FCL.935.SFI.</p> <p>Issue: Requirements should be alternatives, not cumulative requirements</p>

response	<p>Suggestion: insert "; or" after sub-para (c)(1) and (c)(2)</p> <p><i>Noted</i></p> <p>Please see the reply to comment 3646 above.</p>
comment	<p>7536 <span style="float: right;">comment by: <i>FlightSafety International</i></span></p> <p>Reference to Appendix 12 is not adequate. Delete (b) and change the requirements as follow.The amount of instruction hours is reduced but the three requirements must all be met. In this way, the TRI will be assessed every three years.This is more in line with the JAR requirements (JAR-FCL 1.370)</p> <p>Proposal: (a) Revalidation. For revalidation of a TRI certificate, the applicant shall, within the validity period of the certificate, fulfill all the following requirements:(1) complete 18 hours of flight instruction in the appropriate aircraft category or FSTDs, of which at least 6 hours shall be within ....(2) attend an instructor refresher seminar;(3) the holder shall have to be assessed by a TRI during one flight instruction session.</p>
response	<p><i>Noted</i></p> <p>Your comment seems to relate to the TRI, not the SFI. Please see the reply to similar comments on FCL.935.TRI and FCL.940.TRI.</p>
comment	<p>7653 <span style="float: right;">comment by: <i>Atlantic Training Support</i></span></p> <p>FCL.940 SFI delete para (2)</p>
response	<p><i>Noted</i></p> <p>We suppose that this comment addresses FCL.940.SFI(a)(2). Please see the reply to comment 59 above.</p>
comment	<p>7654 <span style="float: right;">comment by: <i>Atlantic Training Support</i></span></p> <p>FCL.940 SFI(c) insert 'or' after sub-para (c)(1) and (c)(2)</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3646 above.</p>
comment	<p>7929❖ <span style="float: right;">comment by: <i>General Aviation Manufacturers Association / Hennig</i></span></p> <p><b><u>GAMA Comments about Synthetic Flight Instructors and Medical Requirement:</u></b></p> <p>GAMA recommends that EASA clarify the connection between FCL.915 and FCL.905.SFI as it relates to the requirement for holding a medical certificate.</p> <p>FCL.915(b)(3) states that the general requirements for instructors is to “be entitled to act as pilot-in-command of the aircraft during such instruction.” GAMA understands this is intended to address in-airplane flight instruction provided by the instructor who then may act as pilot-in-command.</p> <p>However, synthetic flight instructor requirements outlined in Section 7 is silent</p>

about requiring a medical certificate.

GAMA believes and EASA should recognize that there is not a safety justification to require synthetic flight instructors to hold a medical certificate, since there is not a safety of flight issue in place for synthetic flight instruction.

GAMA requests that EASA confirm the agency's intent not to require Synthetic Flight Instructors (SFIs) to meet the requirements of FCL.915 to be entitled to act as pilot-in-command, since this could be seen as inferring a requirement to hold a medical certificate.

response *Noted*

The requirement in FCL.915(b) is only for instructors providing instruction in an aircraft. In addition, FCL.915.SFI (a) clearly states that the applicant can only 'have held' a licence. Therefore, the medical certificate is not mandatory, since the requirement to hold a medical certificate is linked to the licence, not the instructor certificate.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 8: Specific requirements for the multi-crew cooperation instructor**

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comment 4605

comment by: OAA Oxford

FCL.905.MCCI (a) (2). Requires that an MCCI (A) holds or has held an FI(A) certificate to instruct on the basic phase of an MPL course. Recommendation: add "or an IRI(A)" before certificate. **Requires adjustment to FCL.905.IRI (b) (1) please cross refer with note 4618.**

The majority of MCCIs are highly experienced former airline pilots who have lost their medical certificate and will not previously have been FIs. Without a medical certificate they cannot achieve FI(A) certification. However, with an IRI(A) qualification they would be excellent instructors for the MPL basic phase.

response *Accepted*

The text will be amended accordingly.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 8: Specific requirements for the multi-crew cooperation instructor — FCL.905.MCCI MCCI — Privileges and conditions**

p. 60

comment 1273

comment by: Marduc Aeronautical Consults

FCL 905 MCCI (b) should read FNPT II/MCC because on a FNPT II you cannot teach MCC

response *Accepted*

Text has been amended accordingly.

comment 1580

comment by: Swiss Aviation Training-FTO

MCCI - Privileges and conditions

response	<p>Proposed text: (a)(2)in the case of MCCI(A), the basic phase of the MPL integrated training course, provided he/she holds or has held an FI(A) <b>or an IRI (A)</b> certificate.</p> <p>Justification: Harmonisation with FCL.905.TRI (b)(2) and FCL.905.SFI(b)</p> <p><i>Accepted</i></p> <p>The text will be changed accordingly.</p>
comment	<p>4819 <span style="float: right;">comment by: <i>Flight Training Europe</i></span></p> <p><u>Page 60, FCL905.MCCI (a) (2)</u></p> <p>To bring the MCCI(A) qualifications to teach on the basic phase of the MPL course in line with those of an TRI and SFI add IRI(A) certificate. Change sub-paragraph to read:</p> <p><b>(2) in the case of MCCI(A), the basic phase of the MPL integrated training course, provided he/she holds or has held an FI (A) or IRI (A) certificate.</b></p>
response	<p><i>Accepted</i></p> <p>Text has been amended accordingly.</p>
comment	<p>4825 <span style="float: right;">comment by: <i>Flight Training Europe</i></span></p> <p><u>Page 60, FCL.905.MCCI (a) (2)</u></p> <p>States that to instruct on the MPL basic phase an MCCI shall hold or have held an FI(A) certificate. This infers that the FI(A) or IRI(A) qualification is or was issued in accordance with EASA, Part FCL. This will be restrictive and will preclude the use of a number of experienced MCCIs that either did not convert their military QFI qualification or pre-JAR/EASA FI(A) qualification to an JAR/EASA certificate. The decision that an MCCI's lapsed FI(A) qualification is acceptable for instruction at the basic phase should be delegated to the Authority. Change para (a) (2) to read:</p> <p><b>(2) (2) in the case of MCCI (A), the basic phase of the MPL integrated training course, provided he/she holds an FI(A) certificate or have held an FI (A) qualification acceptable to the Authority.</b></p>
response	<p><i>Not accepted</i></p> <p>Part-FCL requirements must be harmonised and not be subject to deviations, except those foreseen in the Basic Regulation. This issue will also be covered by transition measures.</p>
comment	<p>7124 <span style="float: right;">comment by: <i>OAA Oxford</i></span></p> <p>FCL.905.MCCI (a) (2). There is currently no option for a pilot who holds, or has held, a military FI qualification to convert to an FCL FI certificate for the purpose of this part. Recommendation: provide a mechanism for holders of an equivalent military qualification to be converted for the issue of an FI</p>

certificate under this part. This conversion should not require a current medical certificate for the purpose of instruction during the basic phase of the MPL.

response *Noted*

Provisions on credit for military experience have been included in the draft Cover Regulation published with the CRD.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 8: Specific requirements for the multi-crew cooperation instructor — FCL.915.MCCI** p. 60  
**Prerequisites for the MCCI training course**

comment

1

comment by: *ADAC Luftrettung GmbH*

There are a large number of Operators in Europe performing multi crew missions without operating MPH as specified in the flight manual.[i.e. HEMS according to Appendix 1 to JAR-OPS 3.005(d)(c)(3)(iv)(A) > minimum crew by night shall be two pilots!] Due to the kind of mission profile only a very limited amount of flight hours can be logged, leading to the circumstance that those operators will not be in a position to generate their own instructors for MCC!

Furthermore MCC is generic and not type oriented. Giving MCC instruction for a medium size, multiengine helicopter does not require 350 hours in multi pilot helicopters as specified in the flight manual.

For that reason we request to change FCL.915 as follows:

\*\*\*\*\*

FCL.915.MCCI (b)

(2) in the case of helicopters, 1000 hours of flying experience as a pilot in multi crew operations, **including HEMS missions.** ~~of which at least 350 hours in multi pilot helicopter.~~

**(3)of which at least 350 hours in multi pilot helicopter if combined with a type rating for a MPH as specified per flight manual or equivalent document.**

\*\*\*\*\*

response

*Not accepted*

The Agency considers that the text proposed in the NPA is adequate and correctly transposes the text of JAR-FCL 2.

The text covers the possibility for experience in HEMS operations to be considered, and therefore the Agency sees no need to amend the text as you propose.

comment

379

comment by: *REGA*

**STATEMENT**

The requirement of 1000 hours of flying experience as a pilot in multi crew operations is too excessive, inadequate and could be fulfilled only by a minority of helicopter pilots in central Europe.

Unclear is the discrepancy between the high pre-requisites for MCC instructors compared with the less demanding pre-requisites for the MPL(A)-instructor.

	<p><b>PROPOSAL</b>          Befor attending the MCCI training course (helicopter), an applicant shall have at least <u>350 hours</u> in multi-pilot helicopters.</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 1 above.</p>

comment	<p>1613 <span style="float: right;">comment by: <i>Helikopter Air Transport GmbH / Christophorus Flugrettungsverein</i></span></p> <p><b>STATEMENT</b></p> <ul style="list-style-type: none"> <li>• The requirement of 1000 hours of flying experience as a pilot in multi crew operations is too excessive,inadequateand could fulfill only by a minority of helicopter pilots in central Europe.</li> <li>• Unclear is the discrepancy between the highpre-requisites for MCC instructors compared with the less demanding pre-requisites for the MPL(A)-instructor.</li> </ul> <p><b>PROPOSAL</b>          Before attending the MCCI training course (helicopter), an applicant shall have at least <u>350 hours</u> in multi-pilot helicopters.</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 1 above.</p>

comment	<p>2283 <span style="float: right;">comment by: <i>Nigel Roche</i></span></p> <p>(b) (1) lays down the experience level required for aeroplanes, powered lift pilots, and (2) lays down the experience level required for helicopter pilots prior to them being eligible to become MCCIs</p> <p>FCL.720.As (a) states the need for Airship pilots to undertake an MCC for multi-crew operations. FCL.735.As gives the pre-requisite pilot requirements for eligibility to enter an Airship MCC.</p> <p>What FCL.915 does not do is give the experience level requirement for Airship pilot to become Airship MCCI.</p> <p>I feel there should be a statement even if it says 'there is no requirement'.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The text of FCL.915.MCCI (b)(1) will be amended to include airships.</p>

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 8: Specific requirements for the multi-crew cooperation instructor — FCL.930.MCCI p. 60-61 MCCI — Training course**

comment	<p>1274 <span style="float: right;">comment by: <i>Marduc Aeronautical Consults</i></span></p> <p>FCL 905 -STI priviledges</p>
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	a(3) STI should not instruct crew as part of a multi crew concept, unless the STI has at least 1500hrs experience as part of a MPA operation
response	<p><i>Noted</i></p> <p>Your comment is not understood because there is no FCL.905.STI (a)(3) paragraph, and STI has not privileges to carry out instruction for MCC.</p>
comment	<p>6880 <span style="float: right;">comment by: CAA Finland</span></p> <p>FCL.930.MCCI(b): Amended text proposal for harmonization with for example FCL.930.IRI and FCL.935.SFI:</p> <p>(b) The course shall include, at least: (1) 25 hours of theoretical knowledge instruction; (2) 10 hours of instructional techniques, including revision of instrument theoretical knowledge, the preparation of lesson plans and the development of classroom instructional skills; (3) 3 hours technical training related to the type of FSTD where the applicant wishes to instruct, which may be flight instruction or MCC instruction;</p> <p>FCL.935.MCCI MCCI Skill test An applicant for an MCCI certificate shall pass a skill tests to demonstrate to a synthetic flight or type rating examiner his ability to instruct to a pilot MCC, including preflight, postflight and theoretical knowledge instruction, in accordance with Appendix 12 to this Part.</p> <p>The assessment shall consist of flight instruction related to the duties of an MCCI on the applicable FFS or FTD 2/3.</p>
response	<p><i>Not accepted</i></p> <p>The training course for the MCCI does not follow the same organisation as for the other instructors for a reason. In fact, the 10 hours included in the courses for the TRI and IRI are dedicated to technical training on the relevant aircraft. In the case of the MCCI, it was decided that this requirement would be disproportionate.</p> <p>As for the skill test, there is also a reason why the MCCI (as well as the SFI and STI) does not have one: the MCCI does not need to hold a licence, therefore he/she cannot do a 'skill test'. In the case of the MCCI, the assessment of instructional competences is included in the training course.</p> <p>In any case, the Agency has slightly amended the text to improve clarity. Please see amended text.</p>

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 8: Specific requirements for the multi-crew cooperation instructor — FCL.940.MCCI</b>	p. 61
<b>MCCI — Revalidation and renewal</b>	

comment	648 <span style="float: right;">comment by: British Microlight Aircraft Association</span>
	Comment: There should be a specified period between a rating lapsing and any

requirement for additional training before to revalidate the rating. The "lapse" may have been by only one day.

*"(b) Renewal. If the certificate has lapsed, the applicant shall complete the parts of the MCCI course referred to in FCL.930.MCCI(b)(2) and(3) on the relevant type of FNPT II, FTD 2/3 or FFS."*

response *Noted*

The validity period of the rating is clearly established, as the requirements for revalidation and renewal are. The Agency considers that they are proportionate.

comment 2289

comment by: *Nigel Roche*

(a) For revalidation of an MCCI certificate the applicant shall have completed the practical training of the MCCI course on the relevant type of FNPT II, FTD 2/3 or FFS, within the last 12 months of the validity period of the certificate.

(b) *Renewal.* If the certificate has lapsed, the applicant shall complete the parts of the MCCI course referred to in FCL.930.MCCI(b)(2) and(3) on the relevant type of FNPT II, FTD 2/3 or FFS.

For (b) I would suggest inserting a 12 month backstop taken from the date which certificate expired to prevent Ex MCCIs who's currency is way out of date revalidating without undertake a complete refreshercourse.

I would suggest that (b) is rewritten:

b) *Renewal.*

(1) If the MCCI certificate has lapsed, but the applicant is within 12 month of the certificates expiry he/she shall complete the parts of the MCCI course referred to in FCL.930.MCCI(b)(2) and(3) on the relevant type of FNPT II, FTD 2/3 or FFS.

(2) If the MCCI certificate has lapsed by more than 12 months then the applicant shall complete the MCCI course referred to in FCL.930.MCCI(b) (1), (2) and(3) on the relevant type of FNPT II, FTD 2/3 or FFS.

response *Not accepted*

The Agency does not agree with your proposal that the teaching and learning part of the course would have to be repeated if the rating has lapsed for more than 12 months.

The Agency considers that the proposed requirements for renewal are adequate and proportionate and in accordance with JAR-FCL 1.418 (b).

comment 3071

comment by: *Peter SCHMAUTZER*

This regulation pertains mainly to airlines. The question is why there is no extra burden at the renewal so as in FCL.940.FI. According to the principal of equal treatment the burden of proficiency checks has to be omitted.

response *Noted*

It seems there is a misunderstanding of the requirements stated in FCL.940.FI:

there is no extra burden at the renewal.  
Please see the replies to comments on that segment.

comment 3362 comment by: *DGAC FRANCE*

Part FCL .940 .MCCI (a) and (b)

Editorial and consistency

To add,  
The FNPT II / III ....  
In both paragraph

response *Accepted*

The text will be amended accordingly.

comment 5277 comment by: *CAA Belgium*

Part FCL .940 .MCCI (a) and (b)

Editorial and consistency

To add,  
The FNPT II / III ....  
In both paragraph

response *Accepted*

The text will be amended accordingly.

comment 6316 comment by: *Axel Schwarz*

The requirements for revalidation and renewal are essentially the same. Is this intended?

response *Noted*

Thank you for your input; wording needs clarification and will be reworded.

Revalidation refers to FCL.930.MCCI (b) (3), and renewal to (b) (2) and (b)(3).  
(the numbering will be amended to (a)).

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 9: Specific requirements for the synthetic training instructor**

p. 61

comment 3128 comment by: *FTO 09-157 FRENCH AIR FORCE*

**A new category of synthetic instructor :  
Synthetic Procedure Training Instructor - SPTI -**

The French Air Force has a long experience of non-flyer simulator instructors who in fact are closer to procedure instructors.

These personnel are initially and continuously trained almost as pilots except that they only use of synthetic devices. As instructors they are to submit periodical knowledge, skills and pedagogical and qualifications.

The training of non-flyer simulator instructors is currently divided into two

phases:

- a theoretical phase, non approved by the Authority but delivered by an approved theoretical training centre (EISPN),
- a practical training phase on FNPT II (JAR FCL approved) and simulator.

They could provide a «ground»-specific working method. Hours could be considered as “ground” ones within training syllabuses. These elements could contribute to the granting of a certificate if the above mentioned related syllabuses. Were approved, considering that they constitute an essential part of French Air Force pilots’ JAR FCL training.

This solution is very satisfactory in terms of cost and effectiveness. This population of “ground instructors” very well matches the delivery of a working method for flying procedures.

A 11<sup>th</sup> section could be added as follows:

## **SECTION 11**

### **Specific requirements for the synthetic procedure training instructor SPTI**

#### **FCL.905.SPTI Privileges and conditions**

(a) The privileges of an SPTI are to carry out synthetic instrument flight and IFR procedure instruction in the appropriate aircraft category for:

- (1) The issue of a licence;
- (2) The issue, revalidation or renewal of an instrument rating and a class or type rating for Single-pilot aircraft.

(b) *SPTI (A) additional privileges* An SPTI (A)'s privileges shall include synthetic instrument flight and IFR procedure instruction during the core flying skills training of the MPL integrated training course.

(c) *SPTI (H)'s restriction of privileges.* An SPTI (H)'s privileges shall be restricted to the FNPT II, FTD 2/3 or FFS in which the SPTI training course took place.

The privileges may be extended to other FSTDs representing further types of helicopters when the holder has:

- (1) Completed a TRI (H) course on the applicable type;
- (2) Passed the proficiency check for the specific aircraft type rating on a FFS of the applicable type within the 12-month period preceding the application;
- (3) Conducted at least one 3-hour minimum duration FSTD session related to the duties of an SPTI (H) on a type rating course on the applicable type of helicopter under the supervision of a flight instructor examiner.

#### **FCL.930.SPTI SPTI Training course**

(a) An applicant for an SPTI certificate shall have completed a training course at an approved training organisation.

(b) *The course shall comprise at least 3 hours of flight instruction related to the duties of a STI in a FFS, FTD 2/3 or FNPT II, under the supervision of a flight instructor examiner. These hours of instruction under supervision shall include the assessment of the applicant's competence as described in FCL.920 (a).*

*SPTI (A) applicants wishing to instruct on a BITD only shall complete the instruction on a BITD.*

(c) *SPTI (H) applicants, the course shall also include the FFS content of the applicable TRI course.*

#### **FCL.940.SPTI Revalidation and renewal of the SPTI certificate**

(a) *Revalidation.* For revalidation of an SPTI certificate the applicant shall have,

within the certificate validity period's last 12 months:

(1) Conducted at least FFS, FNPT II or BITD 3 instruction hours, as part of a complete CPL, IR, PPL or class or type rating course; and

(2) Passed in the FFS, FTD 2/3 or FNPT II in which instruction is routinely conducted, the applicable sections of the proficiency check being in accordance with *Appendix 9 to this Part* for the appropriate type or class of aircraft.

For an SPTI (A) trained on BITDs only, the proficiency check shall only include appropriate exercises for the required skill test preceding the issue of a PPL (A).

(b) *Renewal*. If the certificate has lapsed, the applicant shall:

(1) pass in the FFS, FTD 2/3 or FNPT II on which instruction is routinely conducted, the applicable sections of the proficiency check being in accordance with *Appendix 9 to this Part* for the appropriate type or class of aircraft.

For an SPTI (A) trained on BITDs only, the proficiency check shall only include appropriate exercises for the required skill test preceding the issue of a PPL (A).

(2) conduct at least 3 hours of instruction on a complete CPL, IR, PPL or class or type rating course, under the supervision of an FI (A), CRI (A), IRI (A), TRI (A) or SFI (A) nominated by the training organisation for this purpose. At least one hour of instruction shall be supervised by an FIE (A).

response *Noted*

Thank you for your work and for the input.

The Agency does not intend to create new certificates (that are not necessary to cover the extended scope of the Basic Regulation, like the LAFI) at this time. But your proposal could be taken in account as a new task in a future working programme of the Agency.

Please note also that credit for military experience shall be detailed in the Cover Regulation of Implementing Rules.

comment 3650

comment by: *M Wilson-NetJets*

Section 9

Suggestion: Delete STI section altogether

response *Not accepted*

The Agency does not intend to delete categories of instructors that existed in JAR-FCL at this time. But your proposal could be taken in account as a new task in a future working programme of the Agency.

Please see also the replies to comments on the privileges of the SFI.

comment 7294

comment by: *ECOGAS*

It may be an appropriate time to consider abandoning the STI category altogether, and replacing it with additional requirements for SFI's to enable them to perform STI tasks for single-pilot or multi-crew instruction, or both. The UK CAA paper on this topic has been submitted, which we support.

Suggestion: Delete Section 9 entirely and add qualifying requirements to

	Section 7 of this document.
response	<i>Not accepted</i> Please see the reply to comment 3650 above.

<b>B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 9: Specific requirements for the synthetic training instructor — FCL.905.STI STI — Privileges and conditions</b>	p. 61
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comment	1581 comment by: <i>Swiss Aviation Training-FTO</i> STI - Privileges and conditions  Proposed text: (b) Additional privileges for the STI(A): (1) The privileges of an STI(A) shall include synthetic flight instruction during the core flying skills training of the MPL integrated training course. (2) To instruct for the basic phase of training on an MPL course, the STI(A) shall: (i) hold or have held an instrument rating for multiengine aeroplanes; and (ii) have completed at least 1500 hours of flight time in multicrew operations. (iii) In the case of an STI(A) already qualified to instruct on ATPL(A) or CPL(A)/IR integrated courses, the requirement of (2)(ii) may be replaced by the completion of the course provided for in paragraph FCL.905.FI(k)(3).  Justification: Harmonisation with FCL.905.FI(k)(2) and FCL.905.IRI(b)
response	<i>Not accepted</i>  The intention of JAR FCL was to allow the STI(A) to carry out synthetic instruction on appropriate exercises (see table in GM to FCL.925). In addition: <ul style="list-style-type: none"> <li>• FCL.915.STI (a) requests that the applicant has or has held a licence with instructional privileges appropriate to the course... That covers your proposal for (b)(2)(i), and</li> <li>• 1500hrs in multi-crew operations are requirements for SFI and not appropriate for STI.</li> </ul> Those requirements are not acceptable for the basic phase of the MPL training course.
comment	2290 comment by: <i>CAA Finland</i> FCL.905.STI  Other instructor certificates have the possibility to add privileges by additional course. If STI applicant has been VFR flight instructor, it is impossible to extend the privileges to IR-instruction on FSTD or multi-engine basics training on FSTD. That is impossible also regardless of the experience on IR or ME.  New paragraph (d): The privileges may be extended to other instructional privileges when the

	holder has: (1) fulfilled the prerequisites for the respective FCL.905.FI (h), (i) or (k); and (2) satisfactorily completed the simulator content of the corresponding STI course.
response	<i>Not accepted</i>  Competency of STI is given by requirements to hold or have held, within the 3 years prior to application, a pilot licence with instructional privileges. If the pilot does not hold a licence, the Agency cannot see how experience could be granted from VFR to IFR or SE to ME without flying an aircraft. In addition, the synthetic devices used are mainly FNPTs, where no type/class rating training is possible.
comment	3368 <span style="float: right;">comment by: DGAC FRANCE</span>  Part FCL 905. STI (c)  Editorialand consistency  To add, The FNPT II / III ....
response	<i>Accepted</i>  The text will be amended accordingly.
comment	5278 <span style="float: right;">comment by: CAA Belgium</span>  Part FCL 905. STI (c) Editorial and consistency To add, The FNPT II / III ....
response	<i>Accepted</i>  Please see the reply to comment 3368 above.
comment	6047 <span style="float: right;">comment by: Finnish Aviation Academy</span>  <b>FCL.905.STI            STI – Privileges and conditions</b>  a) The privileges of an STI are to carry..... (1) ..... (2).....  The privileges may be extended to other FSTDs representing further types of aeroplanes when the holder has completed the FSTD part of the applicable type rating course
response	<i>Partially accepted</i>  The Agency has decided to extend to provisions of (c) to also encompass aeroplanes. Please see the amended text.
comment	7375 <span style="float: right;">comment by: Finnish Aviation Academy</span>

FCL.905.STI                      STI – Privileges and conditions

a) The privileges of an STI are to carry.....

(1) .....

(2).....

The privileges may be extended to other FSTDs representing further types of aeroplanes when the holder has completed the FSTD part of the applicable type rating course.

response    *Partially accepted*

Please see the reply to comment 6047 above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 9: Specific requirements for the synthetic training instructor — FCL.915.STI p. 61-62 Prerequisites for the STI training course**

comment    673

comment by: FOCA Switzerland

J/Section 9  
FCL.915.STI

Clarification:

**(a) With regard to the written requirement to hold or have held instructional privileges to start such training course there seems to be not at all a provision in order to get on an initial training course with regard to become a STI-rating.**

response    *Noted*

The requirement for the applicant to hold or have held less than 3 years before application a licence and instructional privileges is linked to the fact that the STI training course requirements are lighter than those for SFI. The reason for the prerequisite then is to guarantee a good level of competency in relationship with the training course.

These requirements (both the prerequisites and the training course) are a direct copy from JAR-FCL, and the Agency sees no benefit in changing them at this point.

However, it is possible that the STI requirements will be reviewed in the future, as part of a specific rulemaking task.

comment    1554

comment by: IAAPS

"...the applicant shall hold or have held within the 3 years prior to the application, a pilot licence and instructional privileges appropriate..."

This prevents a former pilot to become a STI if he/she was not an instructor before. We suggest that a pilot losing his/her medical fitness should be authorized to become a STI after a proper instructor training, which might be a FI course.

response    *Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were

established in JAR-FCL.

comment 1582 comment by: *Swiss Aviation Training-FTO*

Pre-requisites for the STI training course

Proposed text:

(a) hold, or have held ~~within the 3 years prior to the application~~, ...

Justification: Harmonisation with FCL.915.SFI (a) and FCL.915.MCCI (a)

response *Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment 1899 comment by: *French Army AVN. FTO*

The French Army Aviation FTO suggests to create (or to validate) a "non pilot licenced, simulator instructor qualification".

Actually, we do have these specialised instructors (pilots' ground instructors) in our FTO, ***not qualified pilot***, but cleared to train in a FCL2 approved course. They are qualified after a ***French Armed Forces specific course of instructor on FSD (flight synthetic device)***. All the training hours provided by those instructors are counted in all courses (CPL, IR, SE TR, ME TR) in compliance with the **"grand father's law"**.

response *Noted*

The Agency does not intend to create new certificates (that are not necessary to cover the extended scope of the Basic Regulation, like the LAFI) at this time. But your proposal could be taken in account as a new task in a future working programme of the Agency.

Please note also that provisions for credit for military experience have been detailed in the draft cover regulation published with this CRD.

comment 2288 comment by: *CAA Finland*

FCL.915.STI:

3 years time limit differs from for example closest point of comparison SFI.

New text:

(a) hold, or have held, a pilot licence...

response *Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment 3648 comment by: *M Wilson-NetJets*

FCL.915.STI

- Time limitation before attending STI training is insufficient

Suggestion:

Change to "within the 5 years prior to the application,"

FCL.915.STI(a)

- The three year stipulation does not allow for suitable STI candidates who have had a longer break from flying but retain the skillset necessary to perform this task

Suggestion: change "3 years" to "5 years"

response

*Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment

3754

comment by: *OAA Oxford*

FCL.915.STI (a) The 3 year stipulation does not allow for suitable STI candidates who have had a longer break from flying but retain the skill set to perform this task. Suggestion: change "3 years" to "5 years"

response

*Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment

3932

comment by: *DCA Malta*

FCL.915.STI(a) Candidates can hardly fulfill this requirement Prerequisites should be the same for the SFI, that is there should be no requirement for previous instruction but a lot of experience.

response

*Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment

4031

comment by: *CAE*

FCL.915.STI (a) (page 61)

We see no reason why the pre-requisites for an STI should include the requirement to "hold or have held within the 3 years prior to the application a pilot license and instructional privileges appropriate to the course on which instruction is given". This pre-requisite is much more restrictive than any required of the FI, CRI or SFI and effectively eliminates a large pool of

otherwise well qualified candidates. With the onset of the VLJ in European airspace, continuing with this pre-requisite will have a negative effect on training opportunities with no added safety effect.

Our proposal is to eliminate the STI rating and extend the privileges of the SFI to include single pilot type ratings. The pre-requisites for an SFI can be lowered if the SFI will be restricted to single pilot training only.

Alternately, if the privileges of the STI are to be similar to the CRI and FI, have similar pre-requisites to the CRI and FI. Specifically remove "within the 3 years" from the requirement to "hold, or have held ~~within the 3 years~~ prior to the application".

response

*Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment

4488

comment by: *CTC Aviation Services Ltd*

**Comment**

The 3 year restriction is not consistent with the requirements for other certificates and unduly limiting on applicants.

The requirement for appropriate instructional privileges in advance of the course is excessively restrictive on applicants. Simulator training continues to contribute a large proportion of hours towards initial licence issue, and the STI is an important staffing option to satisfy training demand. This proposed regulation does not permit access to the STI role except for individuals with previous appropriate training privileges. Since TRI and SFI with training organization authorisation can supervise renewal and revalidation of the STI, (see FCL.940.STI b(2)) it is inappropriate to deny the TRI and SFI community access to the STI role utilising established skills and experience.

**Proposal**

**(a) hold, or have held a pilot licence and instructional privileges appropriate to the courses on which instruction is intended;**

FCL.915.STI Prerequisites for the STI training course  
Before attending the STI training course the applicant shall:

(a) hold, or have held, a pilot licence and instructional privileges appropriate to the courses on which instruction is intended; **Applicants with TRI or SFI instructional privileges shall satisfy this requirement by compliance with (d).** .....

.....  
(d) Applicants with TRI or SFI instructional privileges shall additionally undertake training to enable demonstration to an FIE the knowledge and skill necessary to address procedural and LOFT training aspects of the initial licence course.

response

*Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment 4780 comment by: CAA Belgium

(a) Candidates can hardly fulfill this requirement

response Noted

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment 5703 comment by: FNAM (Fédération Nationale de l'Aviation Marchande)

FCL915.STI: this prevents a former pilot to become a STI if he/she was not an instructor before.

We ask that a pilot losing his/her medical fitness should be authorized to become a STI after a proper instructor training , which might be a FI course.

response Noted

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment 6048 comment by: Finnish Aviation Academy

#### **FCL.915.STI Pre-requisites for the STI training course**

Before attending the STI training course the applicant shall:

- a) hold, or have held within the 3 years prior to the application, a pilot licence;
  - (1) for a STI(A):
    - (a) 500 hours flight time of aeroplanes;
    - (b) 30 hours as pilot-in command on the applicable type or class of aeroplane;
    - (c) 200 hours flight time of aeroplanes under IFR, of which up to 50 hours may be instrument ground time in a FSS, a FTD 2/3 or FNPT II (only for the instructors who intend to give instruction for the IR-rating).
  - (2) for a STI(H):
    - (a) 300 hours flight time of helicopters;
    - (b) 30 hours as pilot-in command on the applicable type of helicopter
    - (c) 200 hours flight time of helicopters under IFR, of which up to 50 hours may be instrument ground time in a FSS, a FTD 2/3 or FNPT II (only for the instructors who intend to give instruction for the IR-rating).
- b) have completed in a relevant, FSTD the relevant proficiency check for

the class or type rating, within a period of 12 months preceding the application.

An applicant for a STI(A) wishing to instruct on BITDs only, shall complete only the exercises appropriate for a skill test for the issue of a PPL(A).

c) additionally, for a STI(H), have completed at least 1 hour of flight time as an observer on the flight deck of the applicable type of helicopter, within the 12 months preceding the application.

*Present regulations does not give to the experienced pilot (single pilot a/c) without instructor rating possibilities to qualify as STI. Requirements for STI should basically be similar as SFI has.*

*Pre-requisites for the STI training course should be relevant to those for CRI or FI to give instruction for instrument rating*

response *Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment 6943

comment by: CAA Finland

FCL.915.STI(a):

Differing from all other instructor certificates STI may not be issued based on expired licence + training. Additionally there aren't possibility to extend privileges for example from VFR-instruction as for IRI on FSTD by additional course. The principle should be corrected as a whole. New text proposal:

(a) hold, or have held a pilot licence and 300 hours flight time as a pilot of aircraft;

(b) have completed...

(c) additionally..

(d) The privileges of the STI shall be restricted to FTD 2/3 or FS of the aircraft type VFR in which the STI training course was taken.

(1) The privileges may be extended to other FSTDs representing further types of FTD or FS when the applicant have 30 hours as pilot-in-command on the applicable type or class of aeroplane or respective FTD or FS;

(iii) completed a training course at an approved training organisation.

(2) The privileges may be extended to instructional privileges for IR when the applicant have

(i) completed at least 500 hours of flight time under IFR, of which at least 250 hours shall be in aircraft

(ii) completed a training course at an approved training organisation.

response *Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment 7289 comment by: ECOGAS

Current wording:

"Before attending the STI training course the applicant shall: (a) hold, or have held within the 3 years prior to the application, a pilot licence and instructional privileges appropriate to the courses on which instruction is intended;"

Issue: The three year stipulation does not allow for suitable STI candidates who have had a longer break from flying but retain the skill-set necessary to perform this task.

Suggestion: Change to "within the 5 years prior to the application," instead of 3 years.

response *Noted*

Please see the reply to comment 673 above.

The Agency does not intend to change the STI requirements as they were established in JAR-FCL.

comment 7378 comment by: Finnish Aviation Academy

**FCL.915.STI Pre-requisites for the STI training course**

Before attending the STI training course the applicant shall:

- a) hold, or have held within the 3 years prior to the application, a pilot licence;
  - (1) for a STI(A):
    - (a) 500 hours flight time of aeroplanes;
    - (b) 30 hours as pilot-in command on the applicable type or class of aeroplane;
    - (c) 200 hours flight time of aeroplanes under IFR, of which up to 50 hours may be instrument ground time in a FSS, a FTD 2/3 or FNPT II (only for the instructors who intend to give instruction for the IR-rating).
  - (2) for a STI(H):
    - (a) 300 hours flight time of helicopters;
    - (b) 30 hours as pilot-in command on the applicable type of helicopter
    - (c) 200 hours flight time of helicopters under IFR, of which up to 50 hours may be instrument ground time in a FSS, a FTD 2/3 or FNPT II (only for the instructors who intend to give instruction for the IR-rating).
- b) have completed in a relevant, FSTD the relevant proficiency check for the class or type rating, within a period of 12 months preceding the application.
 

An applicant for a STI(A) wishing to instruct on BITDs only, shall complete only the exercises appropriate for a skill test for the issue of a PPL(A).
- c) additionally, for a STI(H), have completed at least 1 hour of flight time as an observer on the flight deck of the applicable type of helicopter, within the 12 months preceding the application.

	<p><i>Present regulations does not give to the experienced pilot (single pilot a/c) without instructor rating possibilities to qualify as STI. Requirements for STI should basically be similar as SFI has.</i>  <i>Pre-requisites for the STI training course should be relevant to those for CRI or FI to give instruction for instrument rating</i></p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 673 above.</p> <p>The Agency does not intend to change the STI requirements as they were established in JAR-FCL.</p>
comment	<p>7543 <span style="float: right;">comment by: <i>FlightSafety International</i></span></p> <p>The requirements for an STI are significantly more restrictive than that of other instructors. A pilot could be qualified as a TRI or SFI but not an STI because of the previous instructor requirements without the 1500 hours MPA time. These should mirror the SFI requirements.</p> <p>Copy FCL.915.SFI into this. Add in (a) the requirement that the licence be issued in accordance with ICAO Annex 1. Remove in (c)(1) the 1500 MPA requiriment.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 673 above.</p> <p>The Agency does not intend to change the STI requirements as they were established in JAR-FCL.</p>
comment	<p>7656 <span style="float: right;">comment by: <i>Atlantic Training Support</i></span></p> <p>FCL.915 change to 'within the 5 years prior to the application'</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 673 above.</p> <p>The Agency does not intend to change the STI requirements as they were established in JAR-FCL.</p>
comment	<p>7661 <span style="float: right;">comment by: <i>Atlantic Training Support</i></span></p> <p>FCL.915 STI chane '3 years' to '5 years'</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 673 above.</p> <p>The Agency does not intend to change the STI requirements as they were established in JAR-FCL.</p>

<b>Training course</b>
------------------------

comment	3369	comment by: <i>DGAC FRANCE</i>
	Part FCL.930 STI (b)	
	Editorial and consistency	
	To add, The FNPT II / III ....	

response	<i>Accepted</i>
	The text will be amended accordingly.

comment	5279	comment by: <i>CAA Belgium</i>
	Part FCL.930 STI (b)	
	Editorial and consistency	
	To add, The FNPT II / III ....	

response	<i>Accepted</i>
	The text will be amended accordingly.

comment	6049	comment by: <i>Finnish Aviation Academy</i>
	<b>FCL.930.STI            STI-Training course</b>	

- a) An applicant for a STI certificate shall have completed a training course at an approved training organisation.
- b) The course shall include, at least:

- (1) 25 hours of theoretical knowledge instruction, including instructional techniques

- (2) 3 hours of flight instruction related to the duties of a STI in a FFS, FTD 2/3 or FNPT II, under the supervision of a flight instructor examiner. The hours of instruction under supervision shall include the assessment of the applicant's competence as described in FCL.920(a).

Applicants for a STI(A) wishing to instruct on a BITD only, shall complete the instruction on a BITD.

- c) For applicants for a STI(H), the course shall also include the FSTD content of the applicable TRI course.

- d) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (b)(1).

*Present regulations does not give to the experienced pilot (single pilot a/c) without instructor rating possibilities to qualify as STI. Requirements for STI should basically be similar as SFI has.*

*Pre-requisites for the STI training course should be relevant to those for CRI or FI to give instruction for instrument rating*

response

*Noted*

Please see the reply to your comment 6048 in FCL.915.STI, with the same content.

comment

6886

comment by: *CAA Finland*

FCL.930.MCCI(b):

Amended text proposal for harmonization with for example FCL.930.IRI and FCL.935.SFI:

(b) The course shall include, at least:

(1) 25 hours of theoretical knowledge instruction;

(2) 10 hours of instructional techniques, including revision of instrument theoretical knowledge, the preparation of lesson plans and the development of classroom instructional skills;

(3) 3 hours technical training related to the type of FSTD where the applicant wishes to instruct, which may be flight instruction or MCC instruction;

FCL.935.MCCI MCCI Skill test

An applicant for an MCCI certificate shall pass a skill tests to demonstrate to a synthetic flight or type rating examiner his ability to instruct to a pilot MCC, including preflight, postflight and theoretical knowledge instruction, in accordance with Appendix 12 to this Part.

The assessment shall consist of flight instruction related to the duties of an MCCI on the applicable FFS or FTD 2/3.

response

*Noted*

Your comment seems to refer to MCCI, and not to STI. Please see the reply to your comment 6880 with the same content.

comment

7380

comment by: *Finnish Aviation Academy***FCL.930.STI****STI-Training course**

a) An applicant for a STI certificate shall have completed a training course at an approved training organisation.

b) The course shall include, at least:

(1) 25 hours of theoretical knowledge instruction, including instructional techniques

(2) 3 hours of flight instruction related to the duties of a STI in a FFS, FTD 2/3 or FNPT II, under the supervision of a flight instructor examiner. The hours of instruction under supervision shall include the assessment of the applicant's competence as described in FCL.920(a).

Applicants for a STI(A) wishing to instruct on a BITD only, shall complete the instruction on a BITD.

c) For applicants for a STI(H), the course shall also include the FSTD content of the applicable TRI course.

d) Applicants holding or having held an instructor certificate shall be fully credited towards the requirement of (b)(1).

*Present regulations does not give to the experienced pilot (single pilot a/c) without instructor rating possibilities to qualify as STI. Requirements for STI should basically be similar as SFI has.*

*Pre-requisites for the STI training course should be relevant to those for CRI or FI to give instruction for instrument rating*

response *Noted*

Please see the reply to your comment 6048 on FCL.915.STI, with the same content.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 9: Specific requirements for the synthetic training instructor — FCL.940.STI** p. 62  
**Revalidation and renewal of the STI certificate**

comment 649

comment by: *British Microlight Aircraft Association*

Comment: There should be a specified period between a rating lapsing and any requirement for additional training before to revalidate the rating. The "lapse" may have been by only one day.

*"(b) (2) conduct on a complete CPL, IR, PPL or class or type rating course, at least 3 hours of instruction under the supervision of an FI(A), CRI(A), IRI(A), TRI(A) or SFI(A) nominated by the training organisation for this purpose. At least one hour of instruction shall be supervised by an FIE(A)."*

response *Noted*

Please see the reply to your comment 648 on FCL.905.STI, with the same content.

comment 3357

comment by: *DGAC FRANCE*

Part FCL .940.STI (a) (1)and (2)  
 And (b) (1) (b)(2)

Editorial and consistency

(b) (2): This paragraph is applicable to aeroplane and helicopter categories at least, but the multi pilot type ratings are not concerned.

To add,  
 The FNPT II / III ....

(b)(2) conduct on a complete .....under the supervision of an FI(A) **FI**, CRI(A), ~~IRI(A)~~ **IRI**, ~~TRI(A)~~ **TRI(H)**, ~~SFI(A)~~ **as applicable** nominated by the training organization for this purpose . at least one hour of instruction shall be supervised by an FIE(A)

response *Accepted*

The text will be amended accordingly.

comment	<p>3651 <span style="float: right;">comment by: <i>M Wilson-NetJets</i></span></p> <p>FCL.940.STI(a)</p> <ul style="list-style-type: none"> <li>Requirement for revalidation should be either/or, not both</li> </ul> <p>Suggestion: (a) change "and" to "or"</p>
response	<p><i>Not accepted</i></p> <p>This requirement is a direct copy from JAR-FCL 1.419(c), and the Agency sees no safety benefit in accepting your proposal.</p>
comment	<p>3755 <span style="float: right;">comment by: <i>OAA Oxford</i></span></p> <p>FCL.940.STI (a) Requirement for revalidation should be either/or not both. Suggestion: change "and" to "or"</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 3651 above.</p>
comment	<p>5280 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>Part FCL .940.STI (a) (1)and (2)</p> <p>And (b) (1) (b)(2) Editorial and consistency (b) (2): This paragraph is applicable to aeroplane and helicopter categories at least, but the multi pilot type ratings are not concerned. To add, The FNPT II / III .... (b)(2) conduct on a complete .....under the supervision of an <del>FI(A)</del> <b>FI</b>, <del>CRI(A)</del>, <del>IRI(A)</del> <b>IRI</b>, <del>TRI(A)</del> <b>TRI(H)</b>,  <del>SFI(A)</del> <b>as applicable</b> nominated by the training organization for this purpose. at least one hour of instruction shall be supervised by an <del>FIE(A)</del>.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3357 above.</p>
comment	<p>6316❖ <span style="float: right;">comment by: <i>Axel Schwarz</i></span></p> <p>The requirements for revalidation and renewal are essentially the same. Is this intended?</p>
response	<p><i>Noted</i></p> <p>Thank you for your input, but the requirements are not the same. There is a difference between FCL.940.STI(a)(1) and (b)(2). For renewal 1 of the 3 hours of instruction shall be conducted under the supervision of an FIE, as a check.</p>
comment	<p>6809 <span style="float: right;">comment by: <i>Finnish Aviation Academy</i></span></p> <p><b>FCL.940.STI                      Revalidation and renewal of the STI certificate</b></p>

(a) *Revalidation*. For revalidation of a STI certificate, the applicant shall, within the validity period of the certificate, fulfil 2 of the following requirements:

- (1) complete 50 hours as an instructor in FSTDs, of which at least 15 hours shall be within the 12 months preceding the expiry date of the certificate;
- (2) attend an instructor refresher seminar;
- (3) pass, as a proficiency check in FSTD, the relevant sections of the skill test in accordance with Appendix 12 to this Part.

(b) For the first and at least each alternate subsequent revalidation of a STI certificate, the holder shall have to pass a proficiency check in accordance with Appendix 12 to this Part.

(c) *Renewal*. If the certificate has lapsed, the applicant shall, within a period of 12 months before renewal:

- (1) receive refresher training as a STI at an approved training organisation;
- (2) pass, as a proficiency check in FSTD, the relevant sections of the skill test in accordance with Appendix 12 to this Part

response *Partially accepted*

Thank you for providing your opinion.

The Agency carefully reviewed the comments received and further discussed the issues raised with your comment.

As to your first proposal, the Agency does not agree and will keep the revalidation criteria as proposed with the NPA based on the fact that this is based on JAR-FCL 1.419 and will not be amended without a further safety assessment.

The requirement to take refresher training in case of a renewal will be added to (b), since it was already a requirement in JAR-FCL.

comment 6964

comment by: CAA Finland

FCL.940.STI(b)(2):

STI may conduct 80% of IR training course. The demonstration of the ability to instruct shall be as proficiency check / skill test (see my comment FCL.930.STI). Amended text proposal ref. FCL.940.SFI:

(2) pass, as a proficiency check, the relevant sections of the STI skill test, in accordance with FCL.935.STI.

response *Not accepted*

There is no skill test for the STI, because it is possible that an STI does not hold a licence. The assessment of competence is made during the training course, in accordance with FCL.930.STI (b).

comment 7297

comment by: ECOGAS

Current wording:

"(a) Revalidation. For revalidation of an STI certificate the applicant shall have,

within the last 12 months of the validity period of the certificate:  
 (1) conducted at least 3 hours of instruction in a FFS or FNPT II or BITD, as part of a complete CPL, IR, PPL or class or type rating course; and  
 (2) passed in the FFS, FTD 2/3 or FNPT II on which instruction is routinely conducted, the applicable sections of the proficiency check in accordance with Appendix 9 to this Part for the appropriate type or class of aircraft."

Issue: Requirement for revalidation should be either/or, not both

Suggestion: Replace "and" at the end of sub-para (1) with "or"

response *Not accepted*

Please see the reply to comment 3651 above.

comment 7663 comment by: *Atlantic Training Support*

Section 9. Delete the STI section altogether

response *Not accepted*

The Agency does not intend at this point to withdraw certificates which had been agreed in the JAR-FCL system.  
 However, in the future this issue may be re-discussed, as part of a specific rulemaking task.

comment 7666 comment by: *Atlantic Training Support*

FCL.940 STI (a) change 'and' to 'or'

response *Not accepted*

Please see the reply to comment 3651 above.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 10: Mountain rating instructor — FCL.905.MI MI — privileges and conditions**

p. 62

comment 678 comment by: *FOCA Switzerland*

J/Section 10  
 FCL.905.MI

Proposal:

**The validity of the following instructor ratings (FI, CRI and TRI(H) shall integrate the MI-rating duration.**

response *Noted*

The Agency supposes that your comment refers to FCL.940.MI.  
 The text of the paragraph reflects exactly what you propose, so the Agency sees no need to change it.

comment 1856 comment by: *Reinhard Weihermueller*

- zur Ausbildung von Fluglehrer sollen 500 h Ausbildungszeit genug sein

response *Noted*

Please see the replies to comments on FCL.915.MI.

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 10: Mountain rating instructor — FCL.915.MI Prerequisites for the MI training course** p. 62-63

comment 194

comment by: *Aero-Club of Switzerland*

We do not support FCL.915.MI (a)

Justification: The FI, TRI, and CRI are absolutely worthless for this activity with the exception of the methodical aspects.

In our opinion, also the Agency's requirement of only 100 landings in (c) is far too low. Our proposals:

- (a) hold a mountain rating and if holding an FI certificate have completed at least 500 mountain landings or
- (b) hold a mountain rating and if holding a CRI or TRI certificate have completed at least 800 mountain landings or
- (c) hold a mountain rating and have completed at least 1000 mountain landings.

Justification: Our figures are based on statements made by experienced mountain pilots actually engaged in mountain ops all the year round.

Our Glacier and Mountain pilots write:

This kind of letters means = comments

~~This kind of letters / color means = text has to be deleted~~

This kind of letters / color means = replaced or accepted text

**FCL.915.MI**

**Prerequisites for the MI training course**

**Before attending the MI training course the applicant shall:**

~~(a) hold a valid FI, TRI or CRI certificate;~~

~~(b) hold a valid mountain rating;~~

- ~~(c) have completed at least 100 landings at a minimum of 3 different surfaces that require a mountain rating.~~ has to be replaced by
- (a) hold a mountain rating and if holding a FI certificate have completed at least 500 mountain landings or
- (b) hold a mountain rating and if holding a CRI certificate have completed at least 800 mountain landings or
- (c) hold a mountain rating and have completed at least 1000 mountain landings.

*Explanation:*

- 1. Currently Switzerland asks for only 250 mountain landings for a FI. But the experience of the past shows impressively that exactly those pilots have the most difficulties to instruct mountain pilots. The lack of personal experience is considered to be that grave by the Swiss aviation authority, that it is planned to ask for at least 500 landings should the

responsibility for that matter remain in their competence.

- 2. Currently the requested amount of personal experience for a holder of a CRI is 1000 landings. There is probably room to reduce it to 800. The listing of a TRI certificate in this paragraph must be abolished, because it's not relevant to single-crew single-engine operations as performed in mountain landings.
- 3. The best performance in instructing of mountain landing skills achieve by far the highly experienced mountain pilots, which in most cases do nothing else but instruct this kind of skills. 2/3 of all Swiss mountain flying instructors belong to this group. Obviously Switzerland's mountain flying instruction system depends heavily on this kind of instructors. Therefore we ask that highly experienced pilots should furthermore be able to attend MI trainings courses and instruct mountain landing skills. We suggest the tested Swiss amount of 1000 landings as personal experience for this category of mountain flight instructors. We probably would accept that they have to take a teaching and learning course to improve their didactical abilities.

Once more it has to be argued strongly that not licences but experience makes good pilots and good instructors.

response *Noted*

Regarding the issue of the experience requirement for the MI applicant, after assessing the comments received, the Agency has decided to replace this requirement with a pre-entry flight test for the training course. The Agency considers that this solution follows a competency-based approach and ensures an adequate safety level.

Please see also the reply to comment 3714 below.

comment 257

comment by: *Heinz LANG*

We do not agree with the pre-requisites for mountain rating instructors as for FCL.915.MI. The pre-requisite to hold a valid FI, TRI or CRI certificate only makes sense as these certificates include the instruction methods. For this, a course like "teaching and learning" is sufficient. We consider more important the experience in mountain landings which should be at least 500 h in our eyes.

Conclusion: as for the mountain rating itself, leave the definition and requisites for MI to the appropriate states as national ratings.

response *Noted*

The Agency cannot leave the definition of the requirements to the Member States, as was already explained for the mountain rating.

Please see also the replies to other comments on this paragraph and the amended text.

comment 381

comment by: *REGA*

#### **STATEMENT**

Flight safety: The requirements are well below the necessary skill and experience for "generic" mountain rating instructors.

#### **PROPOSAL**

Minimum pre-requisite: 1000 landings above 2'000 m/M and 500 landings above 3'000 m/M as PIC in helicopters.

response *Noted*

Please see the reply to comment 3714 below.

comment 503

comment by: *Swiss glacier pilots association*

This kind of letters means = comments

~~This kind of letters / color means = text has to be deleted~~

~~This kind of letters / color means = replaced or accepted text~~

**FCL.915.MI**

**Prerequisites for the MI training course**

**Before attending the MI training course the applicant shall:**

~~(a) hold a valid FI, TRI or CRI certificate;~~

~~(b) hold a valid mountain rating;~~

- ~~(c) have completed at least 100 landings at a minimum of 3 different surfaces that require a mountain rating.~~ has to be replaced by
  - (a) hold a mountain rating and if holding a FI certificate have completed at least 500 mountain landings or
  - (b) hold a mountain rating and if holding a CRI certificate have completed at least 800 mountain landings or
  - (c) hold a mountain rating and have completed at least 1000 mountain landings.

*Explanation:*

- 1. Currently Switzerland asks for only 250 mountain landings for a FI. But the experience of the past shows impressively that exactly those pilots have the most difficulties to instruct mountain pilots. The lack of personal experience is considered to be that grave by the Swiss aviation authority, that it is planned to ask for at least 500 landings should the responsibility for that matter remain in their competence.
- 2. Currently the requested amount of personal experience for a holder of a CRI is 1000 landings. There is probably room to reduce it to 800. The listing of a TRI certificate in this paragraph must be abolished, because it's not relevant to single-crew single-engine operations as performed in mountain landings.
- 3. The best performance in instructing mountain landing skills achieve by far the highly experienced mountain pilots, which in most cases do nothing else but instruct this kind of skills. 2/3 of all Swiss mountain flying instructors belong to this group. Obviously Switzerland's mountain flying instruction system depends heavily on this kind of instructors. Therefore we ask that highly experienced pilots should furthermore be able to attend MI trainings courses and instruct mountain landing skills. We suggest the tested Swiss amount of 1000 landings as personal experience for this category of mountain flight instructors. We probably would accept that they have to take a teaching and learning course to improve their didactical abilities.

Once more it has to be argued strongly that not licences but experience makes good pilots and good instructors.

response *Noted*

Please see the reply to comment 194 above.

comment 676 comment by: FOCA Switzerland

J/Section 10  
FCL.915.MI

Clarification:

In the list of potential instructor ratings, there should be a clarification with regard to the TRI:

**(a) - in this context, a TRI (H) is meant since for helicopter there is no CRI-instructor rating.**

response Noted

Text has been clarified. Please note that the mountain rating at this stage applies to aeroplanes only, not helicopters. The reference to the TRI has been amended to clarify that it is a TRI with privileges for single-pilot aeroplanes. See also amendments to TRI privileges.

comment 677 comment by: FOCA Switzerland

J/Section 10  
FCL.915.MI

Proposal

For a safety improvement with regard to the experience and recency, we require a significant augmentation concerning the landing sites.

**(c) .. 100 landings at a minimum of 10 different places and within 12 months preceding the course.**

response Noted

Please see the reply to comment 3714 below.

comment 1370 comment by: Deutsche Gebirgpiloten Vereinigung DGPV

FCL.915.MI  
Vorbedingungen zur Zulassung zum MI Trainings Kurs

Bevor ein Bewerber zum MI Trainingskurs zugelassen wird, soll er:

(a) ein mountain rating haben und, wenn er ein FI Zertifikat hat, mindestens über eine persönliche Erfahrung von 500 Gebirgslandungen verfügen. oder

(b) ein mountain rating haben und, wenn er ein CRI Zertifikat hat, mindestens über eine persönliche Erfahrung von 800 Gebirgslandungen verfügen. oder

(c) ein mountain rating haben und mindestens über eine persönliche Erfahrung von 1000 Gebirgslandungen verfügen.

response Noted

Please see the reply to comment 194 above.

comment 1664 comment by: *European Mountain Pilots*

**FCL.915. MI Prerequisites for the MI training course**

Before attending the MI training course the applicant shall:

- a) hold a valid **LAFI**, FI, TRI or CRI certificate;

*Explanation:*

*Leisure (Light is a more appropriate word) Aircraft Flight Instructor's, like FI's, will provide flight training on basic aircraft (MTOM < 2000 kg), the kind of aircraft mostly used for mountain flight training.*

response *Accepted*

The text will be amended accordingly.

comment 3324 comment by: *DGAC FRANCE*

Part FCL 915.MI

- TRI or CRI certificates are not appropriate to obtain a mountain rating instructor certificate which needs to have very good skills to give flight instruction on light aeroplanes in the specific mountain environment.

- The term "valid " is not necessary , it must be clear in this whole Part that when the text refers to a licence, rating , a certificate, it means a valid licence rating or certificate.

- The candidate for a mountain instructor certificate must have a certain amount of recent mountain experience which is at least as important as a global amount of experience.

(a) hold a FI(A) ~~, TRI or CRI~~ certificate;

(b) hold a mountain rating;

(c) have completed at least 100 landings at a minimum of 3 different surfaces that require a mountain rating **of which 30 landings in the last twelve months.**

response *Noted*

The Agency considers that the possibility for CRI and TRI (for single-pilot aeroplanes) to obtain a mountain rating should be kept.

Please see also the reply to comment 3714 below.

comment 3586 comment by: *Swiss Power Flight Union*

This kind of letters means = comments

**This kind of letters / color means = text has to be deleted**

**This kind of letters / color means = replaced or accepted text**

**FCL.915.MI**

**Prerequisites for the MI training course**

**Before attending the MI training course the applicant shall:**

- (a) hold a valid FI, TRI or CRI certificate;
- (b) hold a valid mountain rating;
- (c) have completed at least 100 landings at a minimum of 3 different surfaces that require a mountain rating. has to be replaced by
- (a) hold a mountain rating and if holding a FI certificate have completed at least 500 mountain landings or
- (b) hold a mountain rating and if holding a CRI certificate have completed at least 800 mountain landings or
- (c) hold a mountain rating and have completed at least 1000 mountain landings.

*Explanation:*

- 1. Currently Switzerland asks for only 250 mountain landings for a FI. But the experience of the past shows impressively that exactly those pilots have the most difficulties to instruct mountain pilots. The lack of personal experience is considered to be that grave by the Swiss aviation authority, that it is planned to ask for at least 500 landings should the responsibility for that matter remain in their competence.
- 2. Currently the requested amount of personal experience for a holder of a CRI is 1000 landings. There is probably room to reduce it to 800. The listing of a TRI certificate in this paragraph must be abolished, because it's not relevant to single-crew single-engine operations as performed in mountain landings.
- 3. The best performance in instructing of mountain landing skills achieve by far the highly experienced mountain pilots, which in most cases do nothing else but instruct this kind of skills. 2/3 of all Swiss mountain flying instructors belong to this group. Obviously Switzerland's mountain flying instruction system depends heavily on this kind of instructors. Therefore we ask that highly experienced pilots should furthermore be able to attend MI trainings courses and instruct mountain landing skills. We suggest the tested Swiss amount of 1000 landings as personal experience for this category of mountain flight instructors. We probably would accept that they have to take a teaching and learning course to improve their didactical abilities.

Once more it has to be argued strongly that not licences but experience makes good pilots and good instructors.

response *Noted*

Please see the reply to comment 194 above.

comment 3641

comment by: *SHA Guido Brun*

Statement: Switzerland has a considerable experience in mountain training, mountain flying and mountain accidents. Instructors with less than 2000 landings at mountain sites will not have sufficient experience to train safe mountain pilots.

Proposal: FCL.915.MI (c) have completed at least 2000 landings at a minimum of 10 different surfaces that require a mountain rating.

response *Noted*

Please see the reply to comment 3714 below.

comment	3712 <span style="float: right;">comment by: DGAC FRANCE</span>
	<p>All instructor ratings are issued after a skill test as FI, CRI, IRI etc... We consider that it should be the same thing for the MI. That permits to verify skill and pedagogical capability under situation.</p> <p><b><i>New proposition</i></b>  <b><i>FCL.935. MI MI skill test</i></b>  <b><i>An applicant for an MI certificate shall pass a skill test to demonstrate to an examiner the ability to instruct a student pilot to the level required for the issue of a mountain rating (wheels or skis) including pre-flight, post flight and theoretical knowledge instruction, in accordance with the requirements of Appendix 12 to this part.</i></b></p>
response	<p><i>Not accepted</i></p> <p>The MI already holds another instructor certificate, through which his/her capability as an instructor has already been assessed. The specific aspects related to the mountain rating are covered by the experience requirements, and the training course, where his/her capabilities will be subject to continuous assessment for the completion of the course.  Therefore, the Agency considers that the safety aspects are sufficiently covered, without the need for a specific skill test.</p>
comment	<p>3714 <span style="float: right;">comment by: DGAC FRANCE</span></p> <p>Part FCL.915 MI  (a) We consider that TRI and CRI holders are not specialized for basic flight instruction which is mandatory to conduct a mountain training course. Otherwise, the mountain training course has to be conducted on single engine light aircraft.  (b) We strongly consider that the amount of landings is not a guarantee of technical qualities or pilot competencies and do not participate to the air traffic noise reduction.  (c) Only a pre-entry flight test can demonstrate the pilot ability to follow correctly the mountain instructor course.</p> <p>FCL.915 MI</p> <p>(a) hold a valid FI, <del>TRI or CRI</del> certificate;  (b) hold a valid mountain rating;  (c) <del>have completed at least 100 landings at a minimum of 3 different surfaces that require a mountain rating.</del></p> <p><b><i>(c) Passed a pre-entry flight test with a FI holding a MI certificate and qualified in accordance with FCL.905.FI (j) to assess his/her ability to undertake the mountain course.</i></b></p>
response	<p><i>Partially accepted</i></p> <p>In relation to the categories of instructors, please see the reply to comment 3324 above.</p> <p>In relation to your second proposal, the Agency agrees that a pre-entry flight test is the best way to assess competency.  The text will be amended accordingly.</p>

comment	<p>4746 <span style="float: right;">comment by: CAA Belgium</span></p> <p>FCL.915.MI(a) The TRI(A) is for MPA only, and has little relevance to the aeroplanes mostly used to land in mountain areas. The TRI(H) should be kept, as all helicopters are types, and no CRI(H) exists. Proposal: Delete TRI. Insert TRI(H).</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 676 above.</p>
comment	<p>6129 <span style="float: right;">comment by: French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</span></p> <p>FCL.915.MI (a) hold a valid FI(A), <b>or LAFI (A)</b>, <del>TRI or CRI</del> certificate, <b>Justification</b> :French Mountain Pilot Association and the FFA consider that TRI and CRI holders are not qualified for basic instruction which is mandatory to conduct a mountain training course. On the other hand, for consistency, we propose to add the LAFI(A) certificate as a possible prerequisite to the MI(A) training course. Moreover, the mountain training course has to be conducted on light single engine aircraft.</p> <p>FCL.915.MI <del>(e) have completed at least 100 landings at a minimum of 3 different surfaces that require a mountain rating.</del> <b>Justification</b> : French Mountain Pilot Association and the FFA consider that the amount of landings is not a guarantee for technical qualities or pilot competencies and, additionally, this requirement do not participate to the necessary air traffic noise reduction.</p> <p>FCL.915.MI French Mountain Pilot Association and the FFA propose the following new requirement : <i>(c) Passed a pre-entry flight test with a FI holding a MI certificate and qualified in accordance with FCL.905.FI (j), to asses his/her ability to undertake the mountain MI course.</i> <b>Justification</b> : Only a pre-entry flight test can demonstrate the pilot ability to correctly attend the mountain instructor course.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comments 1664 and 3714 above.</p>
comment	<p>6970 <span style="float: right;">comment by: CAA Finland</span></p> <p>FCL.915.MI(a): TRI not applicable, when my proposal to FCL.815 is regarded (single-engine, single-pilot)</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 676 above.</p>

comment	7056	comment by: CAA Norway
	<p>FCL.915.MI(a) The TRI(A) is for MPA only, and has little relevance to the aeroplanes mostly used to land in mountain areas. The TRI(H) should be kept, as all helicopters are types, and no CRI(H) exists.</p> <p>Proposal: Delete TRI. Insert TRI(H).</p>	
response	<p><i>Noted</i></p> <p>Please see the reply to comment 676 above.</p>	

comment	7244	comment by: Vizepräsident OEGPV
	<p>FCL.915.MI Vorbedingungen zur Zulassung zum MI Trainings Kurs</p> <p>Bevor ein Bewerber zum MI Trainingskurs zugelassen wird, soll er:</p> <p>(a) ein mountain rating haben und, wenn er ein FI Zertifikat hat, mindestens über eine persönliche Erfahrung von 500 Gebirgslandungen verfügen. oder</p> <p>(b) ein mountain rating haben und, wenn er ein CRI Zertifikat hat, mindestens über eine persönliche Erfahrung von 800 Gebirgslandungen verfügen.</p>	
response	<p><i>Noted</i></p> <p>Please see the reply to comment 194 above.</p>	

**B. Draft Opinion Part-FCL — Subpart J: Instructors — Section 10: Mountain rating instructor — FCL.930.MI MI — Training course**

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comment	382	comment by: REGA
	<p><b>STATEMENT</b> An explicit syllabus for the mountain rating instructor doesn't exist.</p> <p><b>PROPOSAL</b> Develop a syllabus as specified for the flight instructor (appendix).</p>	
response	<p><i>Noted</i></p> <p>The Agency intends to develop a specific syllabus for these courses. However, this will need to be future work included in a specific rulemaking task. For the moment, the training organisations should develop an adequate syllabus, and this will be subject to oversight by the competent authorities.</p>	

comment	1654	comment by: European Mountain Pilots
	<p><b>FCL 930.MI MI Training course</b> MI certificate applicants shall have completed a one week course at an approved mountain flight instructors' training organisation. This course shall include the assessment of the applicants competency as described in FCL.920(a)</p>	

response *Not accepted*

Your proposal to include a minimum duration of one week for the training course is not accepted. The Agency intends to develop in the future a syllabus for this course.

Please see also the reply to the comment above.

Regarding your proposal for the training organisation, the privilege to conduct this type of course will have to have been given to the training organisation, and be included in the scope of the approval. In the Agency's view, there is no need to create a specific category of ATO.

comment

6154 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

**New proposal**

FCL.935.MIMI *skil test*

***An applicant for an MI certificate shall pass a skill test to demonstrate to an examiner the ability to instruct a student pilot to the level required for the issue of a mountain rating (wheels or skis) including pre-flight, post-flight and theoretical knowledge instruction, in accordance with the requirements of Appendix 12 of this part.***

**Justification :** All instructor ratings are issued after a skill test as for FI, CRI, TRI, etc. French Mountain Pilot Association and the FFA consider that it should be the same for the MI certificate. That permits to verify skill and pedagogical capacity under situation.

response *Not accepted*

The MI already holds another instructor certificate, through which his/her capability as an instructor has already been assessed. The specific aspects related to the mountain rating are covered by the experience requirements, and the training course, where his/her capabilities will be subject to continuous assessment for the completion of the course.

Therefore, the Agency considers that the safety aspects are sufficiently covered, without the need for a specific skill test.

**B. Draft Opinion Part-FCL - Subpart J: Instructors - Section 10: Mountain rating instructor - FCL.940.MI Validity of the MI certificate**

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comment 198

comment by: *Aero-Club of Switzerland*

Please rewrite this paragraph: The revalidation and renewal of a MI certificate follows the rules of the renewal for a CRI as stated in FCL.940.CRI

Justification: The wording has to be altered to be in-line with all 3 MI types as stated in FCL.915.MI "Prerequisites"

Our Glacier and Mountain Pilots write:

This kind of letters means = comments

**This kind of letters / color means = text has to be deleted**

This kind of letters / color means = replaced or accepted text

#### FCL.940.MI Validity of the MI certificate

The validity of the MI certificate is dependent on the validity of the FI, TRI or CRI certificate and the mountain rating. has to be replaced by

The revalidation and renewal of a MI follows the rules of the renewal for a CRI as stated in FCL.940.CRI

*Explanation:*

Wording to be altered to meet all 3 MI types as stated in FCL.915.MI Prerequisites

response *Not accepted*

The Agency sees no reason for the MI to have to repeat the same requirements to ensure validity of the CRI, since he/she will hold another instructor certificate that will need to be maintained valid. In our opinion, this is enough to ensure that the instructor maintains the adequate competencies. Please see also the reply to comment 1655 below.

comment 504

comment by: *Swiss glacier pilots association*

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This kind of letters / color means = replaced or accepted text

#### FCL.940.MI Validity of the MI certificate

The validity of the MI certificate is dependent on the validity of the FI, TRI or CRI certificate and the mountain rating. has to be replaced by

The revalidation and renewal of a MI follows the rules of the renewal for a CRI as stated in FCL.940.CRI

*Explanation:* Wording to be altered to meet all 3 MI types as stated in FCL.915.MI Prerequisites

response *Noted*

Please see the reply to comment 198 above.

comment 1371

Comment by: *Deutsche Gebirgpiloten Vereinigung DGPV*

FCL.940.MI  
Gültigkeit des MI Zertifikates

Die Revalidierung und Erneuerung eines MI folgt den Regeln der Revalidierung und Erneuerung eines CRI Zertifikates, wie in FCL.8940.CRI formuliert.

response *Noted*

Please see the reply to comment 198 above.

comment 1655

comment by: *European Mountain Pilots*

	<p><b>FCL940.MI Validity of the MI certificate</b> The MI certificate is valid as long as the FI, CRI or TRI certificates are valid.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly. Please see also the reply to comment 3711 below.</p>
comment	<p>3587 <span style="float: right;">comment by: <i>Swiss Power Flight Union</i></span></p> <p>This kind of letters means = comments  This kind of letters / color means = text has to be deleted  This kind of letters / color means = replaced or accepted text</p> <p><b>FCL.940.MI Validity of the MI certificate</b></p> <p>The validity of the MI certificate is dependent on the validity of the FI, TRI or CRI certificate and the mountain rating. has to be replaced by</p> <p>The revalidation and renewal of a MI follows the rules of the renewal for a CRI as stated in FCL.940.CRI</p> <p><i>Explanation:</i> Wording to be altered to meet all 3 MI types as stated in FCL.915.MI Prerequisites</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 198 above.</p>
comment	<p>3711 <span style="float: right;">comment by: <i>DGAC FRANCE</i></span></p> <p>Part FCL.940</p> <p>We consider that TRI and CRI are not specialized for basic flight instruction which is mandatory to conduct a mountain training course. Furthermore, the mountain training course has to be conducted on single engine light aircraft. The deletion of the end of the sentence is in accordance with our proposition of unlimited mountain rating.</p> <p><b>FCL.940.MI Validity of the MI certificate</b></p> <p>The validity of the MI certificate is dependent on the validity of the FI, <del>TRI or CRI</del> certificate and the mountain rating.</p>
response	<p><i>Partially accepted</i></p> <p>As for your proposal to delete the CRI and TRI, please see the replies to comments on FCL. 915.MI.</p> <p>As for your proposal to delete the reference to the mountain rating, it is accepted since it is already covered by the general provisions of FCL.915.</p>
comment	<p>6167 <span style="float: right;">comment by: <i>French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</i></span></p>

	FCL.940.MI <i>Validity of the MI certificate.</i> The validity of the MI certificate is dependent on the validity of the FI, <del>TRI or CRI</del> certificate and the mountain rating. <b>Justification</b> : Same justification as the comment on FCL.915.MI (a) page 62.
response	<i>Not accepted</i> Please see the reply to comments on FCL. 915.MI.
comment	6974 <span style="float: right;">comment by: CAA Finland</span> FCL.940.MI: TRI not applicable, when my proposal to FCL.815 is regarded (single-engine, single-pilot)
response	<i>Not accepted</i> Please see the reply to comments on FCL. 915.MI.
comment	7246 <span style="float: right;">comment by: Vizepräsident OEGPV</span> FCL.940.MI Gültigkeit des MI Zertifikates Die Revalidierung und Erneuerung eines MI folgt den Regeln der Revalidierung und Erneuerung eines CRI Zertifikates, wie in FCL.8940.CRI formuliert.
response	<i>Noted</i> Please see the reply to comment 198 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners**

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comment	1026 <span style="float: right;">comment by: CAA Belgium</span> It is not clear who is the Competent Authority for the issue of examiner certificates: <ul style="list-style-type: none"> <li>• should it be the state/authority of issue of his pilot licence ?</li> <li>• could it be any other state/authority which is not necessarily the state/authority having issued his pilot licence ?</li> </ul>
response	<i>Noted</i> In accordance with FCL.001 and FCL.015(d), the competent authority to issue an instructor certificate is the authority that issued the pilot licence, unless the pilot has requested a change of competent authority and the transfer of his/her records.
comment	2686 <span style="float: right;">comment by: Derry MOORE</span> I believe Examiners should be allowed to do instruction flights, they need to practise their profession; but another Instructor should do the recommendation flight.
response	<i>Noted</i> Examiners are entitled to do instruction flights if they have the relevant

instructor qualification.

The initial proposal of the Agency has been clarified. Please see also the replies to comments on FCL.1005.

comment

2783 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FFA takes note that examiners would no longer act on the basis of a delegation from the Authority but on the basis of the own privileges.

FFA agrees with this fundamental change, which would require further explanations from the relevant Member States about responsibility and insurance protection.

As a consequence, FFA would not accept any further restriction imposed by the NSA in terms of number of FEs.

response

*Noted*

Thank you for your positive feedback.

You are indeed right when you say that a limitation of the number of examiners will be no longer possible.

comment

2984 comment by: *BMVBS (German Ministry of Transport)*

The introduction of an "Examiner Certificate" should be reconsidered. In our view Art. 7(5) in combination with Art. 3 of the basic regulation does not necessarily require the introduction of a separate Examiner Certificate. Every Examiner holds a Certificate in the form of a pilot licence, every rating or authorisation expands the privileges of the licence holder, with other words the Examiner privileges are just an additional authorization added to a basic certificate/licence. Hence Art.7 (5) can be considered complied with, even under today's JAR-FCL system.

The concept of a separate Examiner Certification as suggested would lead to more bureaucracy and uncertainty in terms of liability. Today Examiners are under close supervision by their respective authority. This supervision is essential, because FEs are working on behalf of the authority and exercise "governmental powers". In case of malpractice it is the Government which would be held liable, and not the FE. For that reason, the respective authority should have the right and means to control the work of FEs as they consider necessary. This would include, e.g. the right to restrict the number of authorized FEs. The proposed concept would restrict the authority in their capacity to exercise control, and thereby undermine aviation safety.

The issue of an "Examiner Certificate" was never consciously discussed during the co-decision regulatory process, neither in the council working group, nor in the EP. It can be concluded that at this time it was understood that the wording of Art. 7(5) and Art. 3 was intended to merely lay the legal foundation for a system as provided in the JAR-FCL rather than introducing a new concept. The subsequent interpretation by EASA came as a surprise. Rather than introducing separate Examiner Certificates, an amendment of the basic regulation should be pursued, if absolutely necessary.  
(see also comment 2977)

response

*Noted*

The fact that the examiner qualifications are now called certificate and not rating does not imply that a separate document will have to be issued. In fact, in NPA 2008-22 the Agency proposes that the instructor certificate can either be endorsed in the pilot licence or issued as a separate document.

The certification process itself doesn't really change much from the JAR-FCL system; even there, it was a separate process, since the requirements to become an examiner are very specific and had to be verified by the competent authority.

The Agency agrees with your affirmation that there needs to be careful oversight of examiners. That is why we have included detailed provisions on the requirements to be complied with for the issuance of the certificate and after that for the correct exercise of the examiner's function.

We cannot agree, however, that a limitation of the number of existing examiners is a necessary condition to exercise that oversight. In fact, the Agency is of the opinion that this limitation represents an unjustified restriction to the right of access to a profession.

As for your comment that the requirements included in the Basic Regulation were not understood during the legislative process, the Agency has to assume that the Legislator established what it wanted. In our opinion, the fact that changes the status of examiners is not that their qualification is now called a certificate and not a rating, but that they derive their competences from that certificate and directly from the law, without the need for a delegation of powers from the competent authority.

In the Agency's view, this is not in any way incompatible with a close supervision or oversight from the Authority's side.

In any case, as a result of the comments received, the Agency has amended some of its proposals, to try to take into account the concerns raised by the national authorities.

Please see also the replies to comments on FCL.1030.

comment

3938

comment by: *Professional Air Training Ltd*Attachment [#53](#)

Subpart K Examiners requires much clarification. In order to do this, I propose a complete restructuring of FCL.1015 Examiner Standardisation and FCL.1005 & FCL.1010 Specific Requirements for Examiners as per the attached file (the comments submitted refer specifically to aeroplane examiners but could be generalised).

The restructuring more clearly defines the overall structure of Examiner Training, followed by tables which show the pre-requisites, privileges and training required for specific Examiner Certificates.

response

*Noted*

Thank you for your feedback.

Please see the replies to the comments on FCL.1015 and corresponding AMC. The Agency has agreed on some changes for clarification and consistency. However, at this time the Agency has no evidence that your proposal of having

an additional core course to be taken by the examiner before the standardisation course, which departs from the system established in JAR-FCL, should be accepted.

comment 4007 comment by: DGAC FRANCE

ADD a NEW SECTION Number 8 about FTRE

TO COVER New Section 11 in subpart J about FLIGHT TEST RATING INSTRUCTOR (FTRI) with FTRE

See Section 11 content added to comply with 216 Annex III § 1.i

**SECTION 8**  
**Flight Test Rating Examiners**

**FCL 1005.FTRE Privileges and conditions**

**The privileges of an FTRE are to conduct skill test or proficiency checks for the issue, revalidation or renewal of certificates for Flight test rating and FTRI**

**FCL 1010.FTRE FTRE prerequisite**

**The FTRE shall have three years of FTRI experiencee sel**

response Not accepted

Thank you for your comment. However, based on the fact that the requirements for both the flight test rating and the flight test instructor certificate do not require a skill test or assessment of competence, the Agency considers that it is not necessary to create a flight test examiner certificate.

comment 5459 comment by: CEV. France

CEV comment n°4

CEV Proposal

Add Section 8 :

**Section 8**  
**FCL 1005.FTRE Privileges and conditions**  
**The privileges of an FTRE are to conduct skill test or proficiency checks for the issue, revalidation or renewal of certificates for Flight test rating and FTRI**

**FCL 1010.FTRE FTRE prerequisite**  
**The FTRE shall have three years of FTRI experience**

response Not accepted

Thank you for your comment. However, based on the fact that the requirements for both the flight test rating and the flight test instructor certificate do not require a skill test or assessment of competence, the Agency considers that it is not necessary to create a flight test examiner certificate.

comment	5549	comment by: <i>R Gyselynck</i>
	Balloon examiners. There is no real reason for an examiner not to be able to test a student with whom he has done one training flight, providing he has not done all the training -eg providing a recommendation or check flight has been done with another instructor.	
response	<i>Noted</i>	
	As a result of the comments received, the initial proposal of the Agency has been clarified. Please see also the replies to comments on FCL.1005.	
comment	5813	comment by: <i>UK Department for Transport</i>
	The Uk Department for Transport endorses the comments offered by the UK CAA on the proposals for examiners.	
response	<i>Noted</i>	
	The Agency acknowledges the information provided.	
comment	6143	comment by: <i>Icelandic CAA</i>
	Ref. general comments to this NPA.	
response	<i>Noted</i>	
comment	6608	comment by: <i>Light Aircraft Association UK</i>
	The LAA notes that examiners would no longer act on the basis of a delegation from the Agency but on the basis of their own privileges.	
	The LAA is not specifically opposed to this fundamental change, which would require further clarification from the relevant Member State.	
response	<i>Noted</i>	
	Thank you for your feedback.	
comment	6661	comment by: <i>Direction de l'Aviation Civile Luxembourg</i>
	It is of utmost importance that examiners are remaining under a strict control of the competent authority, with regard to the nomination, instruction and supervision. This entire subpart has to be reworked in order to avoid that examiners will be governed by commercial requirements rather than by safety-related considerations. When nominating an examiner, considerations should be taken as to the applicant's character, his personality and last but not least, his loyalty towards the competent authority.	
response	<i>Noted</i>	
	The Agency agrees with your affirmation that there needs to be careful oversight of examiners. That is why we have included detailed provisions on the requirements to be complied with for the issuance of the certificate and after that for the correct exercise of the examiner's function.	

Please see also the reply to comment 2984 above.

comment 7002

comment by: *Chris Martin*

I Most Strongly "**Object to your proposed change**" imbedded in - **NPA 17** (a) (b) (c) **sub-part (k)** - the criteria that: In order to examine students wishing to gain a Private Pilots Licence (PPL) the qualified flying instructor must first hold a Commercial Pilots Licence (CPL). What, in my opinion, the F.I. must have before examining for the PPL is – "A lot of experience as a simple single engine aircraft instructor" and it is not necessary for him or her to hold a CPL.

Please also read the following supporting letter:

From: **Chris Martin, the CFI & Operations Manager**

for; **Exeter Flying Club 2008 Limited** Also trading as: **Exeter Flying School.**

**My objection to EASA NPA 17 (a) (b) (c) concerns Sub-part (k) Examiners.**

**Why might the proposed changes under the EASA (NPA) Notice of Proposed Amendments 17 (a) (b) (c) sub-part (K) Examiners possibly cost me my job as a CFI?**

Under NPA 17 (a) (b) (c) sub-part (k) any applicant wishing to be a PPL examiner must first be the holder of a CPL. **Why?**

Holding a CPL will not, in my opinion, make this person a more competent examiner than a PPL holder who is a very experienced instructor, possibly with years experience and hundreds, or even, thousands of instructional flying hours.

What having only CPL examiners will do however, is increase the cost to the schools / clubs, and increase the cost to the candidates of taking their exams and skills tests. **Why?**

Because having spent a lot of time and money studying and testing to obtain their CPL, these CPL holders are, understandably, going to want to earn 'much more' than a PPL holder examiner would be prepared to work for! Therefore, having only CPL examiners will push up the costs to the candidates.

**A case study:**

In my own case, I have 6200 hours, am ex authorized CAA / BX - PPL Examiner (9 years, from 1989 to 1997), plus, am a very experienced instructor, having started my instructing career in March 1980.

I am also, a very experienced CFI (Chief Flying Instructor) and Operations Manager having first held this position from April 1993 until August 1997, then following this period I took a short break from flying instruction.

I resumed flying instruction again in June of 1999.

Then in the summer of 2005 I was employed as a CFI again, although just for the summer of 2005 to cover a leave period for the actual CFI.

Finally, I was employed as the CFI & Operations Manager again from September 2007 until this present day.

Except for the period August 1997 to June 1999, and excluding the periods when I was employed as a full-time CFI, I have been employed as a

sometimes part-time and sometimes full-time flying instructor (plus, as an examiner 1989 to 1997).

**So why might I now lose my job because of these changes?**

Because having so far survived the economic credit crunch which together with two poor weather summers resulted in my club having to sell out to a private businessman in January this year. I am now faced with EASA proposed changes and my new employer wanting me to regain my examiner authorization for doing PPL skill tests and ground exams, and I only hold a UK/BCPL issued to me in 1990 under grandfather agreement to existing instructors who already held a PPL. Under the EASA changes my UK/BCPL will only become a PPL. **That's why!**

**I am sure that I am not alone in my opinion, or my situation, in respect to my concerns over this proposed examiners change.**

response *Noted*

Thank you for providing your opinion. The Agency will take your input into consideration when drafting the final text. Please refer to FCL.205.A and FCL.1010.FE of the amended text.

comment 7704

comment by: *Cristian Olinescu*

This NPA does not contain any pre-requisites or **requirements for a certificate as „ Senior Examiner“**.

response *Noted*

The requirements for 'senior examiners' were not part of JAR-FCL. In addition, the existing national requirements varied enormously in the different Member States. Therefore, the Agency decided not to include these requirements in the rule, and to leave it open to each Member State's system. However, as a result of the comments received, an AMC will be included on this subject, based on the JAA FCL JIPs.

comment 7894

comment by: *Svenska Ballongfederationen*

SUMMARY about all parts of this NPA concerning examiners

The rules and regulations about examiners probably work well in an aeroplane or helicopter perspective where you will have numerous flight schools, instructors, and examiners that do this for a living. This is not the case in Sweden when it comes to balloons as will be shown in the following comments about examiners. Our thirty-five years experience of flight training in Sweden tells us to have experienced instructors become examiners. They will have learned all the basic skills and experiences to do this after being instructors. An examiner will then be able to handle skill tests and proficiency checks concerning balloons for LPL, BPL, LAFI, FI, and FIE.

All parts of the NPA concerning examiners need to be reworked to work in a Swedish perspective. If this is not done training in Sweden will cease or become very difficult. We are more than happy to help out in the process of reworking these parts of the NPA. For further discussions about these matters please feel free to contact us at [uu@ballong.org](mailto:uu@ballong.org).

For further information about the instructor/examiner situation in Sweden please check all comments made in SUBPART K EXAMINERS especially comment #7883.

response *Noted*

The Agency acknowledges the information provided.

comment 8059 comment by: *Swedish Association of Flight Instructors*

**The Swedish Association of Flight Instructors (Svenska Flygutbildarforeningen, SFUF) has the following position on NPA-2008-17.**

SFUF represents 200 active flight instructors in Sweden, of which many also fly commercially.

**Subpart K - Examiners**

The examiner's administration for Proficiency Checks (PC) must be reduced. With the NPA the examiners has to make 3 copies of the PC-protocol, whereof two have to be sent to 2 authorities. This new administration is doubled compared to the present system, and should therefore be avoided. Instead the present system is enough, where one protocol is sent to the authority of the license holder. As long as the examiner holds a copy of the protocol, the authority can always request a copy when needed. Paperwork, and especially double paperwork should as a principle be avoided, especially as it does not give any increase in the level of flight safety.

Also an examiner should be able to perform a PC if he is not rated. as long as he/she is current on a similar aircraft. Due to long distances in Sweden the requirement to have a type rated examiner should be avoided. At least there should be an exemption. It is not reasonable if the trip to the PC has a higher cost than the PC itself.

According to the NPA, theoretical tests has to be performed in one member state. This is not in lieu with the standards of the EU with free movement of services and goods. This paragraph is probably a rest from the JAR-FCL. When there are common rules covering the union, of course the pilot should be able to take the training in different countries. All FTOs that today are performing tests in USA will not be able to do it anymore. The proposed limitation by EASA will cause increased cost and without benefit for flight safety.

response *Noted*

In relation to your comment that FCL.1030(b)(3) represents an excess of bureaucracy, the Agency cannot agree to that. In fact, the Agency considers that the 3 copies of the report are necessary: the copy for the pilot/applicant, to help safeguard his/her rights; the copy to the 'licensing authority', so that it can issue the licence, rating, certificate, etc; the copy to the authority that issued the examiner certificate, so that the authority can exercise oversight.

In relation to your second comment, that an examiner should be able to act as a TRE without holding the type rating for the aircraft concerned, the Agency cannot agree either. Not only is this a requirement coming from JAR-FCL, but because the Agency considers that it is necessary to ensure safety.

As for the possibility to give an exemption, the possibility from an authority to exempt from certain requirements in specific circumstances is given by article 14 of the Basic Regulation.

As for your last comment, our proposed requirements do not prevent a person from taking (a) training course(s) in different countries; and even outside of

Europe. That is allowed. What FCL.025(a)(1) establishes is that the full set of theoretical knowledge examinations should be taken in only one Member State to ensure consistency both for the applicant, when undertaking the examinations, and for his/her evaluation.

comment 8107 comment by: *European Sailplane Manufacturers*

In case of sailplanes the European sailplane manufacturers are proposing to use flight instructors (LAFI or FI) to conduct the check flights for pilots and not examiners.  
See reasons given earlier.

response *Noted*

The Agency considers that the text of article 7(5) and 1.j of Annex III to the Basic Regulation establishes that only an examiner can assess the competence/skill of pilots. Therefore, only an examiner can conduct skill tests or proficiency checks.

comment 8291 comment by: *Paul Mc G*

Examiners would no longer act on the basis of a delegation from the Agency but on the basis of their own privileges but this cannot work and needs a rethink!

response *Noted*

The Agency acknowledges your opinion.  
Please see the reply to comment 2984 above.

## **B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements**

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comment 2064 comment by: *Thomas SIEWERT*

Allgemein zu FCL 1000 - Examiners  
Unschwer sind die folgenden Regelungen so zu verstehen, dass Examiner nicht zwangsläufig Mitarbeiter einer Luftfahrtbehörde sein müssen. Unter FCL.1015 (a) wird dies besonders deutlich. Tatsache ist auch, dass derart (über?)qualifiziertes Personal bei den Behörden derzeit nicht verfügbar ist, weil sich über Jahrzehnte hinweg die Notwendigkeit hierfür gar nicht herausgebildet hat. Hier kommt wieder der Verdacht auf, dass CPL/ATPL-Standards (die für diesen Bereich der Luftfahrt sicherlich sinnvoll sind!) unreflektiert auf den PPL-Bereich übertragen werden mit allen unangemessenen Auswirkungen für den Luftsport!

Es werden also „freiberufliche Examiner“ nötig sein, die in einem sicherlich kostenpflichtigen „standardisation course“ von der Behörde unterwiesen werden.

Diese Kosten werden die Examiner natürlich an die zu überprüfenden Kunden weiter geben. Damit steigt der Kostendruck auf die Piloten, und gerade auf diejenigen, die diese Kosten nicht im Rahmen eines Beschäftigungsverhältnisses (CPL/ATPL) weiter geben können.

Die Befürchtung, dass damit die PPL-Inhaber zu wehrlosen „Kunden“ einnahmeorientierter freiberuflich tätiger Examiner werden, erscheint nicht unbegründet.

response	<p>Andererseits ist es wenig sinnvoll (weil FACHLICH NICHT NOTWENDIG) mit einem hohen Einsatz von Steuergeldern die Behördenmitarbeiter auf das geforderte „Lizenzniveau“ zu bringen.</p>
	<p><i>Noted</i></p> <p>Thank you for your feedback.</p>
comment	<p>3941 <span style="float: right;">comment by: <i>Professional Air Training Ltd</i></span></p> <p>See comment 3938</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3938.</p>
comment	<p>7565 <span style="float: right;">comment by: <i>CAA Finland</i></span></p> <p>Common requirement for examiners:          We strongly oppose the interpretation of Basic Regulation article 7 paragraph 5 so that examiner certificate is a privilege after fulfilling minimum requirements. That paragraph refers to Annex III. In 1.j.1(ii) the requirement is that an examiner must be capable of assessing people. That is not something concrete. There is nothing against Basic regulation if in Subpart K there have been left the consideration to the Authority.</p> <p>Please keep in mind the difference between commercial activity and assessment. To be a pilot in OPS - that is an commercial job by an operator. The training organizations offering theoretical and flight training - to be an instructor there is clearly commercial work. The assessment of theoretical or practical skills is a safety case that gives to the training organizations a level playing field and to the passengers a guarantee that no commercial pressure should affect the level of piloting skills. If a pilot and an examiner do not "fit together", a pilot may select (or ask from the Authority) some other examiner (normally a mature examiner does that by himself). There is no risk of unfair judgement. If the second assessment differs a lot from the first one, a pilot can make an appeal and the Authority may revoke the examiner's certificate. Based on EU-commision / EASA interpretation the certificate could only be revoked when there is a clear crime. Different assessment is not that so there would be higher risk of uniformity.</p> <p>In real life for sure an examiner that is a main owner of training organisation or OPS-operator will try to save. The easy saving is to reduce recurrent / refresh training of pilots. Additional training is never required if the required level of piloting skills is lowered to only normal flying and easy abnormalities or the owner-examiner gives additional time to solve the abnormality in simulator or selects steady weather and low traffic intensity. Still the number of abnormalities fulfills the requirement in check forms.</p> <p>Based on that interpretation the whole central question bank is available for everyone. The Authority's inspector is assessing pilots' theoretical knowledge. There aren't any additional requirements in Annex III or FCL so based on the interpretation concerning examiners everyone fulfills the requirements for assessor of theoretical knowledge and as it is a privilege, it is reasonable for all student pilots to require privilege to be an assessor a couple of months before</p>

they take their own theoretical knowledge examination.

All transport systems shall be handled equally. We are not sure if the examiners for car licences are regulated by the EU or nationally, but at least in several States (all of them not asked) the assessors and examiners for road traffic get their privilege by discretion of that Authority. In aviation the situation shall be equal.

response *Noted*

The Agency agrees that the function of an examiner is an extremely important one, and that there needs to be careful oversight from the authority. However, in our opinion, careful oversight from the authority does not mean that the qualification of examiners should be left at the discretion of the authority.

Detailed provisions on the requirements to be complied with for the issuance of an examiner certificate and after that for the correct exercise of the examiner's function have been included in Part-FCL. These provisions are sufficient and adequate to allow the competent authorities to exercise proper oversight over examiners.

However, as a result of the comments received, the Agency has amended some of its proposals to try to take into account the concerns raised by the national authorities.

Please see also the replies to comments on FCL.1030.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements - FCL.1000 Examiner certificates**

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comment 147

comment by: *Irish Aviation Authority*

It is absolutely essential that the requirements of JAR-FCL 1.030 (a) & (b) & (c) be retained. The competent Authority must retain the responsibility of designating and authorising examiners. Also the method by which skill testing is allocated to the examiner.

Simply making this a certificate will lead to a proliferation of examiners, many of whom will not be suitable as examiners, and as a consequence a drop in skill test standards. Flight Schools will be able to choose who does their skill testing, which again will lead to a drop in standards; (*NFC*)

response *Noted*

Please see the replies to FCL.1030.

- After careful consideration of the comments received on this paragraph, as well as general comments on the status of examiners, specifically related to the oversight by competent authorities;
- Taking into account also that allowing examiners, under certain circumstances, to revalidate pilot qualifications themselves will also benefit pilots, specifically in some Member States where the size of the territory makes it difficult to have proximity to the authority;
- Considering also the system established by the Basic Regulation,

The Agency has agreed to establish a compromise solution, whereby the competent authorities may choose to authorise some examiners to revalidate

pilot qualifications. Only these examiners, with a specific authorisation to do so from the authority in addition to the examiner certificate, will be able to endorse/revalidate/renew ratings and certificates. Examiners that do not have this authorisation will be competent to conduct skill tests and proficiency checks, but in this case they will only send a report to the competent authorities, and the rating or certificate will be revalidated/renewed by the competent authority.

The text of both FCL.1030 and the relevant paragraphs of Part-AR (including AR.FCL.200) will be amended to reflect this solution.

comment 650 comment by: *British Microlight Aircraft Association*

Accepted

response *Noted*

Thank you for providing this feedback.

comment 1076 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

**Comment:**

This is a general requirement for an examiner. Therefore, it is confusing that it's repeated for some examiners in the following text.

**Proposal:**

Since this is a general requirement for all examiners, it isn't necessary to repeat it in the following text for each examiner.

response *Not accepted*

The Agency supposes you are referring to subparagraph (a).  
It is true that this is a general requirement, but we do not consider that it is merely repeated in the other paragraphs for the specific categories of examiners. The specific requirements include prerequisites for the issue of an examiner certificate. This paragraph contains obligations that apply to holders of the certificate.  
If you compare it for example with FCL.1010.FE, you will see that both paragraphs contain different requirements.

comment 1113 comment by: *GFD-OES*

We like JAR-FCL 1.425/1.440/1.445.

Therefore,  
FCL.1000(a)(1) should read:  
.....conduct skill tests or proficiency checks and **hold or have held** the privilege to instruct for this licence or rating.

In an AMC it should be clarified, what 'have held' means. For example, have held an Instructor Rating for at least 5 years or was Examiner for at least 5 years. The certificate, in this case, shall authorise for proficiency checks only!

Background: if in an MCC environment a very experienced examiner gets the medical requirement to fly only with copilot or as copilot, (s)he cannot fly as

	<p>CRI/TRI anymore, this is a fact. But (s)he is still good to examine qualified pilots/copilots during proficiency checks.</p>
response	<p><i>Not accepted</i></p> <p>This was already a requirement in JAR-FCL 1.425/2.425(a).</p> <p>It is also required by paragraphs 1.i.1 and 1.j.2 of the Essential Requirements contained in Annex III to Regulation (EC) No 216/2008.</p> <p>Taking into account the importance of the safety role of examiners in the FCL system, the Agency sees no reason to change this general principle.</p>
comment	<p>1729 <span style="float: right;">comment by: <i>Sven Koch</i></span></p> <p>Hat selbst Lizenz in der er prüft</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion, but the Agency does not understand the meaning behind this comment.</p> <p>It seems to be only a more or less exact German translation of some elements contained in FCL.1000.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2242</p> <p>Comment: does not make provision for the conduct of testing and checking by examiners who do not hold an EASA certificate.</p> <p>Proposal: General: holders of an examiner certificate shall: (1)hold a licence rating or qualification equivalent to that for which they are authorised to conduct skill tests or proficiency checks, and the privilege to instruct for this licence or rating; (2) be qualified to act as pilot in command of the aircraft during a skill test or proficiency check when conducted in an aircraft</p>
response	<p><i>Partially accepted</i></p> <p>The Agency acknowledges your comment which will be taken into consideration for the drafting of the amended text.</p>
comment	<p>comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>2399</p> <p>Comment: (b) (2) suggests that a co-pilot may not hold an examiner certificate. This is not correct and is only necessary when examination is undertaken in an aircraft.</p>

response	<p>Proposal: add to (a) (2) to "during examination in an aircraft"</p> <p><i>Not accepted</i></p> <p>Thank you for providing your comment. Please see the reply to comment 2242 above.</p>
comment	<p>2553 <span style="float: right;">comment by: <i>Airbus</i></span></p> <p><b>THIS COMMENT IS SUBMITTED ON BEHALF OF ASD</b></p> <p><b><u>AFFECTED PARAGRAPH:</u></b> <b><u>FCL.1000 Examiner certificates</u></b></p> <p><b><u>PROPOSED CHANGE:</u></b></p> <p><b>Add a new subparagraph (c), as follows:</b></p> <p><i>(c) Pilots holding a flight test rating and having been involved in the development and certification flight tests of an aircraft type, including at least 10 hours as pilot in command, and holding an examiner certificate (for any other aircraft type), shall be entitled to get an examiner certificate for that aircraft type.</i></p> <p><b>JUSTIFICATION:</b> The type rating of examiners having flown, as test pilots, the aircraft for its development and certification needs to be addressed as a special case</p>
response	<p><i>Not accepted</i></p> <p>Thank you for your input. The Agency has accepted a similar proposal you made for the instructor certificates. However, the Agency considers that in the case of examiners the proposal you make is not necessary, since the examiner certificate is not type specific. As soon as the instructor certificate privileges are extended to further types, the privileges of the examiner certificate will be extended to them too.</p>
comment	<p>2574 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>A) FCL 1000 (a)(1) Add « valid » before the words « licence » and « rating »</p> <p>B) FCL 1000(a) If this requirement is not amended, persons who loose their medical certificate cannot be nominated as SFE.</p> <p>C) FCL 1000(b) Same remark as for FCL900(b) Ref: comment 1003.</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges your comment.</p> <p>A) Not necessary to specify. If the licence is not valid, then the pilot does not hold the licence.</p> <p>B) Your proposal is not in accordance with JAR-FCL and therefore will not be taken into consideration.</p> <p>C) Please see the reply to your comment 1003.</p>

comment	<p data-bbox="359 241 427 273">3303</p> <p data-bbox="1054 241 1449 273" style="text-align: right;">comment by: <i>DGAC FRANCE</i></p> <p data-bbox="359 297 647 329">Part FCL 1000 (b) (1)</p> <p data-bbox="359 360 1449 459">This paragraph is too restricted. The problem of no available qualified examiner may exist not only during the introduction of a new aircraft but when the number of operated type of aircraft is very small.</p> <p data-bbox="359 490 663 521">(b) Special conditions*</p> <p data-bbox="359 524 1449 645"><del>(1) In the case of introduction of new aircraft, when compliance with the requirements established in this Subpart is not possible, the competent authority shall issue a specific certificate giving privileges for the conduct of skill tests and proficiency checks.</del></p> <p data-bbox="359 651 1449 842"><b>(1) Where no examiner in compliance with the requirements established in this Subpart is available, the competent authority shall authorise inspectors or examiners to perform skill tests or proficiency checks without meeting the (a) (1), or (2) above.</b> Such authorisation shall be limited to the skill tests and the proficiency checks necessary and its validity shall not, in any case, exceed 3 years.</p>
response	<p data-bbox="359 869 440 900"><i>Noted</i></p> <p data-bbox="359 925 1449 987">Thank you for providing your opinion, but the Agency cannot accept your proposal.</p> <p data-bbox="359 1019 1449 1149">However, after careful consideration of all the comments received on the issue of special conditions for examiners, the Agency has decided to slightly amend the text to clarify what is understood with the introduction of new aircraft: it means the introduction of new aircraft types in Europe or in an operator's fleet.</p> <p data-bbox="359 1180 1449 1503">It is true that this paragraph has a limited scope. However, it has to be understood that this paragraph represents an exemption to the standard requirements for the certification of examiners, and therefore should be restrictive. In fact, in the European system, as established by the Basic Regulation, exemptions to the rules have to be handled in accordance with article 14 to the Basic Regulation, which contains specific criteria and requirements to justify and process those exemptions. An exemption to the standard requirements for the certification of examiners should normally be handled through this article 14. Therefore, as a general rule the EASA implementing rules do not contain exemptions to themselves.</p> <p data-bbox="359 1509 1449 1727">However, in the case of examiners, as in the case of instructors, the Basic Regulation itself establishes an exemption for the case of introduction of new aircraft, in paragraph 1.i.2 (last sentence) of the essential requirements for pilot licensing. The intention of FCL.1000 (b) is to establish more detailed implementation measures for what was already in the Basic Regulation. This is the reason why this paragraph was included, and also the reason why its scope needs to be limited to what is already foreseen in the Basic Regulation.</p>
comment	<p data-bbox="359 1798 427 1830">3322</p> <p data-bbox="1054 1798 1449 1830" style="text-align: right;">comment by: <i>DGAC FRANCE</i></p> <p data-bbox="359 1854 647 1886">Part FCL 1000 (a) (1)</p> <p data-bbox="359 1917 523 1948">Justification:</p> <p data-bbox="359 1951 1385 1982">It is necessary to cover the case of the examiners for instructor certificates.</p>

	<p>Modification :</p> <p>(1) hold a licence and rating at least equal to the licence or rating for which they are authorised to conduct skill tests or proficiency checks and the privilege to instruct for this licence <del>or</del>, rating <b><u>or certificate</u></b>.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>3433 <span style="float: right;">comment by: <i>Urpo Koskela</i></span></p> <p>(b) (1) Suggesting a text to be as follows:  When compliance with the requirements established in this Subpart is not possible or reasonable, the competent authority shall issue a specific certificate giving privileges for the conduct of skill tests and proficiency checks. Such a certificate shall be limited to the skill tests and proficiency checks and its validity shall not, in any case , exceed 3 years.</p> <p>Reason behind: The original text was limited only to the case when introducing a new type, but there are other situations which are critical alike in the light of FCL.1010.TRE (a ) ( 3 ):  - If the growth of the company stops for a longer period and meanwhile some TRE will retire, you will need a new TRE:s. But according to FCL.1010.TRE (a )(3) they must have been acting 50 h as a TRI in the type where has not been type training anymore because of the stagnation. This is specially relevant in the companies where are several types with only few crews each. It is possible to use TRE:s from other companies or let own TRI:s to train in other companies 50 h with different SOP:s, but in both cases the standard of pilots will suffer ( mix-up with SOP:s ).  -</p>
response	<p><i>Noted</i></p> <p>Thank you for your feedback, but the Agency cannot accept your proposal. Please see the reply to comment 3303 above.</p>
comment	<p>3451 <span style="float: right;">comment by: <i>Boeing</i></span></p> <p><b>Boeing Commercial Airplanes comments re:  NPA 2008-17b</b>  Page: 64  Paragraph: FCL.1000 (a)(1)</p> <p>Boeing suggests that the following changes be made: Add a new subparagraph (a)(1)(iii) to read as follows:</p> <p><i>"(iii) or is in examiner employed by a manufacturer or a manufacturer's ATO, in which case an ICAO accepted license, type rating and examiner authorization is required without further satisfying (i) and (ii)."</i></p> <p>-----</p> <p><b>JUSTIFICATION:</b> Safe introduction of new airplanes possibly needs to be done by the manufacturers or manufacturers' ATOs' examiners. This is consistent with BR 216/2008.</p>
response	<p><i>Not accepted</i></p>

Thank you for your feedback, but the Agency cannot accept your proposal. It is not considered that being an examiner from a manufacturer can, on its own, be considered as an equivalent to compliance with all the other requirements in this Subpart.  
Please see also the reply to comment 3303 above.

comment 3507 comment by: *Urpo Koskela*

( more reasoning for comment 3433):  
- If the company starts to expand suddenly after a longer stagnation period by increasing the number of aircrafts in some fleet you will need more TRE:s quite rapidly.  
If you do not have TRI:s enough, you must use TRE:s from an other company or let your TRI.s which have less than 50 h training experience to train in an other company with different SOP:s.  
In both cases the standard of your pilots will suffer because TRE:s unintentional mix-up with SOP:s ( experience, Boeing study ( best to have own TRE:s ).  
-These two more possibilities to meet problems are in excess of the most common cause which is introducing a new aircraft

response *Noted*

The Agency acknowledges your comment.  
Please see the reply to comment 3303 and to your comment 3433 above.

comment 3620 comment by: *Susana Nogueira*

(a)(1) Hol a **valid** licence

response *Not accepted*

Please see the reply to comment 2574 above.

comment 3866 comment by: *Luftfahrt-Bundesamt*

FCL.1000:  
FCL.1000 (a)(1) should read:  
(1) hold a **valid** licence and **valid** rating at least equal to the licence or rating

We also propose the following amendment to FCL.1000:  
When acting as examiner for issue, revalidation or renewal of instructor rating/ 'certificate', the examiner shall also hold the equivalent instructor rating/'certificate'.

response *Partially accepted*

Please see the reply to comments 2574 and 3322 above.

comment 3942 comment by: *Professional Air Training Ltd*

See comment 3938

response *Noted*

Please see the reply to comment 3938.

comment	4634	comment by: <i>Irish Aviation Authority</i>
	FCL.1000 (a)(1) should include "certificate" as well as Licence and Rating, in the event that the examiner is examining e.g. an instructor.	
response	<i>Accepted</i>	
	Please see the reply to comment 3922 above.	
comment	5001	comment by: <i>FOCA Switzerland</i>
	K/Section 1 FCL.1000 (a)(1)	
	should read: .. hold a <b>valid</b> licence and <b>valid</b> rating at least ..	
response	<i>Not accepted</i>	
	Please see the reply to comment 2574 above.	
comment	5088	comment by: <i>Diether Memmert</i>
	<p>Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit <b>gegenüber Dritten unter Beachtung der Verhältnismäßigkeit</b> zu gewährleisten.</p> <p>Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!</p> <p>In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.</p> <p>Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.</p> <p>Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.</p> <p>Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.</p> <p>Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!</p> <p>Die 'examiner' sind fuer Segelflug und TMG unnoetig.</p> <p>Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit &gt;8500 Flugstunden</p>	

	<p><b>Aenderungen:</b> Ueberarbeiten fuer Segelflug und TMG. Streiche 'examiner' und ersetze durch erfahrenen Segelfluglehrer</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree and will keep the system of examiners also for the LPL(S), the SPL and all the extensions to TMGs.</p> <p>The Basic Regulation (Annex III, 1.j.) asks for an examiner as the person who is responsible for assessing the skill of pilots. Furthermore the Agency is of the opinion that the system of skill tests and proficiency checks conducted with an examiner will ensure the necessary level of safety. The Agency cannot see any reason why sailplane licences should be excluded.</p> <p>During the drafting phase of these requirements the national licensing systems for sailplane licences were evaluated. In most of the Member States some kind of an examiner system (and not the instructors) is already established (e.g. in Germany).</p>
comment	<p>5139 <span style="float: right;">comment by: CAE</span></p> <p>Subpart K, Section 1, FCL.1000 (a)(2)</p> <p>This sentence indicates that a medical certificate is required to act as an SFE. This is impractical and limits the available pool of qualified candidates severely, especially in times of economic growth.</p> <p>If the sentence is read literally, the need to "be qualified to act as pilot-in command of the aircraft during a skill test or proficiency check" actually indicates that it only applies to test/checks conducted in an aircraft, and not an FSTD. This interpretation makes much more sense, and still holds high the standard of examiners.</p> <p>Suggest FCL.1000 (a) (2) read: "be qualified to act as pilot-in command of the aircraft during a skill test or proficiency check when conducted in an aircraft"</p>
response	<p><i>Not accepted</i></p> <p>After carefully reviewing the comments related to the prerequisites for the SFE, the Agency is still of the opinion that all examiner categories, including the SFE, need to hold a valid pilot licence. This in turn requires a valid medical certificate. Therefore, your proposal cannot be accepted.</p>
comment	<p>5145 <span style="float: right;">comment by: CAE</span></p> <p>FCL.1000(b) does not allow for examination by examiners outside a member state who do not hold a JAA/EASA license. This is currently accomplished with examiner authorizations issued by JAA member states to examiners who hold a current equivalent authorization issued by a non-JAA ICAO member state.</p> <p>Therefore, we request that FCL.1000 (b)(3) be added as follows:</p>

	<p>"FCL.1000 (b)(3) Testing/checking conducted outside member states by examiners not holding a certificate issued under this Subpart, who otherwise hold equivalent ICAO member state examiner authority."</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. This part of the text was taken over by JAR-FCL 1 and the Agency does not consider your proposal as a surplus in safety. Therefore, your proposal will not be taken into consideration.</p>
comment	<p>5281 <span style="float: right;">comment by: CAA Belgium</span></p> <p>Part FCL 1000 (a) (1) It is necessary to cover the case of the examiners for instructor certificates. (1) hold a licence and rating at least equal to the licence or rating for which they are authorised to conduct skill tests or proficiency checks and the privilege to instruct for this licence <del>or</del>, rating <b>or certificate</b>.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>5379 <span style="float: right;">comment by: ECA- European Cockpit Association</span></p> <p>Add words: (a) General. Holders of an examiner certificate shall: (1) hold a licence and rating at least equal to the licence, <b>certificate</b> or rating for which they are authorised to conduct skill tests or proficiency checks and the privilege to instruct for this licence, <b>certificate</b> or rating;</p> <p>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.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>5926 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL1000 <b>Page No*:</b> 64 <b>Comment:</b> The certificate needs to specify exactly what the examiner is authorised to do <b>Justification:</b> FCL.1005 FE implies that an examiner may increase his privileges merely by gaining experience. In fact, some training and an observed test are required in many cases. The authority needs to exercise oversight and therefore when authorising an examiner it must specify exactly what an examiner can do. For example, an examiner should not be permitted to conduct CPL skill tests <i>unless</i> meeting the requirements of FCL 1005 FE <i>and</i> be specifically authorised to do so on his Examiner's Certificate. <b>Proposed Text: (if applicable)</b> New Paragraph (a) Examiner certificates shall specify the category in which the examiner is</p>

	authorised to conduct tests, the types and classes of aircraft and any limitations on the examiner's privileges.
response	<p><i>Noted</i></p> <p>The Agency agrees that the privileges of the certificate should be clearly indicated in it. However, we believe that is already sufficiently covered in the general provision of Subpart A, FCL.015 (b).</p>
comment	<p>7268 <span style="float: right;">comment by: <i>DGAC FRANCE</i></span></p> <p>FCL 1000</p> <p>Despite the JAR FCL principles, the subordination link between the examiner and the competent authority which issues the examiner certificate has disappeared in the NPA. The explanation given in the NPA n°2008-17A (Explanatory notes and Appendices) refers to the terms of the basic regulation n°216-2008.</p> <p>It means that the authority is no more responsible of the conduct of the practical examinations especially the practical examinations for the issuance of licences and ratings.</p> <p>I would like to draw your attention on the definitions included in ICAO annex 1: Licensing authority: The authority designated by the contracting state as responsible for the licensing of personnel.</p> <p><i>Note- In the provisions of this Annex, the Licensing Authority is deemed to have been given the following responsibilities by the Contracting State:</i></p> <p style="padding-left: 40px;"><i>a) assessment of the applicant's qualifications to hold a licence or rating</i> <i>b) .....</i></p> <p>Accordingly the new system could have consequences for the ICAO compliance of members 'states.</p> <p>It would be important in this case to find an opportunity to make a change of the basic regulation to reintroduce the link between pilots' examiner and competent authority.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 147 above.</p>
comment	<p>7544 <span style="float: right;">comment by: <i>FlightSafety International</i></span></p> <p>For an examiner operating at an ATO outside a European member state, the licence requirements should be relevant for the country the ATO is in. For the purposes of a skill test or proficiency check for type ratings only there is no need to hold an EASA issued licence. There is no safety of flight issue for a type rating skill test. A medical is also not required as there are a significant number of pilots who lose their medicals and can still perform this activity safely and competently.</p> <p>Add Special Conditions (b)(3) For the purposes of an examiner operating in a</p>

	<p>simulator environment in an ATO outside a EASA member state, the licence requirements are hold or have held a licence issued in accordance with ICAO Annex I.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. Please refer to the response given to comments No 2574, 5139 and 5145 above.</p>
comment	<p>7557 <span style="float: right;">comment by: CAA Finland</span></p> <p>FCL.1000(b)(1): There are other special conditions too. Especially in helicopters there are at least 4 types in Finland so that there is one aircraft and the owner is the only pilot. Amended text proposal:</p> <p>In the case of introduction of new aircraft <b>or there is a very limited number of aircraft on that type (like vintage aircraft)</b>, when</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3303 above.</p>
comment	<p>8188 <span style="float: right;">comment by: H.D.BAUER-HIMMELSBACH</span></p> <p>Das gleiche gilt für die ehrenamtliche Prüferstruktur. Hier wird ebenfalls beabsichtigt die Hürden so hoch zu hängen, dass aus dem Kreis unserer Fluglehrer kein Prüfernachwuchs mehr erwächst.</p> <p>Insgesamt meine ich, dass uns (die Freizeitpiloten) "Europa" beabsichtigt übermäßig zu reklamentieren und damit zum Aussterben verurteilt. Und das wäre äußerst betrüblich für die bei uns geleistete ehrenamtliche Förderung gerade der Jugend.</p> <p>Ich selbst habe seinerzeit als Geschäftsführer unseres Vereins bereits einen Tag der offenen Tür organisiert und unter das Motto gestellt: "Das sind wir, das können wir, das kann man bei uns lernen". Hierbei habe ich Vereinskariere herausgestellt von selbst noch sehr jungen Mitgliedern, die bereits in sehr jungen Lebensjahren bei uns Werkstatt- und Ausbildungsleiter wurden.</p> <p>Meine Ausführungen sind also in keinster Weise "an den Haaren herbeigezogen", ich weis wo von ich spreche und welchen Tendenzen ich entgegenwirke, da ich diese als schädlich für den Flugsport und damit auch für die gesellschaftliche Entwicklung unseres Landes ansehe.</p>
response	<p><i>Noted</i></p> <p>Thank you for your feedback.</p>
comment	<p>8229 <span style="float: right;">comment by: AOPA Sweden</span></p> <p>Examiners should only have to send one copy of the skill test or PC protocol to the authority of the applicant. The suggested extra copy is needed nor for flight safety or for administration. In case where needed, the examiners are anyway required to send a copy of the documents. In case the examiner has to sent two copies, he/she should not have to save any copy.</p>

response *Not accepted*

The Agency supposes you are commenting on the requirement in paragraph FCL.1030(b)(3).

The Agency considers that the 3 copies of the report are necessary: the copy for the pilot/applicant, to help safeguard his/her rights; the copy to the 'licensing authority', so that it can issue the licence, rating, certificate, etc; and the copy to the authority that issued the examiner certificate, so that the authority can exercise oversight.

comment 8230

comment by: *AOPA Sweden*

Examiners who do not hold the exact type or class rating should also be able to carry out skill test or prof check if he/she has a relevant rating on a similar type/class, in the caase where there is no rated examiner available within appx 200km. The by EASA suggested limitation will give cause to high transportation costs in sweden so that the cost for transportation to the examiner will be maybe 5 times higher than the PC itself. This is not acceptable or reasonable in terms of flight safety or costs. If EASA does not accept our suggestion we suggest an overview to avoid such high transportation cost in the less populated sweden.

response *Not accepted*

The Agency cannot agree with your suggestion. Not only because this requirement comes from JAR-FCL, but also because the Agency considers that it is necessary to ensure safety.

comment 8240

comment by: *AOPA Sweden*

The examiners should also have the privilege to issue temporary licences, type- and class ratings. This temporary rating/licence could be issued after a successful skill test or proficiency check. Check with Swedish tansport agency for the present use and experiences. This temporary licence allows the checked pilot to fly for 90 days. With this solution, pilots are always being able to fly also if the are high workload at authorities or any irregulaties in the system (high/low/vacation period etc.) Therefore it also keeps the cost of the authority down.

response *Noted*

The Agency does not consider it relevant to establish such a possibility at this point. However, nothing in our rules will prevent the national authorities from delegating some of their competences on examiners, as long as the European and national requirements are met.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements - FCL.1005 Limitation of privileges in case of vested interests**

p. 64

comment 148

comment by: *Irish Aviation Authority*

FCL 1005 In this section the regulation should indicate that the Examiner should be independent of the training organisation.

	<p>e.g. Examiners shall not conduct skill tests or proficiency checks for applicants to whom they have given instruction for that licence or rating or where the examiner is also an employee or has beneficial connection to the training organisation, except in circumstances, authorised by the local competent Authority. (NFC)</p>
response	<p><i>Not accepted</i></p> <p>The Agency acknowledges your proposal, and understands the reasoning behind it. However, your proposal is considered too restrictive. It goes beyond what was established in JAR-FCL, and could create many problems for training organisations and operators without an established need in terms of safety.</p>
comment	<p>234 <span style="float: right;">comment by: <i>Paul SPELLWARD</i></span></p> <p>Ballooning has relatively small numbers of pilots/ student pilots/ instructors and examiners. Many examiners are also highly effective and active instructors. FCL.1005 as written is much too restrictive &amp; inflexible for ballooning. I can understand the need for some restriction and under current UK arrangements the student has to be "recommended" for examination flight by an instructor who is not the examiner. As this is a "common requirement" section, perhaps it would be acceptable to have "examiners shall not conduct skill tests of proficiency checks for applicants whom they have instructed for more than 20% of their training hours" or something similar. The point is that the rule as written will disadvantage students of BPL and LPL(B), especially in locations where there are relatively few instructors and examiners.</p>
response	<p><i>Partially accepted</i></p> <p>After careful revision of the comments in this segment, the Agency will change the text of the paragraph to restrict the limitation only to skill tests, when the examiner has provided more than 25% of the flight training required, provided that the examiner has not been responsible for recommending the applicant for the skill test in accordance with FCL.030(b).</p>
comment	<p>651 <span style="float: right;">comment by: <i>British Microlight Aircraft Association</i></span></p> <p>Although this seems like a good principle it is sometimes difficult to find an examiner available to conduct tests for small training organisations that are not viable if staff numbers are increased, yet are an Important training resource in their local area. Recommend that this is made an advisory requirement not a mandatory requirement.</p>
response	<p><i>Noted</i></p> <p>The Agency considers that this requirement should be mandatory, and not merely advisory. However, after careful revision of the comments in this segment, the Agency has agreed to amend the requirement in order to provide for more flexibility.</p>
comment	<p>1027 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>Other restriction should be added for close family/relatives of the examiner.</p>

	PROPOSAL: add " <i>nor for applicants with blood relationship to the 4th degree</i> ".
response	<p><i>Noted</i></p> <p>The Agency acknowledges your proposal, and understands the reasoning behind it.</p> <p>However, your proposal is considered to be too restrictive. The Agency will nevertheless include a provision giving the examiner the possibility to refuse when he/she considers that his/her objectivity may be in question.</p> <p>Please see also the reply to comment 7559 below.</p>
comment	<p>1221 <span style="float: right;">comment by: <i>Julia DEAN</i></span></p> <p>Regarding balloon examinations specifically it is a very retrograde step to prohibit an examiner who flies with a student on a training flight from later examining that student and I am at a loss to see why.</p> <p>This means that a student who want to prepare thoroughly or reduce nerves with a 'mock test' or even a simple instructor flight will have to travel to a new area for their GFT in order to find an examiner with whom they have done no training at all.</p> <p>The system that has worked in the UK for many years, with great success, is that the recommendation flight must not be carried out by the same examiner who later undertakes the GFT. This produces the necessary 'checks and balances' to the traingin system without undue restrictioins - could a similar system be adopeted by EASA?</p> <p>If there is concern about 'vested interests' may I suggest rather than a wholesale ban on any flights parhaps a limited number may be allowed - or not more than a percentage of the total training time?</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>1248 <span style="float: right;">comment by: <i>Aeromega</i></span></p> <p>It is not realistic to prevent examiners from examining candidates to whom they have given any instruction. A sensible compromise would be to prevent examiners from examining candidates where they have provided more than 10% of training. This allows Heads of Training and CFI's who are also school examiners to monitor standards - particularly of restricted instructors - and authorise students to go solo.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>1377 <span style="float: right;">comment by: <i>Bristow Helicopters</i></span></p> <p>This should only apply to the skill test following the instruction for the rating, and not to proficiency checks Ad infinitum. It does not seem reasonable that if I train a pilot for a type rating, I can never in the future conduct a proficiency check on that pilot. Since the word "rating" is used and not "certificate", this</p>

	<p>must apply to aircraft ratings only and not other forms of training and testing/checking such as instructor certificate. Suggested amendment below:</p> <p>FCL.1005 Examiners shall not conduct skill tests <del>or proficiency checks</del> for applicants whom they have trained for the licence or rating.</p> <p>Justification: Deviation from current JAR rules, where the restriction applies only to the initial skill test following instruction for the licence or rating.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>1539 <span style="float: right;">comment by: <i>Danish Balloon Organisation</i></span></p> <p><b>FCL.1005:</b></p> <p>We suggest the wording be amended to read: "Examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for <b>more than 50% of the flight time completed for</b> that licence or rating"</p> <p>Justification: In many geographical areas the number of instructors and examiners are so few that it becomes very difficult to train pilots without conflicting with FCL.1005</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>1730 <span style="float: right;">comment by: <i>Sven Koch</i></span></p> <p>Muss unterrichtet haben, was er prüft</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment but we do not understand the meaning behind it.</p> <p>FCL.1005 says that the examiner shall not conduct a skill test or proficiency check for applicants whom they have instructed.</p>
comment	<p>2133 <span style="float: right;">comment by: <i>British International Helicopters</i></span></p> <p>This should only apply to the skill test following the instruction for the rating, and not to proficiency checks Ad infinitum. It does not seem reasonable (or probably the intention) that if an instructor trains a pilot for a type rating, he can never in the future conduct a proficiency check on that pilot. Since the word "rating" is used and not "certificate", this must apply to aircraft ratings only and not other forms of training and testing/checking such as instructor certificate. Suggested amendment below:</p> <p>FCL.1005 Examiners shall not conduct skill tests <del>or proficiency checks</del> for applicants whom they have trained for the licence or rating.</p> <p>Justification: Deviation from current JAR rules, where the restriction applies only to the initial skill test following instruction for the licence or rating.</p>
response	<p><i>Accepted</i></p>

Please see the reply to comment 234 above.

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, 2246 IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

Comment: In major airlines with a big amount of proficiency checks, it's impossible to avoid that a TRI having instructed a pilot could act as TRE during an operator proficiency check of the same pilot (may be years after the type rating course)

Proposal: Delete "proficiency checks". This limitation will be only for skill tests

response

*Accepted*

Please see the reply to comment 234 above.

comment

2279 comment by: *Bundespolizei-Fliegergruppe und Polizeihubschrauberstaffeln/ -fliegerstaffeln der Länder*

If the examiners shall not conduct any prof. checks for those, whom they have instructed for they can never again check this applicant in the future.

We suggest to change FCL.1005 as follows:

Examiners shall not conduct skill tests ~~or proficiency checks~~ for applicants, whom they have instructed for that license or rating.

response

*Accepted*

Please see the reply to comment 234 above.

comment

2542

comment by: *Lindsay MUIR*

While I can understand the sentiments behind this proposal it is currently that case that examiners in the UK can carry out an examination on a student that they have given some instruction to. I can see no problem with this continuing in the UK provided that another instructor has made the recommendation for a check flight.

response

*Noted*

The text proposed in the NPA did not prevent an examiner to check a pilot to whom he had provided any type of instruction, at any time. What was foreseen was that the examiner could not do the skill test/proficiency check when he had provided instruction for that exact licence/rating/certificate to that pilot.

In any case, after revision of the comments on this paragraph, the Agency has agreed to amend the text to make it more flexible.

Please see the reply to comment 234 above.

comment

2545

comment by: *Tony KNIGHT*

I have to take the BBAC take on this. Although I personally did not fly with my examiner, I consider that the examiners I know (ballooning) would make

excellent instructors and a couple of flights would have added to my list of teachers whose advice is always useful in any learning process.

In any form of education, it is good to consider different educated viewpoints on the same subject. The more teachers, the better. If there was only ever one outlook, we would never advance.

Also, I will reinforce my comments on age. DO NOT KILL EXPERIENCE! The majority of examiners will be of a senior age - treasure them.

response *Noted*

The Agency acknowledges your input.

comment 2609

comment by: *len vaughan*

not required within the uk

response *Noted*

The Agency acknowledges your input.

comment 2621

comment by: *Tim DUDMAN*

Considering the requirements being proposed for Balloon pilots to do all training with instructors (who may well be examiners) and to have to pass a proficiency check every 6 years, it is likely that locally this will be unavoidable. The current regulations do not require this. What is the reason for specifying this?

response *Noted*

During the work of the FCL.001 group, it was the Agency's opinion, and that of the experts in the drafting group as well, that there was a need to establish a requirement like this one, to ensure the independence of examiners. However, after revision of the comments on this paragraph, the Agency has agreed to amend the text to make it more flexible. Please see the reply to comment 234 above.

comment 2645

comment by: *Martin Rowlands*

I believe that an Balloon Examiner should be able to give some training to a Student who they may later check out. A Recommendation Flight by an independent Instructor will ensure that standards adequate standards are maintained. This has been the case in the UK for many years. Alternatively, a Student who does most of their training with a local Examiner may be forced to drive 200 miles to another Examiner just to fulfil this proposal.

response *Accepted*

Please see the reply to comment 234 above.

comment 2745

comment by: *barry birch*

Why is there a problem with allowing Flight Examiners in the balloon category, to do some of the instructing on student pilots that they may later do a

General Flight Test with?

It is very useful for students to get to know their prospective examiner and also examiners get more 'hands on' with the student and very much help them towards maintaining the required standard and getting their license.

As long as the student is recommended for the GFT by another FI and has achieved the standard there should be no conflict of interest.

If FE's are denied training flights with new pilots they may well find that they could in the future be struggling to maintain their own flying hours and then run into problems with currency and maintaining their status as a FE. Barry Birch (member BBAC).

response *Accepted*

Please see the reply to comment 234 above.

comment *2788*

comment by: *David COURT*

This is very restrictive. I agree a limit is necessary but it should not go as far as saying no flights at all.

In some countries a student may need to travel many miles from their local area to find an Examiner who has not carried out a single training flight with them.

Examiners should be encouraged to instruct as well as examine. This rule will deter students from taking lessons with Examiners to avoid limiting their choice of examiners when they are ready for their proficiency check.

This rule will also discourage many good Instructors from becoming Examiners as it will prevent them from teaching students in their local area who might want a proficiency check with their local Examiner in the future.

An Examiner should be allowed to carry out a maximum of 50% of the applicants instruction but not none at all.

response *Accepted*

Please see the reply to comment 234 above.

comment *2881*

comment by: *richard benham*

In ballooning, there is no question of an examiner giving preference to a student. There are only a certain number of instructors and examiners in an area - if you are to exclude examiners from being involved in the training flights of a student, then it will become a great deal harder to become a qualified pilot - this is due to number of instructors/examiners in the locality / number of flyable days due to weather, work and personal commitments and other such factors. I had to go to a balloon festival in another country with greatly improved weather in order to get my final training flight, recommendation AND test flight with different instructors/examiners being in the same location at the same time. This is the case for many other pilots, who will just be forced to do their training and final exam out of this country due to quantities of such skilled people

It would therefore be of GREAT BENEFIT to the ballooning community, which is already shrinking due to financial and weather constraints, to attract new

members by not introducing measures that are not practical - an examiner SHOULD BE allowed to provide training and support to a student WITHOUT being excluded from their flight exam. This works well at the moment because a SEPARATE instructor has to give the final nod of approval for the exam flight - surely if the instructor who has recommended the exam flight has got it wrong, then there is something else wrong in the training system

Case in point, I should be able to get all my training from the same examiner as the exam because the instructor that has to recommend my exam flight is impartial to the examiner and there is sufficient additional evidence in the training manual of competence.

response

*Accepted*

Please see the reply to comment 234 above.

comment

2946

comment by: *Robert WORSMAN*

For Balloonists

I firmly believe the examiner should be able to be involved in some of the trainees instruction. He should be able to carry out some instructor flights without being prevented from performing the final exam. The examiners in the UK have vast experience. I flew twice with my examiner before checkout and each time I learnt many aspects of flying that no previous instructor had the knowledge or experience to pass on to me.

I'm not familiar with how many licenses are issued each year but I'd presume only 50 or so. In such a small community (ballooning in the UK) and the consequential small pool of expert knowledge, the introduction of this rule will make only work to make the future pilots less safe due to training being restricted to less knowledgeable instructors.

Fair enough to consider the possible effects of 'vested interests' but the conclusion could only be that in such a small community any abuse would be instantly recognised. So for LPL and BPL this limitation should not be put into force.

In such a small community restricting the examiner will unfairly restrict his income - I cannot see that an examiner could justify the role if all he could do was perform flight tests. This will be a huge disincentive to examiners and leave the pool of experts much poorer.

Examiners will terminate their job and future examiners will be of a lower standard - it will no longer attract that elite group of experienced flyers.

A further advantage of the examiner also carrying out some of the instructor flights is that it eliminates the much of the aspect of validating whether the student has actually complied with all the experience and instruction requirements. It involves the examiner in the process and he can have much more confidence that his judgement of the pilot skills and experience are correct.

Further, if a candidate fails one test (which is equivalent to an instructor flight) and the examiner takes the candidates subsequent test what is the difference between that and the examiner giving the student an instructor flight? The only difference I can perceive is that EASA will gain money from the exam

	<p>process. This corrupts the bureaucratic process and creates hostility against EASA.</p> <p>EASA appear to be using this rule solely to generate revenue for themselves. This is a highly corrupt process. If not then this is an extremely badly thought out rule. Has this rule been rushed out due to a time limit with little proper thought?</p> <p>Eliminate this limitation.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>2961 <span style="float: right;">comment by: <i>tobydavis</i></span></p> <p>this effectively bars an examiner from doing any instructing on pupils. far better to let them train pupils and let another instructor carry out a recommendation flight.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>3020 <span style="float: right;">comment by: <i>Richard ALLEN</i></span></p> <p>This will prevent an examiner from flying with a student pilot once during their training to give them a "practice" exam, which if this were allowed, would be of significant benefit to the student pilot. It also enables the examiner to impart their knowledge, including safety tips, to the student; something that cannot be so readily done during an examination flight.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>3193 <span style="float: right;">comment by: <i>Stephen LAW</i></span></p> <p>I disagree with this, Examiners, by their very nature, have a wealth of experience that really helps trainee pilots. It is expected that an examiner will never pass out an incapable pilot and I believe that trust must be placed with the examiner to do so correctly.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 2621 above.</p>
comment	<p>3238 <span style="float: right;">comment by: <i>Richard Sargeant</i></span></p> <p>This is a draconian and totally unnecessary limitation, especially for branches of aviation that are primarily recreational with little or no commercial activities, such as ballooning and flying sailplanes. If there is no commercial (i.e. payment) aspect, there is no "vested interest"! This is a plain fact of English usage. The examiner has nothing to gain (or lose) by recommending (or not) any candidate.</p>

The examiner population in ballooning is sparse and existing examiners are almost exclusively "hobby" pilots that do it for the sheer love of the sport. If money changes hands it is usually only to defray expenses such as petrol. I am aware of absolutely no instance of "vested interest" that has ever compromised the existing high standards I see exercised by balloon examiners. The proposal is addressing a problem that simply does not exist and is actually quite insulting to generations of dedicated examiners.

response *Noted*

Please see the reply to comment 2621 above.

comment

3443

comment by: *Nina Bates*

<![endif]-->

I am concerned by the clause prohibiting examiners from testing a pilot they have undertaken any training with. This preclusion further limits the number of pilots available to train and examine PUTs in the restricted 'leisure' time available in which to fly.

I would be more comfortable with this clause if it restricted an examiner to having trained a PUT for no more than (for example) 1/3 of their PUT hours.

response *Noted*

Thank you for providing your comment. Please see the reply to comments 234 and 2542 above.

comment

3452

comment by: *Boeing*

**Boeing Commercial Airplanes comments re:  
NPA 2008-17b**

Page: 64

Paragraph: FCL.1005 - *Limitation of privileges in case of vested interests*

Boeing suggests that the following changes be made:

Add a time restriction to the proposed requirement (re: " ... applicants whom they have instructed for that license or rating") that will allow an organization's examiners to examine candidates whom they have instructed prior to this examination, but have not been involved with for a considerable time.

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**JUSTIFICATION:** Organizational planning does not allow this to be taken in consideration forever. Also, after a certain period of time, this should be separable.

response *Noted*

Please see the reply to comment 2542 above.

comment

3526

comment by: *Graham CANNON*

Examiners should be allowed to have done some (but not all) training with a student

response *Noted*

Please see the reply to comment 2542 above.

comment 3562 comment by: *Rory Worsman*

The examiner should definitely be able to also instruct. This is a very poorly thought out rule. It allows the examiner to judge the trainee better and allows the examiner to pass on his experience to the PUT. The examiner is typically a very experienced flyer and not allowing him to instruct will prevent the passing on of good habits and lessons learnt.

This proposal does not acknowledge the small size of the ballooning community and where the expertise lies. It appears to be some mindless proposal fit for other forms of flying and not for ballooning.

If the proposal is to account for 'vested interests' then you have not understood the ballooning community.

Not allowing examiners to instruct would damage their income, isolate them from a significant and enjoyable part of their task and drive them away from the post. As a result all standards would be reduced a move to more dangerous conditions in the skies would result.  
Please eliminate this limitation.

response *Noted*

Please see the reply to comment 2542 above.

comment 3652 comment by: *M Wilson-NetJets*

FCL.1005

- discriminates against small companies and flying clubs, which may not have sufficient instructors to enable full compliance with this requirement

Suggestion:

Add ", except where the examiner has only been involved in the first third of the training course."

response *Noted*

Please see the reply to comment 234 above.

comment 3676 comment by: *Sarah Bettin*

Why shouldn't an examiner be able to examine a student if they have done some of their training. There are procedures in place in the current UK system to ensure that not all of the training is done with one person. FCL1005 makes no sense.

response *Noted*

Please see the reply to comment 2542 above.

comment 3756 comment by: *OAA Oxford*

	FCL.1005. Discriminates against small companies and flying clubs which may not have sufficient instructors to enable full compliance with this requirement. Suggestion: add, " except where the examiner has only been involved in the first third of the training course".
response	<i>Noted</i> Please see the reply to comment 234 above.
comment	3944 <span style="float: right;">comment by: <i>Professional Air Training Ltd</i></span> see comment 3938
response	<i>Noted</i> Thank you for providing your comment. Please see the reply to comment 3938 above.
comment	4056 <span style="float: right;">comment by: <i>Cary Crawley</i></span> This rule will cause a great deal of difficulty in some of the 31 affected states, none the least due to shortages of good professional, dedicated instructors. It might exclude many students from benefitting from instruction from the most experienced practitioners who have become Instructors and then become Examiners. The critical factor here is the INTEGRITY of the Examiner and also the integrity of the Instructor. The safe-guard might be to insist that-(Unless in exceptional and monitored circumstances)-an Examiner can train a student and examine them, if another and distinct Instructor has carried out the Student's recommendation to check flight prior to the actual flight exam taking place. I would also comment that ballooning is still in a nascent form in many of the affected states, it would be unfortunate and undesirable to deny students the opportunity to be instructed by some of those who may have the greatest practical experience.
response	<i>Partially accepted</i> Please see the reply to comment 234 above.
comment	4134 <span style="float: right;">comment by: <i>Bernd Hein</i></span> Viel zu große Flugstundenzahlen. keine Berücksichtigung von Starts und Landungen, keine Berücksichtigung von Berechtigungen, z.B. F-Schlepp, Nachtflug, CVFR, Kunstflug etc. FIE für TMG fehlt.
response	<i>Noted</i> Thank you for providing your comment.  It seems that this comment should have been addressed originally to another requirement. FCL.1005 is dealing with the limitation of privileges for the examiner.
comment	4282 <span style="float: right;">comment by: <i>Graham Morris</i></span> I understand the reason for this proposed requirement and approve of the

concept of independent test. However, in my area of interest, sailplanes, many training clubs are small and it will be extremely difficult to operate such a strict proposal. It suggests that should an examiner in his instructional capacity conduct an introductory flight with a potential club member he/she would be barred from ever conducting a test with that individual. This seems to be a rather crude attempt to ensure the independence of examiners. Is there any suggestion that there is currently a problem?

Might I suggest that the examiner conducting any skill or proficiency test shall have conducted less than half of the instructional hours and flights with the candidate. Whilst admittedly less rigorous than the proposal, it has the merit of being workable.

response *Accepted*

Please see the reply to comment 234 above.

comment 4342 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1005

**Wording in the NPA**

Examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for that licence or rating.

**Our proposal**

**Add:**

The competent authority can permit exceptions in case no other examiner with the required skills is available.

**Issue with current wording**

Exceptions should be possible

**Rationale**

There may be situations where no other examiner is available under reasonable conditions to conduct the examination.

response *Noted*

After careful revision of the comments on this paragraph, the Agency has agreed to amend the text to make it more flexible.

Please see the reply to comment 234 above.

The Agency considers that this new wording is proportionate and covers the great majority of cases. If in specific/isolated cases there will be a need to grant an exemption from this rule, the national competent authorities will need to comply with the conditions established in article 14 of Regulation (EC) No 216/2008.

comment 4416 comment by: *Bond Offshore Helicopters*

This should only apply to the skill test following the instruction for the rating, and not to proficiency checks ad infinitum. It does not seem reasonable that if we train a pilot for a type rating, we can never in the future conduct a proficiency check on that pilot. Since the word "rating" is used and not "certificate", this must apply to aircraft ratings only and not other forms of training and testing/checking such as instructor certificate. Suggested amendment below:

response	<p>FCL.1005 Examiners shall not conduct skill tests <del>or proficiency checks</del> for applicants whom they have trained for the licence or rating.</p> <p>Justification: Deviation from current JAR rules, where the restriction applies only to the initial skill test following instruction for the licence or rating.</p> <p><i>Accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>4495 <span style="float: right;">comment by: CTC Aviation Services Ltd</span></p> <p><b>Comment</b></p> <p>This is unduly restrictive on the staffing requirements of smaller training organisations or smaller fleets. Training during the early part of a course does not compromise the ability to examine the final product.</p> <p><b>Proposal</b></p> <p>Examiners shall not conduct skill tests or proficiency checks for applicants where they have instructed those applicants for that licence or rating <b>after the first third of the full instruction course duration.</b></p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>4515 <span style="float: right;">comment by: AEA</span></p> <p>Relevant Text: FCL.1005 Limitation of privileges in case of vested interests Examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for that licence or rating</p> <p><b>Comment:</b></p> <p>In major airlines with a big amount of proficiency checks, it's impossible to avoid that a TRI having instructed a pilot could act as TRE during an operator proficiency check of the same pilot (may be years after the type rating course).</p> <p><b>Proposal:</b></p> <p>Delete "proficiency checks". This limitation will be only for skill tests</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>4661 <span style="float: right;">comment by: Héli-Union</span></p> <p>This should only apply to the skill test following the instruction for the rating, and not to proficiency checks ad infinitum. It does not seem reasonable that if we train a pilot for a type rating, we can never in the future conduct a proficiency check on that pilot. Since the word "rating" is used and not "certificate", this must apply to aircraft ratings only and not other forms of training and testing/checking such as instructor certificate. Suggested amendment below:</p> <p>FCL.1005 Examiners shall not conduct skill tests <del>or proficiency checks</del> for</p>

	<p>applicants whom they have trained for the licence or rating.</p> <p>Justification: Deviation from current JAR rules, where the restriction applies only to the initial skill test following instruction for the licence or rating.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>4846 <span style="float: right;">comment by: <i>Royal Danish Aeroclub</i></span></p> <p>This limitation is a problem for small air sports activities in some contries. I.e. Denmark do only have few examiners and instructors for ballooning.</p> <p>We suggest this limitation changed to: <b>"Examiners shall not conduct skill tests or proficiency checks for applicants who they have them self instructed for more than 50% of the applicants instruction time for that licence or rating."</b></p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>4880 <span style="float: right;">comment by: <i>HUTC</i></span></p> <p>This should only apply to the skill test following the instruction for the rating, and not to proficiency checks ad infinitum. It does not seem reasonable that if we train a pilot for a type rating, we can never in the future conduct a proficiency check on that pilot. Since the word "rating" is used and not "certificate", this must apply to aircraft ratings only and not other forms of training and testing/checking such as instructor certificate. Suggested amendment below:</p> <p>FCL.1005 Examiners shall not conduct skill tests <del>or proficiency checks</del> for applicants whom they have trained for the licence or rating.</p> <p>Justification: Deviation from current JAR rules, where the restriction applies only to the initial skill test following instruction for the licence or rating.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>4978 <span style="float: right;">comment by: <i>George Knight</i></span></p> <p><i>Examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for that licence or rating.</i></p> <p><b>Comment</b> I understand and agree with the principle behind this rule. However, in a recreational club environment where examiners need to be instructors in order to remain current this rule means, in effect, that a student must always be examined by an examiner from another club. Whist in some places clubs may be close enough for examiners or students to travel to another club for the test in some parts of Europe this may well be impractical.</p>

In most sailplane clubs volunteer instructors are rostered over the flying days (usually weekends) and with students taking a year or more to achieve the required standard it is probable that over the period of their course that they will have received instruction from most, if not all, instructors in a club. It will also mean that examiners cannot run ground school theoretical courses because they will have then instructed every pupil. In effect a club will be deprived of the use of its most skilled and experienced teachers for ground studies.

### Proposal

To allow some flexibility I propose for recreational licenses - in particular for sailplanes - that the rule be rewritten as:

"For professional licences examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for that licence or rating.

For recreational licences examiners shall not conduct skill tests or proficiency checks for applicants whom they have given flying instruction for that licence or rating for more than 20% of the students flights. The examiner may have taught the student theoretical knowledge."

response *Noted*

The Agency cannot agree with your proposal to make a distinction between professional/recreational licences in this issue.

However, after revision of the comments on this paragraph, the Agency has agreed to amend the text to make it more flexible.

Please see the reply to comment 234 above.

comment *4980*

comment by: *Aerovision*

FCL.1005 Examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for that licence or rating.

This is unacceptable for balloon training and examining in the U.K.

There is little balloon training in the UK and therefore a small number of examiners, all of whom are instructors of course. FCL.1005 would effectively halt all balloon training in the UK. This will be more so when one considers that currently only 4 flights have to be undertaken with an Instructor, but under EASA all training must be with an Instructor.

The UK NAA recognises this and has a paragraph within its balloon examining standards document entitled "**Testing your own student**". In it, the NAA states that it will allow a limited amount of training to be conducted with students training towards the UK PPL (B) from a training establishment where an Examiner is based. The level of involvement acceptable for licence issue should comply with the following guidelines:

- a) The Examiner may conduct not more than two of the four mandatory instructional flights required for licence issue.

The recommendation flight check for Flight Test shall not be conducted by the same person conducting the Flight Test. However, It will be possible for Examiners to conduct progress tests and safety checks on prospective test applicants as this is not considered to be giving instruction.



remain low and most will be training pilots as well as examining. It is unrealistic to expect a candidate to be able to find an examiner, probably from another area, who can be available at short notice (given the tight weather constraints for ballooning). The current UK practice allows an examiner to have provided some of the training but requires a "recommendation flight" to be conducted with another instructor before the GFT. This has served well for many years.

response *Noted*

Please see the reply to comment 234 above.

comment 6264 comment by: *Christoph Talle*

Exceptions should be possible with written consent by the competent authority. There are maybe special cases that there is a need that the same FE who take part by the instruction has to make the skill test [for example seldom aircraft]

response *Noted*

Please see the reply to comment 4342 above.

comment 6398 comment by: *DSvU*

FCL.1005

Comment: Examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for that licence or rating.

Proposal: Examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for that licence or rating *within the last 3 month*.

Justification: In small clubs it will be difficult for the examiner to maintain his own instructor rating. If the applicant not are trained by the examiner within the last 3 month, the skill test will be objective

response *Noted*

Please see the reply to comment 234 above.

comment 6610 comment by: *Light Aircraft Association UK*

There is an exemption to this for the case of geographically remote Registered Facilities and Flight Training Organisations in the UK included in the Flight Examiners Handbook. It is desirable that the exemption be added to cater for the lack of independent examiners in certain areas.

response *Noted*

Please see the reply to comment 4342 above.

comment 6729 comment by: *Tom Donnelly*

Examiners should be allowed to carry out part of a student's training, and after that student has been approved for a General Flight Test that same Examiner

response	<p>should be allowed to conduct the student's GFT. This solution allows for reduced traveling time and costs.</p> <p><i>Noted</i></p> <p>Please see the reply to comment 4342 above.</p>
comment	<p>6892 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1005  <b>Page No:</b> 64 of 647  <b>Comment:</b> The Balloon community is small and it may be impractical to complete separate Instructing and Examining.  <b>Justification:</b> Due to the limited numbers of training courses and balloon pilots and opportunity to exercise instructor/examiner privileges.  <b>Proposed Text:</b>  No more then 50% of the training to be undertaken by the examiner. Also, not the final recommendation instructor flight.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>6894 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1005 Limitation of privileges in case of vested interests  <b>Page No*:</b> 64 of 647  <b>Comment:</b> Does this limitation apply indefinitely or only apply for the course of training for the licence/rating being sought at that time? Otherwise this would mean that a student once trained can never return back to the same examiner for a revalidation/renewal proficiency check or skill test or additional ratings.  <b>Justification:</b> Clarification.  <b>Proposed Text: (if applicable)</b>  Examiners shall not conduct skill tests for applicants whom they have instructed for that licence or rating except with the written consent of the competent authority.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>7147 <span style="float: right;">comment by: CHC Europe EASA Ops Team - representing 550 pilots across Europe</span></p> <p>This should only apply to the skill test following the instruction for the rating, and not to proficiency checks ad infinitum. It does not seem reasonable that if we train a pilot for a type rating, we can never in the future conduct a proficiency check on that pilot. Since the word "rating" is used and not "certificate", this must apply to aircraft ratings only and not other forms of training and testing/checking such as instructor certificate. Suggested amendment below:</p> <p>FCL.1005 Examiners shall not conduct skill tests <del>or proficiency checks</del> for applicants whom they have trained for the licence or rating.</p>

	Justification: Deviation from current JAR rules, where the restriction applies only to the initial skill test following instruction for the licence or rating.
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>7218 <span style="float: right;">comment by: Klaus HARTMANN</span></p> <p>Diese Einschränkung ist wichtig, da eine objektive Beurteilung nur durch einen Prüfer erfolgen kann, der nicht selbst an der Ausbildung beteiligt war. Der Prüfer würde kaum seinen eigenen Ausbildungserfolg in Frage stellen wollen. Es ist zu überdenken ob eine Ausnahme (evtl. mit Auflagen) für den Fall zugelassen wird, wenn in dem entsprechenden Sprachraum des Prüflings nur ein Prüfer mit der Qualifikation für die Abnahme der entsprechenden Prüfung zur Verfügung steht.</p>
response	<p><i>Noted</i></p> <p>Thank you for your feedback and the support not to allow an examiner to conduct a skill test for an applicant whom he/she has instructed.</p> <p>Regarding your example and the proposal to allow specific alleviations for certain cases, please see the reply to comment 234 above.</p>
comment	<p>7275 <span style="float: right;">comment by: DGAC FRANCE</span></p> <p>FCL 1005</p> <p>Justification : The JAR FCL included that kind of flexibility which may be necessary in some particular situations.</p> <p>Modification : FCL. 1005</p> <p>Examiners shall not conduct skill tests or proficiency checks for applicants whom they instructed for that licence or rating <b><u>except where, in some particular situations, this condition can not be met, and with the expressed consent in writing of the competent authority.</u></b></p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 4342 above.</p>
comment	<p>7299 <span style="float: right;">comment by: ECOGAS</span></p> <p>Current wording: "Examiners shall not conduct skill tests or proficiency checks for applicants whom they have instructed for that licence or rating."</p> <p>Issue: Discriminates against small companies and flying clubs, which may not have sufficient instructors to enable full compliance with this requirement.</p> <p>Suggestion: Add ", except where the examiner has only been involved in the first35% of the training course."</p>

response	<i>Partially accepted</i> Please see the reply to comment 234 above.
comment	7441 <span style="float: right;">comment by: <i>Jaime Stewart</i></span> It is unreasonable to forbid an Examiner to examine someone with whom they have overseen any training flights. In the UK, an examiner is permitted both to train and examine a student provided that a different instructor has carried out the recommendation flight. In practice, it is unlikely that a student would have done all his or her training with an examiner up to the recommendation flight, but even had they done so, the very fact that the examiner was qualified and active as such decrees both that his or her teaching would be of the highest standard and that they had a vested interest in adhering to rigorous standards in judging a student's abilities and performance.
response	<i>Noted</i> Please see the reply to comment 2542 above.
comment	7490 <span style="float: right;">comment by: <i>British Airways</i></span> The restriction on Examiners not to undertake Proficiency checks on candidates that they have trained is not realistic given the ratio of examiners to pilots in airlines especially small operators or small fleets. The process of standardisation will ensure that the required standards are met.  Suggestion: Delete the reference to proficiency checks and retrain the restriction for skill tests.
response	<i>Accepted</i> Please see the reply to comment 234 above.
comment	7517 <span style="float: right;">comment by: <i>Graham PHILPOT</i></span> This is a RESTRICTIVE regulation, it should be possible for Examiners to instruct and conduct dummy exam flights as part of training but they must not do the 'Recommendation Flight' and the exam flight.
response	<i>Partially accepted</i> Please see the reply to comment 234 above.
comment	7546 <span style="float: right;">comment by: <i>FlightSafety International</i></span> It is difficult to avoid that an instructor having instructed a pilot who could also act as an examiner during a proficiency check of the same pilot (may be years after the type rating course) Proposal: Delete "proficiency checks". This limitation will be only for skill tests
response	<i>Accepted</i> Please see the reply to comment 234 above.
comment	7559 <span style="float: right;">comment by: <i>CAA Finland</i></span>

	<p>FCL.1005: There might be doubts about objectivity also in case of close relatives, friends or those who have economical connection. Amended text proposal (may be inserted as AMC as well):</p> <p>applicants whom they have instructed <b>or always if the examiner has any doubts about objectivity like the examinee is close relative, friend or has common economical interest</b> or</p>
response	<p><i>Partially accepted</i></p> <p>The text will be amended to include a provision for the examiner not to perform the skill test/proficiency check when his/her objectivity may be questioned. An AMC will be added with the example you give.</p>
comment	<p>7671 <span style="float: right;">comment by: <i>Atlantic Training Support</i></span></p> <p>FCL.1005 Add 'except when the examiner has only been involved in the first third of the training course'</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>7707 <span style="float: right;">comment by: <i>BBAC 6824</i></span></p> <p>Balloon Examiners: As long as another Instructor has carried out a recommendation flight for a PUT, there should be no reason that an Examiner who has been involved with training that PUT cannot examine him.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 234 above.</p>
comment	<p>7758 <span style="float: right;">comment by: <i>Christophe Saeys</i></span></p> <p>250 hrs this is way too little for a balloon examiner - suggest min 500.</p>
response	<p><i>Noted</i></p> <p>The Agency supposes that your comment refers to FCL. 1005.FE (f)(2). Please see the replies to comments on that paragraph.</p>
comment	<p>7883 <span style="float: right;">comment by: <i>Svenska Ballongfederationen</i></span></p> <p>FCL.1005 is from a Swedish balloonist's perspective not acceptable and not realistic. Almost all Swedish balloonists are organized in Svenska Ballongfederationen, SBF for short. SBF is the national non-profit balloon organization (Swedish version of BBAC). SBF has through its flight school and training organization performed the main part of training for balloon certificates for thirty-five years. Today SBF handles training all across Sweden with less than twenty instructors, four of which are also examiners. This is enough to handle the amount of students and pilots in need of for example proficiency checks in Sweden.</p> <p>Since the amount of instructors is small and the amount of balloonists also is</p>

small we all know one another and fly together; hence also train together. We also have the weather working against us and all windows to fly, train and test are needed. A student pilot for example needs to be able to take the chance to fly when he/she gets it and must be able to fly with different instructors depending on if they have the time or not. Most Swedish instructors have other professions and do flight training in their spare time free of charge. The flight school is also a non profit organization. A student therefore can't expect to do flight training as soon as he/she has the time but must also be able to find an instructor that has the time. The Swedish instructors also have to cover students in many different locations. Travelling from the south to the north of Sweden takes about twenty-four hours by train. This is also a limiting factor which means that students must use every chance he/she gets when there is an instructor in the vicinity. This means that a student will normally fly with a couple of instructors and being such a small group the statement in FCL.1005 would make it very hard for students to train efficiently. The same reasoning is also true in the case of proficiency checks.

The Swedish way to handle this is that an examiner will not test a student if he/she has been an instructor for a large portion of the students more advanced training.

Before a pilot needs a proficiency check some time normally has past since he/she passed the licence examination; therefore any examiner or instructor would be allowed to do the proficiency check.

Proficiency checks are in Sweden today handled by either an instructor or an examiner.

FCL.140.B LPL(B) and FCL.230.B BPL states that pilots should perform a PC every six years. This can't possibly be handled only by examiners in the Swedish system. This probably works well for e.g. aeroplanes and helicopters were you have many different flight schools to go to with instructors and examiners that do this for a living. This is not the case in Sweden, as discussed earlier. If certificate holders need to do proficiency checks every six years we need the Swedish instructors to be able to perform these checks. This is also commented on in the paragraphs FCL.140.B LPL(B) and FCL.230.B BPL. Even if the need for pilots to perform proficiency checks every six years is removed we would need the Swedish instructors to perform proficiency checks to increase our flexibility and lessen the work load put on examiners. For the same reasons we would also need instructors with relevant experience to be able to perform tests for extension of the privileges to another balloon class or group.

response

*Noted*

The Agency considers that the text of article 7(5) and 1.j of Annex III to the Basic Regulation establishes that only an examiner can assess the competence/skill of pilots. Therefore, only an examiner can conduct skill tests or proficiency checks.

Regarding the mentioned proficiency checks proposed for the LPL(B) and the BPL this issue was discussed during the review phase based on the enormous amount of comments dealing with it and criticising the proposal for this mandatory proficiency check. The proposal was based on Annex III of the Basic Regulation where a mandatory assessment, check, test or examination is required.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check but to revise the recency requirements for all categories and to introduce mandatory

training flights with an instructor every 24 months (for helicopters every 12 months) instead. This was also mentioned in your comment. See the resulting text.

comment 8292 comment by: Paul Mc G

There is an exemption to this for the case of geographically remote Registered Facilities and Flight Training Organisations in the UK included in the Flight Examiners Handbook. It is desirable that the exemption be added to cater for the lack of independent examiners in certain areas, or will there have to be a lot of extra travelling.

response Noted

Please see the reply to comment 4342 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements - FCL.1010 Prerequisites for examiners**

p. 64

comment 652 comment by: British Microlight Aircraft Association

Accepted

response Noted

Thank you for providing this feedback.

comment 680 comment by: FOCA Switzerland

K/Section 1  
FCL.1010

The new regulation regarding examiner certificates leads to the following drawbacks:

- Since the work of an examiner will be governed by commercial requirements rather than by safety-related consideration, there might be a deterioration of the standards during the checks.
- As anyone will be entitled to become an examiner, no considerations regarding character and personality of the applicant will be taken into account, This might lead to an uncontrollable situation.
- The TRE will have the privilege to check-out TRI's instructor without being assigned to do so by the competent authority. Therefore there will also be no control of the quality of the TRI's.
- Any applicant for a check will have the right for appeal with the competent authority if a check is failed. The examiner, however, will not work on behalf of the authority, so there might be legal implications in such case.

Proposal

**It is of outmost importance that examiner are remaining under a strict control of the competent authority with regard to the nomination, instruction and guidance.**

response Noted

The Agency agrees that it is essential that examiners are subject to proper oversight by the authorities.  
Please see the replies to comments on FCL.030.

After careful consideration of the comments received, the Agency has agreed to establish a compromise solution, whereby the competent authorities may choose to authorise some examiners to re-validate pilot qualifications. Only these examiners, with a specific authorisation to do so from the authority in addition to the examiner certificate, will be able to endorse/re-validate/renew ratings and certificates. Examiners that do not have this authorisation will be competent to conduct skill tests and proficiency checks, but in this case they will only send a report to the competent authorities, and the rating or certificate will be revalidated/renewed by the competent authority.  
The text of both FCL.1030 and the relevant paragraphs of Part-AR (including AR.FCL.200) will be amended to reflect this solution.  
We believe that this solution answers the concerns expressed in your comment.

comment 682 comment by: FOCA Switzerland

K/Section 1  
FCL.1010

With regard to the importance of the examiner's loyalty to the competent authority, a new paragraph, taking that into consideration, should be added.

**d) .. shall be evaluated by the competent authority in regard of personality and character, cooperation with the authority as well as demand for examiners.**

response *Partially accepted*

The Agency considers that the elements related to the personality, character and cooperation of the applicant are already included in the evaluation of his/her background, as foreseen in subparagraph (a).  
An AMC will be added to this paragraph to specifically mention that these elements should be evaluated.

comment 1441 comment by: Aero Club Oppenheim e. V.

Die Stunden schafft ein normalsterblicher Privatpilot nicht in einem vertretbaren Zeitrahmen. Die Stunden sollten auf die Hälfte der Angaben reduziert werden.

Es gibt auch hochqualifizierte Fluglehrer, die bereits mit 1000 Stunden erfolgreich und kompetent ausbilden. Die persönliche Fliegerei darf nicht zu kurz kommen. Damit qualifiziert sich der Fluglehrer für die Ausbildung.  
Der FIE(S) für TMG fehlt in der Ausarbeitung.

response *Noted*

The Agency supposes that your first comment refers to FCL.1005.FE and to FCL.1010.FIE.  
Please see the replies to comments on that paragraph.

As for your comment on the FIE for TMG, there is no need to specifically foresee it. Either an FIE(S) with a TMG extension or an FIE(A) with the specific

class rating can exercise the privileges.

comment 1614 comment by: *Helikopter Air Transport GmbH / Christophorus Flugrettungsverein*

**STATEMENT**

What happens if the licence was limited because of medical reasons?

**PROPOSAL**

Delete (b). This paragraph is already covered by (c).

response *Accepted*

The text will be redrafted to clarify that a limitation, suspension or revocation is only relevant if it is a sanction for not complying with the Basic Regulation or its implementing rules.

comment 1731 comment by: *Sven Koch*

Muss demonstrieren: Wissen, Erfahrung  
Drei Jahre gültig

response *Noted*

Thank you for providing your opinion, but the Agency does not understand the meaning behind this comment.  
It seems to be only a more or less exact German translation of some elements contained in FCL.1010.

comment 2247 comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

Comment: What about license limited temporally for medical reasons, limited by an OML or suspended during investigations?  
Proposal: delete (b), (c) is enough

response *Accepted*

Please see the reply to comment 1614 above.

comment 3653 comment by: *M Wilson-NetJets*

FCL.1010(b)

- Does not allow for examiner candidates whose license was suspended by a now-addressed medical condition

Suggestion: ADD "except where suspension was caused by a medical condiditon"

response *Accepted*

Please see the reply to comment 1614 above.

comment	3757	comment by: <i>OAA Oxford</i>
	FCL.1010(b) This does not make allowance for examiner candidates whose licence was suspended due to a now resolved medical condition. Suggestion: add, " except where suspension was caused by a medical condition"	
response	<i>Accepted</i>	
	Please see the reply to comment 1614 above.	
comment	3867	comment by: <i>Luftfahrt-Bundesamt</i>
	FCL.1010: Proof of personnel integrity and proof of good conduct should be added as a requirement for the issue of an official EU-certificate as well as any additional national requirement to act on behalf of the competent authority.  Just for clarification, FCL.1010.(b) should also include ratings.	
response	<i>Partially accepted</i>	
	Please see the reply to comments 682 and 1614 above. Ratings and certificates will be specifically mentioned in the text.	
comment	3934	comment by: <i>DCA Malta</i>
	The competent authority should nominate the examiners, also on the basis of the person's character and his co-operation with the Authority	
response	<i>Noted</i>	
	Please see the reply to comment 682 above.	
comment	3945	comment by: <i>Professional Air Training Ltd</i>
	see comment 3938	
response	<i>Noted</i>	
comment	4137	comment by: <i>Bernd Hein</i>
	hier gilt auch, dass keine Starts und Stunden, keine besonderen Berechtigungen bewertet sind.	
response	<i>Noted</i>	
	The Agency cannot understand your comment, as FCL.1010 does not mention any hours or launches.	
comment	4383	comment by: <i>DC-AL</i>
	Examiners MUST be of a high moral standing, since they are the quality controllers for the whole flying training system. Suspension or revocation of a licence or rating is a very serious matter, and should bar the person from examining for ever (unless they can specifically prove that they have reformed,	

or the revocation was a mistake). Similarly , a person who has been subject to sanctions for non-compliance should also be barred.

The subject of moral standing is a matter for concern. The temptation to pass candidates inappropriately is strong. The FAI require 'official observers' for competition, badge and record flights, each of whom must be recommended by persons of known standing in the community. A similar system should be included for flight examiners.

response *Noted*

The Agency acknowledges your comment, and the reasoning behind it. However, it seems to us that permanently excluding people that have been sanctioned for a violation of the rules would be an unproportionate restriction, and not necessary to ensure safety.

comment

4516

comment by: AEA

**Relevant Text:**

Applicants for an examiner certificate shall demonstrate:

(a) relevant knowledge, background and appropriate experience related to the privileges of an examiner;

(b) that they have not had their licence suspended, limited or revoked during the last 3 years;

(c) that they have not been subject to the application of any sanctions for non compliance with this Part or PartOPS during the last 3 years.

**Comment:**

What about license limited temporally for medical reasons, limited by an OML or suspended during investigations?

**Proposal:**

Skip (b), with (c) is enough

response *Accepted*

Please see the reply to comment 1614 above.

comment

4518

comment by: CTC Aviation Services Ltd

**(b)Comment**

--It is unreasonable to bar applicants for 3 years for reasons of medical or political/industrial licence suspensions or the requirements of post incident investigation

**Proposal**

(b) that they have not had their licence suspended, limited or revoked during the last 3 years **as the result of a disciplinary process;**

response *Noted*

Please see the reply to comment 1614 above.

comment

4747

comment by: CAA Belgium

FCL.1010(c)

This pre-requisite states that an applicant shall not have "...been subject to the application of any sanctions for non-compliance with this Part or Part-OPS

during the last 3 years". We find this to be very "narrow". This should be widened to "any part of Basic regulation 216 and associated Implementing rules"

In addition to this, most competent authorities have national administrative regulations and procedures that should be adhered to. Also, some operations are not covered by Basic regulation 216, e.g. SAR, Police, Customs, etc. It should be possible to disqualify an applicant who has shown non-compliance with any such nationally regulated activities.

As this person – if accepted – will make assessments of candidates as to their suitability to have a pilots licence and/or rating, his/her integrity is essential. This examiner will be the only person to actually advise the competent authority as to if a candidate does possess the required skill/proficiency to be issued a license/rating. It should therefore also be disqualifying if the examiner candidate has been convicted and/or fined for any relevant criminal activities, e.g. fraud, blackmail, corruption, etc, within a time frame of e.g. 10 years.

The complexity of this is evident, and should be investigated further, before an EU/EEA-wide regulation is put in place. The opening up for anyone who fulfils the technical requirements to become examiners poses a great challenge to the making of the rules to handle the issue of flight safety, as well as market liberalism.

response *Partially accepted*

For the first part of your comment, please see the reply to comment 1614 above.

For the second part to your comment, the Agency does not consider it appropriate to include in the rule a specific reference to possible prior criminal convictions of the applicant, taking into account the different criminal legislation, procedures and traditions in the different Member States.

However, a reference to the possibility to take this into account in compliance with national law will be included in the AMC to this paragraph, as part of the background check required by subparagraph (a). Please see also the reply to comment 682 above.

comment 4781

comment by: *CAA Belgium*

add new paragraph with text as requirement:  
"shall be evaluated by the competent authority in regard of personality and character."

response *Partially accepted*

Please see the reply to comment 682 above.

comment 5442

comment by: *CAA Belgium*

Proof of personnel integrity and proof of good conduct should be added as a requirement for the issue of an official EU-certificate as well as any additional national requirement to act on behalf of the competent authority.

Just for clarification, FCL.1010.(b) should also include ratings.

response *Partially accepted*

Please see the reply to comment 3867 above.

comment 5719 comment by: *FNAM (Fédération Nationale de l'Aviation Marchande)*

(b) appears to be a new constraint as compared to JAR-FCL Subpart I. Though we understand the issue of this alinea, it does not take into account licenses suspended or temporary limited for medical reasons.

Considering a pregnant pilot, this would imply she can not be an examiner for 3 years after birth: this would be discrimination...

(c) should be suppressed or rewritten at least as following:

"that they have not had their licence suspended, limited or revoked during the last 3 years, **except for medical reason**".

response *Accepted*

Please see the reply to comment 1614 above.

comment 6399 comment by: *DSvU*

FCL.1010

Comment:

Relevant knowledge, background and appropriate experience related to the privileges of an examiner;

That they have not had their licence suspended, limited or revoked during the last 3 years;

That they have not been subject to the application of any sanctions for non compliance with this Part or PartOPS during the last 3 years.

Proposal:

Relevant knowledge, background and appropriate experience related to the privileges of an examiner;

That they have not had their licence suspended (*except medical reasons*) during the last 3 years;

That they have not been subject to the application of any sanctions for non compliance with this Part or PartOPS during the last 3 years.

Justification:

It should be possible to continue if the medical has be withdrawn in a shorter period.

response *Accepted*

Please see the reply to comment 1614 above.

comment 6574 comment by: *IAOPA Europe*

In the proposed text examiners dont need to be Flight Instructors. It would be sensible to require it for PPL Examiners?

Maybe it´s ok in an airline environment if a check-captain is not also a flight instructor, but in GA that should be a requirement

response	<p><i>Noted</i></p> <p>The requirement for examiners to also be instructors is included in FCL.1000 (a)(1).</p>
comment	<p>6901 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL1010  <b>Page No:</b> 64  <b>Comment:</b> There needs to be an element of control here. Only the NAA that issues the examiners license will know whether the license has been revoked or suspended. An examiner can 'shop around' to get authorisation from a NAA that has no idea of the examiner's licensing background. For example, the UK NAA refuses to authorise, so the person goes to another NAA where he is not known.</p> <p><b>Proposed Text: (if applicable)</b>  Applicants for an examiner certificate shall demonstrate to the competent authority that issued his licence.</p>
response	<p><i>Noted</i></p> <p>This is already required in FCL.015 (d). The Agency considers that there is no need to repeat this requirement here.</p>
comment	<p>6910 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL1010  <b>Page:</b> 64  <b>Comment:</b> Some criminal convictions must also be considered relevant in the appointment of examiners e.g. fraud, theft, violence or offences against young or vulnerable persons.  <b>Justification:</b> Applicants for test are in a vulnerable position; an unscrupulous examiner can control the situation to his advantage.  <b>Proposed Text:</b>  INSERT  (d) That they have not been convicted of a relevant criminal offence. NAA may conduct criminal record checks in accordance with national regulations.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 4747 above.</p>
comment	<p>6929 <span style="float: right;">comment by: CAA CZ</span></p> <p>Untill the system of supervision over activities and standardization of examiners will be revised it is necessary to give an option to the Authority to refuse to authorize more examiners (see JAR-FCL 1/2.030 (b)).  Further on it is not clear from the proposal if the examiner acts on behalf of EASA or competent authority (according to FCL.001).  In case when the Authority has no instrument for regulation of number of examiners and has to authorise everyone, then the standardisation of examiners can be hardly achieved and this activity should be undertaken by EASA.</p>
response	<p><i>Noted</i></p>

Please see the reply to comment 680 above.

comment

7059

comment by: CAA Norway

FCL.1010(c)

This pre-requisite states that an applicant shall not have "...been subject to the application of any sanctions for non-compliance with this Part or Part-OPS during the last 3 years". We find this to be very "narrow". This should be widened to "any part of Basic regulation 216 and associated Implementing rules"

In addition to this, most competent authorities have national administrative regulations and procedures that should be adhered to. Also, some operations are not covered by Basic regulation 216, e.g. SAR, Police, Customs, etc. It should be possible to disqualify an applicant who has shown non-compliance with any such nationally regulated activities.

As this person – if accepted – will make assessments of candidates as to their suitability to have a pilots licence and/or rating, his/her integrity is essential. This examiner will be the only person to actually advise the competent authority as to if a candidate does possess the required skill/proficiency to be issued a license/rating. It should therefore also be disqualifying if the examiner candidate has been convicted and/or fined for any relevant criminal activities, e.g. fraud, blackmail, corruption, etc, within a time frame of e.g. 10 years.

The complexity of this is evident, and should be investigated further, before an EU/EEA-wide regulation is put in place. The opening up for anyone who fulfils the technical requirements to become examiners poses a great challenge to the making of the rules to handle the issue of flight safety, as well as market liberalism.

response

*Partially accepted*

Please see the reply to comment 4747 above.

comment

7277

comment by: DGAC FRANCE

FCL 1010 paragraph (b) and (c)

Justification :

These 2 paragraphs don't give enough judgement freedom to the authority to decide if its level of trust towards an applicant for a examiner certificate is satisfactory or not .

As the examiner function is crucial for safety, the authority has to decide if it can really trust the pilot asking to become an examiner.

Modification :

~~(b) that they have not had their licence suspended, limited or revoke during the last 3 years,~~

~~(c) that they have not been subject to the application of any sanctions for non compliance with this part or Part OPS during the last 3 years.~~

**(b) If the applicant has had his licence suspended, limited or revoked, or is known to have been in non compliance with this Part or Part OPS, the competent Authority makes the decision to issue or not the**

**examiner certificate, taking into account the gravity and the kind of facts involving the applicant.**

response *Noted*

After careful consideration of the comments to this paragraph, the Agency has agreed to make some amendments to the text (see the replies to comments 682, 1614, and 4747 above).

It is considered that with these amendments the text now includes sufficient criteria and flexibility to arrive at a fair and safe solution. The Agency believes that this is preferable to just leave the decision to the total discretion of the authority.

comment 7304

comment by: ECOGAS

Current wording:

"Applicants for an examiner certificate shall demonstrate:

(b) that they have not had their licence suspended, limited or revoked during the last 3 years;"

Issue:

Does not allow for examiner candidates whose license was suspended by a now-addressed medical condition and therefore are fully able to resume the role

Suggestion: ADD "except where suspension was caused by a medical condition" to the end of sub-para (b)

response *Accepted*

Please see the reply to comment 1614 above.

comment 7545

comment by: FlightSafety International

What about license limited temporally for medical reasons, limited by an OML or suspended during investigations?

Delete (b), (c) is enough

response *Accepted*

Please see the reply to comment 1614 above.

comment 7673

comment by: Atlantic Training Support

FCL.1010(b) add 'except where suspension was due to a medical condition'

response *Accepted*

Please see the reply to comment 1614 above.

comment	<p>159 <span style="float: right;">comment by: <i>Irish Aviation Authority</i></span></p> <p>FCL.1010</p> <p>Suggest it should read: Applicants for an examiner <u>Authorisation</u> (NFC)</p>
response	<p><i>Not accepted</i></p> <p>As already explained in the Explanatory Note to this NPA, the Agency has used the term 'certificate' for reasons of consistency with article 7(5) of the Basic Regulation.</p>
comment	<p>160 <span style="float: right;">comment by: <i>Irish Aviation Authority</i></span></p> <p>FCL.1015</p> <p>Suggest: Applicants for an examiner Authorisation</p> <p>- note: Experience shows that standardisation courses and examiner training normally take more than one day and one flight - the courses need to be structured and planned as does the flight training - it is only by controlling the number of Authorised examiners that an Authority can meet these requirements.</p> <p>Also experience shows that although an applicant for an examiner authorisation may meet the minimum requirements, however he or she may not have the people skills and impartiality required to make a good examiner.</p> <p>The pillars of our safety standards lie in airworthiness certification, pilot licencing and aerodrome licencing, all of which are quantifiable in regulations, except where the issuing of a pilot licence is subject to a skill test, which is a subjective assesment of a pilots skills and judgement by an impartial and competent examiner.</p> <p>By allowing everyone who wishes to be an examiner the right to conduct skill tests at will, the local authorities will no longer be able to control standards or justify employing full or part time examiners.</p> <p>Flight schools will go for the 'soft option' every time to keep the pass rate up and standards will drop as a consequence.</p> <p>This may not be evident for a number of years after the implementation of the rules, when we see Flight schools offering courses at fixed prices with a guaranteed pass included.</p> <p>This comment is from the chief Flight Examiner with the Irish Aviation Authority based on experience as a flight instructor and Examiner and after consultation with current flight examiners inside and outside of Ireland. (NFC)</p>
response	<p><i>Not accepted</i></p> <p>After careful consideration of the comments received on this Subpart, the Agency considers that it has reached a proportionate text, that will allow for a safe system, with adequate oversight powers given to the competent authorities.</p>

The Agency cannot agree with your affirmation that a limitation of the number of existing examiners is a necessary condition to exercise that oversight. In fact, the Agency is of the opinion that this limitation represents an unjustified restriction to the right of access to a profession.

However, after careful consideration of the comments received on the status of examiners, the Agency has tried to reach a compromise solution, that we believe addresses your concerns.

Please see also the replies to comments on FCL.030.

comment 653 comment by: *British Microlight Aircraft Association*

Accepted

response *Noted*

Thank you for providing this feedback.

comment 1028 comment by: *CAA Belgium*

(c) last paragraph. It is not possible as for the Member State **IT IS NOT POSSIBLE TO HAVE KNOWLEDGE OF THE EXAMINERS BEING ACTIVE ON HIS TERRITORY.**

**THIS REMARK REFERS TO THE REMARK UNDER fcl.1000 CONCERNING THE COMPETENT AUTHORITY FOR EXAMINERS.**

**THIS QUESTION HAS TO BE RESOLVED PROPERLY.**

response *Noted*

Please see the reply to comment 5928 below.

comment 1109 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

**Comment:**

Since the examiner can freely exercise his/her privileges without authority delegation and work freely within the community, the standardisation course must be on a high level of professionalism and gives a great deal of responsibility to the individual examiner. Therefore, it is of essential interest that the standardisation course deals with all this matter; the professional part, the administrative part and the legal aspects. In the relevant text, there should be a regulation that reflects those aspects.

**Proposal:**

(b) The standardisation course shall include, at least:

(1) For the LAFE, FE, and FIE, at least two days, divided into theoretical and practical training;

(1.1) for other examiners, at least 5 days, divided into ground training and practical training in a simulator conducting role played proficiency checks and skill tests

response *Noted*

The Agency considers that it is not necessary to include a mandatory duration of the course in the rule, as that would restrict the possibility of the competent authority to adjust the course duration to the specific needs.

After careful consideration of the comments received to this paragraph, namely

the ones that mention an inconsistency in the text of the rule and the AMC as published in the NPA, the Agency will amend the text to just contain the essential elements that should be covered by the syllabus, and leave the duration of the course in the AMC to this paragraph.  
The Agency considers that this solution is proportionate and adequately ensures safety.

comment 1732 comment by: *Sven Koch*

Hat an einem Prüfer-Kurs teilgenommen.  
Ein Tag Theorie; an einer praktischen Überprüfung teilnehmen als Beobachter

response *Noted*

Thank you for providing your opinion, but the Agency does not understand the meaning behind this comment.

It seems to be only a more or less exact German translation of some elements contained in FCL.1015.

comment 2249 comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

Comment : editorial

Proposal: (2) Observation of 1 skill test or proficiency CHECK for licences or ratings .

response *Accepted*

The text will be amended accordingly.

comment 2425 comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

Comment: Last sentence of (c) implies that a standardisation course must be followed for each country where an examiner intends to exercise his privileges. As Part FCL is common to all member states, only one session is sufficient.

There is an urgent need to move towards a competency basis for training and evaluating examiners. The industry FCL group is prepared to make a proposal for amendment to AMC. This will enable time based and inventory prescriptions to be removed.

Proposal:

Move (b) (c ) and new (d) to AMC

delete wording from (c ) "and their documentation and reporting"

New para (d) Examiners shall be briefed on documentation and reporting, protection requirements for personal data... (existing wording)

**Amend AMC to FCL 1015**

1.1.1 For all examiners... (existing text)

	Delete para 1.1.2 Under 2. delete para d.
response	<i>Partially accepted</i>  Please see the reply to comment 5928 below.  As for your proposal to amend paragraph (c), the reference to documentation and reporting is necessary here since there are common requirements on both issues in Part-FCL and Part-OPS. However, it is true that a briefing on national administrative procedures is needed, and that element will be added to the text.
comment	2784 comment by: <i>French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</i>  FCL 1015 (a) :  FFA is not opposed to standardisation courses provided by approved training organisations, as long as the competent authority will continue to provide such courses for free.
response	<i>Noted</i>  Thank you for providing this feedback.
comment	2785 comment by: <i>French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</i>  FCL 1015 (c) :  FFA fully supports the requirement contained in the second sentence and applicable to the Member State.  For FFA, this requirement is a pre-requisite to the implementation of the proposed FE status.
response	<i>Noted</i>  Thank you for your feedback. Please see also the reply to comment 5928 below.
comment	2928 comment by: <i>AECA(SPAIN)</i>  (c) Delete last paragraph. It is impossible as for the Member State <b>IT IS NOT POSSIBLE TO HAVE KNOWLEDGE OF THE EXAMINERS BEING ACTIVE ON HIS TERRITORY. THIS REMARK REFERS TO THE REMARK UNDER FCL 1000 CONCERNING THE COMPETENT AUTHORITY FOR EXAMINERS. THIS QUESTION HAS TO BE RESOLVED PROPERLY.</b>
response	<i>Noted</i>  Please see the reply to comment 5928 below.
comment	3186 comment by: <i>FOCA Switzerland</i>

	<p>K/Section 1 FCL.1015</p> <p>Clarification</p> <p>(b) Not in conformity with AMC to FCL.1015 regarding course duration. A one day course, in section 1 only covers theoretical matters vs a course, divided into theory and practical matters according subpart K.</p> <p>Proposal</p> <p><b>AMC to FCL.1015</b> <b>1.1.1 should read: .. at least two days.. the assessment might be counted as practical training.</b></p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 1109 above.</p> <p>Taking into account that the duration of the course is not mandatory, and only mentioned in the AMC, the Agency considers that the precision you suggest is not necessary.</p>
comment	<p>3617 <span style="float: right;">comment by: <i>Susana Nogueira</i></span></p> <p>(b)(1) Delete '<b>1 day of</b>' To read: (1) Theoretical instruction.</p> <p>Justification: Inconsistency with AMC 1015, paragraph 1.1.2. The content of AMC is more realistic.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 1109 above.</p>
comment	<p>3655 <span style="float: right;">comment by: <i>M Wilson-NetJets</i></span></p> <p>FCL.1015</p> <p>Suggestion: add para (3) "be observed conducting an appropriate LPC/OPC/LST."</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. Please see to AMC 1 to FCL.1015 where your proposal is already included.</p>
comment	<p>3778 <span style="float: right;">comment by: <i>OAA Oxford</i></span></p> <p>FCL.1015. Add, paragraph (b) (3) "be observed conducting an appropriate LPC/OPC/LST".</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. Please refer to the response given to comment No 3655 above.</p>

comment	<p>3868 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p>
	<p>FCL.1015:  FCL.1015 (b)(1) is not harmonized or not in balance, respectively and in contradictory to AMC to FCL.1015.  Examiners FE /IRE normally exercise their privileges with ab initio applicants for licences/ratings at a low experience level. Therefore the demands on the standardisation of FE/IRE are at least equal or probably even higher as the demands on the standardisation of CRE or TRE, i.e. in the area of tests/checks for ratings with more experienced airmen.</p> <p>FIE privileges are applicable to applicants for an instructor certificate and holders of an instructor certificate, respectively. FIE should ensure a high level of quality and safety in the training area. Therefore a 1 day seminar compared to IRE, CRE or TRE ( 5 days) seems very unbalanced. The 5 day seminar for examiners, i.e. CRE SEP/MEP or IRE seems to much, might be a waste of time, might keep away or disgust applicants for an examiner certificate.</p> <p>The requirement stated in FCL.1015 (c) that examiners shall also be briefed on the protection requirements for personal data, liability, accident insurance and fees, as applicable in the Member State where they exercise their privileges, appears to be in contradiction to EASA's explanation that examiner privileges will be received from the community. What would be the briefing contents for an examiner, certificated by NAA Germany as CRE(A), exercising the community examiner privileges in UK for a dutch license/rating holder, using a Belgium registered aircraft? Thus, the logic seems to be questionable. The briefing requirements only make sense when the privileges are restricted to be exercised in the state of the issuing authority. Otherwise the requirement according to FCL.1015 (c) cannot be fulfilled because it is unknown to the competent authority where an examiner will exercise his privileges.</p> <p>Furthermore, experience has shown that a lot of examiners continue their flying activities after retirement from an EU-AOC holder, including instructor and examiner privileges, around the world with Arabian, Indian or Chinese AOC holders or TRTOs. Apparently EASA does not intend a restriction that examiner privileges shall be exercised only in the area of EU competency. Holders of examiner certificate will not be prevented from exercising the privileges granted from the community outside the EU competency area.</p>
response	<p><i>Noted</i></p> <p>Please see the replies to comments 1109 and 5928.</p>
comment	<p>3940 <span style="float: right;">comment by: <i>DCA Malta</i></span></p>
	<p>FCL.1015(b) is not in conformity with FCL 1015</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 1109.</p>
comment	<p>3946 <span style="float: right;">comment by: <i>Professional Air Training Ltd</i></span></p>
	<p>see comment 3938</p>
response	<p><i>Noted</i></p>

comment 4520 comment by: CTC Aviation Services Ltd

**Comment**

One day of theoretical instruction is unlikely to be sufficient for initial certificate issue to ensure competence in assessment skills of both Technical and Non technical skills and the necessary briefing/debriefing skills.

**Proposal**

(b) The standardisation course shall include, at least:

(1) **theoretical instruction sufficient to permit applicant to demonstrate competence in all the Examiner skills to the required standard.**

(2).....

response *Noted*

Please see the reply to comment 1109 above.

The minimum duration included in the AMC is just that, a minimum duration, and will not prevent the course for lasting longer if that is necessary to cover the syllabus and for the examiners to reach the adequate level of competence.

As for your proposed drafting, the Agency considers that it is already covered by the current text.

comment 4521 comment by: AEA

Relevant Text:

(b) The standardisation course shall include, at least:

(1) 1 day of theoretical instruction

(2) observation of 1 skill test or proficiency test for the licences or ratings for which the applicant seeks the privilege to conduct tests and checks.

**Comment:** Editorial

**Proposal:** Observation of 1 skill test or proficiency **CHECK** for licences or ratings

response *Accepted*

The text will be amended accordingly.

comment 4522 comment by: AEA

**Relevant Text:**

**(c) The standardisation course shall contain instruction on the applicable requirements of Part FCL and Part OPS, the conduct of skill tests and proficiency checks, and their documentation and reporting. Examiners shall also be briefed on the protection requirements for personal data, liability, accident insurance and fees, as applicable in the Member State where they exercise their privileges**

**Comment:**

**Last sentence of (c) implies than a standardisation course must be followed for each country where an examiner intend to exercise his privileges. As Part FCL is common to all member states, only one session is sufficient.**

	<b><u>Proposal:</u></b> <b><u>In (C), delete the last sentence</u></b>
response	<i>Not accepted</i>  The Agency considers it necessary the examiner to be briefed not only on the common community requirements, but also on relevant national requirements.  Please see the reply to comment 5928 below.
comment	4523 <span style="float: right;">comment by: CTC Aviation Services Ltd</span>  <b>(2) Comment-</b>  ---Observation of a single test does not demonstrate competence to conduct a test. There must be a test conducted in the training environment as examiner under supervision to demonstrate standardisation and competence.  <b>Proposal</b>  b(2) <b>observation and practice of skill tests or proficiency tests</b> for the licences or ratings for which the applicant seeks the privilege to conduct tests and checks, <b>to permit competent demonstration by the applicant of the required skills.</b>
response	<i>Partially accepted</i>  Thank you for providing your comment. Your proposal will be taken into consideration when drafting the final text.
comment	4748 <span style="float: right;">comment by: CAA Belgium</span>  FCL.1015(b)(1) This specifies 1 day of theoretical instruction. In the associated AMC, we find either 1 or 5 day courses for different categories of examiners. This needs harmonisation.
response	<i>Noted</i>  Please see the reply to comment 1109 above.
comment	4783 <span style="float: right;">comment by: CAA Belgium</span>  (b) not in conformity with AMC to FCL 1015
response	<i>Noted</i>  Please see the reply to comment 1109 above.
comment	5443 <span style="float: right;">comment by: CAA Belgium</span>  FCL.1015 (b)(1) is not harmonized or not in balance, respectively and in contradictory to AMC to FCL.1015. Examiners FE /IRE normally exercise their privileges with ab initio applicants for licences/ratings at a low experience level. Therefore the demands on the standardisation of FE/IRE are at least equal or probably even higher as the

demands on the standardisation of CRE or TRE, i.e. in the area of tests/checks for ratings with more experienced airmen.

FIE privileges are applicable to applicants for an instructor certificate and holders of an instructor certificate, respectively. FIE should ensure a high level of quality and safety in the training area. Therefore a 1 day seminar compared to IRE, CRE or TRE ( 5 days) seems very unbalanced. The 5 day seminar for examiners, i.e. CRE SEP/MEP or IRE seems to much, might be a waste of time, might keep away or disgust applicants for an examiner certificate.

The requirement stated in FCL.1015 (c) that examiners shall also be briefed on the protection requirements for personal data, liability, accident insurance and fees, as applicable in the Member State where they exercise their privileges, appears to be in contradiction to EASA's explanation that examiner privileges will be received from the community. What would be the briefing contents for an examiner, certificated by NAA Germany as CRE(A), exercising the community examiner privileges in UK for a dutch license/rating holder, using a Belgium registered aircraft? Thus, the logic seems to be questionable. The briefing requirements only make sense when the privileges are restricted to be exercised in the state of the issuing authority. Otherwise the requirement according to FCL.1015 (c) cannot be fulfilled because it is unknown to the competent authority where an examiner will exercise his privileges.

Furthermore, experience has shown that a lot of examiners continue their flying activities after retirement from an EU-AOC holder, including instructor and examiner privileges, around the world with Arabian, Indian or Chinese AOC holders or TRTOs. Apparently EASA does not intend a restriction that examiner privileges shall be exercised only in the area of EU competency. Holders of examiner certificate will not be prevented from exercising the privileges granted from the community outside the EU competency area.

response *Noted*

Please see the replies to comments 1109 and 5928.

comment *5928*

comment by: *UK CAA*

**Paragraph:** FCL 1015

**Page No:** 64

**Comment:** Given that examiners will now be able to operate independently from NAAs and that NAAs are still responsible for standardisation and oversight of examiners, this can only be done with the co-operation of the examiners.

**Justification:** Standardisation and oversight of examiners needs to put the responsibility on **both** the examiner and the NAAs.

**Proposed Text: (if applicable)**

INSERT

(d) Examiners shall comply with the standardisation and oversight requirements of the competent authority in whose area of responsibility the examiner conducts tests or checks.

response *Partially accepted*

After careful consideration of the comments received on this paragraph, and the reasoning behind them, the Agency agrees that the text needs to be amended to ensure that all Member States can exercise adequate oversight. Therefore, the text will be amended to include an obligation for examiners to inform the competent authorities of their intention to exercise their privileges

in their territory, and to receive a briefing on the specific national elements included in the standardisation course, before they can conduct skill tests or proficiency checks in the territory of that Member State.

comment 5934 comment by: UK CAA

**Paragraph:** FCL 1015 b (2)

**Page No:** 64

**Comment:** This is not clear whether the observed test with an Inspector counts as this requirement. Training should be kept separate from the examiner testing requirement

**Justification: Proposed Text:  
(if applicable)**

Practical training relevant to the role in conduct of test and assessment techniques on aircraft or STD in accordance with AMC to 1015.

response *Noted*

Thank you for providing your comment. The observation, if conducted by an inspector or senior examiner cannot count as a test.

Please see the amended text which was amended following some comments and now requires 2 tests to be conducted by the future examiner during the standardisation course.

comment 5936 comment by: UK CAA

**Paragraph:** FCL 1015 c

**Page No:** 64

**Comment:** This doesn't say who should deliver the training/briefing nor does it place responsibility on the individual or the Member State. Administration such as what documents to use and where to send forms is also important.

**Justification: Proposed Text:  
(if applicable)**

Prior to exercising their privileges in another Member State, examiners wishing to exercise their privileges shall request briefings from the competent authority of the Member State on the requirements for personal data protection, liability, accident insurance, test administration and fees applicable to the Member State.

response *Partially accepted*

Please see the reply to comment 5928 above.

comment 6517 comment by: Austro Control GmbH

**Comment:**

One fundamental idea of EU-FCL is to improve the safety of conducting flights. Therefore the examiners have to fulfil a specific responsibility to achieve this goal. Therefore training on one side and standardisation on the other are two major poles. If this is agreed it is understandable that standardisation is a major responsibility of the competent authorities and it must be in the interest of EASA from their supervising point of view that standardisation in practice has to be done in a narrow band. The involvement of training organisations in this task gives as a result – and this is easy to imagine – a wider variety of examiner standardisation training. It is imaginable that the competent authorities co-operate with specially qualified training organisations in such a

	<p>manner that the competent authorities have full control on examiner training at any time.</p> <p>Proposed Text:  (a) Applicants for an examiner certificate shall undertake a standardisation course provided by the competent authority. <del>or by an approved training organisation and approved by the competent authority.</del></p>
response	<p><i>Not accepted</i></p> <p>The paragraph very clearly requires that the course, when given by a training organisation, has to be approved by the competent authority.  In the Agency's view this ensures adequate oversight by the competent authority.</p>
comment	<p>6612 <span style="float: right;">comment by: <i>Light Aircraft Association UK</i></span></p> <p>Paragraph c). The LAA accepts the requirement contained in the second sentence and applicable to the Member State.</p>
response	<p><i>Noted</i></p> <p>Thank you for your feedback.</p>
comment	<p>6715 <span style="float: right;">comment by: <i>Flintshire Flying School Ltd</i></span></p> <p>P64 FCL 1015  The NPA suggests that an FE must Revalidate by attending a refresher seminar in addition to having conducted 3 flight tests, one of which must be an observed flight test in a 4 seat aircraft.</p> <p>Currently the revalidation of FE is attained quite satisfactorily by a Flight Test of the revalidation candidate by a FIE. The burden of a mandatory Seminar for a Revalidation rather than just for the Renewal case is over heavy. Also the observed flight test is totally impractical for the average PPL Flight school as it requires the PPL candidate to be trained in a 4 seat a/c, whereas majority train in two seat aircraft.</p>
response	<p><i>Noted</i></p> <p>The Agency supposes that your comment refers to paragraph FCL.1025 (b)(2). Please see the replies to comments on that segment.</p>
comment	<p>6924 <span style="float: right;">comment by: <i>UK CAA</i></span></p> <p><b>Paragraph:</b> FCL.1015 (b)(1)  <b>Page:</b> 64  <b>Comment:</b>  1015(b)(1) only requires 1 day for an examiner course yet the AMC to FCL.1015 paragraph 1.1.1 (page 576) amends this to read 1 day for LAFE, FE &amp; FIE divided into theoretical and practical training. AMC to FCL.1015 Paragraph 1.1.2 recommends 5 days for everyone else. Given the list of reading material in the AMC paragraph 2.1 plus the practical training requirements in paragraph 2.2, 1 day is unlikely to be meaningful and this course will become worthless. It must be of concern that this is too demanding for a 1 day course and will provide insufficient training for the examiner</p>

	<p>applicant prior to their skill test.</p> <p><b>Justification:</b> Finance will drive many courses to be submitted in accordance with FCL.1015 (b)(1) and the applicants will not learn sufficient to become effective examiners. Safety will be eroded.</p> <p><b>Proposed Text:</b> Change FCL.1015(b)(1) to read <i>3 days</i>, and Change AMC to FCL 1015 paragraph 1.1.1 to read "...at least 3 days</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 1109 above.</p>
comment	<p>7060 <span style="float: right;">comment by: CAA Norway</span></p> <p>FCL.1015(b)(1) This specifies 1 day of theoretical instruction. In the associated AMC, we find either 1 or 5 day courses for different categories of examiners. This needs harmonisation.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 1109 above.</p>
comment	<p>7308 <span style="float: right;">comment by: ECOGAS</span></p> <p>Current wording: "FCL.1015 Examiner standardisation (a) Applicants for an examiner certificate shall undertake a standardisation course provided by the competent authority or by an approved training organisation and approved by the competent authority."</p> <p>Issue: Insufficiently detailed and does not cover the requirement to learn examiner techniques prior to standardisation</p> <p>Suggestion: Replace para with: (a) Applicants for an examiner certificate shall undertake an Examiner Core Course followed by the a Examiner Standardisation Course related to the particular examiner privileges sought. These courses shall be provided by the competent authority or by an approved training organization and approved by the competent authority.</p>
response	<p><i>Not accepted</i></p> <p>The Agency has decided not to include the minimum duration for the course in the rule, and the remainder of your proposal to change the rule does not seem to add any advantage to the current wording.</p> <p>As for the content of the AMC you propose, it seems not only excessive, but also not adapted to all categories of examiners.</p> <p>At this time, therefore, the Agency has no evidence that your proposal, which departs from the system established in JAR-FCL, should be accepted.</p>

comment	7312	comment by: ECOGAS
<p>Attachment <a href="#">#58</a></p> <p>Current wording:          "FCL.1015 Examiner standardisation          (b) The standardisation course shall include, at least:          (1) 1 day of theoretical instruction;          (2) observation of 1 skill test or proficiency test for the licences or ratings for which the applicant seeks the privilege to conduct tests and checks.          (c) The standardisation course shall contain instruction on the applicable requirements of PartFCL and PartOPS, the conduct of skill tests and proficiency checks, and their documentation and reporting. Examiners shall also be briefed on the protection requirements for personal data, liability, accident insurance and fees, as applicable in the Member State where they exercise their privileges."</p> <p>Issue:          Paragraphs are insufficiently detailed and do not cover the requirement to learn examiner techniques prior to standardisation</p> <p>Suggestion:          Replace paras with:          (b) The Examiner Core Course is to cover the theoretical and practical principles of examining (see table attached) and shall last at least two days. This course shall contain instruction on the applicable requirements of Part-FCL and Part-Ops, the conduct of skill tests and proficiency checks, and their documentation and reporting. Examiners shall also be briefed on the protection requirements for personal data, liability, accident insurance and fees, as applicable in the member state where they exercise their privileges.          The Standardisation Course, which is to cover the practical aspects of examining for a particular license or rating, and will consist of a minimum number of days (see tables below). This course shall include observation of 1 skill test or proficiency check for the licenses or ratings for which the applicant seeks the privilege to conduct tests and checks, and being observed conducting an appropriate LPC/OPC/LST.          (c) (deleted).</p>		
response	<i>Not accepted</i>	
Please see the reply to comment 7308 above.		

comment	7569	comment by: CAA Finland
<p>FCL.1015(b)(1):          To be honest: The level of knowledge of FCL even within instructors is quite low. The Flight examiner manual is a good guidance for an examiner. Without helicopter module 4 the number of pages is 112. Above FEM the course shall include national requirements for example how to deliver forms to the Authority, insurances, national law about responsibilities, threat end error management etc. The minimum course length is all too low.</p> <p>Amended text proposal:</p> <p>(b) The standardisation course shall include, at least:          (1) <b>3</b> day of theoretical instruction;</p>		

	(2) observation of <b>2</b> skill tests or proficiency <b>checks</b> for the licences or ratings for which the applicant seeks the privilege to conduct tests and checks.
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 1109 above. The editorial correction is accepted and the text will be amended accordingly.</p>
comment	<p>7697 <span style="float: right;">comment by: <i>Cristian Olinescu</i></span></p> <p>As the examiner is intended to freely exercise his/her privileges freely within the community, the standardisation course must be on a high level of professionalism and gives a great deal of responsibility to the individual examiner. Therefore, it is of essential interest that the standardisation course deals with all this matter; the professional part, the administrative part and the legal aspects. In the relevant text, there should be a regulation that reflects those aspects. Proposal: (b) The standardisation course shall include, at least: (1) For the LAFE, FE, and FIE, at least two days, divided into theoretical and practical training; (1.1) for other examiners, at least 5 days, divided into ground training and practical training in a simulator conducting role played proficiency checks and skill tests</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. Please see the reply to comment 1109 above and the amended text of AMC 1 to FCL.1015.</p>
comment	<p>7885 <span style="float: right;">comment by: <i>Svenska Ballongfederationen</i></span></p> <p>FCL.1015 Examiner standardisation</p> <p>(b) (2) We have an average of about two certificate examinations per year in Sweden. If the examiner to be has to observe a certificate skill test this means that we might in some cases have to wait a year or two before the examiner applicant can be approved. This makes this a very tough and impractical demand. As argued before the Swedish instructors need to be able to conduct proficiency checks and therefore any examiner applicant will already have this knowledge. This needs to be removed.</p> <p>For more information about the instructor/examiner situation in Sweden see comments #7883 and #7894.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. After careful evaluation, the Agency decided not to change this part of the rule.</p>
comment	<p>8176 <span style="float: right;">comment by: <i>Alouette Flying Club</i></span></p> <p>Currently, in the UK all examiners are supplied with a CAA Handbook giving appropriate guidance. This arrangement has worked satisfactorily for some time. I see no need for such a standardisation course which would also involve</p>

	a cost to the examiner or his/her training organization.
response	<p><i>Noted</i></p> <p>The Agency considers that the course is necessary to ensure standardisation, and cannot be replaced by simply giving the applicant a copy of applicable procedures.</p>

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements - FCL.1020 Examiners assessment of competence**

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comment	<p>437 <span style="float: right;">comment by: <i>E.I.S. Aircraft</i></span></p> <p>Our aircraft (Pilatus PC-9) have tandem cockpits with 2 ejection seats. Since the pilot being checked out sits in the front cockpit and the examiner in the rear cockpit there is no seat for the inspector or the senior examiner available. Up to today we finalized our <b>examiner assessment of competence for a new examiner</b> by a special release of the national authority (one examiner checks the other!). An other acceptable option would be to place the inspector or senior examiner in the front seat, to act as the pilot to be checked. Such options for special releases in special cases (for the national authority) should be mentioned.</p>
response	<p><i>Noted</i></p> <p>Thank you for your comment. Please refer to AMC to FCL.1020 where the definition of 'Candidate' lines out the possibility for the Inspector of the Authority who is conducting the Examiner Certification Acceptance Test to take the pilot's place during the test.</p>
comment	<p>654 <span style="float: right;">comment by: <i>British Microlight Aircraft Association</i></span></p> <p>Accepted</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this feedback.</p>
comment	<p>1029 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>SAME COMMENT AS FOR FCL.1000 AND FCL.1015 CONCERNING THE COMPETENT AUTHORITY FOR EXAMINERS:</p> <p>The applicant should apply to the authority who issued his pilot licence or can he apply to any other authority ?</p>
response	<p><i>Noted</i></p> <p>Please see FCL.015 (d). It is the competent authority that issued the licence, except if the pilot has asked for a transfer of his/her files to another authority.</p>
comment	<p>1733 <span style="float: right;">comment by: <i>Sven Koch</i></span></p>

	Vor kompetenter Behörde eine Prüfung abnehmen incl Aufgabenstellung, Briefing und debriefing
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion but the Agency does not understand the meaning behind this comment.</p> <p>It seems to be only a more or less exact German translation of some elements contained in FCL.1020.</p>
comment	<p>2789 comment by: <i>French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</i></p> <p>FFA accepts the requirement that should simplify and clarify the current scheme, provided the representative of the competent authority plays the role of the student pilot.</p>
response	<p><i>Noted</i></p> <p>Thank you for your feedback.</p>
comment	<p>2835 comment by: <i>Dave Sawdon</i></p> <p>In smaller organisations it is probable that the examiner is also a senior instructor and will have performed progress checks on most/all of the student pilots. It is therefore necessary to add "except for progress checks" to FCL1005</p>
response	<p><i>Noted</i></p> <p>Please see the replies to comments on FCL.1005.</p>
comment	<p>3948 comment by: <i>Professional Air Training Ltd</i></p> <p>see comment 3938</p>
response	<i>Noted</i>
comment	<p>4529 comment by: <i>CTC Aviation Services Ltd</i></p> <p><b>Comment</b></p> <p>Completion of all examiner assessments by the Competent Authority without any delegation option is not reasonable or practicable</p> <p><b>Proposal</b></p> <p>Applicants for an examiner certificate shall demonstrate their competence to the competent authority, <b>or to an examiner nominated and assessed by that authority to act on their behalf</b>, through the conduct of a skill test or proficiency check in the examiner role for which privileges are sought, including briefing, conduct of the skill test or proficiency check, and assessment of the person to whom the test or check is given, debriefing and recording documentation.</p>
response	<p><i>Partially accepted</i></p> <p>The fact that the requirement says that the demonstration is made to the</p>

competent authority does not prevent it from delegating its functions in accordance with its national law, and in compliance with the Basic Regulation.

However, for reasons of consistency with FCL.1025 (b)(3), the Agency will clarify that the demonstration of competence should be made to an inspector of the authority or a senior examiner specifically tasked to do so.

comment 5723 comment by: *FNAM (Fédération Nationale de l'Aviation Marchande)*

In order to be consistent with other articles and disposals of the part FCL, please consider replacing each occurrence of "skill test" by "[skill test OR proficiency test](#)".

response *Noted*

The paragraph already refers to both skill tests and proficiency checks.

comment 5937 comment by: *UK CAA*

**Paragraph:** FCL.1020

**Page No:** 65 of 647

**Comment:** There is no differentiation between simulator privileges and aircraft privileges.

**Justification:**

A majority of training and testing for large aircraft TRE's and more and more of the smaller aircraft types are being conducted in simulators. This has led to a reduction in examiner skills in aircraft training and testing techniques. JAR-FCL did not take account of this issue. The current test does not differentiate between TRE's who primarily conduct checks in simulators and do not keep their aircraft examiners skills to a proficient standard. Therefore it is essential that EASA Part FCL provides for the differing skill bases that TRE's demonstrate.

**Proposed Text:  
(if applicable)**

- a)(a) Applicants for an examiner certificate shall demonstrate their competence to the competent authority through the conduct of a skill test or proficiency check in the examiner role for which privileges are sought, including briefing, conduct of the skill test or proficiency check, and assessment of the person to whom the test or check is given, debriefing and recording documentation
- (b) If the examiners assessment of competence is carried out in a FFS only, the privileges of the TRE shall be restricted to testing and checking in a FFS.
- (c) If the examiners assessment of competence is carried out in an aircraft, the privileges of the TRE shall be restricted to testing and checking in an aircraft.
- (d) If the examiners assessment of competence is demonstrated in both aircraft and FFS, the privileges of the TRE shall be unrestricted.

response *Not accepted*

Thank you for providing this comment. After careful consideration, the Agency decided to keep with the provisions of JAR-FCL.

comment 6614 comment by: *Light Aircraft Association UK*

	The LAA feels that this will simplify and clarify the current scheme.
response	<i>Noted</i>
	Thank you for your feedback.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements - FCL.1025 Validity, revalidation and renewal of examiner certificates**

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comment	<p>118 <span style="float: right;">comment by: <i>Nick Wilcock</i></span></p> <p>FCL.1025 (b) (1) requires that an examiner shall conduct at least 3 skill tests or proficiency checks during the 3 year validity period whereas Appendix 1 to JAR-FCL 1.425 5 required only 2 skill tests or proficiency checks to be conducted.</p> <p>There is no justification for this change - hence FCL.1025 (b) (1) should be changed to require only 2 such tests.</p>
response	<p><i>Accepted</i></p> <p>After careful revision of the comments received on this paragraph, the Agency agrees to go back to the requirements of JAR-FCL.</p> <p>This paragraph will be amended to require only 2 skill tests per year for all categories of examiners.</p> <p>The exception for some FE categories cannot be maintained as this would make the system very complicated. In order to align the different examiner categories and to make the system more transparent the required 2 tests or checks every year seem to be an acceptable standard for all examiner categories.</p>
comment	<p>436 <span style="float: right;">comment by: <i>E.I.S. Aircraft</i></span></p> <p>Our aircraft (Pilatus PC-9) have tandem cockpits with 2 ejection seats. Since the pilot being checked out sits in the front cockpit and the examiner in the rear cockpit there is no seat for the inspector or the senior examiner available.</p> <p>Up to today we finalized our <b>examiner extension</b> by a special release of the national authority (one examiner checks the other!).</p> <p>An other accaptable option would be to place the inspector or senior examiner in the front seat, to act as the pilot to be checked.</p> <p>Such options for special releases in special cases (for the national authority)should be mentioned.</p> <p>NPA 2008-17A mentions in Appendix I, subpart K, number 56: Exeptions for national authorities. Does that cover my comment?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. Nevertheless it is a copy of your comment no 437 received to FCL.1020. Please refer to the AMC to FCL.1020 where you will find the solution to your problem.</p>

comment	<p>655 <span style="float: right;">comment by: <i>British Microlight Aircraft Association</i></span></p>
	<p>"(c) Renewal. If the certificate has expired, the applicant shall comply with the requirements in FCL.1015 and FCL.1020 before he/she can resume the exercise of the privileges."</p> <p>Comment: There should be a specified period between a certificate lapsing and any requirement for additional training before to revalidate the certificate. The "lapse" may have been by only one day.</p>
response	<p><i>Noted</i></p> <p>The Agency considers that in the specific case of examiners, taking into account the importance of their role for safety, the renewal requirements should be applicable immediately after the expiry of the certificate. However, after careful review of the comments on this paragraph, the Agency has decided to amend the renewal requirements to exclude the need to undergo the full examiner course. Please see the reply to comment 4526 below.</p>
comment	<p>1030 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>(b)(1) QUESTION: which reason is there for different requirements for FE(A), FE(S),FE(B), LPL(S) or LPL(B) ? Proposal to harmonize this requirement <u>3 tests or proficiency checks every year</u> for all examiners.</p>
response	<p><i>Partially accepted</i></p> <p>After careful revision of the comments received on this paragraph the Agency agrees to go back to the requirements of JAR-FCL. This paragraph will be amended to require only 2 skill tests per year for all categories of examiners.</p> <p>The exception for some FE categories cannot be maintained as this would make the system very complicated. To align the different examiner categories and in order to make the system more transparent the required 2 tests or checks every year seem to be an acceptable standard for all examiner categories.</p>
comment	<p>1036 <span style="float: right;">comment by: <i>Geschäftsführer Luftsportverband RP</i></span></p> <p>Bei der Beschreibung (b)(1) Revalidation .... kann man bereits erkennen, dass man für den Luftsport von völlig falschen Voraussetzungen ausgeht und dieses Checkersystem aus dem gewerblichen Bereich einfach überträgt. Beim skill test oder proficiency check beim FE(S), FE(B), LPL(S), LPL(B) wird auf eine Überprüfung je Gültigkeitsjahr ermäßigt. Wir haben in unserer Rheinland-Pfälzischen Organisation etwa 2.500 Scheininhaber und sind lediglich das 6. größte Bundesland in Deutschland. Rechnen sie einmal aus, wieviel Prüfer für den Luftsport wir rekrutieren müssten!!</p> <p>Ganz abgesehen davon, dass hier der <b>LAFI-Prüfer gänzlich fehlt</b>, obwohl auch beim LPL ihr System Prüfungen vorsieht.</p> <p>Wie soll die Vorgabe (b)(3) der Prüfungsbeiwohnung durch einen Inspektor im Segelflug, Motorsegler mit 2 Sitzplätzen überhaupt sinnvoll durchgeführt</p>

werden??

Mein Vorschlag:

Herausnahme dieser ständigen periodischen Überprüfungen im LPL, PPL sowie Fluglehrer LAFI und FI im Luftsport. Die Überprüfungen sind vollständig durch den ein-stündigen Flug mit Fluglehrer innerhalb der zwei Jahresfrist ausreichend.

Erst wenn Tätigkeiten gewerbliche Ausmaße oder Berührungen erhalten, sind Überprüfungen sinnvoll, wobei Passagierflüge bis maximal 4 Personen an Bord und wenn der Pilot nicht der Zahlungsempfänger (sondern der Verein) ist, keine gewerbliche Betätigung darstellen.

response *Noted*

Thank you for providing your comment.

However, as this comment is dealing more with the issue of the proposed proficiency checks for LPL and SPL/BPL pilots instead of commenting on the proposed requirements for this segment, the issue of the proficiency check should be clarified first.

The issue of the proficiency check was discussed during the review phase based on the enormous amount of comments dealing with this issue and criticising the proposal for a mandatory proficiency check. The proposal was based on Annex III of the Basic Regulation where a mandatory assessment, check, test or examination is required.

Based on the input received, the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check but to revise the recency requirements for all categories and to introduce mandatory training flights with an instructor every 24 months (for helicopters every 12 months) instead. This was also proposed in your comment.

See the resulting text in the appropriate segments.

FCL.1025 contains the revalidation criteria for the examiner certificate. After careful revision of the comments received on this paragraph, the Agency agrees to go back to the requirements of JAR-FCL. This paragraph will be amended to require only 2 skill tests or proficiency checks per year for all categories of examiners.

The exception for some FE categories cannot be maintained as this would make the system very complicated. As pointed out in other comments correctly the FIE examiners for the LAFI and for the FI(S) or FI(B) were not excluded from the requirement to conduct at least 3 tests or checks. To align the different examiner categories and in order to make the system more transparent the required 2 tests or checks every year seem to be an acceptable standard for all examiner categories.

comment 1208

comment by: Schäfer

Für den Bereich Luftsport zu hohe kostentreibende Anforderungen.

response *Noted*

Thank you for providing your comment.

However, as there is no justification or explanation provided with this comment, your statement that these requirements are too costly for the recreational part of Aviation cannot be evaluated.

The Agency does not agree that the revalidation criteria for examiners contained in this paragraph will change the present situation regarding the costs for the examiners, pilots or organisations as in most of the Member States a similar system is already in place. For all the JAR licences such a system was already introduced.

comment

1378

comment by: *Bristow Helicopters*

(a) *Validity*. An examiner certificate shall be valid for 3 years **in addition to the remainder of the month of issue**.

Justification:

This is the existing validity under JAR-FCL 2 and will align better with the relevant instructor certificate validity period.

(b)(1) conducted at least ~~2~~ 3 skill tests or proficiency checks.....

~~(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority;~~

Justification:

(b)(1) 3 skill tests is an increase over the current JAR requirement of 2. What is the justification for this?

(b)(2) this is an additional requirement compared to JAR-FCL 2 and will have an operational and financial impact on the helicopter industry in terms of working time taken to attend authority courses and associated travel costs, or the cost of setting up and maintaining approval for an ATO course. What is the justification for this additional requirement?

Alternatively, retain the existing requirements and require completion of two of the three. This would align policy with instructor certificate revalidation requirements. Proposed amendment as follows:

*Revalidation*. An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate **fulfilled two of the following requirements**:

response

*Partially accepted*

(a)

This is already foreseen in AR.FCL.210.

After careful revision of the comments received on this paragraph, the Agency has decided to keep the current text, which in conjunction with the provision in Part-AR already allows for the date of validity to count from the end of the month.

(b)(1)

Please see the reply to comment 118 above.

(b)(2)

There are only two requirements: (b)(3) is dependent on (b)(1).

The Agency added this requirement for enforcement reasons, and to ensure standardisation of examiners. Even considering that this requirement will have some impact on industry, the Agency considers that it is necessary to ensure the consistency of the system and proper oversight and standardisation by the competent authorities.

comment 1540 comment by: *Danish Balloon Organisation*

**FCL.1025 (b):**

We suggest the wording amended to read:

"(b) *Revalidation*. An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate **fulfilled two out of the following three requirements: ...**"

Justification: In line with revalidation requirements for instructors a two out of three approach is more appropriate especially for the LPL, SPL and BPL holders to reflect the level of risk associated with the activity

response *Not accepted*

Please see the reply to comment 1378 above.

comment 1734 comment by: *Sven Koch*

3 Jahre gültig

Innerhalb 3 Jahren mindestens 3 Überprüfungen

Ein Prüfer-Fortbildungsseminar besucht

Eine seiner praktischen Prüfungen wurde von einem Inspektor beobachtet.

Im Luftsport (nicht gewerblicher Bereich) nur kostentreibend

response *Noted*

Thank you for your comment.

However, the first part of your comment seems to be some kind of a translation of the proposed requirement into the German language.

As there is no justification or explanation provided with this comment, your statement that these requirements are too costly for the recreational part of Aviation cannot be evaluated.

The Agency does not agree that the revalidation criteria contained in this paragraph will change the present situation regarding the costs for the pilots or organisations as in most of the Member States a similar system is already in place. For all the JAR licences such a system was already introduced.

comment 2134 comment by: *British International Helicopters*

(a) *Validity*. An examiner certificate shall be valid for 3 years **in addition to the remainder of the month of issue**.

Justification:

This is the existing validity under JAR-FCL 2 and will align better with the relevant instructor certificate validity period.

(b)(1) conducted at least ~~2~~ 3 skill tests or proficiency checks.....

~~(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority;~~

Justification:

(b)(1) 3 skill tests is an increase over the current JAR requirement of 2. What is the justification for this?

(b)(2) this is an additional requirement compared to JAR-FCL 2 and will have an operational and financial impact on the helicopter industry in terms of working time taken to attend authority courses and associated travel costs, or the cost of setting up and maintaining approval for an ATO course. What is the justification for this additional requirement?

Alternatively, retain the existing requirements and require completion of two of the three. This would align policy with instructor certificate revalidation requirements. Proposed amendment as follows:

*Revalidation.* An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate **fulfilled two of the following requirements:**

response *Partially accepted*

Please see the reply to comment 1378 above.

comment 2189

comment by: *Oelschlaeger, Harald*

Im Luftsport ist dies nur kostentreibend und bringt keinen zusätzlichen gewinn an Sicherheit.

response *Noted*

Thank you for your opinion.

Please see the reply to comment 1208 above.

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*  
2250

Comment: Appendix 1 of JAR-FCL 1.425 requisite is two skill tests or proficiency checks every year of the validity period, Part FCL require 3. Maintain JAR-FCL requirements

Proposal: (b)(1) conducted at least 2 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 2 skill tests or proficiency checks during the validity period;

response *Partially accepted*

Please see the reply to comment 118 above.

comment 2251

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters,*

*Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

Page: 65 FCL.1025 (c)

Comment: There is no credit when an examiner certificate has expired. The applicant has to do all the examiner course. In case of instructor certificate, there is way to renew the certificate without going through all the course.

Proposal: complete sufficient training and comply with FCL.1020, then describe circumstances for renewal in AMC

response *Partially accepted*

After review of the comments on this segment, the Agency has agreed to change the requirements for renewal.  
Please see the reply to comment 4526 below.

comment

2345

comment by: *AECA(SPAIN)*

(a) **Validity.** An examiner certificate shall be valid for 3 years **in addition to the remainder of the month of issue.**

Justification:

This is the existing validity under JAR-FCL 2 and will align better with the relevant instructor certificate validity period.

(b)(1) conducted at least **2 3** skill tests or proficiency checks.....

Justification:

(b)(1) 3 skill tests is an increase over the current JAR requirement of 2. What is the justification for this?

response *Partially accepted*

Please see the reply to comment 1378 above.

comment

comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*  
2392

**Comment 1** : In (a)(3), "In accordance with the applicable national legislation" introduces a difference between Member States for the implementation of this article

Proposal: Delete the reference to national legislation

**Comment 2:** this FCL.1025 (a)(3) is not clear:

Proposal:

For clarification, change (3) to read:

- (a)(3): One of the skill tests or proficiency checks completed, during the period of validity, shall be observed by an inspector from the competent authority or by a senior examiner specifically tasked by the competent authority to do so.

	<p>Insert para (b) (4) to read:</p> <ul style="list-style-type: none"> <li>• (b)(4) The senior examiner shall hold a qualification with equivalent authority to that sought by the applicant, in addition to having been assessed by the competent authority to undertake the role.</li> <li>• Revalidation. The competent authority should observe one of the skill tests or proficiency checks observed in the capacity of senior examiner during the period of validity.</li> </ul>
response	<p><i>Partially accepted</i></p> <p>The Agency agrees with the reasoning behind your comment. The reference to national law will be deleted, and an AMC will be included with criteria for the qualification of senior examiners. Please see also the reply to comment 5958 below.</p>
comment	<p>2803 <span style="float: right;">comment by: <i>Frank Gesele</i></span></p> <p>Problem.die Anforderungen zur Erneuerung sind zu hoch</p> <p>Lösung: kein Prof check durch FIE</p> <p>Begründung: Die Unfallzahlen zeigen dass ein Prof-Check nicht notwendig ist. Die FIE werden die Checks aller FIs in regelmässigen Abständen nicht leisten können...</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, it seems that the comment should have been addressed to another segment. As this paragraph is dealing with the revalidation criteria for examiners, the proficiency check with an FIE is not foreseen. Please see the responses in the appropriate segment.</p>
comment	<p>2836 <span style="float: right;">comment by: <i>Dave Sawdon</i></span></p> <p>Requiring an observed test does not make allowance of the effect this may have on the pilot who is being tested. It also is not feasible in 2 seat aircraft.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. Please refer to the response given to comment No 436 above.</p>
comment	<p>3021 <span style="float: right;">comment by: <i>Richard ALLEN</i></span></p> <p>FCL.140.B states that a proficiency check should be undertaken with an examiner every 6 years. Therefore, 6 years after the LPL and BPL are issued, there will be a large number of examiners required to undertake these proficiency checks for all pilots within the EU. However, prior and after this point (and up until year 12) there will not be the same requirement for that number of examiners. If this number of examiners were to be approved, the majority would find it difficult to have conducted the required number of proficiency checks in the validity period. It would therefore make sense for the proficiency check required in FCL.140.B to be allowed to be conducted by a</p>

	LAFI, a FI or an examiner.
response	<p><i>Noted</i></p> <p>On the question of proficiency checks, please see the reply to comment 3009 above.</p> <p>As for your proposal, the Agency considers that the text of article 7(5) and 1.j of Annex III to the Basic Regulation establishes that only an examiner can assess the competence/skill of pilots. Therefore, only an examiner can conduct skill tests or proficiency checks.</p>
comment	<p>3204 <span style="float: right;">comment by: <i>Susana Nogueira</i></span></p> <p>Delete from 'or, in the case of FE(S)...' to the end of paragraph. Justification: What is the reason for this different requirements?.</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 1030 above.</p>
comment	<p>3302 <span style="float: right;">comment by: <i>DGAC FRANCE</i></span></p> <p>Part FCL 1025 (b) (3)</p> <p>For a more efficient oversight of the examiners, observation of a test or check should be done in a rather equal period of time and not for example at the end of a validity period of the examiner authorisation and the beginning of the next validity period. It was the rule in JAR FCL.</p> <p>(b) (3) One of the skill tests or proficiency checks completed <b><i>during the last year of the authorisation</i></b> in accordance with (1) shall have been observed by an inspector from the competent authority or by a senior examiner specially tasked by the competent authority to do so, in accordance with the applicable national legislation.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>3453 <span style="float: right;">comment by: <i>Boeing</i></span></p> <p><b>Boeing Commercial Airplanes comments re: NPA 12008-17b</b> Page: 65 Paragraph: FCL.1025 (b)(3)</p> <p>The requirements for "senior examiners," as mentioned in this paragraph, are not provided in this NPA. Boeing requests that such requirements be included in the proposal.</p> <p>----- <b><u>JUSTIFICATION:</u></b> Clarification of the requirements is needed</p>
response	<p><i>Noted</i></p>

Please see the replies to comments 2392 and 5958.

comment 3656 comment by: *M Wilson-NetJets*

FCL.1025

- Not in accordance with current JAR requirements, no safety case to justify increasing the requirements

Suggestion: Amend 3 to 2 skill tests, per JAR

response *Accepted*

Please see the reply to comment 118 above.

comment 3782 comment by: *OAA Oxford*

FCL.1025.(b)(1) 3 skill tests exceeds current JAR-FCL requirement without justification. Suggestion: Amend to 2 skill tests

response *Accepted*

Please see the reply to comment 118 above.

comment 3869 comment by: *Luftfahrt-Bundesamt*

FCL.1025:

Requirements and/or GM on contents and duration of the **examiner refresher seminar according to** FCL 1025 (b) are missing.

An examiner seminar should be specific to its intended purpose with regard to the examiner category affected (e.g. FE or TRE or IRE etc.). This will enhance the public acceptance.

This NPA does not contain any pre-requisites or **requirements for a certificate as „ Senior Examiner“**.

Therefore an amendment is required for the purpose of EU-common standards on examiner refresher seminars and Senior examiners.

FCL.1025 (b)(1) requires 3 skills test/prof. checks per year, whereas FCL 1 only required 2 of these per year. The reason for increasing the number is not understood, and the increase is considered unnecessary. Furthermore, there is no indication as to the certificated examiner categories (multiple role as examiner). Clarification is therefore required for crediting of examiner duties in 1 category (e.g. CRE or IRE) towards other examiner categories for revalidation purpose.

FCL.1025(b)(2) is a new and questionable requirement with regard to the seminar which has not been included in JAR-FCL 1. Is it a copy from JAR-FCL 2? To us it seems to be too bureaucratic. The observation of an examiner's performance by inspectors or senior examiners for re-standardisation and re-authorisation has proven to be sufficient with regard to safety (see JAR-FCL 1.425 and App. 1 to JAR-FCL.1425). The different roles of examiners (i.e. CRE/TRE/SFE resp. FE resp. IRE resp. FIE) would require different refresher seminars to be specific and to justify this additional requirement.

response *Partially accepted*

The Agency agrees with your suggestion and will include an AMC on the content of the examiner refresher seminar, indicating that it should follow the content of the examiner standardisation course, and will take into account specific contents adequate to the category of examiner affected.

As for the issue of the senior examiner, please see the replies to comments 2392 and 5958.

For the issue of the number of skill test/proficiency checks required for revalidation, please see the reply to comment 118 above.

comment 3949 comment by: *Professional Air Training Ltd*

see comment 3938

response *Noted*

comment 4169 comment by: *Elmar KUEMMEL*

Im Luftsport (nicht gewerblicher Bereich) nur kostentreibend

response *Noted*

Thank you for your opinion.

Please see the response for comment No 1208 (Schäfer).

comment 4267 comment by: *SFG-Mendig*

Prüferfortbildung ist übertrieben, denn jeder Prüfer ist auch Fluglehrer und macht hierfür bereits seine Weiterbildung, sollte daher gestrichen werden.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree. The tasks of an instructor and the tasks and responsibilities of an examiner are different. Therefore the separate examiner refresher seminars will be kept and required in order to revalidate the examiner certificate.

The Agency will include an AMC on the content of the examiner refresher seminar, indicating that it should follow the content of the examiner standardisation course, and will take into account specific contents adequate to the category of examiner affected.

comment 4343 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1025(b)(1)

**Wording in the NPA**

(1) conducted at least 3 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period;

**Our proposal**

**Change:**

(1) conducted at least 3 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(A), LPL(S) or LPL(B) , and FIE(S), FIE(B), LAFIE(A) 3 skill tests or proficiency checks during the validity period;

**Issue with current wording**

The reduced requirements especially not to specify a certain number of examinations per year must be extended to all LPL examiners and the respective FIE.

**Rationale**

The requirement in all LPL levels must be compatible with the specific situation in the non commercial community

The requirement for a minimum instruction time in the last 12 months before expiry is not appropriate in the non commercial environment with voluntary examiners. In this environment there is not a constant flow of students. Also in the non commercial space the voluntary examiners must be given the option to shift priorities between private life, job and piloting. Continuity is sufficiently maintained for the recency if the required examinations are fulfilled during the validity period. This is discussed in more detail in general **comment 3250 Nr. 1**. We mention a LAFIE(A) here because we propose this separate function in another comment.

response *Not accepted*

Thank you for providing your opinion.

After careful revision of the comments received on this paragraph, the Agency agrees to go back to the requirements of JAR-FCL. This paragraph will be amended to require only 2 skill tests per year for all categories of examiners.

The exception for some FE categories cannot be maintained as this would make the system very complicated. As you pointed out correctly in your comment the FIE examiners for the LAFI and for the FI(S) or FI(B) were not excluded from the requirement to conduct at least 3 tests or checks. To align the different examiner categories and in order to make the system more transparent the required 2 tests or checks every year seem to be an acceptable standard for all examiner categories.

comment

4344

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1025(b)(1)

**Wording in the NPA**

(1) conducted at least 3 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period;

**Our proposal**

**Change:**

(1) conducted at least 3 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period **in any category for which a certificate is held;**

**Issue with current wording**

The requirement must not add up if an examiner holds multiple certificates as

FCL.035 may suggest.

**Rationale**

If examiners hold certificates in multiple categories which is quite often the case at least in the non commercial community the required number of examinations for revalidation should not have to be fulfilled separately for each category as FCL.035 may suggest. This could add up to many examinations for a single examiner.

response *Not accepted*

Thank you for providing this comment.  
Please see the reply to comment 3869 above and the amended text.

comment

4417

comment by: *Bond Offshore Helicopters*

(a) *Validity*. An examiner certificate shall be valid for 3 years **in addition to the remainder of the month of issue**.

Justification:

This is the existing validity under JAR-FCL 2 and will align better with the relevant instructor certificate validity period.

(b)(1) conducted at least ~~2~~ 3 skill tests or proficiency checks.....

~~(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority.~~

Justification:

(b)(1) 3 skill tests is an increase over the current JAR requirement of 2. What is the justification for this?

(b)(2) this is an additional requirement compared to JAR-FCL 2 and will have an operational and financial impact on the helicopter industry in terms of working time taken to attend authority courses and associated travel costs, or the cost of setting up and maintaining approval for an ATO course. What is the justification for this additional requirement?

Alternatively, retain the existing requirements and require completion of two of the three. This would align policy with instructor certificate revalidation requirements. Proposed amendment as follows:

*Revalidation*. An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate **fulfilled two of the following requirements**:

response *Partially accepted*

See the reply to comment 1378 above.

comment

4525

comment by: *AEA*

Relevant Text:

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

(1) conducted at least 3 skill tests or proficiency checks every year or, in the

case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period;

**Comment:**

Appendix 1 of JAR-FCL 1.425 requisite is two skill tests or proficiency checks every year of the validity period, Part FCL require 3. Maintain JAR-FCL requirements

**Proposal:**

(b)(1) conducted at least **2** skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), **2** skill tests or proficiency checks during the validity period;

response *Accepted*

Please see the reply to comment 118 above.

comment 4526

comment by: *AEA*

Relevant Text:

*(c) Renewal.* If the certificate has expired, the applicant shall comply with the requirements in FCL.1015 and FCL.1020 before he/she can resume the exercise of the privileges.

**Comment:**

There is no credit when an examiner certificate has expired. The applicant has to do all the examiner course. In case of instructor certificate, there is way to renew the certificate without going through all the course.

**Proposal:**

Comply with FCL 1020 and FCL 1025 (b) (2)

response *Accepted*

The Agency agrees with the reasoning. The text will be amended accordingly.

comment 4533

comment by: *CTC Aviation Services Ltd*

**Comment**

No case is offered for changing the revalidation requirement from two tests per year to three.

**Proposal**

b(1) conducted **at least 2** skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period;

response *Accepted*

Please see the reply to comment 118 above.

comment 4541

comment by: *CTC Aviation Services Ltd*

**Comment**

There is no provision for failure to achieve (1).

The requirement for renewal rather than revalidation to be applicable on the first day after the certificate lapses does not take account of the practical

requirements.  
 Inability to complete the revalidation within the validity period does not imply immediate loss of competence and a twelve month buffer should be permitted for revalidation before renewal is required, provided privileges are not exercised outside the validity period.

**Proposal**

(3).....  
 ...inspector from the competent authority or by a senior examiner specifically tasked by the competent authority to do so, in accordance with the applicable national legislation.

**(4) Any shortfall in (1) may be completed under supervision along with (2) and (3), within the first twelve months following certificate validity expiry to secure revalidation. Privileges shall not be exercised outside the validity period pending revalidation.**

(c) *Renewal*. If the certificate has expired **by more than twelve months**, the applicant .....

response *Not accepted*

Please see the reply to comment 655 above.

comment

4568

comment by: AEA

**Relevant Text:**

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

(1) conducted at least 3 skill tests or proficiency checks every year,

**Comment:**

The previous requirement was 2 skill tests or proficiency checks every year

**Proposal:**

Keep the initial requirement from JAR-FCL :

**(1) conducted at least 2 skill tests or proficiency checks every year**

response *Accepted*

Please see the reply to comment 118 above.

comment

4662

comment by: Héli-Union

(a) *Validity*. An examiner certificate shall be valid for 3 years **in addition to the remainder of the month of issue**.

Justification:

This is the existing validity under JAR-FCL 2 and will align better with the relevant instructor certificate validity period.

(b)(1) conducted at least ~~2~~ 3 skill tests or proficiency checks.....

~~(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority;~~

Justification:

(b)(1) 3 skill tests is an increase over the current JAR requirement of 2. What is the justification for this?

(b)(2) this is an additional requirement compared to JAR-FCL 2 and will have an operational and financial impact on the helicopter industry in terms of working time taken to attend authority courses and associated travel costs, or the cost of setting up and maintaining approval for an ATO course. What is the justification for this additional requirement?

Alternatively, retain the existing requirements and require completion of two of the three. This would align policy with instructor certificate revalidation requirements. Proposed amendment as follows:

*Revalidation.* An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate **fulfilled two of the following requirements:**

response *Partially accepted*

Please see the reply to comment 1378 above.

comment 4881

comment by: HUTC

(a) *Validity.* An examiner certificate shall be valid for 3 years **in addition to the remainder of the month of issue.**

Justification:

This is the existing validity under JAR-FCL 2 and will align better with the relevant instructor certificate validity period.

(b)(1) conducted at least ~~2~~ 3 skill tests or proficiency checks.....

~~(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority;~~

Justification:

(b)(1) 3 skill tests is an increase over the current JAR requirement of 2. What is the justification for this?

(b)(2) this is an additional requirement compared to JAR-FCL 2 and will have an operational and financial impact on the helicopter industry in terms of working time taken to attend authority courses and associated travel costs, or the cost of setting up and maintaining approval for an ATO course. What is the justification for this additional requirement?

Alternatively, retain the existing requirements and require completion of two of the three. This would align policy with instructor certificate revalidation requirements. Proposed amendment as follows:

*Revalidation.* An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate **fulfilled two of the following requirements:**

response *Partially accepted*

Please see the reply to comment 1378 above.

comment 5097

comment by: Diether Memmert

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Bei uns haben diese Funktion des 'examiners' - bis auf die PPL-Pruefung selbst (dort waren das Beamte des Luftamtes) - schon immer erfahrene Segelfluglehrer erfuehlt, das soll auch so bleiben.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(b)(1) Streiche 'FE(S), FE for the LPL(S)' und ersetze durch erfahrenen Segelfluglehrer

response

*Not accepted*

Thank you for providing your comment.

However, the first part of this comment seems to be a standard general comment and not a specific comment related to this paragraph FCL.1025 containing the examiner validity and the revalidation criteria. Please see the responses to your other general comments.

Regarding your statement at the end explaining that in Germany the function of the examiner is mostly exercised by experienced instructors and the proposal to delete the FE(S) and FE for the LPL(S) completely, the Agency does not agree. For the skill test (licence issue or extension TMG or commercial privilege) and the proficiency checks (e.g. if the licence holder does not fulfil the recency requirement or if the FI(S) would like to revalidate his/her instructor certificate with a proficiency check), a sailplane examiner is clearly needed. The text of article 7(5) and 1.j of Annex III to the Basic Regulation establishes that only an examiner can assess the competence/skill of pilots.

Therefore, only an examiner can conduct skill tests or proficiency checks.

The Agency has evaluated several national systems and is aware that in Germany for the above mentioned tests and proficiency checks examiners are used. It must be stated that the given statement is not right.

comment

5299

comment by: AEA

**Relevant Text:**

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

(1) conducted at least 3 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period;

(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority.

(3) One of the skill tests or proficiency checks completed in accordance with (1) shall have been observed by an inspector from the competent authority or by a senior examiner specifically tasked by the competent authority to do so, in accordance with the applicable national legislation.

**Comment:**

(b)(3) is not clear

**Proposal:**

For clarification, change (3) in :

*One of the skill tests or proficiency checks completed, during the period of validity, shall be observed by an inspector from the competent authority or by a senior examiner specifically tasked by the competent authority to do so, in accordance with the applicable national legislation.*

response

*Not accepted*

Thank you for providing this comment. The Agency has received other comments on this issue and decided to change the relevant paragraph in a different way. Please see the reply to comment 3302 above and the amended text.

comment

5301

comment by: AEA

**Relevant Text:**

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

(1) conducted at least 3 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period;

(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority.

(3) One of the skill tests or proficiency checks completed in accordance with (1) shall have been observed by an inspector from the competent authority or by a senior examiner specifically tasked by the competent authority to do so, in accordance with the applicable national legislation.

**Comment:**

In (a)(3), "In accordance with the applicable national legislation" introduces a difference between Member States for the implementation of this article

**Proposal:**



response	<p><i>of the previous examiner certificate for a further 3 years."</i></p> <p><i>Noted</i></p> <p>Please see the reply to comment 1378 above.</p>
comment	<p>5941 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1025 (b)  <b>Page No:</b> 65 of 647  <b>Comment:</b> The revalidation requirements are not consistent with other certificates or industry standards and should be standardised  <b>Justification:</b> The revalidation requirements should be standardised to reflect that competency is dependent on exposure, training and testing.  <b>Proposed Text: (if applicable)</b>  b) Revalidation. For revalidation of an examiner's certificate, the applicant shall, within the validity period of the certificate, fulfil the following requirements:  (1) conducted at least 3 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period;  <b>OR</b>  (2) Receive refresher training as an examiner at an approved training organisation or attend an examiner refresher seminar  <b>AND</b>  (3) one of the skill tests or proficiency checks completed in accordance with (1) shall have been observed by an inspector from the competent authority or by a senior examiner specifically tasked by the competent authority to do so, in accordance with the applicable national legislation.</p>
response	<p><i>Not accepted</i></p> <p>The Agency added the refresher seminar for enforcement reasons, and to ensure standardisation of examiners. Even considering that this requirement will have some impact on industry, the Agency considers that it is necessary to ensure the consistency of the system and proper oversight and standardisation by the competent authorities, and that it should not be an alternative requirement.</p>
comment	<p>5943 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL1025 (b) (2)  <b>Page No*:</b> 65  <b>Comment:</b> Period of attending a seminar should be stipulated. Under this rule an examiner could go for more than 5 years without receiving refresher training in a seminar.  <b>Justification:</b> Maintenance of standards and consistency with instructor seminars.  <b>Proposed Text: (if applicable)</b>  INSERT between (b) (1) and (b) 2    "and within the 12 months prior to the expiry of the authorisation"    {this will require the examiner to meet the requirements of (2) and (3) within 12 months}</p>

response

*Accepted*

The Agency agrees with the reasoning.  
The text will be amended accordingly.

comment

5958

comment by: UK CAA

**Paragraph:** FCL.1025 (b)(3)**Page No:** 65

**Comment:** The expression 'senior examiner' is used for the first time here. There is no definition in Part FCL and perhaps it is needed for the enlightenment of others. Furthermore, there is no guidance as to what the prerequisites are, what the privileges are and what the assessment of competence should be for a senior examiner.

**Justification:** This may mean different things to different people and therefore the expression needs to be defined.

**Proposed Text:**

AMC to FCL.1025(b)(3)

#### SENIOR EXAMINERS

##### GENERAL

1. The term "senior examiner" is noted in FCL.1025(b)(3) for the first time in the document and this AMC covers the following aspects;

- a. Status
- b. Privileges
- c. Minimum Qualifications
- d. Training Process
- e. Validity, Revalidation or Renewal
- f. Senior Examiner conduct
- g. Recurrent Developmental Training

##### STATUS

2. The senior examiner shall hold an examiner certificate detailing the privileges that may be exercised in the examiner role for which the privileges are sought. In the role of senior examiner, the holder must remember that he is acting on behalf of the competent authority when conducting revalidation or renewal assessments of competence.

##### PRIVILEGES

3. The senior examiner privileges are to;

- a. Revalidate the examiner certificate for FE, FIE, CRE, TRE and SFE appropriate to the senior examiner certificate held;
- b. At the discretion of the competent authority, conduct a renewal of an examiner certificate up to two years from the date that the examiner last exercised their privileges;
- c. Conduct a change of class or type for an examiner provided the senior examiner is suitably qualified on the applicable class or type;
- d. The senior examiner may be authorised on more than one class or type provided he is a current examiner on one class or type, has been an examiner on the other class or type within the last 5 years and holds a current class or

type rating on the other aircraft.

#### MINIMUM QUALIFICATIONS

4. The minimum qualifications for an examiner to be appointed as a senior examiner are as follows;

- a. Position in the organisation. The applicant should hold a senior position within the training department of his organisation. If this is a management position, then there must be no conflict between the two roles;
- b. The organisation must have an acceptable training infrastructure;
- c. Hold a licence and examiner certificate on the class or type requested for senior examiner;
- d. Experience. The applicant must have three years experience in the examiner role for which the senior examiner qualification is sought and must have completed a minimum of 12 tests as examiner on the aircraft class or type and should have completed at least 50 hours on type within the last 12 months preceding the application;
- e. Be observed by the competent authority conducting a skill test or proficiency check on the applicable class or type prior to acceptance for the senior examiner course.

#### TRAINING PROCESS

5. a. Pre-Course Study. Applicants for the post of senior examiner will be expected to have knowledge of the required legislation (see AMC to FCL.1015) prior to attending the training course.

b. Training Course. The competent authority will provide a two-day course covering the subject material in AMC to FCL.1015 aimed at ensuring the applicants understand the competent authority requirements for assessment. The course shall include the following main elements;

- 1) Review of legislation & terminology;
- 2) Regulation, the NAA and the company/organisation;
- 3) Requirements for training and testing;
- 4) Briefing and debriefing the examiner and the crew;
- 5) Assessment of examiner competence;
- 6) The NAA administrative arrangements.

c. Post-Course procedure. After completion of the two-day course, the applicant will be required to observe an inspector of the authority conducting an examiner assessment of competence. Following this observation, the senior examiner will conduct an assessment of competence on an examiner observed by an inspector of the authority. If successful, the senior examiner will be given his senior examiner certificate.

#### VALIDITY, REVALIDATION AND RENEWAL

5. A senior examiner certificate shall have a validity of three years and thereafter the reauthorisation shall be as required by the competent authority subject to the following;

- a. The senior examiner shall have conducted at least two examiner assessments in every yearly period within the three-year authorisation.
- b. An inspector of the authority shall observe one of the assessments

conducted in the 12 months of validity.

c. If the revalidation takes place within the last 12 months of the validity periods, then the next three-year period will run from the original expiry date rather than the date of the test.

d. The senior examiner certificate and the examiner certificate cannot be checked simultaneously. They are different tasks.

e. If the senior examiner certificate has expired, then he must discuss with the competent authority what the retraining requirements shall be (if any) to renew it.

#### SENIOR EXAMINER CONDUCT

6. The senior examiner must provide a role model for the examiner he is assessing and demonstrate all the qualities and skills expected of an examiner. The senior examiner shall;

a. Brief the examiner. The senior examiner should arrive in good time to be able to brief the examiner away from the crew. He should brief the purpose and format of the check, explaining that the examiner can expect an oral check of his legislative knowledge pertaining to the examiner certificate. Details of the simulator or aircraft should be confirmed.

Explain that on completion of the skill test or proficiency check, the senior examiner and the examiner shall confer before the examiner debriefs the crew. The examiner shall not announce any result without prior consultation with the senior examiner: this will ensure a common assessment standard.

Remind the examiner that the briefing and debriefing are to be directed to the crew not the senior examiner and that the senior examiner will take no part in the conduct of the detail.

Check the examiners record of tests.

b. Brief the crew as to his presence during the detail. Explain that any questions should be directed to the examiner. When the examiner is ready to brief the crew, the senior examiner should move to a position in the room where he is least obtrusive.

c. Conduct of the detail. The senior examiner should place himself in a position where the complete flight can be observed but where he doesn't get in the way of the examiner and should not intervene except in exceptional flight safety circumstances. The senior examiner shall take notes to compare them with the examiner's notes prior to the post flight debrief.

d. Debrief of the crew. Immediately prior to the examiner debriefing the crew, he must confer with the senior examiner to confirm that a common assessment standard has been achieved. Thereafter, the examiner will debrief the crew in his normal manner.

e. Debrief the examiner on his performance and ask pertinent questions to test the examiners knowledge of legislative matters.

f. Complete any competent authority administrative aspects that need completing.

#### RECURRENT DEVELOPMENTAL TRAINING

7. To maintain the privileges of the senior examiner certificate, the individual must attend an annual one-day refresher seminar organised by the competent authority. The purpose of the seminar is to update the senior examiners on changes to legislation, to refresh on routine aspects of the role and to discuss issues within industry. It is also an opportunity for the senior examiners to question the competent authority on current issues.

response *Partially accepted*

Thank you for providing this comment. Please refer to the amended text which established a new AMC No 2 to FCL.1020

comment

5963

comment by: *Bristow Academy*

FCL.1025 (b)

Why not retain the current revalidation method by requiring a skill test with an inspector, as presently required?

A) The proposal of para (b) is complicated as (1) requires 9 tests in 3 years, so why 9 tests, as 9 is not a very round number? If this proposal is retained, I suggest 9 tests in 3 years is fairer than 3 test every year

B) The examiner refresher seminar will probably be very fixed wing orientated if experience of the flight instructor seminar is anything to go by and of little value to the helicopter examiner.

I suggest Para (b) (1) to (3) is deleted and replaced by Para FCL.1020 reworded to read:

(b) *Revalidation*. Applicants for the renewal of an examiner certificate shall demonstrate..... etc

response

*Noted*

The Agency considers that taking into account the role of the examiner it is important to have recency requirements for the revalidation.

As for your second proposal, in terms of ensuring recency, our proposal is more adequate than just requiring total numbers during a total period of time.

As for the issue of the refresher seminar, the Agency added it for enforcement reasons, and to ensure standardisation of examiners. Even considering that this requirement will have some impact on industry, the Agency considers that it is necessary to ensure the consistency of the system and proper oversight and standardisation by the competent authorities.

In relation to the adequacy of its content, please see the reply to comment 3869 above.

comment

5979

comment by: *UK CAA*

**Paragraph:** FCL.1025 (b) (3)

**Page No:** 65 of 647

**Comment:** There are no instructions regarding the method by which the National Authority should qualify a senior examiner

**Justification:** EASA's principle is that the EU should be standardised. If the nomination of a 'senior examiner' is left to the applicable national legislation there will be differing standards applied yet each member state must then accept the 'senior examiner' within its operating boundary. It is essential that EASA state what the minimum requirements and standards will be

**Proposed Text:  
(if applicable)**

SECTION 8

Specific requirements for senior examiners – SE

FCL.1005.SE SE Privileges and conditions

(a) The privileges of a senior examiner for aeroplanes are to conduct:

(1) Examiner Authorisation Acceptance Check (EAAC) to revalidate a SFE/TRE, and SFI/TRI.

(2) Change of aircraft type on a current SFE/TRE certificate.

Type Rating Examiners (TREs), revalidation checks on Synthetic Flight Instructors (SFIs) or Type Rating Instructors (TRIs) and Crew Resource Management Instructors (CRMIs)

FCL.1010 SE – Pre-requisites

response *Not accepted*

Although the Agency agrees to include an AMC on the qualification of the senior examiner (see the reply to comment 5958 above), the Agency consider that the creation of a new category of examiner is not needed.

comment 5981

comment by: UK CAA

**Paragraph:** FCL.1025 (b)(3)

**Page No:** 65 of 647

**Comment:** The reference to 'senior examiner' being tasked by the competent authority is very loose. Under EU law, any examiner can conduct tests/checks anywhere in the EU. Thus a 'senior examiner' from one country may revalidate or renew the examiner certificate of an examiner in another country without the knowledge of the competent authority who is responsible for the examiner's certificate. This is not acceptable. The wording should be tightened to be more specific.

**Justification:**

**Proposed Text: (if applicable)**

Change (b)(3) to read "One of the skill tests or proficiency checks completed in accordance with (1) shall have been observed by an inspector from the competent authority or by a senior examiner specifically tasked by the competent authority *responsible for the examiner's certificate and* in accordance with national legislation."

response *Partially accepted*

This is already what results from FCL.001 and FCL.015 (d). However, the Agency recognises that adding it here will improve clarity. The reference to national legislation will be removed — for this please refer to the responses given to comments No 2392, 5301 and 5958.

comment	<p data-bbox="351 237 422 280">5984</p> <p data-bbox="1149 237 1457 280" style="text-align: right;">comment by: UK CAA</p> <p data-bbox="351 291 710 324"><b>Paragraph:</b> FCL.1025 (c)</p> <p data-bbox="351 324 630 358"><b>Page No:</b> 65 of 647</p> <p data-bbox="351 358 1316 392"><b>Comment:</b> The renewal requirements are unjustified and too onerous.</p> <p data-bbox="351 392 550 425"><b>Justification:</b></p> <p data-bbox="351 425 1444 548">If an examiner has expired by 1 day then to expect them to attend another 5 day course is unrealistic and would not constitute a benefit to safety. The renewal requirements should mirror the instructor competency requirements as they apply to both.</p> <p data-bbox="351 548 1444 616">NOTE: There would be scope for the staged requirements as detailed in AMC to FCL.740(b)(1) on page 375 of 647.</p> <p data-bbox="351 616 582 683"><b>Proposed Text: (if applicable)</b></p> <p data-bbox="351 683 1444 750">(c) Renewal. If the certificate has lapsed, the applicant shall, within a period of 12 months before renewal:</p> <p data-bbox="446 772 1444 873" style="padding-left: 40px;">(1) if the certificate has lapsed for less than 1 year, receive refresher training as a senior examiner under the supervision of another senior examiner or an inspector from the competent authority</p> <p data-bbox="446 873 502 907"><b>OR</b></p> <p data-bbox="446 907 1444 974" style="padding-left: 40px;">(2) If the certificate has lapsed for more than 1 year, comply with the requirements in FCL.1015 and FCL.1020</p> <p data-bbox="446 974 518 1008"><b>AND</b></p> <p data-bbox="351 1008 1444 1075" style="padding-left: 40px;">(3) demonstrate their competence to the competent authority in accordance with FCL.1020 of this part.</p>
response	<p data-bbox="351 1086 534 1131"><i>Not accepted</i></p> <p data-bbox="351 1142 1133 1187">Please see the replies to comments 655 and 4526 above.</p>
comment	<p data-bbox="351 1220 422 1265">6082</p> <p data-bbox="925 1220 1457 1265" style="text-align: right;">comment by: AA Brown BBAC # 3448</p> <p data-bbox="351 1288 1276 1332">FCL.1035 Validity, revalidation and renewal of examiner certificates</p> <p data-bbox="351 1355 1444 1657">This is impractical, there is insufficient throughput to allow each examiner to carry out 3 skill tests or proficiency checks every year or during the validity period. The requirement to carry out a certain number of checks has a very negative effect on Standards and Standard Operating Procedures. The examiner who simply takes the money and ticks the box becomes very popular where as the examiner who insists on correct operating procedures tends to be bypassed. Thus after three years if he had not completed the required number of checks his certificate would not be renewed. This system must be avoided at all costs as it ensures that standards and standardisation are compromised.</p> <p data-bbox="351 1680 1444 1780">This is another reason for limiting the number of examiners to ensure that there is sufficient demand to go around and if necessary a balancing system may need to be invoked.</p>
response	<p data-bbox="351 1803 438 1836"><i>Noted</i></p> <p data-bbox="351 1859 1444 1960">The requirement to complete a certain number of tests/checks is there to ensure recency of examiners. The Agency considers that it is a necessary requirement, and it was already included in JAR-FCL.</p> <p data-bbox="351 1960 1444 2020">It will also result in a natural limitation of the number of examiners, taking into account market demand and competence of the examiner, and not just a</p>

determination by the authorities.

comment 6401 comment by: DSvU

FCL.1025 Validity, revalidation and renewal of examiner certificates

Comment:

.....

(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority.

(3) *One of the skill tests or proficiency checks completed in accordance with (1) shall have been observed by an inspector from the competent authority or by a senior examiner specifically tasked by the competent authority to do so, in accordance with the applicable national legislation.*

(c) *Renewal.* If the certificate has expired, the applicant shall comply with the requirements in FCL.1015 and FCL.1020 before he/she can resume the exercise of the privileges.

Proposal:

.....

(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority.

(c) *Renewal.* If the certificate has expired, the applicant shall comply with the requirements in FCL.1015 and FCL.1020 before he/she can resume the exercise of the privileges.

Justification:

The observation by an inspector from the competent authority or by a senior examiner specifically should not be necessary when the examiner fulfill the other requirements.

(3) should be deleted.

response *Not accepted*

The Agency considers that the observation of one of the tests or checks by a representative of the authority is a necessary tool to ensure adequate and efficient oversight by the competent authorities.

comment 6435 comment by: DCAA

FCL.1025 (b) (2) Examiner refresher seminar. Duration and content of this seminar need to be specified.

response *Partially accepted*

Please see the reply to comment 3869 above.

comment 6680 comment by: Kevin Ison

I would prefer an examiner be allowed to carry out some training as well as being allowed to examine the student, providing another instructor has done the recommendation flight.

response *Noted*

This is also possible. Please see the replies to comments on FCL.1005.

comment

6956

comment by: *Austrian Aero Club*

**FCL.1025 Gültigkeit, Verlängerung und Erneuerung des Prüferzertifikates**

**(b) (3)**

Die Voraussetzungen, um die Prüferberechtigung zu erhalten, ist die Überwachung einer praktischen Prüfung oder einer Befähigungsüberprüfung durch einen Inspektor der Behörde. Für die Verlängerung hat der Prüfer ein Auffrischungsseminar zu besuchen. Daher ist es eine unnötige Auflage, verbunden mit Kosten, dass bei einer Verlängerung eine praktische Prüfung durch einen von der zuständigen Behörde beauftragten erfahrenen Prüfer (*senior examiner*) überwacht werden muss. Wenn es irgendwelche Zweifel an den Fertigkeiten des Prüfers gibt, hat die Behörde jederzeit die Möglichkeit eine Befähigungsüberprüfung oder eine praktische Prüfung zu beobachten. Der Österreichische Aero Club erachtet die zusätzliche Überprüfung durch einen „senior examiner“ als unnötig und lehnt diesen Vorschlag daher ab.

response

*Noted*

The fact that you need to do an initial assessment of competence for the issuance of the examiner certificate does not mean that there shouldn't be a regular assessment to verify the maintenance of skill by the examiner.

The Agency considers that the requirement for one of the test/checks to be supervised is an important factor in the oversight and standardisation of examiners.

comment

7151

comment by: *CHC Europe EASA Ops Team - representing 550 pilots across Europe*

(a) *Validity*. An examiner certificate shall be valid for 3 years **in addition to the remainder of the month of issue**.

Justification:

This is the existing validity under JAR-FCL 2 and will align better with the relevant instructor certificate validity period.

(b)(1) conducted at least ~~2~~ 3 skill tests or proficiency checks.....

~~(2) attended an examiner refresher seminar provided by the competent authority or by an approved training organisation and approved by the competent authority;~~

Justification:

(b)(1) 3 skill tests is an increase over the current JAR requirement of 2. What is the justification for this?

(b)(2) this is an additional requirement compared to JAR-FCL 2 and will have an operational and financial impact on the helicopter industry in terms of working time taken to attend authority courses and associated travel costs, or the cost of setting up and maintaining approval for an ATO course. What is the justification for this additional requirement?

Alternatively, retain the existing requirements and require completion of two of the three. This would align policy with instructor certificate revalidation requirements. Proposed amendment as follows:

	<p><i>Revalidation.</i> An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate <b>fulfilled two of the following requirements:</b></p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 1378 above.</p>
comment	<p>7316 <span style="float: right;">comment by: <i>ECOGAS</i></span></p> <p>Current wording:  "(b) Revalidation. An examiner certificate shall be revalidated when the holder has, during the validity period of the certificate:  (1) conducted at least 3 skill tests or proficiency checks every year or, in the case of FE(S), FE(B), and FE for the LPL(S) or LPL(B), 3 skill tests or proficiency checks during the validity period;"</p> <p>Issue: Not in accordance with current JAR requirements, no safety case to justify increasing the requirements</p> <p>Suggestion: In sub-para (b)(1), Amend 3 to 2 skill tests, per JAR</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 118 above.</p>
comment	<p>7492 <span style="float: right;">comment by: <i>British Airways</i></span></p> <p>The requirement for 3 skill tests/proficiency checks every year is increased from the 2 required under JAR FCL:</p> <p>Suggestion change to 2 skill tests/proficiency checks every year.</p> <p>FCL.1025.(c).</p> <p>Once the Certificate has expired there is no credit given to the applicant and they have to complete the entire examiner course unlike when a TRI certificate has expired.</p> <p>Suggestion: Complete sufficient training and comply with FCL.1020.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 118 above.</p>
comment	<p>7571 <span style="float: right;">comment by: <i>CAA Finland</i></span></p> <p>FCL.1025(c):  Like in IR or CR/TR (see my proposals) there shall be time limits and different requirements. Proposed new text:</p> <p>(c) <i>Renewal.</i> If the certificate has expired, the applicant shall <del>comply with the requirements in FCL.1015 and FCL.1020 before he/she can resume the exercise of the privileges.</del></p> <p>(1) go through refresher training to reach the level of proficiency needed;</p>

	(2) comply with the requirement in FCL.1020.
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>The text will be amended accordingly. Please see also the reply to comment 4526 above.</p>
comment	<p>7727 <span style="float: right;">comment by: <i>Reinhard Heineking</i></span></p> <p>Die Überwachung durch einen Fluglehrer-Inspektor verursacht unnötige Kosten. Ein Ausgebildeter Prüfer ist aufgrund seiner Erfahrung längerfristig in der Lage, sachgerechte Prüfungen abzunehmen. Die zusätzlich erforderliche Koordination von Prfling, LFZ, Flugplatz, Wetter, Prüfer und Prüferinspektor stelle eine unzumutbare Belastung mit Zusatzkosten dar, die vermieden werden kann, da nicht erforderlich. Daher sollte FCL.1025.(b).(3) gestrichen werden.</p> <p>Reinhard Heineking FI JAR_FCL PPL(A), TMG, GPL</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 6956 above.</p>
comment	<p>7887 <span style="float: right;">comment by: <i>Svenska Ballongfederationen</i></span></p> <p>FCL.1025 Validity, revalidation and renewal of examiner certificates</p> <p>(b)(1) Once again this will not work in Sweden due to the small number of balloonists, instructors and examiners. Today an instructor or examiner will perform less than one skill test or proficiency check every year.</p> <p>(b)(3) Once again this will be impractical due to the small number of examiners.</p> <p>For more information about the instructor/examiner situation in Sweden see comment #7883 and #7894.</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges your comment but considers a certain number of checks as a recency requirement. Please see the replies to comments 6082 and 6401 above and refer to the amended text for renewal.</p>
comment	<p>8135 <span style="float: right;">comment by: <i>Konrad Polreich</i></span></p> <p>FCL.1025 For small companies with only a few pilots it is difficult to realize 3 prof-checks per year. That makes us dependent from external examiners. The only sim of our aircraft type is in USA. Max 2 prof checks should be demanded</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 118 above.</p>

comment	8178	comment by: <i>Alouette Flying Club</i>
	<p>I do not consider this proposal to be necessary in order to improve the examining system. It would increase the difficulty of coordinating the necessary components of a flight test i.e. examiner, examinee, suitable aircraft, suitable weather and then, in addition, an observer all at the same time.</p> <p>In addition, an aircraft capable of taking three people would be required. This would inevitably entail using a four seat aircraft. It must be remembered that that the majority of students in the UK learn to fly in two seat aircraft in order to keep costs down. A Skills Test in a different aircraft type, just to accommodate an observer, would entail the student needing extra tuition to become sufficiently familiar with the new type to be able to be able to operate the aircraft to the level required in a skills test. The extra cost would be very significant.</p>	
response	<i>Partially accepted</i>	
	<p>Thank you for your comment. Please refer to the amended text and to AMC to FCL.1020 where the definition of 'Candidate' lines out the possibility for the Inspector of the Authority who is conducting the Examiner Certification Acceptance Test to take the pilot's place during the test.</p>	

comment	8212	comment by: <i>Klagenfurter Flugsport Club</i>
	<p>(b) (3) Die Voraussetzungen, um die Prüferberechtigung zu erhalten, ist die Überwachung einer praktischen Prüfung oder einer Befähigungsüberprüfung durch einen Inspektor der Behörde. Für die Verlängerung hat der Prüfer ein Auffrischungsseminar zu besuchen. Daher ist es eine unnötige Auflage, verbunden mit Kosten, dass bei einer Verlängerung eine praktische Prüfung durch einen von der zuständigen Behörde beauftragten erfahrenen Prüfer (senior examiner) überwacht werden muss. Wenn es irgendwelche Zweifel an den Fertigkeiten des Prüfers gibt, hat die Behörde jederzeit die Möglichkeit eine Befähigungsüberprüfung oder eine praktische Prüfung zu beobachten. Die Überprüfung durch einen „senior examiner“ ist daher nicht erforderlich.</p>	
response	<i>Noted</i>	
	<p>Please see the reply to comment 6956 above.</p>	

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 1: Common Requirements - FCL.1030 Obligations for examiners**

p. 65-66

comment	656	comment by: <i>British Microlight Aircraft Association</i>
	Accepted	
response	<i>Noted</i>	
	<p>Thank you for providing this feedback.</p>	
comment	684	comment by: <i>FOCA Switzerland</i>

K/Section 1  
FCL.1030

The possibility for examiners to endorse pilot's licences shall influence the surveillance / control-procedure for the authority. Specifically the regular update for the licensing system will be affected and therefore the authority cannot guarantee the validity of their information.

Proposal:

**(b)(2) To add: Such procedure can only be granted to examiners by the competent authority for whom they belong and only for revalidation of class/type-ratings exclusively.**

That means:

*if especially authorised for that purpose by the competent authority of issuance of the licence.*

response

*Accepted*

— After careful consideration of the comments received on this paragraph, as well as general comments on the status of examiners, specifically related to the oversight by competent authorities;  
— Taking into account also that allowing examiners, under certain circumstances, to revalidate pilot qualifications themselves will also benefit pilots, specifically in some Member States where the size of the territory makes it difficult to have proximity to the authority;  
— Considering also the system established by the Basic Regulation,

The Agency has agreed to establish a compromise solution, whereby the competent authorities may choose to authorise some examiners to revalidate pilot qualifications. Only these examiners, with a specific authorisation to do so from the authority in addition to the examiner certificate, will be able to endorse/revalidate/renew ratings and certificates. Examiners that do not have this authorisation will be competent to conduct skill tests and proficiency checks, but in this case they will only send a report to the competent authorities, and the rating or certificate will be revalidated/renewed by the competent authority.

The text of both FCL.1030 and the relevant paragraphs of Part-AR (including AR.FCL.200) will be amended to reflect this solution.

comment

1031

comment by: CAA Belgium

(b) (2) is it sure we want the examiner to renew an expired rating on the licence ?

(3) *"and to the competent authority that issued the examiner certificate"* should be deleted.

Proposal to add to the descriptive in points (i), (ii) and (iii) one standardized examination report form.

(c) *"records"* is too large. Should be replaced by *"copies of the skill test/prof check report"*.

response

*Noted*

(b)(2)

Yes, if authorised by the authority. Please see the reply to comment 684 above.

(b)(3)

Not accepted. The Agency considers that this is necessary to ensure oversight of examiners by the authorities.

As for the examination forms, please see the amended text of the Appendices to Part-FCL.

(c)

Not accepted. The Agency considers that the reference to records is adequate.

comment 2025 comment by: *Regierung von Oberbayern-Luftamt Südbayern*

Um die behördliche Aufsicht über die Examinier gemäß AR.FCL.205 wahrnehmen zu können, ist es erforderlich, dass jeder Prüfer die für den Prüfungskandidaten lizenzführende Behörde frühzeitig (spätestens 48 Stunden) vor der durchzuführenden Prüfung über Ort und Zeit der Prüfung, Person des Prüfungskandidaten sowie Art der Prüfung informiert.

Eine Prüfung, die ohne rechtzeitige Information der Behörde stattfindet, ist unwirksam und muss wiederholt werden.

response *Not accepted*

The obligation for the examiner to provide any information required by the authority for oversight activities is already included in paragraph (d).

In the Agency's view, this should be done upon request of the authority and not systematically. And the validity of the skill test/proficiency check should not depend on it.

comment 2410 comment by: *Luftamt Nordbayern*

Im Rahmen der Informationsveranstaltung beim BMVBS am 13.11.2008 wurde seitens der EASA die Auffassung vertreten, jeder Prüfling könne sich künftig seinen Prüfer zum Erwerb der Lizenz "selbst aussuchen". Dies ist nach unserer Kenntnis so nicht in den EASA-Vorschriften bzw. -Entwürfen nachlesbar. Vielmehr war bisher davon auszugehen, die Behörde weise dem Prüfling den Prüfer (wie bisher) zu, da in der Anlage 5 der EU-Verordnung 216/2008 in den Kriterien für qualifizierte Stellen zu Art. 13 unter Nr. 1 vom mit der "Durchführung der Prüfungen betrauten Personal" die Rede ist. Auch FCL.015 lit. a der legt fest "an application for the issue, revalidation or renewal of pilot licences an associated ratings and certificates shall be to the competent authority in a manner established by this authority". Diese Formulierung zeigt nach unserer Auffassung, daß die "competent authority" als Herrin des Prüfungsverfahrens den Ablauf bis zur Lizenzerteilung und damit auch den jeweiligen Prüfer bestimmt.

Offen wäre bei freiberuflich tätigen und vorher durch die Behörde nicht bestellten Prüfern außerdem die Frage der Prüferhaftung. Nach dem ebenfalls bei der Informationsveranstaltung am 13.11.2008 geäußerten Willen der EASA soll die Staatshaftung greifen. Nach Auffassung des Luftamts Nordbayern gibt es hierfür jedoch keinen Grund, wenn sich jeder Prüfling einen Prüfer selbst auswählt und die Prüfer frei ohne vorherige Zulassung und Zuweisung tätig

werden. So kann auch ein z.B. in Spanien anerkannter Prüfer in Deutschland Prüfungen abnehmen, ohne hierfür nochmals besonderes beauftragt zu werden. Prüfer würden damit zukünftig völlig frei vom Prüfling gewählt und insoweit Fluglehrern gleichgestellt. Eine Kontrolle und "Auswahl" der Prüfer erfolgt nur noch im Rahmen des Erwerbs und der Verlängerung eines "examiner certificates". Die Prüfer sind nicht Behördenangehörige und bieten als freie Unternehmer ihre Dienste an. Ob die bestandene Examiner-Prüfung als Anknüpfungspunkt für eine Staatshaftung ausreicht, ist nach dem Mitgliedstaatlichen Recht sehr fraglich.

Die freie Prüferwahl kann außerdem zu einem gefährlichen Trend bei der Prüfungsqualität führen. Ein bekannt sorgfältiger bzw. "strenger" Prüfer wird zukünftig evtl. Probleme haben ausreichend Prüflinge "anzuwerben". Es werden, zu Lasten der Sicherheit, zukünftig gerade die Prüfer besonderen Zulauf verzeichnen, die als großzügig bekannt sind. Ein solcher freier Wettbewerb des Prüfungspersonals um die Gunst der Flugschüler ist deshalb nicht wünschenswert. Die EASA ist offenbar der Ansicht, der funktionierende Wettbewerb bei den Fluglehrern/Flugschulen könne auf die Prüfer übertragen werden. Dies ist aber nicht der Fall. Während ein Flugschüler bei der Auswahl des Fluglehrers im eigenen Interesse auf dessen Qualifikation und ein hohes Ausbildungsniveau achten wird, geht es bei der Prüfung i.d.R. hauptsächlich um das sichere Bestehen. Es ist lebensfremd davon auszugehen, ein Prüfling fordere freiwillig eine anspruchsvolle Prüfung um seinen Leistungsstand beweisen zu können.

Es sollte daher zukünftig unbedingt bei dem Grundsatz bleiben, dass Prüfer zugewiesen werden und kein freier Wettbewerb der Prüfer stattfindet.

Diese Vorschrift sollte teilweise neugefasst werden und folgende Prüferpflichten enthalten:

1. Der Prüfer muß sich bei der jeweils örtlich zuständigen Luftfahrtbehörde registrieren und in eine Prüferliste aufnehmen lassen.
2. Der Prüfer darf nur Prüfungen durchführen, die ihm jeweils von der zuständigen Luftfahrtbehörde im Einzelfall zugewiesen werden. Prüfer und Prüfling könne sich nicht beliebig selbst zuweisen.
3. Zeit und Ort der Prüfung gibt der Prüfer rechtzeitig vorab der zuständigen Luftfahrtbehörde bekannt, damit diese ihre Aufsichtspflichten gemäß NPA 2008-22b ARFCL.205 erfüllen kann.

response

*Not accepted*

Please see the replies to comments 684 and 2025 above.

comment

2562

comment by: *CAA Belgium*

(b)(2)

This sentence is in contradiction with FCL 015 (a) which stipulates that it is the competent authority (CA) which establishes the working method. It is always possible that the CA wants to renew itself the ratings in order to check if the renewal training was correctly done.

response

*Noted*

Please see the reply to comment 684 above. The authority may choose.

comment	3205	comment by: <i>Susana Nogueira</i>
	(b)(2) This sentence is contradictory with FCL 015(a) which stipulates that is the competent authority which establishes the working method.	
response	<i>Noted</i>	
	Please see the reply to comment 684 above.	
comment	3301	comment by: <i>DGAC FRANCE</i>
	Part FCL .1030 (b) (2)	
	This paragraph is in contradiction with the FCL.015 (a) as the examiner is no more acting on the behalf of the competent authority. So to allow an examiner to act on a licence, a link between the competent authority and the examiner must be recreated and in addition the examiner has to follow the procedure put in place by the competent Authority to be informed and to receive the documentation related to these acts.	
	<b>FCL.1030...</b>	
	(b).....	
	(2) in the case of proficiency checks for revalidation or renewal, endorse the pilot's licence or certificate with the new expiry date of the rating or certificate, <b><i>if especially authorised for that purpose by the competent authority of issuance of the licence.</i></b>	
response	<i>Accepted</i>	
	Please see the reply to comment 684 above.	
comment	3870	comment by: <i>Luftfahrt-Bundesamt</i>
	FCL.1030: FCL.1030 (b) (2) needs further specification, or is it EASA's intention to give an examiner a general privilege for any licence entry? The requirements do not specify which examiner 'certificate' holder (i.e. FE,CRE TRE etc.) has the privilege for revalidation or renewal entries for different ratings/certificates ( type rating ,IR etc. or instructor certificates, i.e. FI,IRI,SFI,TRI etc.). An amendment is necessary which states that only the examiner that is personally conducting the test/check for revalidation has the privilege to enter into the licence of the tested/checked applicant, if all other requirements are fulfilled by the applicant.	
	In cases where the competent authority for the licence and the competent authority for the examiner authorisation are identical, the requirement according to FCL.1030 (b) (3) will cause unnecessary double paperwork in all instances. Thus, a differentiation seems feasible in this requirement.	
	Will this requirement also apply to examiners 'who draw their privileges directly from the community' and who act on non-EU license/rating/certificate holders outside of EASA's competency area (see our comment on FCL.1015(c))?	
response	<i>Noted</i>	

Please see the reply to comment 684 above.

As for the question of which examiner certificate has the privileges, this is defined in the privileges for each category of examiner certificate, in the different sections of this Subpart.

As for it being only for the examiners who conducted the test, that is already clear from the text of the paragraph.

comment 3950 comment by: *Professional Air Training Ltd*  
see comment 3938

response *Noted*

comment 3970 comment by: *Bayerisches Staatsministerium für Wirtschaft, Infrastruktur, Verkehr und Technologie*

Das vorgesehene Modell, dass jeder Prüfling sich künftig seinen Prüfer zum Erwerb der Lizenz selbst aussuchen kann, wird aus folgenden Gründen nicht befürwortet:

Nach den EASA-Vorschriften bzw. -Entwürfen ist vielmehr davon auszugehen, dass die Behörde dem Prüfling den Prüfer (wie bisher) zuweist, da in der Anlage 5 der EU-Verordnung 216/2008 in den Kriterien für qualifizierte Stellen zu Art. 13 unter Nr. 1 vom mit der "Durchführung der Prüfungen betrauten Personal" die Rede ist. Auch FCL.015 lit. a legt "an application for the issue, revalidation or renewal of pilot licences an associated ratings and certificates shall be to the competent authority in a manner established by this authority" fest. Nach dieser Formulierung bestimmt die "competent authority" als Herrin des Prüfungsverfahrens den Ablauf bis zur Lizenzerteilung und damit auch den jeweiligen Prüfer.

Offen wäre bei freiberuflich tätigen und vorher durch die Behörde nicht bestellten Prüfern außerdem die Frage der Prüferhaftung. Nach den bei einer Informationsveranstaltung am 13.11.2008 im BMVBS erhaltenen Informationen durch die EASA soll Staatshaftung greifen. Wenn sich jeder Prüfling einen Prüfer selbst auswählt und die Prüfer frei ohne vorherige Zulassung und Zuweisung tätig werden, gibt es für die Staatshaftung jedoch keinen plausiblen Grund. So kann auch ein z.B. in Spanien anerkannter Prüfer in Deutschland Prüfungen abnehmen, ohne hierfür nochmals besonderes beauftragt zu werden. Prüfer würden damit zukünftig völlig frei vom Prüfling gewählt und insoweit Fluglehrern gleichgestellt. Eine Kontrolle und "Auswahl" der Prüfer erfolgt nur noch im Rahmen des Erwerbs und der Verlängerung eines "examiner certificates". Die Prüfer sind nicht Behördenangehörige und bieten als freie Unternehmer ihre Dienste an. Ob die bestandene Examiner-Prüfung als Anknüpfungspunkt für eine Staatshaftung ausreicht, erscheint nach dem Mitgliedstaatlichen Recht äußerst fraglich.

Die freie Prüferwahl kann außerdem zu einem gefährlichen Trend bei der Prüfungsqualität führen. Ein bekannt sorgfältiger bzw. "strenger" Prüfer wird zukünftig evtl. Probleme haben, ausreichend Prüflinge "anzuwerben". Es werden, zu Lasten der Sicherheit, zukünftig gerade die Prüfer besonderen Zulauf verzeichnen, die als eher großzügig bekannt sind. Ein solcher freier Wettbewerb des Prüfungspersonals um die Gunst der Flugschüler ist deshalb

nicht wünschenswert und erscheint auch unter Sicherheitsaspekten sehr bedenklich.

Der funktionierende Wettbewerb bei den Fluglehrern/Flugschulen sollte nicht auf die Prüfer übertragen werden. Denn während ein Flugschüler bei der Auswahl des Fluglehrers im eigenen Interesse auf dessen Qualifikation und ein hohes Ausbildungsniveau achten wird, geht es bei der Prüfung i.d.R. hauptsächlich um das sichere Bestehen. Es ist unrealistisch davon auszugehen, dass ein Prüfling freiwillig eine anspruchsvolle Prüfung fordert, um seinen Leistungsstand beweisen zu können. Es sollte daher zukünftig unbedingt bei dem Grundsatz verbleiben, dass Prüfer von der zuständigen Luftfahrtbehörde zugewiesen werden und ein freier Wettbewerb zwischen den Prüfern nicht stattfindet.

Vorschlag:

Die Vorschrift sollte daher teilweise neugefasst werden und folgende Prüferpflichten enthalten:

1. Der Prüfer muß sich bei der jeweils örtlich zuständigen Luftfahrtbehörde registrieren und in eine Prüferliste aufnehmen lassen.
2. Der Prüfer darf nur Prüfungen durchführen, die ihm jeweils von der zuständigen Luftfahrtbehörde im Einzelfall zugewiesen werden. Prüfer und Prüfling könne sich nicht beliebig selbst zuweisen.
3. Zeit und Ort der Prüfung gibt der Prüfer rechtzeitig vorab der zuständigen Luftfahrtbehörde bekannt, damit diese ihre Aufsichtspflichten gemäß NPA 2008-22b ARFCL.205 erfüllen kann.

response *Noted*

Please see the reply to comment 2410 above.

comment 4547

comment by: *CTC Aviation Services Ltd*

### **Comment**

(2) is in conflict with AR.FCL.215 (b) which specifies that the competent authority must enter the expiry date in the licence / certificate after revalidation.

This text is the correct interpretation and AR.FCL.215 should only apply to initial issue.

### **Proposal**

.....performed;

b(2) in the case of proficiency checks for revalidation or renewal, endorse the pilot's licence or certificate with the new expiry date of the rating or certificate; **at initial issue the competent authority shall enter the expiry date on the licence/certificate.**

response *Noted*

Please see the reply to comment 684 above.

comment 4632

comment by: *Irish Aviation Authority*

FCL.1030 (b)(2) is contrary to:

AR.FCL.200 Procedure for issue and revalidation of a licence, rating or

	certificate	
	Which says in (b) When satisfied that the applicant meets the requirements, the competent authority shall issue, renew or revalidate the relevant licence, rating or certificate.	
response	<i>Noted</i>	
	Please see the reply to comment 684 above.	
comment	4749	comment by: <i>CAA Belgium</i>
	FCL.1030(b)(2) It is stated here that the examiner shall, for renewal and revalidation proficiency checks, endorse the pilot's license with the new expiry date of the rating/certificate. In particular for the renewal of expired ratings, this procedure increases the risk of a rating being erroneously renewed, i.e. the examiner makes a mistake in assessing if all renewal requirements, such as additional refresher training etc, has been met. We suggest to specify that all renewals shall be endorsed by the competent authority.	
	In general, we want to put forward the following: When examiners are entering new expiry dates in licenses, any mistakes made leads to a deterioration in the quality of our licensing systems. We will have license holders "out there" who have – according to the entries in their licenses – valid ratings, while our licensing systems will show otherwise. Experience has shown us that this is a sad fact of human performance and limitations, that errors will be made. When seen in the context of the new examiner regime, where all who qualify shall be granted examiner certificates, the consequences will invariably be a further deterioration of our data bases, and a corresponding increase in the number of pilots flying with invalid – but endorsed – ratings. Insurance-wise, this is also an interesting situation. As soon as the examiner no longer acts on our behalf, who bears responsibility when an accident happens to a pilot with such an endorsed – but still invalid – license/rating?	
response	<i>Noted</i>	
	Please see the reply to comment 684 above.	
comment	5002	comment by: <i>George Knight</i>
	P 66 "(c) Examiners shall maintain records with details of skill tests and proficiency checks performed and their results." The above needs a time limit - e.g. 12 months after completion of the test.	
response	<i>Partially accepted</i>	
	The Agency agrees that there should be a time limit. After consideration of AR. GEN.200, the Agency has agreed to establish a limit of 5 years, to be in line with the time period of the competent authorities.	
comment	5387	comment by: <i>ECA- European Cockpit Association</i>
	Add words:	

	<p>(d) Upon request by the competent authority <b><u>that issued the examiner certificate</u></b>, or the authority referred to in (b)(1), examiners shall submit all records and reports, and any other information, as required for oversight activities.</p> <p>Justification: For clarification purposes.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>5444 <span style="float: right;">comment by: CAA Belgium</span></p> <p>FCL.1030 (b) (2) needs further specification, or is it EASA's intention to give an examiner a general privilege for any licence entry? The requirements do not specify which examiner 'certificate' holder (i.e. FE,CRE TRE etc.) has the privilege for revalidation or renewal entries for different ratings/certificates ( type rating ,IR etc. or instructor certificates, i.e. FI,IRI,SFI,TRI etc.). An amendment is necessary which states that only the examiner that is personally conducting the test/check for revalidation has the privilege to enter into the licence of the tested/checked applicant, if all other requirements are fulfilled by the applicant.</p> <p>In cases where the competent authority for the licence and the competent authority for the examiner authorisation are identical, the requirement according to FCL.1030 (b) (3) will cause unnecessary double paperwork in all instances. Thus, a differentiation seems feasible in this requirement.</p> <p>Will this requirement also apply to examiners 'who draw their privileges directly from the community' and who act on non-EU license/rating/certificate holders outside of EASA's competency area (see our comment on FCL.1015(c))?</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 3870 above.</p>
comment	<p>5986 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL 1030 <b>Page No:</b> 65 <b>Comment:</b> The title is misleading <b>Justification:</b> Clarity <b>Proposed Text: (if applicable)</b> New Title " Conduct of Tests"</p>
response	<p><i>Partially accepted</i></p> <p>Title will be amended.</p>
comment	<p>5987 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Page No:</b> 65(a)(2) <b>Comment:</b></p>

This needs to be specific, some ratings only require "experience". Revalidation requires that the applicant holds the rating in the first place etc therefore the examiner need to check training, license and experience.

**Justification:****Proposed Text:****(if applicable)**

" verify that the applicant complies with all the training, license and experience requirements....."

response *Accepted*

Text will be amended accordingly.

comment 5988

comment by: UK CAA

**Paragraph:**

FCL1030 (b) (1 )

**Page No\*:**

65

**Comment:**

The English could be improved.

**Justification:**

Clarity of meaning and avoiding multiple meanings

**Proposed Text: (if applicable)**

inform the applicant of the result of the test. In the event of a partial pass or fail, the examiner shall inform the applicant that he/she may not exercise the privileges of the rating until a full pass has been obtained. The examiner shall detail any retraining requirement and explain the applicant's right of appeal.

response *Accepted*

Text will be amended accordingly.

comment 5989

comment by: UK CAA

**Paragraph:** FCL1030 (b) (2)

**Page No\*:** 65

**Comment:**

The examiner should only endorse the license if the test has been passed. Additionally, a proficiency check implies a renewal or revalidation

**Justification:****Proposed Text: (if applicable)**

In the event of a pass in a proficiency check, endorse the pilot's license or certificate with the new expiry date.

response *Accepted*

Text will be amended accordingly.

comment 5990

comment by: UK CAA

**Paragraph:** FCL 1030 (b) (3) (ii)

**Page No\*:** 65

**Comment:**

What information is required? All that is needed is that all the exercises have been completed and if not why not. Also what is the reason for any failed items

response	<p><b>Justification:</b> Poorly worded</p> <p><b>Proposed Text: (if applicable)</b> Confirmation that all the required manoeuvres and exercises have been completed in accordance with the test schedule and standard. If an item has been failed, the examiner shall record the reasons for this assessment.</p> <p><i>Accepted</i></p> <p>Text will be amended accordingly.</p>
comment	<p>5991 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL 1030 (3 ) (iii)</p> <p><b>Page No*:</b> 65</p> <p><b>Comment:</b> Surely this is the result i.e pass, partial pass, or fail?</p> <p><b>Justification:</b></p> <p><b>Proposed Text: (if applicable)</b> The result of the test, pass, partial pass or fail.</p>
response	<p><i>Accepted</i></p> <p>Text will be amended accordingly.</p>
comment	<p>6134 <span style="float: right;">comment by: Flybe Ltd</span></p> <p>FCL.1030 (c) requires that examiners maintain records of skill tests and prof checks without specifying a period. Such an omission is likely to invite interpretation which may, in some cases result in a very short period and, in others, unreasonably long. Suggest the following:</p> <p>FCL.1030 Obligations for examiners (c) Examiners shall maintain records with details of skill tests and proficiency checks performed and their results for at least three years after completion of those tests and checks.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 5002 above.</p>
comment	<p>6519 <span style="float: right;">comment by: Austro Control GmbH</span></p> <p><b>Comment:</b> Attention endorsement is not = revalidation The verb endorse offers a wide variety of translations which may result in different meanings in the national translations of EU-FCL what the examiner is in reality entitled to do. Therefore the wording should be</p> <p><b>Proposed Text:</b> (b) (2) in the case of proficiency checks for revalidation or renewal, <b>notwithstanding FCL 015</b>, endorse the pilot's licence or certificate with the new expiry date of the rating or certificate. <b>The validity of this endorsement is limited to one month.</b></p>

response

*Noted*

Please see the reply to comment 684 above.

See also Part-AR, specifically AR.FCL.215 (c) which allows the authorities to have specific procedures for a temporary 'endorsement' by the examiner, allowing the pilot to continue to exercise his/her privileges until the authority issues/revalidates/renews the licence/rating/certificate.

comment

6764

comment by: *Viehmann, Regierungspräsidium Kassel*

Das vorgesehene Modell, dass jeder Prüfling sich künftig seinen Prüfer zum Erwerb der Lizenz selbst aussuchen kann, wird aus folgenden Gründen nicht befürwortet:

Nach den EASA-Vorschriften bzw. -Entwürfen ist vielmehr davon auszugehen, dass die Behörde dem Prüfling den Prüfer (wie bisher) zuweist, da in der Anlage 5 der EU-Verordnung 216/2008 in den Kriterien für qualifizierte Stellen zu Art. 13 unter Nr. 1 vom mit der "Durchführung der Prüfungen betrauten Personal" die Rede ist. Auch FCL.015 lit. a legt "an application for the issue, revalidation or renewal of pilot licences an associated ratings and certificates shall be to the competent authority in a manner established by this authority" fest. Nach dieser Formulierung bestimmt die "competent authority" als Herrin des Prüfungsverfahrens den Ablauf bis zur Lizenzerteilung und damit auch den jeweiligen Prüfer.

Offen wäre bei freiberuflich tätigen und vorher durch die Behörde nicht bestellten Prüfern außerdem die Frage der Prüferhaftung. Nach den bei einer Informationsveranstaltung am 13.11.2008 im BMVBS erhaltenen Informationen durch die EASA soll Staatshaftung greifen. Wenn sich jeder Prüfling einen Prüfer selbst auswählt und die Prüfer frei ohne vorherige Zulassung und Zuweisung tätig werden, gibt es für die Staatshaftung jedoch keinen plausiblen Grund. So kann auch ein z.B. in Spanien anerkannter Prüfer in Deutschland Prüfungen abnehmen, ohne hierfür nochmals besonderes beauftragt zu werden. Prüfer würden damit zukünftig völlig frei vom Prüfling gewählt und insoweit Fluglehrern gleichgestellt. Eine Kontrolle und "Auswahl" der Prüfer erfolgt nur noch im Rahmen des Erwerbs und der Verlängerung eines "examiner certificates". Die Prüfer sind nicht Behördenangehörige und bieten als freie Unternehmer ihre Dienste an. Ob die bestandene Examiner-Prüfung als Anknüpfungspunkt für eine Staatshaftung ausreicht, erscheint nach dem Mitgliedstaatlichen Recht äußerst fraglich.

Die freie Prüferwahl kann außerdem zu einem gefährlichen Trend bei der Prüfungsqualität führen. Ein bekannt sorgfältiger bzw. "strenger" Prüfer wird zukünftig evtl. Probleme haben, ausreichend Prüflinge "anzuwerben". Es werden, zu Lasten der Sicherheit, zukünftig gerade die Prüfer besonderen Zulauf verzeichnen, die als eher großzügig bekannt sind. Ein solcher freier Wettbewerb des Prüfungspersonals um die Gunst der Flugschüler ist deshalb nicht wünschenswert und erscheint auch unter Sicherheitsaspekten sehr bedenklich.

Der funktionierende Wettbewerb bei den Fluglehrern/Flugschulen sollte nicht auf die Prüfer übertragen werden. Denn während ein Flugschüler bei der Auswahl des Fluglehrers im eigenen Interesse auf dessen Qualifikation und ein hohes Ausbildungsniveau achten wird, geht es bei der Prüfung i.d.R. hauptsächlich um das sichere Bestehen. Es ist unrealistisch davon auszugehen,

dass ein Prüfling freiwillig eine anspruchsvolle Prüfung fordert, um seinen Leistungsstand beweisen zu können. Es sollte daher zukünftig unbedingt bei dem Grundsatz verbleiben, dass Prüfer von der zuständigen Luftfahrtbehörde zugewiesen werden und ein freier Wettbewerb zwischen den Prüfern nicht stattfindet.

Vorschlag:

Die Vorschrift sollte daher teilweise neugefasst werden und folgende Prüferpflichten enthalten:

1. Der Prüfer muß sich bei der jeweils örtlich zuständigen Luftfahrtbehörde registrieren und in eine Prüferliste aufnehmen lassen.

2. Der Prüfer darf nur Prüfungen durchführen, die ihm jeweils von der zuständigen Luftfahrtbehörde im Einzelfall zugewiesen werden. Prüfer und Prüfling könne sich nicht beliebig selbst zuweisen.

3. Zeit und Ort der Prüfung gibt der Prüfer rechtzeitig vorab der zuständigen Luftfahrtbehörde bekannt, damit diese ihre Aufsichtspflichten gemäß NPA 2008-22b ARFCL.205 erfüllen kann.

response *Noted*

Please see the reply to comment 2410 above.

comment 6765

comment by: CAA CZ

FCL.1030 (b)(2) It is not clear if the examiner can enter also renewal to the licence. In accordance with Appendix to JAR-FCL 1.075 (4th page of the licence) the issuance of new qualification or its renewal can be entered only by the Authority.

response *Noted*

Please see the reply to comment 684 above.

This will depend on the concrete authorisation by the competent authority.

comment 6933

comment by: UK CAA

**Paragraph:** FCL1030 (c)

**Page No\*:** 65

**Comment:** How long must records be kept?

**Justification:**

No rating or authorisation lasts more than 3 years. Also for examiner oversight purposes the records should be examined by the Authority inspector at the 3 yearly observed test. 9 years would ensure every pilots Proficiency Check was retained.

**Proposed Text: (if applicable)**

Examiners shall maintain records of each test they have conducted for a period of not less than 9 years. The records shall contain the applicant's name and license number, date, details of the aircraft or STD and flight times, contemporary notes on the flight test including the result and justification thereof. Upon relinquishing an examiner authorisation the current records shall be forwarded to the competent authority.

response *Partially accepted*

Please see the reply to comment 5002 above.

comment	<p data-bbox="359 206 427 235">7061</p> <p data-bbox="1086 206 1445 235" style="text-align: right;">comment by: <i>CAA Norway</i></p> <p data-bbox="359 259 564 291">FCL.1030(b)(2)</p> <p data-bbox="359 293 1437 517">It is stated here that the examiner shall, for renewal and revalidation proficiency checks, endorse the pilot's license with the new expiry date of the rating/certificate. In particular for the renewal of expired ratings, this procedure increases the risk of a rating being erroneously renewed, i.e. the examiner makes a mistake in assessing if all renewal requirements, such as additional refresher training etc, has been met. We suggest to specify that all renewals shall be endorsed by the competent authority.</p> <p data-bbox="359 553 1437 965">In general, we want to put forward the following: When examiners are entering new expiry dates in licenses, any mistakes made leads to a deterioration in the quality of our licensing systems. We will have license holders "out there" who have – according to the entries in their licenses – valid ratings, while our licensing systems will show otherwise. Experience has shown us that this is a sad fact of human performance and limitations, that errors will be made. When seen in the context of the new examiner regime, where all who qualify shall be granted examiner certificates, the consequences will invariably be a further deterioration of our data bases, and a corresponding increase in the number of pilots flying with invalid – but endorsed – ratings. Insurance-wise, this is also an interesting situation. As soon as the examiner no longer acts on our behalf, who bears responsibility when an accident occurs to a pilot with such an endorsed – but still invalid – license/rating?</p>
response	<p data-bbox="359 994 440 1023"><i>Noted</i></p> <p data-bbox="359 1048 959 1077">Please see the reply to comment 684 above.</p>
comment	<p data-bbox="359 1144 427 1173">7389</p> <p data-bbox="940 1144 1445 1173" style="text-align: right;">comment by: <i>Irish Aviation Authority</i></p> <p data-bbox="359 1198 1437 1256">FCL.1030 should be extended by additional subparagraphs in the following way: -</p> <p data-bbox="359 1258 1437 1514">(e) When establishing themselves in a Member State other than the Member State in which they were first authorised as an examiner, all examiners must declare their presence to and register their details and qualifications with the the competent aviation authority of the new State, before they carry out any skill test or proficiency check. This is to allow the new Member State to discharge its obligations under FCL.1015 as regards standardisation and briefing. Examiners will be liable to pay for the costs incurred by that Member State for standardisation and briefing.</p> <p data-bbox="359 1516 1437 1612">(f) Where Member States aviation authority's derive revenue from the user charges paid by test candidates, examiners will be required to co-operate with the system applicable in that Member State for the collection of user charges.</p> <p data-bbox="359 1615 1437 1673">(g) Where Member States provide insurance cover for examiners liabilities, examiners shall be obliged to contribute towards the cost of such insurance.</p> <p data-bbox="359 1675 1437 1771">(Note: The cost of examiner briefing and standardisation can be considerable. Member States NAA's should not be expected to provide such services without recoupment of the costs.)</p>
response	<p data-bbox="359 1800 596 1830"><i>Partially accepted</i></p> <p data-bbox="359 1854 1437 1912">This obligation to inform the authority will be included in paragraph FCL.1015 (see comments to that paragraph).</p> <p data-bbox="359 1948 1437 2007">As for the remaining aspects (related to revenue, insurance, etc), they are not included in the scope of the Basic Regulation, and therefore are left to Member</p>

States' national systems.

comment 7574 comment by: CAA Finland

FCL.1030(b)(1):

It is not clearly expressed that the examiner shall inform the examinee that also in case of revalidation 2 months before expiry date the examinee has shown non-competent skills and he/she may not exercise his/her privilege. Amended text proposal:

When the applicant hasn't passed the test or check, the examiner shall **prohibit him/her to use the licence or rating** and also inform him/her of the consequences of that fact, of the requirements he/she will have to comply with in order to exercise the privileges sought,

response *Noted*

It is not the examiner that prohibits the exercise of the privileges, this is a result of the law; the examiner merely informs the pilot.

Please see the reply to comment 5988; the text will be amended to improve clarity.

comment 7575 comment by: CAA Finland

FCL.1030(b)(2):

Depending on how long a rating has been expired there may be additional training and/or examination requirements before the rating may be renewed. The examiner typically does not know requirements in detail; the examinee even less. The documentation of additional training is normally sent to the Authority. Renewal shall be done via the Authority. Amended text proposal that is in line with JAR-FCL:

(2) in the case of proficiency checks for revalidation ~~or renewal~~, endorse the pilot's licence or certificate with the new expiry date of the rating or certificate;

response *Noted*

Please see the reply to comment 684 above.

The examiner will only endorse the licence when specifically authorised by the authority, and in this case he/she will have the relevant information.

comment 7576 comment by: CAA Finland

FCL.1030(c):

Time limit is missing and also the possibility of the organisation. Amended text proposal:

(c) Examiners **or, when delegated in written to, the operator hiring the pilot** shall maintain **for 5 years** records with details of skill tests and proficiency checks performed and their results.

response *Partially accepted*

For the time limit, please see the reply to comment 5002 above.

This is a specific obligation for the examiner, which is necessary also for the purpose of oversight of the examiners themselves.  
In this respect, it is different and cannot be replaced by the obligation on the operator to also keep records on the pilots it employs.

comment	8227	comment by: AOPA Sweden
	Examiners should have the privilege to issue temporary licences or ratings, after a passed skill test or PC. This to ensure that the pilot can exercise his/her privileges directly after the skill test. Undue delay at authorities of the mail should not be a reason for keeping pilots on the ground. System is already used in Sweden for a long period of time with good experiences.k	
response	Noted Please see the reply to comment 6519 above.	

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 2: Specific requirements for flight examiners**

p. 66

comment	3951	comment by: Professional Air Training Ltd
	see comment 3938	
response	Noted Please see the response provided to comment No 3938.	
comment	5929	comment by: Bristow Academy
	FCL.1005.FE (b) In order to authorise an examiner to conduct tests for the PPL only without CPL test privileges I suggest rewording as follows:  (1) skill tests for the issue of <b>(i) the PPL(H)</b> <b>(ii) the CPL(H)</b>	
response	Noted With the current wording this is possible. The Agency sees no need to change the wording.	

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 2: Specific requirements for flight examiners - FCL.1005.FE FE - Privileges and conditions**

p. 66-67

comment	383	comment by: REGA
	<b>STATEMENT</b> <i>(b)(ii)</i> versus <i>(b)(iii)</i> :the regulation requires less experience for flight examiners when insert single pilot multi engine (1'000 hours) type ratings in licences than insert single pilot single engine (2000 hours) type ratings.	

	<p><b>PROPOSAL</b> Reverse the requirements.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that the requirements could not stay as they were proposed. Requiring less experience for examiners conducting skill tests or proficiency checks for a multi-engine helicopter than for an examiner conducting tests or checks for a single-engine helicopter type rating (on a CPL) makes no sense.</p> <p>However, the proposal was based on the JAR-FCL requirements which have been transferred. In JAR-FCL 2.435 you will find the prerequisites for the FE(H). These requirements clearly ask for 1000 hours flight time in the case of tests and checks for the PPL(H) and 2000 hours experience for CPL(H) tests and checks (both including 250 hours flight instruction). Additionally a reference is added for the examiners wishing to conduct also tests or checks for a single-pilot multi-engine helicopter type rating. These additional requirements are contained in JAR-FCL 2.439 (TRE(H) prerequisites) and ask for a different amount of flight time, a professional helicopter pilot licence and a valid IR(H) if applicable.</p> <p>The Agency carefully reviewed this issue and further discussed it with the licensing experts. It came to the conclusion to stay as close as possible with the JAR-FCL requirements as it is one of the main goals to transfer most of the established AR-FCL requirements. This was also the reason not to change simply the amount of hours required (in (ii) and (iii)) but to keep the required 2000 hours flight time for skill tests and checks on the CPL(H) as already introduced with JAR-FCL. It was finally decided to add the additional requirements mentioned in JAR-FCL 2.439(b) in the case of a multi-engine type rating but to require the same amount of hours as for the single-engine type ratings (1000 hours for the PPL and 2000 hours experience for the CPL). The Agency strongly believes that this amount of flight time will be also sufficient for receiving this additional privilege.</p>
comment	<p>405 <span style="float: right;">comment by: <i>Rod Wood</i></span></p>
	<p>(b)(1) Examiners at CPL(H) level should have some form of further standardisation delivered by the competent authority before being granted this status.</p>
response	<p><i>Not accepted</i></p> <p>This was not a requirement in JAR-FCL, and the Agency sees no need to change it.</p>
comment	<p>408 <span style="float: right;">comment by: <i>Arno Schilbach</i></span></p>
	<p>250 hours of flight instruction is to much for non commercial instructors.</p> <p>Justification: Due to the small number of students it will take approx. 10 years to collect the 250 hours. I would propose to reduce the number of hours and therefore do a workshop</p>

	<p>with "senior examiners" to get a standardized level of the quality of the examiners.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency carefully reviewed the comments received on this issue. The necessary minimum amount of flight instruction time for the examiner was further discussed during the review. Finally it was decided to stay as close as possible with JAR-FCL (see JAR-FCL 1.435) and to not change the given numbers without further safety assessment.</p> <p>However, based on the evaluation of the comments, the Agency also decided to introduce a specific requirement for the FE who wishes to conduct only skill tests or proficiency checks for the LAPL in order to allow the GA community to recruit a sufficient number of examiners for this kind of licence. The examiner conducting tests and checks for the LAPL(A) or LAPL(H) has to have completed at least 500 hours flight time including 100 hours of instruction in the case of aeroplanes and 150 hours in the case of helicopters.</p>
comment	<p>420 <span style="float: right;">comment by: <i>Geschäftsführer Luftsportverband RP</i></span></p> <p>Abänderung von (a), (1) auf 500 Flugstunden und 150 Ausbildungsstunden. Bei den Voraussetzungen muss die Situation der Vereinsausbildung mit einbezogen werden, es kann nicht sein, dass grundsätzlich gewerbliche Flugschulen als Maßstab herangezogen werden. Ein Pilot der jährlich 50 Flugstunden nachweist braucht immerhin 10 Jahre, um 500 Flugstunden zu sammeln, d.h. er hat viele Wetterlagen und Flugsituationen erlebt. Darüber hinaus hat er mit 150 Ausbildungsstunden mindestens 3 - 4 Piloten komplett ausgebildet. Es muss erreicht werden, dass mindestens 20 % aller Fluglehrer, auch Exeminer werden können (sofern man dieses Prüfungs- und Überprüfungssystem überhaupt aufrecht erhalten will), damit in den Vereinen Prüfungskosten im Rahmen bleiben.</p> <p>Der Abschnitt (a) (3) ist falsch eingegliedert, da ein ausschließlicher Prüfer für LPL(A) niemals ein FE(A) sein kann. Dieser Prüfer muss -ähnlich dem Unterpunkten (g) und (h) - als Unterpunkt (i) für FE(LPL-A) ergänzt werden und nachfolgende Werte beinhalten:</p> <p>300 Flugstunden und 100 Ausbildungsstunden für den LPL(A).</p> <p>Mit gleicher Begründung Abänderung von (e)(2) auf 250 Stunden mit 100 Stunden oder 250 Starts als Ausbilder.</p> <p>Änderung in (g) mit gleichen Werten wie bei (e)</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for your opinion.</p> <p>Regarding your proposal to lower the required flight experience and the amount of instruction time please see also the response to comment No 408 above. As these numbers were already a requirement in JAR-FCL, the Agency has seen no need to change them during the drafting phase. Based on the comments received the Agency has revised the proposals and some changes</p>

were introduced. Please see the resulting text for (a)(1).

Regarding your proposal to restructure this paragraph and create a separate FE for the LPL, the Agency does not agree. FCL.1010.FE establishes that there will be also an FE who will be allowed to conduct only test and checks for the LPL (this FE has to hold only an LPL with LAFI certificate). The proposed total amount of 500 hours flight time in (a)(3) will be kept but the required instruction time will be lowered to 100 hours.

The experience requirements in (e) for the sailplane examiner has been considered by the experts in the FCL.001 group and the Agency as adequate taking into account the importance of the role of the examiners in ensuring the safety of the FCL system. As no justification is given why these numbers should be changed the Agency will keep it unchanged.

comment 505 comment by: *Swiss glacier pilots association*

This kind of letters means = comment

~~This kind of letters / color means = text has to be deleted~~

This kind of letters / color means =replaced or accepted text

**FCL.1005.FE FE Privileges and conditions**

(a) *FE(A)*. The privileges of an FE for aeroplanes are to conduct:

~~(4) skill tests for the issue of a mountain rating;~~ has to be completed by

(4) skill tests for the issue of a mountain rating if the FE holds himself a valid MI certificate and has completed at least 2000 mountain landings.

*Explanation:*

Logical completion

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees in general that a 'logical completion' is missing and that there should be some minimum requirements for the examiner who wishes to conduct skill tests for the issue of the mountain rating.

The input received was carefully reviewed and the Agency decided not to add a certain amount of flight time in the mountains (as proposed) or a certain number of mountain landings. Based on the principle already established for other examiner categories, the additional requirement will ask for some instructing experience for this rating. The amount of 500 landings during instruction provided for the mountain ratings seems to be a reasonable experience requirement for such an examiner.

comment 657 comment by: *British Microlight Aircraft Association*

Accepted

response *Noted*

Thank you for providing this feedback.

comment	<p>685 <span style="float: right;">comment by: FOCA Switzerland</span></p> <p>K/Section 2 FCL.1005.FE</p> <p>to be added:</p> <p><b>(a)(4) .. of a mountain rating, provided the examiner has completed at least 50 hours of flight instruction experience in mountain flying.</b></p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general that a certain amount of flight instruction experience for the mountain rating must be added. However, as the amount of flying hours above the mountains does not include automatically the important element of take-offs and landings in the mountains, the Agency decided to add a certain amount of take-offs and landings during flight instruction for the mountain rating. Please see also the response to comment No 505 (Swiss glacier pilots association).</p>
comment	<p>687 <span style="float: right;">comment by: FOCA Switzerland</span></p> <p>K/Section 2 FCL.1005.FE</p> <p>Clarification of requirements for FE for multi-engine helicopter</p> <p>Proposal: <b>(b)(2)(iii) take same wording asofJAR-FCL 2.435 (a)</b></p>
response	<p><i>Partially accepted</i></p> <p>The structure of the paragraph is maintained, but the missing requirements [JAR-FCL 2.439(b)(2), as required by JAR-FCL 2.435(a)] are added. See also the response provided to comment No 383 (REGA).</p>
comment	<p>874 <span style="float: right;">comment by: Stefan Kramer</span></p> <p>Ein generell zu hoher Stundenansatz schafft unnötig hohe Zugangsschranken. Dies ist privat nicht mehr darstellbar und eröffnet diese Berechtigung lediglich für professionelles Fliegendes Personal. Eine flächendeckende Sicherung des Prüfaufkommens wird so nicht begünstigt. Ebenso ist die reine Zeitbetrachtung kein hinreichender Nachweis besonderer Prüfbefähigung.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding your statement that a general reduction of the proposed flight experience would be sufficient, the Agency does not agree. As most of the numbers were already introduced with JAR-FCL, the Agency transferred the given numbers into the new system. The prerequisites for the sailplane and balloon examiners were developed together with a team of experts based on some of the existing national requirements for examiners and on the fact that</p>

a certain level of experience should be reached before an instructor is eligible to be an examiner.

However, based on the amount of comments received on this issue (see comments on FCL.1005.FE in the other segment), the Agency further discussed and revised some of the minimum experience requirements for examiners. Please see the resulting text for this paragraph.

comment 887

comment by: ASW-27B

Die Anforderungen sind viel zu hoch, ein Drittel der Stunden reicht. Ziel muss sein, dass jeder Verein in der Lage ist, einen Prüfer zu haben, um kostensparende Prüfungen durchführen zu können.

Nach der hier genannten Regelung kann ich mir auch nicht vorstellen, wie sie es schaffen wollen, genug Prüfer für die ganzen Überprüfungsflüge der Scheininhaber zu rekrutieren. Da hilft nur eins: alles weg, die vielen Stunden für den Prüfer und die Prüfungsflüge alle sechs Jahre.

response *Noted*

Thank you for providing your opinion.

Regarding your statement that a general reduction to 1/3 of the proposed flight experience would be sufficient, the Agency does not agree. As most of the numbers were already introduced with JAR-FCL the Agency transferred the given numbers into the new system. The prerequisites for the sailplane and balloon examiners were developed together with a team of experts based on some of the existing national requirements for examiners and on the fact that a certain level of experience should be reached before an instructor is eligible to be an examiner. Following your proposal would for example lead to the situation that a sailplane examiner would have only 100 hours of flight time including 100 launches of flight instruction. The Agency is of the opinion that this would not be a sufficient level of experience in order to carry out such an important task.

However, based on the comments received on this issue (see comments on FCL.1005.FE in the other segment) the issue was further discussed and the Agency has revised some of the minimum experience requirements for examiners. Please see the resulting text for this paragraph. But the Agency will not change the proposed numbers in general as proposed in your comment.

comment 1032

comment by: CAA Belgium

(a) Why is there a difference for the experience requirement between (1) PPL(A) - 1000 hrs/250 hrs and (3) LPL(A) - 500 hrs/150 hrs ?  
Propose to set the same PPL(A) standard for both. There is no need for a lower standard for LPL examiners.

response *Noted*

The Basic Regulation establishes that the implementing rules should take into account the level of risk involved.

In the case of examiners for the LPL, where it is considered that the risk involved is lower than for the PPL, it was considered that the requirements didn't have to be as stringent as the ones for the PPL, coming from JAR-FCL.

comment	<p>1249 <span style="float: right;">comment by: <i>Aeromega</i></span></p>
	<p>1005.FE (H) Whilst FE's must examine for the LPL and PPL in accordance with the set criteria, there is also a Duty of Care implied upon the examiner not to grant someone a licence to someone who is not safe. One reason for failing a candidate specified in the current CAA Examiners Handbook. is "Acceptable level of flying skill or aviation knowledge not demonstrated". How can an examiner ever pass an LPL candidate knowing that he has not even been trained in matters such as Sloping Ground of Confined Areas.</p>
response	<p><i>Noted</i></p> <p>The skill and level of knowledge demonstrated have to be proportionate to the level of risk involved in the activity. The Agency considers that, taking into account the privileges and type of activity in the case of the LPL, the requirements that were established are adequate, and the examiner should pass the applicant if he/she demonstrates compliance with those requirements.</p> <p>It should be mentioned that 'Sloping Ground' and 'Confined Areas' are exercises which are taught and tested during the skill test of the LAPL(H) pilot. The Agency does therefore not understand your comment on this and suggests you should study the related AMC material (e.g. the AMC No.1 to FCL.110.H exercises 24 and 26).</p>
comment	<p>1250 <span style="float: right;">comment by: <i>Aeromega</i></span></p> <p>1005.FE (H) 1 Is it really the intention for any FE (H) to be able to perform examinations for a CPL (H). This will lead to a great variance in Standards. Currently all UK CPL tests are conducted by the CAA Chief examiner or his nominee.</p> <p>1005.FE (H) (2) (ii) It does not seem logical to require an examiner to have 2,000 hours to examine for a type rating on a Commercial Pilot who will presumably be more capable than a PPL doing the same test for which the examiner only needs 1,000 hours.</p>
response	<p><i>Noted</i></p> <p>FCL.1005.FE (H)(1) This was already the system in JAR-FCL and the Agency sees no reason to change it.</p> <p>FCL.1005.FE (H)(2)(ii) Please see the reply to comment 383 above.</p>
comment	<p>1354 <span style="float: right;">comment by: <i>Gerhard Hehl</i></span></p> <p>Zu hohe Werte an Flugstunden. Ein Drittel würde ausreichen. Mit dieser hohen Zahl der Flugstunden wird es keine Prüfer geben.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 887 (ASW 27-B).</p>

comment	1372 <span style="float: right;">comment by: <i>Deutsche Gebirgpiloten Vereinigung DGPV</i></span>
	<p>FCL.1005.FE FE Privilegien und Bedingungen</p> <p>(a) Die Privilegien eines FE für Flugzeuge sind ...</p> <p>(4) Abnahme von Prüfungsflügen zum Erwerb eines mountain rating, wenn er selber ein gültiges MI Zertifikat hat und mindestens über eine persönliche Erfahrung von 1500 Landungen im Gebirge verfügt.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 505 (Swiss glacier pilots association).</p>
comment	<p>1404 <span style="float: right;">comment by: <i>Wilfried Müller</i></span></p> <p>I am convinced, that we soon do not need FIE`s for our club flying. We will not have on a long term FI`s in our clubs anymore. See also my comments on FCL.905.FI.</p> <p>But we would need another examiner: LAFIE (A) including TMG in order to keep this branch alive.</p> <p>Wilfried Müller 11-27-2008</p>
response	<p><i>Noted</i></p> <p>The Agency considers that the requirements for the FIE for the LAFI are adequate to the activity.</p> <p>However, the prerequisites for the FIE(A) who wishes only to conduct skill tests and proficiency checks for the LAFI certificate will be amended and separately mentioned in FCL.1010.FIE in order to allow an experienced LAFI holder to apply for the FE restricted to LPL skill test and checks and later on to apply also for the FIE restricted to skill tests and checks for the LAFI certificate only. You will find the requirements for the FIE in section 7. See the resulting text for that segment. A specific category of LAFIE(A) is not needed.</p>
comment	<p>1438 <span style="float: right;">comment by: <i>Aero Club Oppenheim e. V.</i></span></p> <p>Es fehlt der eigenständige LAFIE(A), denn ich fürchte, dass es mit Ihrem Vorhaben im Luftsport bald keine FIEs mehr geben wird. Der TMG fehlt ganz in der Angabe.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 1404 (W. Müller).</p>
comment	<p>1615 <span style="float: right;">comment by: <i>Helikopter Air Transport GmbH / Christophorus Flugrettungsverein</i></span></p> <p><b>STATEMENT</b> (b)(ii) versus (b)(iii): the regulation requires less experience for flight</p>

examiners when insert single pilot multi engine (1'000 hours) type ratings in licenses than insert single pilot single engine (2000 hours) type ratings.

**PROPOSAL**

Reverse the requirements.

response *Partially accepted*

Thank you for providing your opinion.  
Please see the response to comment No 383 (REGA).

comment *1656* comment by: *European Mountain Pilots*

**FCL1005 - New segment: FEM (Flight Examiner Mountain)**

*(i) FEM(A) - The privileges of and FEM for aeroplanes are to conduct: skill tests for the issue of a mountain rating*

response *Not accepted*

The Agency sees no need to have a specific category of examiner for the mountain rating. This privilege can be exercised by an FE with the adequate qualifications.

comment *1658* comment by: *Aero-Club of Switzerland*

The proposal of the Agency for (4) has to be enlarged. Please write:

(4) skill tests for the issue of a mountain rating if the FE holds himself/herself a valid MI certificate and has completed at least 2000 mountain landings.

Justification: Our addition is the necessary completion of the Agency's proposal.

FCL.1005.FE (g) (3): Please replace ..including 90 hours of flight instruction on TMG by ..including 90 hours of flight **experience** on TMG.

Justification: We think we will not have enough examiners with 90 hours flight instruction time on TMG in Switzerland.

response *Not accepted*

Thank you for providing your opinion.

Regarding your first comment please see the response to comment No 505 (Swiss glacier pilots association).

Regarding your second comment the proposed minimum flight instruction time on TMGs in (g)(3) will be reduced to read: '...including 50 hours flight instruction...'. The Agency will not follow the proposal to delete the flight instruction time completely because of the fact that an examiner should have a certain amount of experience as instructor on aircraft of a certain class or category before exercising the privileges of an examiner.

comment *1757* comment by: *Stephan Johannes*

Sehr geehrte Damen und Herren,

ich halte es für absolut notwendig, dass jeder Verein auch mindestens einen FE hat. Damit können die Vereine sich gegenseitig mit den FE´s aushelfen und damit die Kosten im vertretbaren Rahmen halten. Daher gebe ich zu bedenken, ob die Voraussetzungen zum FE nicht deutlich zu hoch sind.

Mit freundlichem Gruß  
Stephan Johannes

response *Noted*

Thank you for providing your opinion.  
See response to comment No 887 (ASW 27-B).

comment *1822*

comment by: *Sebastian Grill*

Da die Anforderungen sehr hoch sind, wäre die Anzahl der Prüfer sehr eingeschränkt. Wer soll den Aufwand bewältigen

response *Noted*

Thank you for providing your opinion.  
See response to comment No 887 (ASW 27-B).

comment *1838*

comment by: *Matthias SIEBER*

- - (a) (1) - Anforderungen recht hoch, damit schränkt sich die Zahl der in Frage kommenden Examiner stark ein, bei gleichzeitig sehr vielen zu prüfenden Piloten. Scheint insgesamt nicht realisierbar. Ggf. müssten Mitarbeiter von Prüfungsbehörden unter Einsatz von Steuergeldern auf dieses nicht erforderliche Niveau gebracht werden.

response *Noted*

Thank you for providing your opinion.  
See response to comment No 887 (ASW 27-B).

comment *1865*

comment by: *Dr. Schreck*

FCL. 1005.FE  
Anforderungen für einen Flight Examiner sind eindeutig zu hoch und damit steht keine ausreichende Zahl an Examinern zur Verfügung, um die Piloten zu überprüfen.

response *Noted*

Thank you for providing your opinion.  
See response to comment No 887 (ASW 27-B).

comment *1885*

comment by: *Markus Malcharek*

Diese Anforderungen sind zu hoch, damit wird die Anzahl der überhaupt zur Verfügung stehenden Examiner stark eingeschränkt, bei dagegen steigender Zahl zu prüfender Piloten. Die Anforderungen seien als schlicht nicht realisierbar. Selbst die Mitarbeiter (Prüfer) der heutigen Behörden weisen i.d.R. nicht die notwendige Qualifikation auf und müssten mit hohem finanziellem

response	<p>und zeitlichen Aufwand auf diese Niveau gebracht werden. Und dies mit Steuergeldern, was schlicht inakzeptabel ist.</p> <p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 887 (ASW 27-B).</p>
comment	<p>2065 <span style="float: right;">comment by: <i>Thomas SIEWERT</i></span></p> <p>FCL.1005.FE FE-Privileges and conditions (a) (1) Die Anforderungen sind recht hoch, damit schränkt sich die Zahl der in Frage kommenden Examiner stark ein, bei gleichzeitig sehr vielen zu prüfenden Piloten, insbesondere aus dem PPL-Bereich. Diese Vorgehensweise erscheint insgesamt nicht praxisgerecht realisierbar. Wie bereits zu FCL.740 ausführlich dargestellt, sollte auf „examiner“ und „proficiency checks“ im PPL-Bereich verzichtet werden. Die bisherige Praxis mit Verlängerung der Berechtigung durch einen FI ist der fliegerischen Tätigkeit in diesem Bereich angemessen und ausreichend.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 887 (ASW 27-B). Regarding your additional comment on the proficiency checks for the LPL, SPL and BPL, please see the responses and the resulting text for the appropriate segments.</p>
comment	<p>2418 <span style="float: right;">comment by: <i>Danish Powerflying Union</i></span></p> <p>We suggest the wording to be following:</p> <p>(a) FE(A)</p> <p>(1) ....., provided that the examiner has completed at least <b>500</b> hours of flight time as a pilot of aeroplanes, including at least <b>150</b> hours of flight instruction;</p> <p>(iv) for the LPL(H), <b>provided that the FE has at least 500 hours of pilot-in-command, including at least 150 hours of flight instruction.</b></p> <p>Justification: <i>We find the hours suggested in (1) sufficient and more in line with the requirements for other type of licences. This approach will enable the FE to fulfil a full LPL(A). We see a need to create a FE (LPL-A) and FE (LPL-H) in line with FE (LPL-S) and FE (LPL-B). It provides coherence in education of FI and FE for the LPL(A) and PPL(A). It enables a FI/FE to instruct, etc. in respect to the different licences, from restricted to unrestricted LPL to PPL.</i></p>
response	<p><i>Partially accepted</i></p> <p>Thank you for your opinion. See response for comment No 420 above. Regarding your comment on the missing experience requirements for the FE(H) in order to conduct tests or checks for the LPL(H), the Agency agrees with the proposal.</p>

comment 2427 comment by: *Luftamt Nordbayern*

Die geforderte Flugerfahrung zur Prüferanerkennung entspricht auch unseren Vorstellungen.

Was hier aber fehlt, ist ein "Crediting" zur Anerkennung eines Prüfers, der bereits ein FE oder FIE auf einer anderen Luftfahrzeugkategorie ist. So könnte beispielsweise Flugerfahrung als PIC, FI, FE und FIE auf Flugzeugen teilweise auf die geforderte Flugerfahrung zur Anerkennung als Prüfer auf Hubschraubern/Helikoptern angerechnet werden.

Als Orientierung bietet sich beispielsweise die Regelung zur Anrechnung bei den Grundlizenzen PPL A zu PPL H an. So könnten 10% der jeweiligen Flugerfahrung "gutgeschrieben" werden, aber nicht mehr als 140 Std. als Pilot, 35 Std. als FI bzw. FE oder FIE (hier ca. 1/7 als Credit analog FCL.210.H(c)).

response *Noted*

Since the flight time requirements are specific to the category of aircraft and sometimes even to a specific group of aircraft within that category, the Agency does not consider appropriate to include any crediting for flight experience between categories of aircraft.

comment 2462 comment by: *Luftsportverband Rheinland Pfalz*

FCL.1005.FE

(a) (1) ....1000 hours of flight time ...at least 250 hours of flight instruction -... diese Bedingungen bitte streichen

Die Anforderungen sind sehr hoch. Es entstehen dem Flight examiner bis zum Erreichen der Flugzeiten und der Fluglehrerzeiten hohe Kosten, so das zu erwarten ist, dass sich der Flight examiner die Überprüfungen bezahlen läßt. Flight examiner wird es nach dieser Regelung im Ehrenamt kaum noch geben. Durch die Finanzierung der Bedingungen und die dadurch notwendige Refinanzierung für den Examiner wird sich das Fliegen verteuern. Des weitern ist zu erwarten, dass nur wenige Fluglehrer diese Bedingungen erfüllen, so dass ein erheblicher Engpass zu befürchten ist. Die Bedingungen müssen deutlich reduziert werden.

Vorschlag: ... 500 hours of flight time ...at least 150 hours of flight instruction...

a) (3) 500 hours of flight time ...at least 150 hours of flight instruction -... diese Bedingungen bitte streichen

Die Anforderungen sind sehr hoch. Es entstehen dem Flight examiner bis zum Erreichen der Flugzeiten und der Fluglehrerzeiten hohe Kosten, so das zu erwarten ist, dass sich der Flight examiner die Überprüfungen bezahlen läßt. Flight examiner wird es nach dieser Regelung im ehrenamt kaum noch geben. Durch die Finanzierung der Bedingungen und die dadurch notwendige Refinanzierung für den Examiner wird sich das Fliegene verteuern. Des weitern sit zu erwarten, dass nur wenige Fluglehrer diese Bedingungen erfüllen, so dass ein erheblicher Engpass zu befürchten ist. Die Bedingungen müssen deutlich reduziert werden.

Vorschlag: ...250 hours of flight time ...at least 50 hours of flight instruction...

(g) (2) 300 hours of flight time ..., including 150 or 300 launches of flight instruction -...

diese Bedingungen bitte streichen

Die Anforderungen sind sehr hoch. Es entstehen dem Flight examiner bis zum Erreichen der Flugzeiten und der Fluglehrerzeiten hohe Kosten, so das zu erwarten ist, dass sich der Flight examiner die Überprüfungen bezahlen läßt. Flight examiner wird es nach dieser Regelung im ehrenamt kaum noch geben. Durch die Finanzierung der Bedingungen und die dadurch notwendige Refinanzierung für den Examiner wird sich das Fliegene verteuern. Des weitern ist zu erwarten, dass nur wenige Fluglehrer diese Bedingungen erfüllen, so dass ein erheblicher Engpass zu befürchten ist. Die Bedingungen müssen deutlich reduziert werden.

Vorschlag: ...150 hours of flight time ..., including 75 hours or 150 launches of flight instruction -...

(g) (3) 300 hours of flight time ..., including 90 hours of flight instruction -... diese Bedingungen bitte streichen

Die Anforderungen sind sehr hoch. Es entstehen dem Flight examiner bis zum Erreichen der Flugzeiten und der Fluglehrerzeiten hohe Kosten, so das zu erwarten ist, dass sich der Flight examiner die Überprüfungen bezahlen läßt. Flight examiner wird es nach dieser Regelung im ehrenamt kaum noch geben. Durch die Finanzierung der Bedingungen und die dadurch notwendige Refinanzierung für den Examiner wird sich das Fliegene verteuern. Des weitern ist zu erwarten, dass nur wenige Fluglehrer diese Bedingungen erfüllen, so dass ein erheblicher Engpass zu befürchten ist. Die Bedingungen müssen deutlich reduziert werden.

Vorschlag: ...150 hours of flight time ..., including 45 hours of flight instruction on a TMG...

response *Partially accepted*

Thank you for your opinion.

Regarding the first part of your comment please see response to comments No 408 and 420 above.

Regarding your comment on the minimum experience of the FE(A) in order to conduct skill test or proficiency checks for the LPL(A), the Agency does agree partially and has decided to reduce the amount of required flight instruction slightly (100 hours). The total amount of flight time required (500 h) will be kept.

The other comments are dealing with the experience requirements for the FE (LPL(S)). The proposed minimum experience for an FE(S) conducting proficiency checks for the LPL(S) are (in (g)(2):

- 300 hours of flight time including
- 150 hours or 300 launches of flight instruction

The Agency does not agree at all that 300 launches of flight instruction or the 300 hours total time in sailplanes could be reached only by professionals. On the contrary the Agency is of the opinion that an examiner, who will be the final element in the system to ensure that the student pilot is well trained and has reached a safe standard, must have a certain experience in order to fulfil the obligations of this task.

The Agency does not see a need to change the proposed experience requirements for the FE(LPL(S)) in (g)(2). However, it was decided to establish only one category of examiner for the LPL(S) or the SPL.

Your last comment is referring to the requirements in (g)(3) containing the experience requirements for the examiner conducting the checks and tests for the extension of the LPL(S) privileges to TMG. Based on the comments received the Agency decided to lower the required flight instruction time in TMGs (50 hours instead of 90h) based on the fact that this examiner (instructor) will have additionally a certain amount of experience as instructor on sailplanes. An additional amount of 50 hours flight instruction on TMGs seems to be sufficient.

comment

2496

comment by: mfb-bb

#### **Anforderungen an Flugprüfer:**

Mit In-Krafttreten der neuen Regularien soll Voraussetzung für einen Prüfer der CPL sein.

Ein Pilot erwirbt einen CPL mit der Absicht, gewerblich tätig zu werden, also Geld zu verdienen.

Die Wahrscheinlichkeit, dass er als Fluglehrer gewerblich tätig wird, wird auf wenige Fluglehrer beschränkt sein.

Also werden die CPL / ATPL Piloten schwerpunktmäßig als gewerblicher Pilot bei einem Luftfahrtunternehmen tätig sein. Somit auch den Flugzeitenregelungen unterliegen. Die Einhaltung dieser Vorschriften führt schon heute dazu, dass der planbare Einsatz solcher gewerblich tätiger Piloten als Prüfer schwierig ist.

Bei einer schwerpunktmäßigen Ausrichtung auf den gewerblichen Bereich ist die Folge, dass relativ wenig Erfahrung im Bereich der Ausbildung von diesen Prüfern erworben wird.

Bei der Beurteilung einer Pilotenlizenz PPL-A im Privatpilotenbereich zum Ersterwerb geht es in erster Linie darum, die Fähigkeiten in Bezug auf die erworbenen Inhalte zu beurteilen, ein CPL ist dafür nicht notwendig.

Der CPL Stoff ist kein Bestandteil der Ausbildung zum Erwerb der PPL-A , Es ist demzufolge nicht nachvollziehbar, warum für einen FE dieser Stoff Voraussetzung sein sollte.

Viel wichtiger wäre, dass ein Flugprüfer im Bereich der Ausbildung „in Übung“ ist.

Das ist sowohl für den Erwerb der Berechtigung als auch den Erhalt der FE sinnvoll.

Es kann nicht sein, dass ein Prüfer seine Prüfertätigkeit bzw. Lehrberechtigung ausschließlich über seine Prüfertätigkeit erhält.

#### **Vorschlag:**

Der FE sollte im Besitz der Lizenzen, und Berechtigungen sein, für die er Prüfungen abnimmt.

Im Bereich der PPL-A ist kein CPL notwendig.

#### **Requirements for flight examiners**

Concerning to the NPA a requirement for a FE (in case of aeroplanes and helicopter) shall hold a CPL.

The intention for getting a CPL is to earn money, to act commercial. Because of the current economic forecast there will be only a few commercial flight instructors. The consequence will be most of the commercial pilots will fly in a commercial aviation company.

(flight time, rest time, dead-head-time etc.)

After a long flight the commercial pilots have to keep their rest time and they cannot pass

proficiency checks or instruct students in flying. Therefore it is difficult to coordinate the activities – flying commercial and act as examiner.

It can be expected that because of decreasing numbers of examiners it will take a long time for the pilots to pass their proficiency checks.

The CPL knowledge is not included in the private PPL-A or H knowledge therefore it could not be necessary to hold a CPL for a FE just for PPL-A or PPL-H.

It is more important, that an examiner is **in practice with instruction**.

It is absurd that an examiner has lots of hours of flight time but revalue his instructor certificate only by passing a proficiency check in the period of 12 months before renewal.

**Proposal:**

FE-Pre-requisites

In the case of aeroplanes, helicopters and airships, hold a CPL **or** have at least **400 hours of flight instruction**

response *Partially accepted*

Thank you for providing your opinion. However, the prerequisite of a CPL in the case of an applicant for an FE(A) certificate is described in FCL.1010.FE.

After careful consideration of the comments received on that paragraph, the Agency agrees to delete the requirement for the FE to hold a CPL.

He/she will nevertheless have to be an FI, and therefore hold at least a PPL with CPL theoretical knowledge (see the replies to comments on FCL.915.FI). Of course, if the FE is the holder of a PPL, he/she will not be able to conduct skill tests/proficiency checks for holders of a higher licence. This was already the system in JAR-FCL.

However, for FEs that intend to only conduct skill tests/proficiency checks for the LPL, then the requirement will be to hold an LPL and an LAFI certificate. In this case, the examiner will not be able to conduct skill tests/proficiency checks for PPL holders.

comment 2823

comment by: *Dr. Horst Schomann*

Subparagraph (a) (1)

Problem: The required flight time is too high.

Proposed solution: Use the same time as in (a) (3), i.e. 500 hours of flight time and 150 hours of flight instruction.

Justification: The required times should be well balanced between the requirements for FI(A) and my proposed solution for FIE(A), see my comment to FCL.1010.FIE.

response *Partially accepted*

Thank you for your opinion.  
See response to comment No 420 above.

comment 3015 comment by: *Deutscher Aero Club (DAeC)*

The requirements are too high therefore too few FIs are able to meet these requirements to satisfy the demand of FEs. It's not feasible that the requirements for conducting skill test are lower than for proficiency checks. Usually a person assessing whether a candidate meets the skills for issuing a new license has more responsibility as a person checking whether a pilot has maintained his/her competence.

RIA

*Social Impact:*

Quote from JAR-FCL: "All Examiners must be suitably trained, qualified and experienced for their role on the relevant type/class of aeroplane. No specific rules on qualification can be made because the particular circumstance of each organisation will differ. It is important, however, that in every instance, the Examiner should, by background and experience, have the professional respect of the aviation community."

The draft rule doesn't consider this main principle about Examiners.

*Economical Impact:*

In Germany no proficiency check exists so far. Therefore the full necessary amount of FE appropriate to check roundabout 80,000 pilots has to be qualified in the next couple of years. For instance the cost for a FE training course at the JAA Training Centre is 1250 Euro. It's easy to see that the economical impact of the draft IR on FCL is exorbitant.

response *Partially accepted*

Thank you for your opinion.  
See response to comment No 420 above.

comment 3016 comment by: *Deutscher Aero Club (DAeC)*

Add: The privileges of a FE are to conduct proficiency checks with FI, provided the FE has passed his/her first validity period.

Justification see comment 3009.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree that the FE should be given the privilege to conduct skill tests and proficiency checks for the instructor certificates. This function should be given to the FIEs.

The only exceptions are the TRE and the SFE. Please see the replies to comments on those paragraphs.

comment 3483 comment by: *SHA Guido Brun*

Statement: 1005.FE (H) (iii) requirement for FE type ratings on multi engine

	<p>helicopters are 1000 hours as pilot of helicopters...</p> <p>Proposal: ...the examiner has completed 2000 hours of flight time of helicopters, of which at least 500 hours shall be as pilot-in-command of multi-engine helicopters.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that the minimum experience proposed doesn't seem to reflect the required experience for an examiner on multi-engine helicopters. The Agency also agrees that a certain amount of flight time on multi-engine helicopters could be introduced.</p> <p>The Agency carefully reviewed all the comments received on this issue and further discussed this topic with the experts. It was decided to stay as close as possible with JAR-FCL and to not introduce an additional requirement without further safety assessment.</p> <p>The text will be amended in order to be in compliance with JAR-FCL 2.435(b) and 2.439. As there was no specific amount of flight time on multi-engine helicopters required in JAR-FCL, the Agency will not include your proposal.</p> <p>Please see also the reply to comment 383.</p>

comment	<p>3588 <span style="float: right;">comment by: Swiss Power Flight Union</span></p> <p>This kind of letters means = comment  This kind of letters / color means = text has to be deleted  This kind of letters / color means = replaced or accepted text</p> <p><b>FCL.1005.FE FE Privileges and conditions</b></p> <p>(a) FE(A). The privileges of an FE for aeroplanes are to conduct:</p> <p>(4) skill tests for the issue of a mountain rating: has to be completed by</p> <p>(4) skill tests for the issue of a mountain rating if the FE holds himself a valid MI certificate and has completed at least 2000 mountain landings.</p> <p><i>Explanation:</i>  Logical completion</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 505 above.</p>

comment	<p>3683 <span style="float: right;">comment by: Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany</span></p> <p><b>FCL.1005.Fe (f) FE - Privileges and condions balloons</b></p> <p>It seems, that with <u>one</u> FE-licence it is possible to examine all tasks mentioned in (1),(2) and (3).</p> <p>(1):  There should be one licence only to conduct skill tests for the issue of the BPL and the LPL(B). The applicant must have the equivalent instructors licence and</p>
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has completed at least 50 hours of instruction (same condition as to instruct for the issue, revalidation or renewal of a LAFI or a FI licence (see also FCL.905.LAFI(f)(1) and FCL.905.FI (j)(1)).

(2): the skill test to another class is nothing else than the skill test mentioned in (1), same conditions.

(3):

The prof check or the extension to commercial privileges could be made by an examiner without instructor licence but with commercial privileges because it is not a skill test and no instruction has been given.

**Reason:**

Generally - although it is written in 216/2008, 1j - for examiner for prof checks no instructor licence should be required because no instruction has been given for that which has to be checked.

As it is written in the definitions there is a difference between a skill test and a prof check. A skill test is necessary to issue a licence or a rating.

Before issuing a licence or a rating Instruction has been given.

If needed Article 65 (4) of 216/2008 finds application.

response *Partially accepted*

Thank you for providing your opinion.

With your first proposal you are asking for a change of the flight instruction time for the FE(B). Based on the comments received from the ballooning community the required instruction time was discussed again with the experts. It seems that due to the amount of student pilots in ballooning in several Member States a balloon instructor will need a very long time in order to reach the required level of experience. It was finally agreed to lower the amount of required flight instruction in order to solve this problem. A minimum amount of 50 hours flight instruction time in (f)(2) and (f)(3) should be an acceptable experience requirement for the FE(B).

Regarding your second statement the Agency agrees that the minimum experience requirements for (1) and (2) should be the same.

With your third proposal you ask for an examiner not holding an instructor rating for a certain proficiency check. It is one of the basic principles that an examiner has to hold an instructor certificate.

Please see the requirements in the Basic Regulation and in FE.1010.FE. This will not be amended.

Furthermore the Agency also agrees with your proposal to delete the specific examiner category for the LAPL and to introduce one examiner who will be allowed to conduct tests and checks for both licences. In order to address the need for allowing also experienced LAFI holders to be examiners, the prerequisites in FCL.1010.FE were amended.

comment 3729

comment by: Klaus HARTMANN

FCL.1005.FE FE Privileges and conditions (f) FE(B)

Die minimalen Voraussetzungen zur Abnahme von skill tests für den Erwerb von BPL und LPL(B) nach dieser Regel sind: FI certificate (nach 75h PIC

möglich) und ein examiner standardisation course. Es muß noch keine praktische Ausbildung durchgeführt worden sein um examiner zu werden.

Für die Durchführung von skill tests und proficiency checks mit Personen die bereits Piloten sind und ihre Lizenz nur auf andere Ballonklassen und Gruppen erweitern wollen gibt es dagegen weitaus höhere Anforderungen: 250h PIC auf Ballonen und 75h als Instructor.

Welche Voraussetzungen der FE(B) zur Durchführung von proficiency checks zur revalidation der Lizenzen benötigt gibt es keine Angaben.

Da es wenig sinnvoll ist Prüfungen abzunehmen ohne selbst Erfahrungen in der praktischen Ausbildung zu besitzen aber auch 75h Ausbildung sehr hoch sind für die in Zukunft höhere Anzahl von Prüfern die benötigt werden, hier ein geänderter Vorschlag:

1. Änderung der prerequisites in FCL.1010.FE

(a) (2) hold a FI certificate in the appropriate aircraft category and in the case of balloons has completed 250 hours of flight time as a pilot of balloons including 40 hours of flight instruction. (auch Segelflugzeuge ?)

2. Änderung der FCL.1005.FE

(f) FE(B). The privileges of an FE for balloons are to conduct:

(1) skill tests and proficiency checks for the issue and revalidation of the BPL and the LPL(B);

(2) skill tests and proficiency checks for the extension of the privileges to another balloon class or group;

(3) proficiency checks .....including 75 hours of flight instruction;

response *Partially accepted*

Thank you for providing your response. In your comment you point out correctly that some minimum experience requirements for the FE(B) (and also FE(S)) are missing for the conduct of skill tests for the issue of the LPL(B) licence. The Agency agrees that the prerequisites for the skill test (licence issue) and for the proficiency checks for the FE(B) (in the same way for the FE(S)) should be combined. The Agency will therefore combine FCL.1005.FE (f)(1) and (2) accordingly. Please see the resulting text.

The Agency agrees also partially with the proposal to reduce the required amount of flight instruction and will ask for at least 50 hours of flight instruction on balloons.

comment 3871

comment by: *Luftfahrt-Bundesamt*

FCL.1005.FE:

The FE experience requirements and privileges should not be allocated to a licence for type endorsement in a PPL or a CPL but instead should refer to skill test for the licence (PPL or CPL) and to the complexity of helicopter types. With regard to the complexity of helicopters, please note our general comment and our comment on FCL.720.H as well.

A type rating entry to a licence will also be necessary for ATPL(H) licence, but is not designated in FCL.1005.FE.

Regarding FCL.1005.FE (b), it is highly recommended to apply the requirements according to JAR-FCL 2.435(a) and JAR-FCL 2.435(b) (amendment 6), because they appear to be more consistent and logic. Apparently, the equivalent JAR-FCL 1 requirements have already been adopted in order to create the requirements stated in FCL.1005.FE (a). Thus, following our proposal would enhance the consistency of EASA's FCL requirements.

response	<p><i>Partially accepted</i></p> <p>The privileges are established for skill tests and proficiency checks, similarly to what was the case in JAR-FCL.</p> <p>Only TREs can conduct skill test/proficiency checks for ratings included in an ATPL. This was already the case in JAR-FCL, and the Agency sees no reason to change it.</p> <p>For FCL.1005.FE (b), please see the replies to comments 383 and 687 above.</p>
comment	<p>3952 <span style="float: right;">comment by: <i>Professional Air Training Ltd</i></span></p> <p>see comment 3938</p>
response	<p><i>Noted</i></p> <p>See response to comment No 3938.</p>
comment	<p>3971 <span style="float: right;">comment by: <i>Bayerisches Staatsministerium für Wirtschaft, Infrastruktur, Verkehr und Technologie</i></span></p> <p>Die geforderte Flugerfahrung zur Prüferanerkennung entspricht auch hiesigen Vorstellungen.</p> <p>Erforderlich ist jedoch noch ein "Crediting" zur Anerkennung eines Prüfers, der bereits ein FE oder FIE auf einer anderen Luftfahrzeugkategorie ist. So könnte beispielsweise Flugerfahrung als PIC, FI, FE und FIE auf Flugzeugen teilweise auf die geforderte Flugerfahrung zur Anerkennung als Prüfer auf Hubschraubern/Helikoptern angerechnet werden. Als Orientierung bietet sich beispielsweise die Regelung zur Anrechnung bei den Grundlizenzen PPL A zu PPL H an. So könnten 10% der jeweiligen Flugerfahrung "gutgeschrieben" werden, aber nicht mehr als 140 Std. als Pilot, 35 Std. als FI bzw. FE oder FIE (hier ca. 1/7 als Credit analog FCL.210.H(c)).</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 2427 above (Luftamt Nordbayern).</p>
comment	<p>4110 <span style="float: right;">comment by: <i>SFVHE</i></span></p> <p><b>Praxisfremd: Wie soll ein Prüfer im Rahmen der Vereinsausbildung diese Praxis-Stunden erreichen? 20 bis 30 Prozent sollten ausreichend sein.</b></p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 887 (ASW 27-B).</p>
comment	<p>4171 <span style="float: right;">comment by: <i>Elmar KUEMMEL</i></span></p> <p>Generell in allen Fällen zu hohe Werte für den Luftsport; 1/3 der Stundenangaben reicht; Ziel muss sein, in jedem Verein wenigstens 1 Prüfer haben zu können, um kostensparende Prüfungen im Nachbar-Verein abnehmen</p>

	<p>zu können.</p> <p>Schon heute wird die Zahl der Prüfer rasant kleiner. Da die Prüfer erhöhtem Kosten- und Zeitdruck unterliegen, müssen sie dann die Kosten weitergeben (auch für den Zeiteinsatz) was eine Prüfung zu teuer macht. Die Zeit seit 2003 spricht klare Worte.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 887 (ASW 27-B).</p>
comment	<p>4269 <span style="float: right;">comment by: <i>SFG-Mendig</i></span></p> <p>Voraussetzungen Flugstunden müssen deutlich reduziert werden, helicopter Flugstunden sollten für aeroplane angerechnet werden und umgekehrt. Ziel muss sein, dass wir ausreichend Prüfer haben, damit die Durchführung der erforderlichen Checkflüge keine organisatorische Hürde darstellt. Hierfür sind in jedem Verein mindestens ein, besser zwei Prüfer vorzuhalten. Die quantitativen Voraussetzungen müssen entsprechend reduziert werden, die Qualität lässt sich z.B. über einen Prüfereingangsflug definieren.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 887 (ASW 27-B).</p> <p>Additionally it should be mentioned that no cross-crediting of flight experience on helicopters or aeroplanes will be introduced as the experience in the category of aircraft seems to be a very important element.</p>
comment	<p>4270 <span style="float: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></span></p> <p>(a)(3) DAEC proposes 300h flight time and 90h flight instruction Justification: The proposed requirements are too demanding and it is not necessary to ensure an acceptable level of safety. The alternative proposal will allow an adequate competency of an applicant to perform skill tests and proficiency checks. Alternative proposal: No negative impact.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency has reviewed the comments received and has discussed again the minimum experience requirements for the examiners. The proposed total flight time on aeroplanes and TMGs has been re-considered by the experts and the Agency. The Agency still is of the opinion that these numbers are adequately taking into account the importance of the role of the examiners in ensuring the safety of the FCL system.</p> <p>However, the Agency agrees that the proposed amount of flight instruction can be slightly lowered (100 hours minimum of flight instruction) without any major safety impact.</p>

comment	4271 <span style="float: right;">comment by: <i>Deutscher Aero Club (DAeC)</i></span>
	<p>Comment: Considering the logic of the regulation, the crediting of the flying of TMG is intended in the PPL(A).Therefore, the use of TMG has to be possible as accepted provision for the FE. The wording using the word aeroplane does not allow an extension to TMG as this aircraft does not represent an aeroplane. To allow this aircraft in this paragraph EASA should change the wording by adding TMG.</p> <p>Proposal: The pre-requisite for the FE (1) skill tests for the issue of the PPL(A) and skill tests and proficiency checks for associated single pilot class and type ratings, provided that the examiner has completed at least 1000 hours of flight time as a pilot of aeroplanes or TMG, including at least 250 hours of flight instruction;</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that flight time on TMG should also be accepted as an equivalent experience. The text will be amended accordingly.</p>

comment	4345 <span style="float: right;">comment by: <i>Baden-Württembergischer Luftfahrtverband</i></span>
	<p>FCL.1005.FE(a)</p> <p><b>Wording in the NPA</b> (1) skill tests for the issue of the PPL(A) and skill tests and proficiency checks for associated singlepilot class and type ratings, provided that the examiner has completed at least 1000 hours of flight time as a pilot of aeroplanes, including at least 250 hours of flight instruction; (2) skill tests for the issue of the CPL(A) and skill tests and proficiency checks for the associated singlepilot class and type ratings, provided that the examiner has completed at least 2000 hours of flight time as a pilot of aeroplanes, including at least 250 hours of flight instruction; (3) skill tests and proficiency checks for the LPL(A), provided that the examiner has completed at least 500 hours of flight time as a pilot of aeroplanes or touring motor gliders, including at least 150 hours of flight instruction;</p> <p><b>Our proposal</b> <b>Change:</b> (1) skill tests for the issue of the PPL(A) and skill tests and proficiency checks for associated singlepilot class and type ratings, provided that the examiner has completed at least 700 hours of flight time as a pilot of aeroplanes or touring motor gliders, including at least 200 hours of flight instruction; .... (5)Flight and instruction time on sailplanes or 3 axis controlled micro lights may be credited against 50% of the required flight and instruction times in (1),(2) and (3);</p> <p><b>Issue with current wording</b> Requirements for PPL(A) examiners are not proportionate. Flight and instruction time on touring motor gliders (TMG) must be fully credited since it is an equivalent rating of the PPL(A).</p>

Experience on other fixed wing categories must be credited

### Rationale

The entry requirements for PPL(A) examiners should be reduced to allow for individuals to become examiners which are highly qualified but do not reach this level of flight time. With the high level of requirements in the NPA we loose too many potentially good examiners as discussed in more detail in our **general comment 3250 Nr. 7**.

Since TMG is one of the PPL(A) class ratings flight time and instruction time on TMG must be fully credited against the required respective times. Many PPL(A) instructors in Germany do most of their instruction on TMG. At PPL level there should be the option for instructors and examiners with rating only on TMG. Germany has many operations (clubs) providing PPL(A) instruction solely on TMG.

As discussed in our **general comment 3250 Nr. 2 and 3** experience in other fixed wing categories must be credited since it is not justifiable that a instructor and examiner for sailplanes with many hours of flight time and instruction time in this category is not credited for this activity when applying for the FE(A) certificate.

response *Partially accepted*

Thank you for providing your comment.

Regarding your proposal to lower the required minimum experience (700h/200h instruction) please see the response to comment No 420 above.

Regarding your second proposal to add 'or touring motor gliders...', the Agency agrees.  
The text will be amended accordingly.

With your third proposal you are proposing some kind of crediting for flight time on sailplanes or microlights. The Agency does not agree with such a change as some kind of specific experience on aircraft of the specific class seems to be very important in order to ensure a certain level of safety.

comment

4347

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1005.FE(e)(2)

### Wording in the NPA

(e)(2) proficiency checks for the SPL and for the LPL(S), provided that the examiner has completed 300 hours of flight time as a pilot of sailplanes or powered sailplanes **or touring motor gliders**, including 150 hours or 300 launches of flight instruction;

### Our proposal

#### Add:

**(3)Flight and instruction time on aeroplanes or 3 axis controlled micro lights may be credited against 50% of the required flight and instruction times in (2) ;**

### Issue with current wording

Experience on other fixed wing categories must be credited

### Rationale

As discussed in our **general comment 3250 Nr. 2 and 3** experience in other fixed wing categories must be credited since it is not justifiable that a instructor and examiner for aeroplanes or micro lights with many hours of flight time and instruction time in these categories is not credited for this activity when applying for the this certificate.

Since Touring motor gliders are a valid rating in the SPL license it must be fully credited against the required flight and instruction time.

response

*Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree with the proposal. A certain amount of hours on aircraft of the specific category or class has been considered by the experts in the FCL.001 group and the Agency to be absolutely necessary and adequate taking into account the importance of the role of the examiners in ensuring the safety of the FCL system.

This is the reason why the text will be kept unchanged and a minimum experience of 300 hours flight time including 150 hours of flight instruction only on sailplanes or powered sailplanes will be required. A crediting for flight time in microlights or aeroplanes will not be accepted.

comment

4348

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1005.FE(g)

**Wording in the NPA**

(1) skill tests for the issue of the LPL(S);

(2) proficiency checks for the LPL(S), provided that the examiner has completed 300 hours of flight time as a pilot of sailplanes or powered sailplanes, including 150 hours or 300 launches flight instruction;

(3) skill tests for the extension of the LPL(S) privileges to TMG, provided that the examiner has completed 300 hours of flight time as a pilot of sailplanes, powered sailplanes or touring motor gliders, including 90 hours of flight instruction on TMG;

**Our proposal****Change:**(1) skill tests for the issue of the LPL(S) **and SPL**;(2) proficiency checks for the LPL(S) **and SPL**, provided that the examiner has completed 300 hours of flight time as a pilot of sailplanes or powered sailplanes **or touring motor gliders** including 150 hours or 300 launches flight instruction;(3) skill tests for the extension of the LPL(S) **and SPL** privileges to TMG, provided that the examiner has completed 300 hours of flight time as a pilot of sailplanes, powered sailplanes or touring motor gliders, including 90 hours of flight instruction on TMG;(4) **Flight and instruction time on aeroplanes, touring motor glider or 3 axis controlled micro lights may be credited against 50% of the required flight and instruction times in (2) and (3)****Issue with current wording**

An FE(LPL-S) must also be authorized to conduct examinations for SPL  
Experience on other fixed wing categories must be credited

**Rationale**

The technical requirements for SPL and LPL(S) are identical. It is therefore not justifiable that an FE(LPL-S) can not conduct an examination for an SPL license except perhaps the proficiency check before exercising commercial privileges according to FCL.205.S(c). This has been discussed in more detail in **general comment 3250 Nr. 8**.

As discussed in our **general comment 3250 Nr. 2 and 3** experience in other fixed wing categories must be credited since it is not justifiable that a instructor and examiner for aeroplanes or micro lights with many hours of flight time and instruction time in these categories is not credited for this activity when applying for the this certificate.

Since Touring motor gliders are a valid rating in the SPL license it must be fully credited against the required flight and instruction time.

response *Not accepted*

Thank you for providing your opinion.

Regarding your first proposal it must be highlighted that an examiner has to hold the licence for which he/she is conducting skill tests or proficiency checks. This means clearly that an examiner for LPL(S) only will not be allowed to conduct tests or checks for the SPL.

However, the Agency decided to combine (e) and (g) as most of the experience requirements are the same. An FE(S) will be authorised to conduct tests and checks for the SPL and LPL(S) but the FE(S) holding only an LPL(S) and an LAFI(S) certificate will be limited to tests and checks for the LPL(S) only.

Regarding the proposal of crediting flight time on other aircraft categories please see the responses to your comments No 4345 and 4347.

comment 4451

comment by: Cary Crawley

I would suggest a minimum of 500 hours Pilot in Command total flight time for hot air balloon Examiners and -very importantly-this should include a minimum of 100 hours Pilot in Command of the largest group size category for which the Examiner exercises privileges.

response *Partially accepted*

Thank you for providing your comment. However, as the comment does not specify to which paragraph the proposed change refers to, the Agency concluded that the comment is addressed to (f)(3).

The Agency has reviewed the comments received and has discussed the minimum requirements for examiners again. The amount of hours established has been considered by the experts in the FCL.001 group and the Agency as adequate taking into account the importance of the role of the examiners in ensuring the safety of the FCL system. As there is no justification given with the comment, the Agency will keep the proposed flight experience of 300 hours — there seems no need to raise this number.

Your second part of the comment deals with a certain experience in the largest group size for which the examiner exercises privileges. The Agency agrees that a certain minimum experience in a certain group (envelope size) is necessary in order to conduct skill tests or proficiency checks in balloons of such a size and will add a minimum of 50 hours PIC time on balloons of the appropriate group size.

comment	<p>4750 <span style="float: right;">comment by: CAA Belgium</span></p> <p>FCL.1005.FE(b)(2)(i), (ii) and (iii) Type ratings are not "inserted" in licenses, they are entered.</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>4751 <span style="float: right;">comment by: CAA Belgium</span></p> <p>FCL.1005.FE(b)(2)(ii) and (iii) In (ii) an FE(H) for single engine type ratings has to have 2000 hrs as pilot of helicopters. In (iii) an FE(H) for multi engine type ratings has to have 1000 hrs as pilot of helicopters. We assume this to be an editorial. If not editorial, what is the logic in having a higher experience requirement for the simpler, single engine than for the more complex multi engine? We are fully aware that this might originate from JAR-FCL 2 Amd 6, 2.435(b) (FE(H)) and 2.439(b) (TRE(H) single pilot multi engine), however, if one also reads 2.439(c) (TRE(H) single pilot single engine) it can be seen that the TRE(H) for the simpler single engine only needs 750 hrs as pilot of helicopters. Consequently, for the TRE(H), SP SEH requires 750 hrs, SP MEH requires 1000 hrs, thus reflecting the higher complexity of multi engine helicopters. These numbers can also be found in FCL.1010.TRE(b)(4) and (5), SP MEH and SP SEH respectively.</p> <p>This principle should be reflected in FCL.1005.FE, not the opposite as it is in the NPA now.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see response to comment No 383 (REGA).</p>
comment	<p>4920 <span style="float: right;">comment by: Royal Danish Aeroclub</span></p> <p>In general: the minimum <b>hours to become examiner</b> for aeroplanes are to high.</p> <p>With the suggested hours only professional pilots are able to become examiners - and that is not right for the private pilots and the air sports in general. We suggest the hours to be changed as follows (highlighted):</p> <p>(a) FE(A). The privileges of an FE for aeroplanes are to conduct: (1) skill tests for the issue of the PPL(A) and skill tests and proficiency checks for associated single-pilot class and type ratings, provided that the examiner has completed at least <b>500</b> hours of flight time as a pilot of aeroplanes, including at least <b>150</b> hours of flight instruction; (2) skill tests for the issue of the CPL(A) and skill tests and proficiency checks for the associated single-pilot class and type ratings, provided that the examiner has completed at least <b>1000</b> hours of flight time as a pilot of aeroplanes, including at least 250 hours of flight instruction; (3) skill tests and proficiency checks for the LPL(A), provided that the examiner has completed at least <b>350</b> hours of flight time as a pilot of aeroplanes or touring motor gliders, including at least 150 hours of flight instruction;</p>

response

*Not accepted*

Thank you for providing your input.

Please see the responses provided to comments No 408 and 420 in the same segment above. The Agency decided not to lower the minimum experience requirements for the FI(A) or (H) based on the fact that the experts involved in the review clearly asked the Agency not to deviate from JAR-FCL where exactly these requirements were already in place.

For the examiner who wishes to conduct only tests or checks for the LAPL, lower minimum experience requirements will be introduced.

comment

5103

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Die 'examiner' sind fuer Segelflug und TMG unnoetig.

Bei uns haben diese Funktion des 'examiners' - bis auf die PPL-Pruefung selbst (dort waren das Beamte des Luftamtes) - schon immer erfahrene Segelfluglehrer erfuehlt, das soll auch so bleiben.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(e) und (g) Ueberarbeiten fuer Segelflug und TMG. Streiche 'examiner' und ersetze durch erfahrenen Segelfluglehrer

response

*Not accepted*

Thank you for providing your opinion.

As this comment is mainly a general comment with some standard statements which were addressed in different segments (same text), no specific response will be provided. Please see different responses to your other similar comments.

Regarding the statement that examiners should be deleted for sailplane examination, please see the response to your comment to FCL.1010.FE.

comment 5133 comment by: *Allen A.*

1000 Flugstunden als Voraussetzung für FE(A) sind zu hoch, da mit dieser Forderung in den meisten Ländern die nötige Anzahl an FEs nicht generierbar ist. Ferner ist der fliegerische Unterschied zu Piloten mit einigen hundert Stunden weniger nicht bemerkbar.

Vorschlag: Reduktion auf 400 Flugstunden.

response *Not accepted*

Thank you for your opinion.

Please see responses to comments No 408 and 420 above.

comment 5185 comment by: *Dieter Zimmermann*

Zu FCL.1005.FE Absatz (a) (1) Flugzeiten auf großen Flugzeugen qualifizieren nicht zu Abnahme von Prüfungen auf kleinen Flugzeugen. Unter der Voraussetzung dass die Flugzeiten auf kleinen Flugzeugen erbracht werden, sind 1000 Stunden Flugerfahrung übertrieben.

Der Absatz sollte wie folgt formuliert werden : ... vorausgesetzt er hat 500 Stunden Flugerfahrung nicht als Fluglehrer auf Flugzeugen mit einem maximalen Abfluggewicht von nicht mehr als 2000kg, Touringmotorseglern oder aerodynamisch gesteuerten Ultraleichtflugzeugen sowie 250 Stunden Erfahrung als Fluglehrer.

response *Not accepted*

Thank you for your opinion.

See responses to comment No 408 and 420 above.

comment 5391 comment by: *ECA- European Cockpit Association*

Add words:

(b)(2)(iv) for the LPL(H), **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.**

Justification:

The added text is proposed to be consistent with the aeroplane requirements.

response *Accepted*

Thank you for providing your comment.

The Agency fully agrees that the minimum experience for the FE(H) conducting skill tests for the LPL(H) is missing.

The text will be amended accordingly.

comment 5445 comment by: CAA Belgium

The FE experience requirements and privileges should not be allocated to a licence for type endorsement in a PPL or a CPL but instead should refer to skill test for the licence (PPL or CPL) and to the complexity of helicopter types. With regard to the complexity of helicopters, please note our general comment and our comment on FCL.720.H as well.

A type rating entry to a licence will also be necessary for ATPL(H) licence, but is not designated in FCL.1005.FE.

Regarding FCL.1005.FE (b), it is highly recommended to apply the requirements according to JAR-FCL 2.435(a) and JAR-FCL 2.435(b) (amendment 6), because they appear to be more consistent and logic. Apparently, the equivalent JAR-FCL 1 requirements have already been adopted in order to create the requirements stated in FCL.1005.FE (a). Thus, following our proposal would enhance the consistency of EASA's FCL requirements.

response *Partially accepted*

Please see the reply to comment 3871 above.

comment 5845 comment by: barry birch

In the case of FE Balloons clarity is needed at:

1) One license to conduct skill test for BPL and LPL (B) the FE should hold an Instructor Rating with 50 hours of instruction completed.

2) The skill test is only that, not a proficiency check.

3) Proficiency checks for extensions to Commercial Privileges could be made by an Examiner without an Instructor Rating but who has commercial experience because this is not a skill test and there is no instruction given.

Barry Birch (member of BBAC)

response *Partially accepted*

Thank you for providing your opinion.

With your first proposal you are asking for a change of the flight instruction time for the FE(B). Based on the comments received from the ballooning community, the required instruction time was discussed again with the experts. It seems that due to the amount of student pilots in ballooning, in several Member States balloon instructors will need a very long time in order to reach the required level of experience. It was finally agreed to lower the amount of required flight instruction in order to solve this problem. A minimum amount of 50 hours flight instruction time in (f)(2) and (f)(3) should be an acceptable experience requirement.

Regarding your second statement, the Agency does not understand the meaning behind it. It seems that you do not agree with some minimum experience requirements for the examiner who wishes to conduct proficiency

checks (e.g. with pilots who are not able to fulfil the recency requirement). The Agency does not agree with this proposal and will keep the same experience for the examiner as for the skill test. No justification was given.

With your third proposal you ask for an examiner not holding an instructor rating for a certain proficiency check. It is one of the basic principles that an examiner has to hold an instructor certificate. Please see the requirements in the Basic Regulation and in FE.1010.FE.

comment 5856 comment by: *barry birch*

Further to my previous comment the difference between proficiency tests and skill tests affects the Examiners qualifications.  
For a proficiency check as no instruction is given then the Examiner does not necessarily have to hold an Instructor License.  
In a skill test for a license or rating instruction is given so therefore an Instruction License is required by the Examiner.  
Barry Birch (member BBAC)

response *Noted*

The requirement to hold an instructor rating is a consequence of paragraph 1.j.1(i) of the Essential Requirements for pilot licensing, in Annex III to the Basic Regulation.

comment 5974 comment by: *Luftsport-Verband Bayern*

Die in FCL 1005 FE aufgestellten Anforderungen an die vorhandenen Gesamtflugzeiten als PIC und FI sind deutlich zu hoch: Im nicht-kommerziellen Bereich werden zu wenig Prüfer zur Verfügung stehen. Die bislang von den Luftfahrtbehörden eingesetzten Prüfer dürften nur zu geringem Teil diesen Vorgaben entsprechen. Lediglich bei Luftfahrtunternehmen können Stundenzahlen in diesem Umfang in überschaubarer Zeit erreicht werden. Diese haben wiederum kein Interesse, dass Flugzeiten für Aufgaben in der Allgemeinen Luftfahrt - vor allem dem Luftsport - geopfert werden, da dies zu Lasten der zur Verfügung stehenden 900 Stunden Flugzeit pro Pilot p.a. ginge.

response *Not accepted*

Thank you for your opinion.  
See responses to comments No 408 and 420 above.

comment 5993 comment by: *UK CAA*

**Paragraph:** 1005.FE

**Page No:** 66

**Comment:** Whereas the aeroplane section lays down different minimum hours requirements in order to test for the PPL and CPL, the other examiner categories, apparently, do not.

**Justification:**

**Proposed Text: (if applicable)**

Add appropriate minimum experience requirements to other categories.

response *Accepted*

Thank you for providing your opinion.  
The Agency fully agrees and will add appropriate minimum requirements in (b)(1), (c)(1), (e)(1) and (f)(1).

comment

5998

comment by: UK CAA

**Paragraph:** FCL 1005 FE (a) (2)

**Page No\*:** 66

**Comment:**

Why does an examiner need 2000 hours to conduct a SEP (MEP or sailplane etc) class rating on a CPL holder? This can be conducted by a FE PPL. The LPC is the same regardless of the license or experience of the examiner. I agree that experience is required for the CPL skill test. This is a direct copy from JAR FCL 1 which is incorrect and does not include LPL. The privileges should increase from LPL through PPL etc and the class and type rating privileges are irrespective of experience or the license of the applicant for the rating. Finally, It is unreasonable to allow someone to test for the CPL who has no experience teaching for it. The original wording would allow someone who has only ever taught at PPL level to test for the CPL. Privileges must be limited by the Examiners Certificate.

**Proposed Text:**

**(if applicable)**

FCL.1005.FE FE – Privileges and conditions

(a) FE(A) The privileges of an FE for aeroplanes are to conduct:

- (1) skill tests for the issue of the LPL(A) provided that the examiner has completed at least 500 hours of flight time as pilot of aeroplanes or touring motor gliders, including at least 150 hours of flight instruction;
- (2) skill tests for the issue of the PPL(A) provided that the examiner has completed at least 1000 hours of flight time as pilot of aeroplanes, including at least 250 hours of flight instruction;
- (3) skill tests for the issue of the CPL(A) provided that the examiner has completed at least 2000 hours of flight time as pilot of aeroplanes, including at least 250 hours of flight instruction on an approved CPL course;
- (4) skill tests and proficiency checks for single pilot class and type ratings appropriate to the examiner certificate held.

(b) FE(H) **rewrite as FE(A)**

response

*Not accepted*

Thank you for providing your comment.

Your input and some other comments dealing with a similar issue were discussed during the review phase. Your input seems to be reasonable and could make the system more simple than proposed. However, as it was a principle to stay as close as possible with the JAR-FCL requirements and not to introduce changes without further safety assessment, the Agency will keep the prerequisites for the examiner to conduct skill tests and checks for the class and type ratings unchanged (in JAR-FCL no specific instructing experience for the CPL was required).

comment	<p>6053 <span style="float: right;">comment by: <i>BMVBS (German Ministry of Transport)</i></span></p> <p>Apparently there are no provisions for "flight time crediting "for applicants for an FE holding already an FE or FIE certificate/rating in another aircraft category! This, however, would be appropriate and beneficial.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 2427 above (Luftamt Nordbayern).</p>
comment	<p>6320 <span style="float: right;">comment by: <i>Axel Schwarz</i></span></p> <p>(b) (1) enables any FE(H) to conduct CPL skill test. On the other hand it is irrelevant in which type of licence a type rating is contained. The requirement should be revised to: "FE(H). The privileges of an FE for helicopters are to conduct: (1) skill tests for the issue of the PPL(H) and skill tests and proficiency checks for single-pilot single-engine helicopter type ratings, provided that the examiner has completed 1000 hours of flight time as a pilot of helicopters, including at least 250 hours of flight instruction; (2) skill tests for the issue of the CPL(H) and skill tests and proficiency checks for single-pilot single-engine helicopter type ratings, provided the examiner has completed 2000 hours of flight time as a pilot of helicopters, including at least 250 hours of flight instruction (3) skill tests and proficiency checks for single-pilot multi-engine helicopter type ratings, provided that the examiner has completed 1000 hours of flight time as a pilot of helicopters, of which at least 500 hours shall be as pilot-in-command; (4) skill tests and proficiency checks for the LPL(H)."</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. See response to comment No 383 (REGA).</p> <p>The Agency agrees with your comment that the minimum experience for conducting skill tests for the issue of the PPL(H) and CPL(H) were missing. Additional requirements were added. Please see the amended text.</p>
comment	<p>6323 <span style="float: right;">comment by: <i>Axel Schwarz</i></span></p> <p>In paragraphs (e) - (h) the formatting should be changed to make experience requirements equally applicable to (1) and (2). Otherwise the experience of examiners wishing to conduct proficiency checks would have to be greater than for examiners conducting skill test only.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. The Agency will revise the text in order to ask for the same minimum experience in the case of the skill test and the proficiency check in (e) and (f). As (g) and (h) will be combined with (e) and (f), the same change will apply for them.</p>
comment	<p>6521 <span style="float: right;">comment by: <i>Austro Control GmbH</i></span></p>

	<p>Comment:</p> <p>The experience of the FE should be in line with a necessary experience and knowledge to steer the helicopter. Therefore it is needless to double the number of hours for the same type of helicopter on a different category of licence.</p> <p>Proposed Text:</p> <p>(b) (2) skill tests and proficiency checks for:</p> <p>(i) single pilot single engine helicopter type ratings inserted in a PPL(H) or in a CPL(H),, provided that the examiner has completed 1000 hours of flight time as a pilot of helicopters, including at least 250 hours of flight instruction;</p> <p><del>(ii) single pilot single engine helicopter type ratings inserted in a CPL(H), provided the examiner has completed 2000 hours of flight time as a pilot of helicopters, including at least 250 hours of flight instruction</del></p> <p>(iii) single pilot multiengine helicopter type ratings inserted in a PPL(H) or a CPL(H), provided that the examiner has completed 1000 hours of flight time as a pilot of helicopters, of which at least 500 hours shall be as pilot in command;</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response to comment No 383 (REGA).</p>
comment	<p>6766 <span style="float: right;">comment by: CAA CZ</span></p> <p>FCL.1005.FE (b)(2)(iii) Comparing to FCL.1005.FE (b)(2)(ii) the requirement is illogically reformulated requirement JAR-FCL 2.435(b). 1000 hours is not sufficient for FE(H) to gain ME SPH to CPL(H). This would mean that for SE SPH to CPL(H) 2000 hours is required and for ME SPH to CPL(H) only 1000 hours? According to JAR-FCL 2.435(b) must FE(H) have for CPL(H) at least <b>2000</b> hours in total and for SE SPH 250 hours as PIC and for ME SPH according to JAR-FCL 2.439(b) 500 hours as PIC.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. See response to comment No 383 (REGA).</p>
comment	<p>6802 <span style="float: right;">comment by: Sean Simington Commercial Pilot Sky's The Limit</span></p> <p>It is important that TRE Balloons must have more experience in the type that they are examining. The hour requirements in this document should be raised in order to ensure that the skills of pilots are maintained and assured where possible.</p> <p>The required hours for examaning on this page are all far too low especailly in the examing of pilots for commercial apssenger carrying purposes.</p>
response	<p><i>Noted</i></p> <p>Please see the replies to comments on TRE requirements.</p>
comment	<p>7063 <span style="float: right;">comment by: CAA Norway</span></p>

response	<p>FCL.1005.FE(b)(2)(i), (ii) and (iii) Type ratings are not "inserted" in licenses, they are entered.</p> <p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>7064 <span style="float: right;">comment by: CAA Norway</span></p> <p>FCL.1005.FE(b)(2)(ii) and (iii) In (ii) an FE(H) for single engine type ratings has to have 2000 hrs as pilot of helicopters. In (iii) an FE(H) for multi engine type ratings has to have 1000 hrs as pilot of helicopters. We assume this to be an editorial. If not editorial, what is the logic in having a higher experience requirement for the simpler, single engine than for the more complex multi engine? We are fully aware that this might originate from JAR-FCL 2 Amd 6, 2.435(b) (FE(H)) and 2.439(b) (TRE(H) single pilot multi engine), however, if one also reads 2.439(c) (TRE(H) single pilot single engine) it can be seen that the TRE(H) for the simpler single engine only needs 750 hrs as pilot of helicopters. Consequently, for the TRE(H), SP SEH requires 750 hrs, SP MEH requires 1000 hrs, thus reflecting the higher complexity of multi engine helicopters. These numbers can also be found in FCL.1010.TRE(b)(4) and (5), SP MEH and SP SEH respectively.</p> <p>This principle should be reflected in FCL.1005.FE, not the opposite as it is in the NPA now.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. See response to comment No 383 (REGA).</p>
comment	<p>7249 <span style="float: right;">comment by: Vizepräsident OEGPV</span></p> <p>FCL.1005.FE FE Privilegien und Bedingungen</p> <p>(a) Die Privilegien eines FE für Flugzeuge sind ...</p> <p>(4) Abnahme von Prüfungsflügen zum Erwerb eines mountain rating, wenn er selber ein gültiges MI Zertifikat hat und mindestens über eine persönliche Erfahrung von 1000 Landungen im Gebirge verfügt.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 505 (Swiss glacier pilots association).</p>
comment	<p>7381 <span style="float: right;">comment by: Anja Barfuß</span></p> <p>Please review the minimum hours (launches) needed for examiners. For my understanding only professionals could reach this numbers or are very very old. For the private sport it is needed to offer the possibility to extend the licence to examiners also for well trained, volunteers in a reasonable age to maintain realistic cost for a private pilots licence and availability of good examiners.</p>

response

*Noted*

Thank you for providing your opinion.

However, as you not clearly state which of the requirements for examiners you are exactly commenting on, the Agency can only guess that the comment refers to the experience requirements for sailplane examiners (as you use the word 'launches').

The proposed minimum experience for an FE(S) conducting proficiency checks (the skill test will be included) for the SPL and LPL(S) are:

- 300 hours of flight time including
- 150 hours or 300 launches of flight instruction

The Agency does not agree at all that 300 launches of flight instruction or the required 300 hours total time in sailplanes could be reached only by professionals. On the contrary the Agency is of the opinion that an examiner, who will be the final element in the system to ensure that the student pilot is well trained and has reached a safe standard, must have a certain minimum experience in order to fulfil the obligations of this task.

The Agency does not see a need to change the proposed experience requirements for the FE(S). For some other examiner categories the proposed minimum experience (which was based on the JAR-FCL requirements) will be amended.

comment

7588

comment by: CAA Finland

FCL.1005.FE(a)(2) and (b)(2):

According to App 9 subparts B and C paragraph 4 there is no difference in acceptance limits. There is no reason to combine rating with the licence in (i)-(iii). It is also impossible for the FE to take single-engine single-pilot proficiency check for renewal to an ATPL holder.

The total experience requirement for CPL skill test is higher than for TRE that gives statement for commercial operations with hundreds of passengers. That is not logical. Amended text prosal:

(a) *FE(A)*. The privileges of an FE for aeroplanes are to conduct:

- (1) skill tests for the issue of the PPL(A) and skill tests and proficiency checks for associated single-pilot class and type ratings, provided that the examiner has completed at least 1000 hours of flight time as a pilot of aeroplanes, including at least 250 hours of flight instruction;
- (2) skill tests for the issue of the CPL(A) ~~and skill tests and proficiency checks for the associated single-pilot class and type ratings~~, provided that the examiner has completed at least **1500** hours of flight time as a pilot of aeroplanes, including at least 250 hours of flight instruction;
- (3) skill tests and proficiency checks for the LPL(A), provided that the examiner has completed at least 500 hours of flight time as a pilot of aeroplanes or touring motor gliders, including at least 150 hours of flight instruction;
- (4) skill tests for the issue of a mountain rating;

(b) *FE(H)*. The privileges of an FE for helicopters are to conduct:

- (1) skill tests for the issue of the PPL(H) ~~and CPL(H)~~ and skill tests and proficiency checks for single-pilot single-engine helicopter type ratings ~~inserted in a PPL(H)~~, provided that the examiner has completed 1000 hours of flight

time as a pilot of helicopters, including at least 250 hours of flight instruction;  
 (2) **skill test for the issue of the CPL(H) single-pilot single-engine helicopter** ~~type ratings inserted in a CPL(H)~~, provided the examiner has completed **1500** hours of flight time as a pilot of helicopters, including at least 250 hours of flight instruction

(3) skill tests and proficiency checks for single-pilot multi-engine helicopter type ratings ~~inserted in a PPL(H) or a CPL(H)~~, provided that the examiner has completed 1000 hours of flight time as a pilot of helicopters, of which at least 500 hours shall be as pilot-in-command, **of which at least 150 hours on multi-engine helicopters;**

(4) for the LPL(H).

response *Not accepted*

Thank you for providing your comment.

The Agency carefully reviewed the input received and further discussed the proposed changes with the experts. It was decided to stay as close as possible with JAR-FCL. This is the reason not to accept your proposal to exclude single-pilot single-engine class ratings on the CPL from the privileges of the FE(A). This was already the system in JAR-FCL, and the Agency sees no reason to change it at this point. It should be highlighted that the examiner has to hold the licence and the instructor certificate he/she is going to conduct a test or check.

Regarding your proposal for reducing some of the hours, please see the reply to comment above.

Concerning your proposal on the minimum experience for the FE(H) to conduct tests or checks on multi-engine helicopters, please see the reply to comment 3483 above.

comment 7614

comment by: *CAA Finland*

FCL.1005.FE(g) and (h):

The examiner shall have good expertise. There is no need to have 2 levels of LPL(S) or LPL(B) examiners. (g) and (h) should be removed.

response *Accepted*

Thank you for providing your opinion.

The Agency agrees that the proposals for the FE(LPL-S) and the FE (LPL-B) should be included in the privileges of the FE(S) and FE(B) in order to make the structure of the different FE categories more transparent.

As FCL.1010.FE asks for an LPL and an LAFI certificate as the prerequisite for an examiner who wishes to conduct examinations only for the issue, revalidation and renewal of the LPL, the experience requirements for the FE who wishes to conduct tests and checks only for the LPL can be defined in (e) or (f). Paragraphs (G) and (h) will be removed.

comment 7736

comment by: *Reinhard Heineking*

FCL.1005.FE.(A).(1) würde eine Flugerfahrung von 1000 Std und Ausbildungserfahrung von 250 Std fordern. Diese Anforderungen sind als zu

hoch anzusehen und nicht erforderlich.

Ein freizeitliche Engagierter Fluglehrer in einem durchschnittlichen Verein kann ca. 50 - 100 Std. p.A. erbringen, wenn das Engagement sehr hoch ist, ansonsten entsprechend weniger.

Dann könnte er frühestens nach ca. 7 - 10 Jahren eine FE Lizenz erwerben. Wenn er also mit 20 Jahren den PPL erwirbt und relativ schnell nach 5 Jahre die FI Lizenz, könnte er frühestens mit 32 - 35 die FE Lizenz erwerben. I.d. R. werden die Flugstunden über einen wesentlichen längeren Zeitraum gesammelt, sodass nach langer Zeit , etwa im Alter von 45 - 50 Jahre erst die Voraussetzungen für die FE Lizenz vorhanden sind.

Es würde nur wenige geben, die dann noch motiviert wären, eine solche Weiterbildung anzustreben.

Daher plädiere ich für eine Herabsetzung der geforderten Flug - und Ausbildungszeiten auf jeweils die Hälfte in FCL.1005.FE

Reinhard Heineking FI JAR\_FCL PPL(A), TMG, GPL

response *Not accepted*

Thank you for your opinion.

See response to comment No 420 above. The Agency will stay with the minimum experience already required with JAR-FCL.

comment

7889

comment by: Svenska Ballongfederationen

FCL.1005.FE FE – Privileges and conditions

(f)(2) A very high demand on flight instruction hours. A very active instructor in Sweden would typically instruct about ten hours a year. A better criterion is that an instructor or examiner with an appropriate amount of flight experience in the relevant group or class can perform the skill test or proficiency check.

(f)(3) A very high demand on flight instruction hours. A very active instructor in Sweden would typically instruct about ten hours a year. A better criterion is that an instructor or examiner with an appropriate amount of relevant flight experience can perform the proficiency check.

(h)(2) A very high demand on flight instruction hours. A very active instructor in Sweden would typically instruct about ten hours a year. A better criterion is that an instructor or examiner with an appropriate amount of flight experience in the relevant group or class can perform the skill test or proficiency check.

For more information about the instructor/examiner situation in Sweden see comment #7883 and #7894.

response *Partially accepted*

We acknowledge your concern. However, legal certainty does not allow us to establish a requirement as open as you propose.

Based on the comments received from the ballooning community, the required instruction time was discussed again with the experts. It seems that due to the amount of student pilots in ballooning, in several Member States a balloon instructor will need a very long time in order to reach the required level of experience. It was finally agreed to lower the amount of required flight instruction in order to solve this problem. A minimum amount of 50 hours flight instruction time in (f)(2) and (f)(3) should be an acceptable and safe

experience requirement.

comment 8297 comment by: Paul Mc G

(g) (1) skill tests for the issue of the LPL(S) and, for sailplanes only, where instructor standards and flying training requirements are identical, skill tests for the issue of the SPL.

But this causes problems!!

Should, however, EASA consider that it is legally forced to continue to pursue the current proposal, an amendment to FCL.210.S is proposed:

FCL.210.S

(b) Applicants for an SPL who have met all the requirements for the issue of a LPL(S) shall be fully credited towards the requirements in (a) subject to the applicant meeting the SPL medical requirements.

I can see no reason to elaborate further here and would suggest that EASA listen in this case to the national bodies.

response *Noted*

The Agency cannot understand the issue regarding the medical requirements for the LPL(S) and SPL, and what this has to do with the requirements for the FE(S).

In any case, compliance with medical requirements for a specific category of licence is included in Part-Medical, and a person will not be able to hold an SPL, unless he/she complies with the medical requirements. As for your proposal concerning the privileges of the FE(S), the Agency has amended its proposals based on the comments received.

Please see the reply to comment 7614 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 2: Specific requirements for flight examiners - FCL.1010.FE FE - Prerequisites**

p. 67

comment 108 comment by: Nick Wilcock

It is unreasonable to require a PPL Examiner to hold a CPL, yet to require a LPL examiner merely to hold a LAFI certificate. Although I consider that the the LPL should be deleted entirely from EASA part-FCL and that Member States shall maintain national competence for sub-ICAO pilot licensing 'where so permitted under national law', in the unfortunate event that the LPL is introduced FCL.1010.FE (a) (1) (i) should be amended to read: *"in the case of aeroplanes, helicopters and airships, hold a Pilot Licence in the appropriate category of at least the same level for which examiner privileges are sought"* or words to that effect. I.e. for PPL examiners, a PPL is sufficient, for LPL examiners, a LPL is sufficient and for CPL examiners, a CPL is required.

FCL.1010.FE (b) should be deleted as it would then be irrelevant.

response *Partially accepted*

After careful consideration of the comments received on this paragraph, the Agency agrees to delete the requirement for the FE to hold a CPL, which was a requirement taken over from JAR-FCL.

He/she will nevertheless have to be an FI, and therefore hold at least a PPL with CPL theoretical knowledge (see the replies to comments on FCL.915.FI).

Of course, if the FE is the holder of a PPL, he/she will not be able to conduct skill tests/proficiency checks for holders of a higher licence. This was already the system in JAR-FCL.

However, for FEs who intend to only conduct skill tests/proficiency checks for the LPL, then the requirement will be to hold an LPL + an LAFI. in the case the examiner will not be able to conduct skill tests/proficiency checks for PPL holders.

Please see the amended text reflecting exactly this.

comment 161 comment by: *Irish Aviation Authority*

FCL1010.FE

Suggest - change examiner certificate to examiner Authorisation

response *Not accepted*

As already mentioned in the Explanatory Note to this NPA, the Agency has used the term 'certificate' for reasons of consistency with article 7(5) of the Basic Regulation.

comment 162 comment by: *Irish Aviation Authority*

FCL.1010.FE

Suggest change examiner certificate to examiner Authorisation

(b) Is it intended to allow examiners who only hold a LPL and an LAFI certificate to be paid for their examining activities? (*NFC*)

response *Noted*

Please see the reply to comment 161 above.

(b)

No, in accordance with the Basic Regulation, article 7(7).

The Agency proposes that a PPL may be remunerated for instruction or examiner activities, but this does not extend to the LPL.

comment 245 comment by: *Joe Sullivan*

FCL.1010.FE section (a) part 1 requires a flight instructor for the PPL to hold a CPL. This is relaxed for FE conducting examination for the LPL and LAFI in section (b) and so should be similarly relaxed for applicants wishing to conduct examination only for the issue , revalidation and renewal of PPL.

1) Insisting that new examiners hold a CPL will prevent new examiners coming into the system at PPL examination level and promote their exit from the system to airline positions as we have seen with JAR-Flight Instructors

2) The **new** requirement for all PPLs to pass a proficiency check **with an examiner** every six years will over burden the current system of examiners. If the path to examinership is now inhibited by CPL, it will cause the breakdown of the system in a similar way as we have seen with the current JAR FI-CPL arrangement

3) asking an examiner to hold a licence above the category for which the examiner is performing his/her duties is a retrograde step and is not in the spirit of the rest of this excellent document

4) asking an examiner to hold a licence above the category for which the examiner is performing his/her duties is counter to the idea encapsulated in FCL.1000(a) section 1

5) FCL.1000(a) section 1 is sufficient on its own to impose prerequisites on potential FEs

response *Accepted*

Please see the reply to comment 108 above.

Regarding your item 2 it has to be mentioned that the proposed mandatory proficiency check for the revalidation of the licences will be deleted. Please see the resulting text.

The examiner will not be asked to hold a licence above the category he/she is conducting tests or checks for. The LAFI with examiner privileges will be allowed to conduct checks or tests with an LAPL candidate and the PPL FI with examiner privileges will conduct skill tests or checks for the PPL only.

comment 386

comment by: *Peter Kelleher*

Modify section (b) as follows:

(b) Applicants wishing to conduct examinations only for the issue, revalidation and renewal of LPL or PPL shall be required to hold only a LPL and a LAFI certificate in the appropriate aircraft category.

Justification:

There is no reason why an FE conducting examinations for PPLs should have to hold a CPL. As FEs conducting examinations for LPL are required to hold an LPL only, so should FEs conducting PPL examinations only be required to hold a PPL.

In practice, this requirement will introduce a great burden for current PPL holders as many Fes will not hold a CPL. Newly trained FEs are likely to opt for LPL. Thus, in the future, there will be reduced availability of FEs to conduct revalidation. Yet with the new requirements of FCL740.A section b, there will be an increased demand for such FEs! This will be unworkable.

The likely result of this is that many PPLs will be forced to downgrade their licences to LPL. This would be extremely unfair and would bring no benefits to anybody.

At minimum, there should be a grandfather clause for existing PPLs allowing them to continue to exercise their PPL privileges under the current requirements.

response *Noted*

An LPL holder cannot conduct skill tests and proficiency checks for a PPL holder.

Please see the reply to comment 108 above.

comment	<p>389 <span style="float: right;">comment by: <i>Limerick Flying Club</i></span></p> <p>in FCL.10.109.FE section b it states          "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"</p> <p>This privileges should be extended to examiners who wish to conduct examinations for the issue of PPLs as well as LPL          (or else the requirement to do a proficiency check with an examiner every 6 years should be removed for PPLs)</p> <p>PPLs will now have a new requirement to do a proficiency check with an examiner every six years and furthermore must use expensive and scarce CPL rated examiners while LPL holders may use examiners holding only LPLs and LAFI. This is clearly unfair and will force current PPL holders to surrender their PPL in favour of LPLs.          The new licences should not be instantiated at the expense of current licences</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 108 above.</p> <p>The proposed proficiency check to be done every 6 years (for LAPL and PPL holder) will be deleted.</p>
comment	<p>658 <span style="float: right;">comment by: <i>British Microlight Aircraft Association</i></span></p> <p>Comment: There should be no requirement to hold a CPL for examining for the PPL A or PPL H.          Examining is an extension of instructing and by requiring a CPL for examining when it is not required for instructing will limit the progression of PPL Flight Instructors to examiner level.          There is must be consistency in the requirements for CPL for all aircraft categories. This is not true of this proposal.</p> <p><i>"(a) Before attending the examiner standardisation course, an applicant for an FE certificate shall:</i>  <i>(1) (i) in the case of aeroplanes, helicopters and airships, hold a CPL in the appropriate aircraft category;</i>  <i>(ii) In the case of sailplanes and balloons, hold a SPL or BPL in the appropriate aircraft category;"</i></p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>686 <span style="float: right;">comment by: <i>FOCA Switzerland</i></span></p> <p>K/Section 2          FCL.1010.FE</p> <p>With regard to FCL.1000.FE (a)(1) "hold a licence and rating at least equal to the licence.." the requirement is too demanding.</p>

response	<p>Proposal <b>(a)(1)(i) In the case of aeroplanes.., hold a PPL or CPL.</b></p> <p><i>Accepted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>1657 <span style="float: right;">comment by: <i>European Mountain Pilots</i></span></p> <p><b>FCL1010.FEM FEM-Pre-requisites</b> (Flight Examiner Mountain)</p> <p>a) Before attending the examiner standardisation course, FEM applicants shall: (1) - Text OK and (2) hold a valid FIM certificate for at least three (e) years and have completed a minimum of 1500 landings on mountain surfaces</p>
response	<p><i>Not accepted</i></p> <p>The Agency does not consider it necessary to create a specific category of examiners for the mountain rating. This can be done by an FE with the proper qualifications. Please see the replies to comments to FCL.1005.FE.</p>
comment	<p>1735 <span style="float: right;">comment by: <i>Sven Koch</i></span></p> <p>Voraussetzung für PPL(A) 1.000 Std PIC und davon 250 Std Flugausbildung selbst durchgeführt Für LPL(A): 500 Std PIC auf Flugzeugen oder TMG incl 150 Std eigene Flugausbildung Für Segelflug: 300 Std auf Segelflugzeugen, incl 150 Std oder 300 Starts selbst als Lehrer ausgebildet Für Erweiterung TMG: 300 Std Segelflugzeug oder TMG incl 90 Std als Lehrer auf TMG Generell in allen Fällen zu hohe Werte für den Luftsport; 1/3 der Stundenangaben reicht; Ziel muss sein, in jedem Verein wenigstens 1 Prüfer haben zu können, um kostensparende Prüfungen im Nachbar-Verein abnehmen zu können.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, it seems that the first part of your comment is again only a translation of some prerequisites in FCL.1005.FE into the German language. As this segment is dealing with FCL.1010.FE please check also the responses and the resulting text for FCL.1005.FE.</p> <p>Regarding your statement that a general reduction to 1/3 of the proposed flight experience would be sufficient, the Agency does not agree. As most of the numbers were already introduced with JAR-FCL, the Agency transferred the given numbers into the new system. The prerequisites for the sailplane and balloon examiners were developed together with a team of experts based on some of the existing national requirements for examiners and on the fact that a certain level of experience should be reached before an instructor is eligible to be an examiner. Following your proposal would for example lead to the situation that a sailplane examiner would have only 100 hours of flight time</p>

including 100 launches of flight instruction. The Agency is of the opinion that this would not be a sufficient level of experience in order to carry out such an important task.

However, based on the amount of comments received on this issue (see comments on FCL.1005.FE in the other segment), the Agency has revised some of the minimum experience requirements for examiners. Please see the resulting text for that paragraph. But the Agency will not change the proposed numbers in general as proposed in your comment.

comment 1770 comment by: REGA

**STATEMENT**

What happens if the licence was limited because of medical reasons?

**PROPOSAL**

Delete (b). This paragraph is already covered by (c).

response *Noted*

We suppose that you are referring to FCL.1010 (b).  
Please see the reply to comments in that paragraph.

comment 1824 comment by: Sebastian Grill

warum sollte ein Prüfer für PPL eine CPL-lizenz haben. ist nicht nötig

response *Noted*

Please see the reply to comment 108 above.

comment 1836 comment by: Matthias SIEBER

- - (a) (1) (i) Warum sollte ein Prüfer für PPL-Anwärter eine CPL besitzen? Ist fachlich nicht erforderlich, viele der jetzigen Prüfer haben das auch nicht? Siehe ansonsten auch Bemerkungen zu FCL.1005.FE

response *Noted*

Please see the reply to comment 108 above.

comment 1866 comment by: Dr. Schreck

FCL.1010.FE

Es sollte ausreichend sein, dass Prüfer nur das fachliche Know-how besitzen für die entsprechende Rubrik, die si prüfen.

response *Noted*

Thank you for providing your opinion.

For the applicants wishing to conduct only examinations for the LPL this is already covered in (b). For the other examiner categories please see the reply to comment 108 above.

comment 1886 comment by: Markus Malcharek

response	<p>Wozu soll ein Prüfer eine CPL benötigen?? Dies ist in keinster Weise verständlich und bringt keinerlei Nutzen. Es ist fachlich nicht erforderlich, selbst die meisten der heutigen Prüfer haben dies nicht. Siehe Kommentar zu FCL.1005.FE</p> <p><i>Noted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>2066 <span style="float: right;">comment by: <i>Thomas SIEWERT</i></span></p> <p>FCL.1010.FE FE-pre-requisites  (a) (1) (i) Hier fehlt erneut eine angemessene Differenzierung für den PPL-Bereich. Es ist fachlich nicht zwingend offensichtlich, warum ein Prüfer für PPL-Anwärter eine CPL besitzen sollte? Diese Notwendigkeit hat sich bislang nicht herausgebildet, denn viele der bis jetzt durchaus erfolgreich tätigen Prüfer haben diese „Qualifikation“ bislang nicht! Dies schränkt den Kreis des verfügbaren Personals stark ein, ohne Aussicht auf einen fachlichen Mehrwert im Rahmen einer Prüfung durch einen CPL-Inhaber! Ansonsten verweise ich auch auf die Bemerkungen zu FCL.1005.FE.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>2409 <span style="float: right;">comment by: <i>Luftamt Nordbayern</i></span></p> <p>Sämtliche Prüfer ("Flight Examiners") sollen mit einem CPL ausgestattet sein. Diese Anforderungen sind, zumindest für den Prüfbereich des PPL und der Freizeitpilotenlizenz, zu hoch. Nach Auffassung des Luftamtes Nordbayern genügt alleine der PPL, die entsprechende Flugerfahrung und eine besondere Erfahrung als Fluglehrer, um jemanden insoweit als Flugprüfer anerkennen zu können. Bei dieser Gelegenheit sollte in den Vorschriften klargestellt werden, dass z.B. PPL-lizenzierte Prüfer keine CPL-lizenzierte Piloten prüfen dürfen. PPL Prüfer sollen nur LPL und PPL Bewerber prüfen dürfen.</p> <p>Kommentar zur Eingangsflugerfahrung siehe oben zu FCL.1005.FE</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>2419 <span style="float: right;">comment by: <i>Danish Powerflying Union</i></span></p> <p>We suggest the wording to be following:</p> <p>(1) (i) in the case of aeroplanes, helicopters and airships hold <b>a PPL or a higher license</b> in the appropriate aircraft category;</p> <p>Justification:  <i>This to provide a PPL(A) license holder rights to be approved for attending the examiner standardisation course.</i>  <i>It provides coherence in education of FI and FE for the LPL(A) and PPL(A). It enables a FI/FE to instruct, etc. in respect to the different licences, from restricted to unrestricted LPL to PPL.</i></p>
response	<p><i>Partially accepted</i></p>

Please see the reply to comment 108 above.

comment 2736 comment by: *R I M Kerr*

UK experience proves the suitability of our current system. The proposal to ban a GFT with an examiner you have previously flown with is unreal.

response *Noted*

Please see the reply to comment 108 above.

comment 2793 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FFA again points out the confusing numbering within the Part FCL.

How a basic reader should not be lost since article "FCL 1010 FE" is located in the next two pages after article "FCL 1030" !

Jeppesen also uses such a numbering system but in a more logical way: according to its method, any article "FCL 1010 xx" should follow article "FCL 1010" and should precede article "FCL 1015".

response *Noted*

The logic behind the numbering system proposed was explained in the Explanatory Note to this NPA.

After review of the comments received, and taking into account the input received from stakeholders during the Agency's conferences and workshops, it is the Agency's view that the numbering system is now understood and accepted by the vast majority of stakeholders.

comment 2796 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FCL 1010 FE (a) (1) (i) :

FFA strongly disagrees with the CPL pre-requisite, which is completely unnecessary and too far demanding for FEs whose privileges would be limited to PPL or LPL proficiency checks.

If this requirement is kept, the impact on the 43,000 French private pilots would be catastrophic as it would be impossible to find enough FEs to cover their needs at a reasonable cost.

So, FFA insists on the **absolute necessity** to change this requirement and to **create a FE category holding a PPL or a LPL only**. This new category of FEs would have privileges limited to carry out proficiency checks for PPL, LPL and Basic LPL holders flying VFR with a SEP class rating.

Consequently, FFA asks for modification of item (b) as follows :

"Applicants wishing to conduct examination limited to the issue, revalidation and renewal of SEP VFR class rating for PPL shall be required to hold at least a PPL and a FI certificate in the appropriate aircraft category.

Applicants wishing to conduct only examinations for the issue, revalidation

and renewal for VFR Basic LPL and LPL shall be required to hold at least a LPL and a LAFI certificate in the appropriate category"  
 Minimum in FI or LAFI experience can be defined as it was in the JAR requirements : a minimum of 1 000 flight hours as pilot in command, and 250 hours as flight instructor seems acceptable.

response *Accepted*

Please see the reply to comment 108 above.

comment *3464*

comment by: *Susana Nogueira*

Add a new paragraph

(c) Shall be evaluated by the competent authority in regard of personality and character.

response *Noted*

We suppose that you are referring to FCL.1010.  
 Please see the reply to comments in that paragraph.

comment *3481*

comment by: *Herbert Sigloch*

To (1)(i):  
 A PPL is sufficient

response *Accepted*

Please see the reply to comment 108 above.

comment *3602*

comment by: *Geschäftsführer Luftsportverband RP*

Auf der einen Seite will man den fliegerischen Rückgang entgegenwirken, auf der anderen Seite übernimmt man 1:1 die zum Niedergang geführten Regelungen der JAR-FCL.

Die Forderung, dass bei Flugzeugen (mit Ausnahme beim LPL) der Prüfer ein CPL benötigt war doch mit der Grund, warum wir im Luftsport keine neuen JAR-FCL - Lehrer mehr seit fast 6 Jahren bekommen haben. Von einem Prüfer dann wohl ganz zu schweigen.

Es ist mir unergründlich, warum man den PPL-Bereich derart hoch ansiedelt, obwohl er lediglich der kleinste Einstiegsbereich für die gewerbliche Luftfahrt ist. Mit der Aufrechterhaltung solcher Forderungen wird die Zukunft des Luftsports im Hinblick auf Motivation für fliegerische Berufe verspielt.

Mein Vorschlag:

da es auch in den NPA 2008-22 bei den Flugschulen differenziert wird, wer nur bis zum PPL ausbildet, sollte auch hier die Erleichterung (kein CPL) nicht nur auf LPL, sondern auch PPL ausgeweitet werden.

response *Accepted*

Please see the reply to comment 108 above.

comment 3729❖ comment by: Klaus HARTMANN

FCL.1005.FE FE Privileges and conditions (f) FE(B)

Die minimalen Voraussetzungen zur Abnahme von skill tests für den Erwerb von BPL und LPL(B) nach dieser Regel sind: FI certificate (nach 75h PIC möglich) und ein examiner standardisation course. Es muß noch keine praktische Ausbildung durchgeführt worden sein um examiner zu werden.

Für die Durchführung von skill tests und proficiency checks mit Personen die bereits Piloten sind und ihre Lizenz nur auf andere Ballonklassen und Gruppen erweitern wollen gibt es dagegen weitaus höhere Anforderungen: 250h PIC auf Ballonen und 75h als Instructor.

Welche Voraussetzungen der FE(B) zur Durchführung von proficiency checks zur revalidation der Lizenzen benötigt gibt es keine Angaben.

Da es wenig sinnvoll ist Prüfungen abzunehmen ohne selbst Erfahrungen in der praktischen Ausbildung zu besitzen aber auch 75h Ausbildung sehr hoch sind für die in Zukunft höhere Anzahl von Prüfern die benötigt werden, hier ein geänderter Vorschlag:

1. Änderung der prerequisites in FCL.1010.FE

(a) (2) hold a FI certificate in the appropriate aircraft category and in the case of balloons has completed 250 hours of flight time as a pilot of balloons including 40 hours of flight instruction. (auch Segelflugzeuge ?)

2. Änderung der FCL.1005.FE

(f) FE(B). The privileges of an FE for balloons are to conduct:

(1) skill tests and proficiency checks for the issue and revalidation of the BPL and the LPL(B);

(2) skill tests and proficiency checks for the extension of the privileges to another balloon class or group;

(3) proficiency checks .....including 75 hours of flight instruction;

response *Partially accepted*

Thank you for providing your response. However, it seems that the comment should be addressed to FCL.1005.FE and not to this segment.

FCL.1010.FE is dealing with the prerequisites whereas the different privileges and the required flight experience are contained in FCL.1005.FE. In your comment you point out correctly that some minimum experience requirements for FE(B) (and also FE(S)) are missing for the conduct of skill tests for the issue of the LPL(B) licence. The Agency agrees that the prerequisites for the skill test (licence issue) and for the proficiency checks for the FE(B) (and FE(S)) should be combined. The Agency will therefore combine FCL.1005.FE (f)(1) and (2) accordingly. Please see the resulting text.

The Agency agrees also partially with the proposal to reduce the required amount of flight instruction and will ask for at least 50 hours of flight instruction on balloons.

comment 3747

comment by: ANPI

**FCL.1010.FE FE Prerequisites**

(a) Before attending the examiner standardisation course, an applicant for an FE certificate shall:

(1) (i) in the case of aeroplanes, helicopters and airships, ~~hold a CPL in the appropriate~~

~~aircraft category~~; **Suggested sentence : "hold a CPL in the appropriate aircraft category or demonstrate adequate flight experience;**

response	<i>Not accepted</i> Please see the reply to comment 108 above.
comment	3784 <span style="float: right;">comment by: DGAC FRANCE</span> Part FCL 1010.FE Why requiring a CPL to perform the test for PPL and in another hand to create a special category of examiner for LPL? FCL 1010.FE (a) (1) (i) in the case of aeroplanes, helicopters and airships, hold a <del>CPL</del> <b><u>at least a PPL</u></b> in the appropriate aircraft category.
response	<i>Partially accepted</i> Please see reply to comment No 108 above.
comment	3872 <span style="float: right;">comment by: Luftfahrt-Bundesamt</span> FCL.1010.FE: It is understood that PPL, MPL or restricted ATPL issued on the basis of MPL do not fulfil the requirement according to .FCL.1010.(a)(1)(i), whereas holders of an unrestricted ATPL licence do. Therefore, instead of 'hold a CPL in the appropriate aircraft category' the requirement should read: 'hold at least a licence with CPL privileges'.
response	<i>Noted</i> Please see the reply to comment 108 above.
comment	3953 <span style="float: right;">comment by: Professional Air Training Ltd</span> see comment 3938
response	<i>Noted</i>
comment	3975 <span style="float: right;">comment by: Bayerisches Staatsministerium für Wirtschaft, Infrastruktur, Verkehr und Technologie</span> Nach den Vorschriften sollen sämtliche Prüfer ("Flight Examiners") mit einem CPL ausgestattet sein.  Diese Anforderungen werden, zumindest für den Prüfbereich des PPL und der Freizeitpilotenlizenz, als erheblich zu hoch angesehen. Es sollte alleine der PPL, die entsprechende Flugerfahrung und eine besondere Erfahrung als Fluglehrer ausreichen, um eine Anerkennung als Flugprüfer zu erhalten. Bei dieser Gelegenheit sollte in den Vorschriften auch klargestellt werden, dass z.B. PPL-lizenzierte Prüfer keine CPL-lizenzierte Piloten prüfen dürfen. PPL-Prüfer sollten nur LPL- und PPL-Bewerber prüfen dürfen.  Wegen des Kommentars zur Eingangsflugerfahrung siehe bitte Angaben zu FCL.1005.FE

response	<p><i>Accepted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>4349 comment by: <i>Baden-Württembergischer Luftfahrtverband</i></p> <p>FCL.1010.FE(a)(1)(ii)  <b>Wording in the NPA</b>  (a)(1)(ii) In the case of sailplanes and balloons, hold a SPL or BPL in the appropriate aircraft category;</p> <p><b>Our proposal</b>  (a)(1)(ii) In the case of sailplanes and balloons, hold a SPL, <b>LPL(S)</b> or BPL in the appropriate aircraft category;</p> <p><b>Issue with current wording</b>  For an FE(LPL-S) it must be sufficient to hold an LPL(S)</p> <p><b>Rationale</b>  As discussed in our <b>general comment 3250 Nr. 8</b> in more detail the technical requirements for SPL and LPL(S) are identical. There is no justifiable reason to force an examiner to have an ICAO level medical which is the only additional requirement for an SPL versus an LPL(S). With an LPL(S) the examiner has no additional qualification. As discussed in <b>general comment 3250 Nr. 1</b> it must be possible to recruit examiners from LPL holders.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 118 above.</p> <p>It is possible for the holder of an LPL (S) to be an FE, but then he/she will be restricted to conducting skill test/proficiency checks for holders of an LPL.</p>
comment	<p>5188 comment by: <i>Dieter Zimmermann</i></p> <p>Zu FCL.1010.FE:  Wie vorher schon beschrieben läßt sich qualifiziertes Lehrpersonal und damit auch qualifizierte Prüfer in der Regel nur auf ehrenamtlicher Basis rekrutieren. Das bedeutet insbesondere, dass Inhaber eines CPL in der Regel nicht qualifiziert sind Prüfungen abzunehmen. Die wenigen CPL-Inhaber die geeignet sind, werden für die Abnahme von CPL-relevanten Teilprüfungen benötigt. Deswegen ist in Absatz (a)(1)(i) CPL durch PPL zu ersetzen.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>5401 comment by: <i>ECA- European Cockpit Association</i></p> <p>Delete paragraph (b)  <del>(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.</del></p> <p>Justification:</p>

	<p>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.</p>
response	<p><i>Not accepted</i></p> <p>The Agency considers that the requirements are adequate. It should be noted that the requirements should be adequate to the risk involved in the activity.</p>
comment	<p>5448 <span style="float: right;">comment by: CAA Belgium</span></p> <p>It is understood that PPL, MPL or restricted ATPL issued on the basis of MPL do not fulfil the requirement according to .FCL.1010.(a)(1)(i), whereas holders of an unrestricted ATPL licence do. Therefore, instead of 'hold a CPL in the appropriate aircraft category' the requirement should read: 'hold at least a licence with CPL privileges'.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>5875 <span style="float: right;">comment by: EFLEVA</span></p> <p>EFLEVA does not agree with the CPL pre-requisite. This is not required for FEs whose privileges would be restricted to PPL proficiency checks.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>6044 <span style="float: right;">comment by: BMVBS (German Ministry of Transport)</span></p> <p>The prerequisite or an applicant for an FE to hold a CPL in the appropriate aircraft category before attending the examiner standardisation course, appears to be unreasonably high in the case of aeroplanes, helicopters and airships. A PPL should generally suffice. In that case, however, it would need to be clarified that a FE holding a PPL only is not entitled to check CPL holders.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 108 above.</p>
comment	<p>6618 <span style="float: right;">comment by: Light Aircraft Association UK</span></p> <p>The sequence and numbering here is far too confusing and over complicated. Until further clarification is issued, the LAA feels unable to comment fully.</p> <p>Paragraph a)1)i).</p> <p>The LAA does not endorse the CPL pre-requisite, which is an unnecessary requirement for FEs whose privileges would be limited to PPL proficiency checks.</p> <p>The LAA suggests that FEs only involved in PPL proficiency checks would be</p>

required to hold at least a PPL.

We further suggest the following amendment:

"Applicants wishing to conduct examinations only for the issue, revalidation and renewal of PPL shall be required to hold at least a PPL and a FI certificate in the appropriate aircraft category.

Applicants wishing to conduct examinations only for the issue, revalidation and renewal of Basic LPL and LPL shall be required to hold at least an LPL and a LAFI certificate/rating in the appropriate aircraft category."

response *Accepted*

Please see the reply to comment 108 above.

comment 7961

comment by: *Europe Air Sports, VP*

The requirement to hold a CPL is too demanding and not necessary. An Examiner - again the argument of the lost medical class I - who holds and fulfills all other requirements will still be a qualified examiner for the PPL or LPL level.

response *Accepted*

Please see the reply to comment 108 above.

comment 8082

comment by: *Thorsten*

Die wenigsten Fluglehrer in Deutschland haben einen CPL, da sie ehrenamtlich in Luftsportvereinen schulen. Fluglehrer mit CPL schulen gewerblich und verlangen daher hohe Gebühren, was zu einer Kostensteigerung in den Vereinen führt. Außerdem dürfte die Anzahl der Examiner nicht ausreichen, wenn in ein paar Jahren alle Piloten Prüfungen ablegen müssen. Ein Vereinsfluglehrer mit mind. 1000 Flugstunden ist sicherlich in der Lage als Examiner tätig zu sein. Im Bereich Segelflug geht es auch ohne CPL.

response *Accepted*

Please see the reply to comment 108 above.

comment 8120

comment by: *EPFU is the European Union of national powered flying organisation from the 10 main European countries*

EPFU, like its members, is opposed to the CPL pre-requisite for all FE. It is necessary to allow, with appropriate conditions, to allow PPL/FI(A) to postulate as FE certificates. This new requirement is unadapted to sports and recreational aviation.

response *Accepted*

Please see the reply to comment 108 above.

comment 8293

comment by: *Paul Mc G*

This is too confusing and over complicated. Please rewrite Para a1i).

The CPL pre-requisite is an unnecessary requirement for FEs.

Examiners for the issue, revalidation and renewal of PPL should be required to hold at least a PPL and a FI certificate in the appropriate aircraft category.  
Examiners for the issue, revalidation and renewal of Basic LPL and LPL should be required to hold at least an LPL and a LAFI certificate/rating in the appropriate aircraft category.

response *Accepted*

Please see the reply to comment 108 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 3: Specific requirements for type rating examiners**

p. 67

comment 6722

comment by: *Flintshire Flying School Ltd*

P67 FCL 1010 FE

The NPA states that to become a FE a candidate must hold a CPL to enable initial test for a PPL. Elsewhere the NPA states that a FE must hold an equivalent rating.

This is not consistent.

There is a shortage of examiners currently and this will exacerbate the situation as well as adding to overall costs. There are a significant number of Examiners operating who do not hold a CPL. These proposals if implemented as written will excluded many FE from continuing work, some who have been operating for a considerable number of years.

The move in the LPL is for non-CPL instructors and it should also be for non-CPL Examiners when they have reached a suitable level of experience.

response *Partially accepted*

Based on the comments received, the Agency has amended its initial proposal. Please see the replies to comments to FCL.1010.FE and the amended text.

comment 6833

comment by: *Lindsay MUIR*

There is no provision for a Type Rating Examiner for balloons in this NPA. However, the Ops NPA states that 4.5.1 Operator proficiency check – by a Type Rating Examiner (TRE), Class Rating Examiner (CRE) or, if the check is conducted in a FSTD, a TRE, CRE or a Synthetic Flight Examiner (SFE), trained in CRM concepts and the assessment of CRM skills

response *Noted*

Thank you for your comment which raises a valid point.  
Your comment will be taken into account when reviewing the comments to Part-OR.OPS.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 3: Specific requirements for type rating examiners - FCL.1005.TRE TRE - Privileges and conditions** p. 67-68

comment	<p>66 <span style="float: right;">comment by: <i>Michel Lacombe AF TRTO</i></span></p> <p>THE TRE SHOULD NOT BE ALLOWED TO CHECK A TRI OR A SFI THAT HE SHOULDN'T BE ALLOWED TO TEACH. As to check an instructor is not the same than to check a pilot, we should ad a specific formation for the function.</p> <p>FCL.1005.TRE TRE Privileges and conditions (a) <i>TRE(A) and TRE(PL)</i> . The privileges of a TRE for aeroplanes or powered-lift are to conduct: (1) skill tests for the initial issue of type ratings for multipilot aeroplanes or powered-lift, as applicable; (2) proficiency checks for revalidation or renewal of multi-pilot type and instrument ratings; (3) skill tests for ATPL(A) issue; (4) skill tests for MPL issue; (5) skill tests for the issue, revalidation or renewal of a TRI or SFI certificate in the applicable aircraft category, provided that the examiner ; - has the criteria to train, as a TRI, another instructor, - has followed the specific complementary training to assess an instructor, - has completed at least 4 skill tests or proficiency checks for the issue, revalidation or renewal of a type rating on the applicable type.</p>
response	<p><i>Partially accepted</i></p> <p>After careful consideration of all the comments received on this paragraph in relation to the privileges of the TRE (A) and (H) to conduct skill tests and proficiency checks for the issue, revalidation and renewal of the TRI and SFI certificates, the Agency has decided to amend the text to require the TRE to have 3 years of experience as a TRE in the applicable type. This will ensure consistency with the privileges of the TRI to instruct other TRI, as provided for in FCL.905.TRI. This will apply to the TRE (A) and (H).</p>
comment	<p>262 <span style="float: right;">comment by: <i>Irish Aviation Authority</i></span></p> <p>FCL 1005.TRE (b)(5) permits a TRE(H) to revalidate or renew a TRI(H) or SFI(H) provided he has completed 4 skill tests or LPCs on type. This is a much less strenuous experience requirement than for an FIE(H) who requires 100 hours of instructing candidates for the FI(H), TRI(H) or IRI(H), see FCL 1010.FIE, shouldn't this requirement apply to the TRE(H) as well to revalidate/renew TRI/SFI. John Swan 1.9.2008</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 66 above.</p>
comment	<p>336 <span style="float: right;">comment by: <i>Michel Lacombe AF TRTO</i></span></p> <p>Numbering error in paragraph b)</p> <p>(b) <i>TRE(H)</i>. The privileges of a TRE(H) are to conduct : (1) skill tests and proficiency checks for the issue, revalidation or renewal of</p>

response	<p>helicopter type ratings;</p> <p>(2) proficiency checks for the revalidation or renewal of instrument ratings, or for the extension of the IR(H) from single pilot helicopters to multipilot helicopters, provided the TRE(H) holds a valid IR(H);</p> <p>(3) skill tests for ATPL(H) issue;</p> <p><del>(5)</del> <b>(4)</b> skill tests for the issue, revalidation or renewal of a TRI(H) or SFI(H) certificate, provided that the examiner has completed at least 4 skill tests or proficiency checks for the issue, revalidation or renewal of a type rating on the applicable helicopter type.</p> <p><i>Accepted</i></p> <p>Text will be renumbered.</p>
comment	<p>1383 <span style="float: right;">comment by: <i>Bristow Helicopters</i></span></p> <p>(b)(2) proficiency checks for the revalidation or renewal of instrument ratings, or for the extension of the IR(H) from <del>single-pilot</del> <b>single-engine</b> helicopters to <del>multi-pilot</del> <b>multi-engine</b> helicopters, provided the TRE(H) holds a valid IR(H). Justification: There is a course to extend the IR(H) from single-engine to multi-engine helicopters and the TRE(H) privilege mentioned here is to conduct the instrument skill test on the multi-engine helicopter at the end of this course. It is not related to single-pilot versus multi pilot helicopters.</p>
response	<p><i>Accepted</i></p> <p>Text will be amended accordingly. This provision is indeed related to the extension from single-engine to multi-engine privileges, as foreseen in FCL.630.H.</p>
comment	<p>2135 <span style="float: right;">comment by: <i>British International Helicopters</i></span></p> <p>b)(2) proficiency checks for the revalidation or renewal of instrument ratings, or for the extension of the IR(H) from <del>single-pilot</del> <b>single-engine</b> helicopters to <del>multi-pilot</del> <b>multi-engine</b> helicopters, provided the TRE(H) holds a valid IR(H). Justification: There is a course to extend the IR(H) from single-engine to multi-engine helicopters and the TRE(H) privilege mentioned here is to conduct the instrument skill test on the multi-engine helicopter at the end of this course. It is not related to single-pilot versus multi pilot helicopters.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 1383 above.</p>
comment	<p>3658 <span style="float: right;">comment by: <i>M Wilson-NetJets</i></span></p> <p>FCL.1005.TRE(A)(5)</p> <ul style="list-style-type: none"> <li>Does not require that the TRE has passed a competency check for the revalidation or renewal of the certificate</li> </ul>

	<p>Suggestion: After "provided that the examiner has" insert "passed a relevant proficiency check, and has"</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 66 above.</p>
comment	<p>3789 <span style="float: right;">comment by: OAA Oxford</span></p>
	<p>FCL.1005.TRE(a)(5) does not require that the TRE has passed a competency check for the revalidation or renewal of the certificate. Suggestion: After "provided that the examiner has" insert "passed a relevant proficiency check, and has"</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 66 above.</p>
comment	<p>3873 <span style="float: right;">comment by: Luftfahrt-Bundesamt</span></p>
	<p>FCL.1005.TRE :</p> <p>FCL.1005.TRE(a)(4) needs an amendment for the TRE(A) privilege for MPL(A) licence. Privileges for MPL skill test should be issued only to TRI(A) with MPL instructor privileges. The required qualification and experience of the instructor in order to become a TRE(A) for MPL skill test still need to be specified.</p> <p>Tests/Checks for the purpose of a type rating can be relatively simple and probably will be done in an FSTD. FCL.1005.TRE (a) (5) and FCL.1005.TRE (b) (5) do not provide further specification (not specified CS 23, CS 25) and therefore a justification for this requirements is missing. Therefore it is not understood how possibly relative simple test/checks for the purpose of a type rating would qualify a TRE to conduct skill tests concerning for Instructor 'Certificates'. Complex / non complex aircraft need to be considered in the context of skill test/prof. checks for instructor ratings/'certificates'.</p> <p>Skill tests/Prof.Checks for type rating purposes basically do not give any credit for the purpose of assessment of instructor certificates, and the experience requirements for TRE FCL.1005.TRE(a)(5) should <b>not</b> be lower as for a TRI in accordance with FCL.905.TRI (a) (3). Therefore the TRE privilege to conduct for skill tests/proficiency checks for issue, revalidation and renewal of TRI ratings/'certificates' should only be issued to TRE's with an experience as TRI of at least 3 years. The relevant documentation for TRI skill test/proficiency checks is missing in this NPA.</p> <p>There is no explanation given why the specific privileges for the extension from single pilot to multi pilot helicopters should be provided to a TRE(H) when EASA does not intend to provide equivalent privileges to a TRE(A) in case of CS 25 aeroplanes and CRE(A) in case of CS23 aeroplane required to be flown by a multi pilot flight crew by OPS, respectively. It is highly recommended to take into consideration the complexity of a helicopter for the allocation of privileges fto examiners (H).</p> <p>In the second half of the sentence, FCL.1005.TRE (b)(2) refers to a type rating for multi pilot helicopter, which implies that the TRE(H) must be qualified on that type, thus requiring a TRI(H) rating/certificate. The reference to IR is not</p>

	logic, as IR might not be applicable to the MPH operation acc. VFR. A valid IR(H) does not specify the validity for SE(H) or ME(H) or MPH(H), or does EASA intend to provide a TRE(H) on a SE/SP non complex type helicopter , who additionally holds an IR(H), with the privilege to act as a TRE(H) on SP or MP complex multi engine helicopter types without further ado?
response	<i>Partially accepted</i> Please see the replies to comments 66, 1383 and 5411.
comment	4275 <span style="float: right;">comment by: <i>David COURT</i></span> Type Rating Examiners will also be required for balloons to conduct proficiency checks as listed in OR. OPS. 145. FC
response	<i>Noted</i> Thank you for your comment, which raises a valid point. There will be no TRE for balloons, since there are no balloon type ratings. Therefore, there is an inconsistency with the AMC to OR.OPS.145.FC. Your comment will be taken into account when reviewing the comments to Part-OR.OPS.
comment	4418 <span style="float: right;">comment by: <i>Bond Offshore Helicopters</i></span> (b)(2) proficiency checks for the revalidation or renewal of instrument ratings, or for the extension of the IR(H) from <del>single-pilot</del> <b>single-engine</b> helicopters to <del>multi-pilot</del> <b>multi-engine</b> helicopters, provided the TRE(H) holds a valid IR(H). Justification: There is a course to extend the IR(H) from single-engine to multi-engine helicopters and the TRE(H) privilege mentioned here is to conduct the instrument skill test on the multi-engine helicopter at the end of this course. It is not related to single-pilot versus multi pilot helicopters.
response	<i>Accepted</i> Please see the reply to comment 1383 above.
comment	4577 <span style="float: right;">comment by: <i>AEA</i></span> Relevant Text: (5) skill tests for the issue, revalidation or renewal of a TRI or SFI certificate in the applicable aircraft category, provided that the examiner has completed at least 4 skill tests or proficiency checks for the issue, revalidation or renewal of a type rating on the applicable type. <b>Comment:</b> There is a discrepancy between the prerequisites of a TRI wishing to instruct SFI or TRI and the prerequisites of a TRE. A TRI who wishes to instruct SFI or TRI need to have a three year experience but he can become TRE before 3 years of experience as TRI and therefore perform skill test for SFI and TRI. <b>Proposal:</b> Change the requirements for a TRI instructing other TRIs
response	<i>Noted</i>

Please see the reply to comment 66 above.

comment 4663 comment by: *Héli-Union*

(b)(2) proficiency checks for the revalidation or renewal of instrument ratings, or for the extension of the IR(H) from ~~single-pilot~~ **single-engine** helicopters to ~~multi-pilot~~ **multi-engine** helicopters, provided the TRE(H) holds a valid IR(H).  
Justification:

There is a course to extend the IR(H) from single-engine to multi-engine helicopters and the TRE(H) privilege mentioned here is to conduct the instrument skill test on the multi-engine helicopter at the end of this course. It is not related to single-pilot versus multi pilot helicopters.

response *Accepted*

Please see yhe reply to comment 1383 above.

comment 4882 comment by: *HUTC*

(b)(2) proficiency checks for the revalidation or renewal of instrument ratings, or for the extension of the IR(H) from ~~single-pilot~~ **single-engine** helicopters to ~~multi-pilot~~ **multi-engine** helicopters, provided the TRE(H) holds a valid IR(H).  
Justification:

There is a course to extend the IR(H) from single-engine to multi-engine helicopters and the TRE(H) privilege mentioned here is to conduct the instrument skill test on the multi-engine helicopter at the end of this course. It is not related to single-pilot versus multi pilot helicopters.

response *Accepted*

Please see the reply to comment 1383 above.

comment 5411 comment by: *ECA- European Cockpit Association*

Add words:

(a)(4) skill tests for MPL issue, **provided that the examiner has complied with the requirements of paragraph FCL.925;**

Justification:

It should be cleat that the requirement is to have the instructional privileges for the license or rating to be tested.

response *Accepted*

The text will be amended accordingly.

comment 5720 comment by: *FNAM (Fédération Nationale de l'Aviation Marchande)*

The alinea (b) (4) is missing in this part.

response *Accepted*

Text will be renumbered.

comment 6002 comment by: *UK CAA*

	<p><b>Paragraph:</b> FCL.1005.TRE  <b>Page No*:</b> 67  <b>Comment:</b> To extend the privileges of TRE (A) to include flight tests in single-pilot aeroplanes, for which the examiner holds the applicable TRI certificate, to the TRE (A).  <b>Justification:</b> To ensure those qualified to examine in sophisticated single-pilot aeroplanes are appropriately qualified to do so.  <b>Proposed Text: (if applicable)</b>  (a)(1): remove words "...multi pilot..."  (a)(2): remove words "...multi pilot..."</p>
response	<p><i>Accepted</i></p> <p>Text will be amended accordingly.</p>
comment	<p>6003 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1005.TRE (a)(3)  <b>Page No:</b> 68 of 647  <b>Comment:</b> The TRE(PL) should have the privilege to conduct the skill test for the issue of the ATPL(PL).  <b>Justification:</b> Inconsistency across TRE privileges.  <b>Proposed Text: (if applicable)</b>  Add to para(3) "skill tests for ATPL(A) and ATPL(PL) issue;"</p>
response	<p><i>Not accepted</i></p> <p>As it was explained in the Explanatory Note to this NPA, the Agency has only included in this first phase of the implementing rules the requirements for the issue of (PL) type ratings to holders of an ATPL (A) or (H).  A rulemaking task has been included in the Agency's rulemaking programme to define the total licensing system for (PL), including the definition of the requirements for the issue of (PL) licences. This will then be subject to future work.</p>
comment	<p>6008 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1005.TRE &amp; FCL.1010.TRE  <b>Page No:</b> 68 of 647  <b>Comment:</b> No mention here of TRE (Balloons).  <b>Justification:</b> Passenger balloons carrying 25 or more passengers are commonplace in Europe. A TRE structure for annual OPC flights is considered essential.  <b>Proposed Text: (if applicable)</b>  Add provision for a TRE (Balloons).</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 4275 above.</p>
comment	<p>6937 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1005.TRE (a) (5)  <b>Page No:</b> 68 of 647  <b>Comment:</b> The privileges of the TRE should not extend to conducting skill</p>

tests for the issue, revalidation or renewal of a TRI or SFI certificate in the entire aircraft category.

**Justification:** 1. The aircraft category definitions at FCL.010 state 6 categories. In this case the applicable aircraft category would be aeroplanes. The TRE therefore would be authorised to conduct tests on any aircraft type within the aircraft category despite having no knowledge of the type. The requirement to conduct 4 skill test or proficiency checks on the applicable type only serves to qualify the examiner and not limit his authority. It would be dangerous to have TREs conducting TRI or SFI checks on aircraft types they were unfamiliar with.

2. There is no restricted privilege provided to TREs who do not conduct checks on aircraft but only in simulators. The only restrictions to his privileges is contained in the TRI section where if all his training is conducted in a simulator then the TRI certificate would be simulator restricted but not the TRE. If the TRI certificate was gained by having most of the training conducting in a simulator and one flight in an aircraft the certificate would not be restricted and the TRE may thereafter conduct all his activity in a simulator but still retain the ability to conduct skill test on TRI's in an aircraft which they themselves have had no exposure to or recency in. A TRE who has not been exposed to the very different aircraft environment with an inexperienced TRI applicant could present very great safety risks.

**Proposed Text: (if applicable)**

(5) skill tests for the issue, revalidation or renewal of a TRI or SFI certificate on the applicable type within the applicable category, provided that the examiner has completed at least 3 years as TRE on the applicable type.

response

*Accepted*

Please see the reply to comment 66 above.

comment

6938

comment by: CAA CZ

The text should be renumbered. Number (4) is missing in the proposal.

response

*Accepted*

The text will be renumbered.

comment

6940

comment by: UK CAA

**Paragraph:** FCL.1005.TRE (a)(5)

**Page No:** 68 of 647

**Comment:** The TRE (A) & TRE (PL) can conduct the skill test and proficiency check for the TRI and SFI after only completing 4 type rating skill tests or proficiency checks as examiner (there is no time limit as to how long it may take the examiner to complete these 4 skill tests or proficiency checks, it could be many years). Yet to become a tutor on a TRI course, the applicant must have been a TRI for 3 years. This seems to be an inappropriate measure of preparedness to conduct TRI & SFI testing and the TRE(A) & TRE (PL) should also complete 3 years as a working TRE or SFE prior to conducting skill tests for TRI & SFIs.

**Justification:** To make the awarding of qualifications consistent the change should take place.

**Proposed Text: (if applicable)**

(5) Change to read "...completed *at least 3 years as TRE or SFE* for the issue....."

response	<i>Partially accepted</i>	
	Please see the reply to your comment 6937 above, on the same issue.	
comment	6941	comment by: UK CAA
	<p><b>Paragraph:</b> FCL.1005.TRE (b)(5)  <b>Page No:</b> 68 of 647  <b>Comment:</b>  The TRE (H) can conduct the skill test and proficiency check for the TRI and SFI after only completing 4 type rating skill tests or proficiency checks as examiner (there is no time limit as to how long it may take the examiner to complete these 4 skill tests or proficiency checks, it could be years). Yet to become a tutor on a TRI course, the applicant must have been a TRI for 3 years. This seems to be an inappropriate measure of preparedness to conduct TRI &amp; SFI testing and the TRE(H) should also complete 3 years as a working TRE or SFE prior to conducting skill tests for TRI &amp; SFIs.  <b>Justification:</b> To make the awarding of qualifications consistent the change should take place.  <b>Proposed Text: (if applicable)</b>  (5) Change to read "...completed <i>at least 3 years as TRE</i> for the issue...."</p>	
response	<i>Accepted</i>	
	Please see the reply to your comment 6937 above, on the same issue.	
comment	7152	comment by: CHC Europe EASA Ops Team - representing 550 pilots across Europe
	<p>(b)(2) proficiency checks for the revalidation or renewal of instrument ratings, or for the extension of the IR(H) from <del>single-pilot</del> <b>single-engine</b> helicopters to <del>multi-pilot</del> <b>multi-engine</b> helicopters, provided the TRE(H) holds a valid IR(H).  Justification:  There is a course to extend the IR(H) from single-engine to multi-engine helicopters and the TRE(H) privilege mentioned here is to conduct the instrument skill test on the multi-engine helicopter at the end of this course. It is not related to single-pilot versus multi pilot helicopters.</p>	
response	<i>Accepted</i>	
	Please see the reply to comment 1383 above.	
comment	7281	comment by: JOSEP LLADO-COSTA
	<p>I woul like some hours can be done by an examiner. Maybe maximum half of them, but it is not against the spirit that at least the first hours (not the last 3 hours f.ex.) can be taught by the same examiner. We are not so much pilots to have lots of instructors or examiners to facilitqgate to new pilots.</p>	
response	<i>Noted</i>	
	The Agency supposes that your comment refers to FCL.1005. Please see the replies to the comments in that segment. It is possible for an examiner to conduct some hours of instruction.	
comment	7319	comment by: ECOGAS

Current wording:  
 "(a) TRE(A) and TRE(PL) . The privileges of a TRE for aeroplanes or powered lift are to conduct:  
 (5) skill tests for the issue, revalidation or renewal of a TRI or SFI certificate in the applicable aircraft category, provided that the examiner has completed at least 4 skill tests or proficiency checks for the issue, revalidation or renewal of a type rating on the applicable type"  
 Issue:  
 Does not require that the TRE has passed a competency check for the revalidation or renewal of the certificate

Suggestion:  
 Insert additional wording as follows (in bold):

"(a) TRE(A) and TRE(PL) . The privileges of a TRE for aeroplanes or powered lift are to conduct:  
 (5) skill tests for the issue, revalidation or renewal of a TRI or SFI certificate in the applicable aircraft category, provided that the examiner has **passed a relevant proficiency check, and has** completed at least 4 skill tests or proficiency checks for the issue, revalidation or renewal of a type rating on the applicable type"

response *Noted*

Please see the reply to comment 66 above.

comment 7610

comment by: CAA Finland

FCL.1005.TRE(a)(5) and (b)(5):  
 Instructor is the most essential element of good product. The examiner assessing instructor skills shall have good expertise. Amended text proposal for (a)(5) and (b)(5):  
 ...the examiner has completed at least **20** skill tests or proficiency checks for...

response *Noted*

Please see the reply to comment 66 above.

comment 7677

comment by: Atlantic Training Support

FCL.1005 TRE(5) after 'provided that the examiner has' insert 'passed a relevant proficiency check, and has'

response *Noted*

Please see the reply to comment 66 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 3: Specific requirements for type rating examiners - FCL.1010.TRE TRE - Prerequisites** p. 68-69

comment 326

comment by: Heiko BRANDT

commenting on b(2).

	<p>There are helicopter types that are not used for general training, PPL or CPL, at all. In order to get experience as a FI/TRI on those types one can only instruct for type ratings which usually take not more than 2 hours (ie. SET to SET).</p> <p>To be able to meet the 50 hour requirement as per b(2) one needs to instruct 25 pilots towards a type rating before being eligible to become a TRE(H). That is virtually impossible especially with not so popular helicopter types. This requirement will lead to permissions being given by the authority to act as TRE(H) on a case by case basis.</p>
response	<p><i>Noted</i></p> <p>After careful consideration of the comments received on FCL.1010.TRE (a)(3) and (b)(2), the Agency has decided to amend the text to:</p> <ul style="list-style-type: none"> <li>• require 50 hours of flight instruction as a TRI, FI or SFI, in the applicable helicopter type or an FSTD representing that type.</li> <li>• clarify that this requirement is only applicable for the initial issue of the TRE certificate.</li> </ul>
comment	<p><i>688</i> <span style="float: right;"><i>comment by: FOCA Switzerland</i></span></p> <p>K/Section 3 FCL.1010.TRE (5)(ii)</p> <p>Since for a FE(H) it is sufficient to hold a PPL in case of a single-pilot single-engine helicopter, it also should be sufficient in the same case for a TRE(H).</p> <p>Proposal <b>(5)(ii) to add: ..hold a private pilot licence..</b></p>
response	<p><i>Not accepted</i></p> <p>This was already required by JAR-FCL 2.439 (c)(2). This Agency sees no reason to change this requirement.</p>
comment	<p><i>818</i> <span style="float: right;"><i>comment by: Pen-Avia Ltd</i></span></p> <p>Item FCL.1010.TRE (a) (3) requires that a TRE must attain 50 hours of flight instruction as a TRI before attending an examiner standardisation course.</p> <p>This is an extra requirement over and above the requirements of JAR-FCL 1.440.</p> <p>Further to this the requirement for a certain amount of instruction time is not echoed in the requirements for SFE in FCL.1010.SFE (a).</p> <p>I believe the extra requirement for the 50 hours of flight instruction is firstly unnecessary and also impractical to attain.</p> <p>It is likely that a TRI/TRE will be conducting training and testing in an aircraft and SFI/SFE in a FSTD. With almost all training and testing occurring in an FSTD these days it will be very hard to attain 50hrs of flight instruction as a TRI in order to qualify for the minimum requirements of a TRE.</p> <p>This will particularly impact operators like ourselves who carry out almost all</p>

training and testing in an FSTD but regularly carry out OPC's in the aircraft. If we conduct very little or no actual training in the aircraft we will not be able to upgrade a TRI to a TRE as they will not get any instruction hours. We will then not be able to conduct OPCs.

I believe the current requirement of JAR-FCL is sufficient and would like to see requirement of 50 hours flight instruction removed from this section, or if not removed completely significantly reduced.

If it is felt that this requirement should be kept then I believe it should also be applied to the SFE requirements.

I am not involved with helicopters but i notice FCL.1010.TRE (b) (2) may also be affected by my comments.

response *Partially accepted*

Please see the reply to comment 326 above.

comment 895

comment by: ERA

FCL.1010.TRE TRE - Prerequisites

FCL.1010.TRE paragraph (a) (3) : Can this be reworded to the following: "*have completed at least 50 hours of flight instruction as TRI or LFUS or SFI in the appropriate type*" or just "*have completed at least 50 hours of flight instruction in the appropriate aircraft category or FSTDs*"? ERA members feel this would then match the wording in FCL.940.TRI wording. The reason is that the hours provided as TRI in LFUS and FSTD are taken into account, otherwise it is quite impossible to get 50 hours in a training flight where only a TRI can act. ERA members would again suggest using the same wording as FCL.940 TRI.

response *Partially accepted*

Please see the reply to comment 326 above.

comment 1033

comment by: CAA Belgium

(a)(3) this requirement is not JAR-FCL and is not justified certainly not for smaller aircraft types.

response *Noted*

Please see the reply to comment 326 above.

comment 1384

comment by: Bristow Helicopters

~~(b) (2) have completed at least 50 hours of as a TRI on the applicable type;~~  
Propose deletion of this requirement.

Justification:

It is not currently required under JAR-FCL. This will have a significant impact on the helicopter industry where we currently successfully conduct the TRI course and test followed by the TRE course and examiner check without this TRI experience requirement. If not operating at a busy ATO, it will take a TRI some time to accumulate 50 hours instructing experience as TRI and delay the availability of additional examiners. The TRI must demonstrate competence by

passing the TRI check, so what is the justification for this new experience requirement before being trained and checked as a TRE?

response *Noted*

Please see the reply to comment 326 above.

comment

1617

comment by: *Helikopter Air Transport GmbH / Christophorus Flugrettungsverein*

#### STATEMENT

- (b)(1): According FCL.905.FI(i)(2) it is possible to conduct flight instructions by an FI(H) on a single-pilot multi-engine helicopter. The same shall apply for the TRE.
- (b)(2): The requirement of 50 hours of flight instruction is too demanding.
- (b)(3): The requirement of 1500 flight hours is too demanding.
- (b)(7): Useless if (b)(3) is changed.

#### PROPOSAL

- (b)(1): hold a TRI(H) certificate, or a FI(H) certificate according FCL.905.FI (i)(2), or in the case of single-pilot.....
- (b)(2): have completed 50 hours of flight as a pilot-in-command in the appropriate type;
- (b)(3): in the case of multi-pilot helicopters, have completed 1500 hours of flight as a pilot of helicopters, of which at least 500 hours of flight shall be as pilot-in-command on multi-pilot helicopters;

(b)(7): delete (only if (b)(3) changed)

response *Noted*

(b)(1)

Not accepted.

This requirement for the TRE was already included in JAR-FCL 2.439 (c)(3). The requirements for examiners don't need to be exactly the same as for instructors, since the privileges are different.

(b)(2)

Noted.

Please see the reply to comment 326 above.

(b)(3) / (b)(7)

Not accepted.

This requirement for the TRE was already included in JAR-FCL 2.439 (a)(1) and (3), and the Agency does not intend to change it at this time.

comment

1771

comment by: *REGA*

#### STATEMENT

- (b)(1): According FCL.905.FI(i)(2) it is possible to conduct flight instructions by an FI(H) on a single-pilot multi-engine helicopter. The same shall apply for the TRE.
- (b)(2): The requirement of 50 hours of flight instruction is too demanding.
- (b)(3): The requirement of 1500 flight hours is too demanding.
- (b)(7): Useless if (b)(3) is changed.

	<p><b>PROPOSAL</b></p> <ul style="list-style-type: none"> <li>• (b)(1): hold a TRI(H) certificate, or a FI(H) certificate according FCL.905.FI (i)(2), or in the case of single-pilot.....</li> <li>• (b)(2): have completed 50 hours of flight as a pilot-in-command in the appropriate type;</li> <li>• (b)(3): in the case of multi-pilot helicopters, have completed 1500 hours of flight as a pilot of helicopters, of which at least 500 hours of flight shall be as pilot-in-command on multi-pilot helicopters;</li> </ul> <p>(b)(7): delete (only if (b)(3) changed)</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 1617 above.</p>
comment	<p>2136 <span style="float: right;">comment by: <i>British International Helicopters</i></span></p> <p><del>(b) (2) have completed at least 50 hours of as a TRI on the applicable type;</del> Propose deletion of this requirement. Justification: It is not currently required under JAR-FCL. This will have a significant impact on the helicopter industry where we currently successfully conduct the TRI course and test followed by the TRE course and examiner check without this TRI experience requirement. If not operating at a busy ATO, it will take a TRI some time to accumulate 50 hours instructing experience as TRI and delay the availability of additional examiners. The TRI must demonstrate competence by passing the TRI check, so what is the justification for this new experience requirement before being trained and checked as a TRE?</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>2248 <span style="float: right;">comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></span></p> <p>Comments: (a)(3) is a new requirement:</p> <ul style="list-style-type: none"> <li>• Applicant TRE as followed a standardisation course where he has been supervised by a senior TRE. During this supervision, he has been assessed to be able to exercise as TRE. 50 hours as TRI will not add any competency</li> <li>• In case of mixed fleet operations, this requirement is useless. A TRE on a type of aircraft should be nominated TRE on the second type of aircraft as soon he hold a TRI rating on the second type of aircraft.</li> </ul> <p>Proposal: delete (a)(3) and (b) (2) and transfer specific pre requisites into AMC</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>2253 <span style="float: right;">comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International,</i></span></p>

	<p style="text-align: center;"><i>IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i></p> <p>Comment: There is no definition of Flight Instruction in FCL</p> <p>Proposed definition under FCL 010: Flight instructions: Instruction on an aircraft or synthetic device certified or approved for flight training</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 326 above.</p> <p>It is clear from the new text that synthetic flight instruction is included. The same can be said for all the other paragraphs in Part-FCL. Whenever instruction on an FSTD is accepted, this is clearly mentioned. For these reasons, the Agency does not consider it necessary or appropriate to add the definition as requested.</p>
comment	<p>2275 <span style="float: right;">comment by: <i>Bundespolizei-Fliegergruppe und Polizeihubschrauberstaffeln/ -fliegerstaffeln der Länder</i></span></p> <p>Bundespolizei-Fliegergruppe operates a fleet of helicopter of currently 5 different types including multi-pilot helicopter. In the future it will be difficult to create TRE on multi-pilot helicopter in our organisation, because our Examiners don't fly just only one type and flight hours will decrease. TRE on Super-Puma are hardly found in Germany.</p> <p>In order to gain adequate experience on a particular helicopter type, flight hours have not necessarily to be flown as PIC only.</p> <p>Therefore we suggest to change FCL.1010.TRE (b)(7) as follows:</p> <p>In case of applicants for the first multi-pilot multi-engine TRE certificate, the 1500 hours of flight experience in multi-pilot helicopters required in (b)(3) may be considered to have been met if they have completed the <u>500 hours as pilot-in-command</u> on a multi-pilot helicopter of the same type.</p>
response	<p><i>Not accepted</i></p> <p>This requirement for the TRE was already included in JAR-FCL 2.439 (a)(1) and (3), and the Agency does not intend to change it at this time.</p>
comment	<p>2346 <span style="float: right;">comment by: <i>AECA(SPAIN)</i></span></p> <p><del>(b) (2) have completed at least 50 hours of as a TRI on the applicable type;</del> Propose deletion of this requirement. Justification: It is not currently required under JAR-FCL. This will have a significant impact on the helicopter industry.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>

comment	<p>3206 <span style="float: right;">comment by: <i>Susana Nogueira</i></span></p> <p>Delete (a)(3) Justification: Is not in JAR-FCL and not justified for smaller aircraft types.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>3276 <span style="float: right;">comment by: <i>DGAC FRANCE</i></span></p> <p>Subpart <span style="float: right;">K</span> FCL 1010 TRE (b)</p> <p>Add this mention could help to face the lack of TRE, and is similar to the requirement for a CRE</p> <p>(4) in the case of single-pilot multi-engine helicopters:            (i) have completed 1000 hours of flight as a pilot of helicopters, of which at least 500 hours shall be as pilot in command;            (ii) hold a professional helicopter pilot licence <b>or has held a professional helicopter pilot licence and hold the privileges of a PPL(H)</b>, and when applicable a valid IR(H).</p> <p>(5) in the case of single-pilot single-engine helicopters:            (i) have completed 750 hours of flight as a pilot of helicopters, of which at least 500 hours shall be as pilot in command;            (ii) hold a professional helicopter pilot licence <b>or has held a professional helicopter pilot licence and hold the privileges of a PPL(H)</b>.</p>
response	<p><i>Not accepted</i></p> <p>This was already required by JAR-FCL 2.439 (c)(2). This Agency sees no reason to change this requirement at this time.</p>
comment	<p>3359 <span style="float: right;">comment by: <i>DGAC FRANCE</i></span></p> <p>Part FCL .1010. TRE (b)(2)</p> <p>50 hours experience <u>on the applicable type</u> is a too strong requirement. Small helicopter operators will need TRE (H) to perform the proficiency checks for their pilots, and will have a lot of difficulties to make them with that prerequisite (TRI(H) on the applicable type), to attend the standardisation course.</p> <p>(b) (2) Have completed at least 50 hours of flight instruction as a TRI <del>in the applicable type</del> <b>(H) or as an FI (H)</b>.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>3454 <span style="float: right;">comment by: <i>Boeing</i></span></p> <p><b>Boeing Commercial Airplanes comments re:</b></p>

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Paragraph: FCL.1010.TRE (a)

Boeing suggests that the following changes be made: Add a new subparagraph (a)(4) that reads as follows:

***“(4) be an examiner for a manufacturer or a manufacturer’s ATO without having to comply with (1), (2), and (3).”***

**JUSTIFICATION:** Safe introduction of new airplanes possibly needs to be done by the manufacturers or manufacturers' ATOs' examiners. This is consistent with BR 216/2008.

response *Not accepted*

Please see the reply to comments on FCL.1000 (b).

comment

3510

comment by: *Urpo Koskela*

FCL.1010.TRE ( a ) ( 3 ) Suggesting the paragraph 3 to be deleted.

Reason behind:

- If the company is purchasing new aircrafts in a short period of time , you need many new TRI:s in order to make your own TRE:s about them. To have own instructors and examiners in te company is one of the best practices ( IATA, Boeing: " Control of Crew Caused Accidents 1986 and 2007).

If you need 50 h instruction as a TRI in the appropriate type before attending to the standardisation course , you have to let your own TRI:s to train students in another company with different SOP:s. This will cause somewhat mix-up of SOP:s later on when returning back as a TRE to your original company. Besides as a TRE you are also normally acting as a TRI, which affects also the standard of your insruction.

- Case is almost the same, when a company starts suddenly expanding in a rapid schedule.

- 50 h as a TRI does not give any remakable experience in a duty of TRE. It needs more than a year.

response *Noted*

Please see the reply to comment 326 above.

comment

3659

comment by: *M Wilson-NetJets*

FCL.1010.TRE(A)(3)

- Linking the requirement to flight hours is not appropriate to the approval being sought, and would be difficult to reach in a Corporate Aviation arena. Should be linked to take-offs, which is the appropriate phase of flight

Suggestion:

replace with "have supervised at least 6 t/o's and landings as a TRI in the appropriate type"

response *Noted*

Please see the reply to comment 326 above.

comment 3791 comment by: OAA Oxford

FCL.1010.TRE(a)(3). Linking the requirement to flight hours is not appropriate to the approval being sought and would be difficult to reach in a Corporate Aviation arena. The requirement should be linked to take off's which is the appropriate phase of flight. Suggestion: replace with "have supervised at least 6 take off's and landings as TRI in the appropriate type"

response *Noted*

Please see the reply to comment 326 above.

comment 3874 comment by: Luftfahrt-Bundesamt

FCL.1010.TRE:

The paragraphs in FCL.1010.TRE. (b)(4)(ii) and (b)(5)(ii) should be deleted because FCL.1000(a) already comprises these requirements.

The requirements according to FCL.1010.TRE (b) should (editorially) be rewritten in order to become understandable, manageable and acceptable for the affected public (pilots and FTO/TRTO) and authorities. It is further recommended to take the complexity of a helicopter type into account. With regard to complexity, please note our general comment and our comment on FCL.720.H as well.

The requirement to hold a valid FI(H) rating/'certificate' in case of single pilot SE helicopters seems to be too demanding, does not seem logic and is not in balance with comparable CRE(A) pre-requisites for SE-SP aeroplane. A TRI(H) certificate should be sufficient for this purpose as well.

The experience requirements for SP-ME and for MP-ME helicopter types are considered to be too demanding (apparently a mere reproduction of aeroplane TRE(A) requirements). The only difference between a SP-ME type and a MP-ME type might be a second pilot due to operational requirements, e.g. IFR-flights. Thus, these requirements are supposed to be an obstacle for the provision/allocation of a sufficient number of TRE(H)'s, e.g. for the purpose of ATPL(H) skill tests.

response *Noted*

1st paragraph:

Not accepted.

The general requirements in FCL.1000 (a) do not replace (b)(4)(ii) and(5)(ii). What these two paragraphs require is that the examiner needs to hold a professional licence to do skill tests/proficiency checks for these type ratings even if the applicant holds a PPL.

2nd paragraph:

Noted.

The Agency considers that the current wording is editorially adequate, and the organisation of the paragraph reflects the fact that some requirements are general, and some depend on which specific type of aircraft is involved.

3rd paragraph:

Noted.  
The requirement to hold an FI(H) is an alternative to holding a TRI(H), not an addition. The TRI is sufficient.

4th paragraph:

Noted.

The requirements are the same as in JAR-FCL 2.439 (a) and (b). The Agency sees no reason to change.

comment 4419 comment by: *Bond Offshore Helicopters*

(b) ~~(2) have completed at least 50 hours of as a TRI on the applicable type;~~  
Propose deletion of this requirement.

Justification:

It is not currently required under JAR-FCL. This will have a significant impact on the helicopter industry where we currently successfully conduct the TRI course and test followed by the TRE course and examiner check without this TRI experience requirement. If not operating at a busy ATO, it will take a TRI some time to accumulate 50 hours instructing experience as TRI and delay the availability of additional examiners. The TRI must demonstrate competence by passing the TRI check, so what is the justification for this new experience requirement before being trained and checked as a TRE?

response *Noted*

Please see the reply to comment 326 above.

comment 4519 comment by: *AEA*

Relevant Text:

(a) TRE(A) and TRE(PL). Before attending the examiner standardisation course, applicants for a TRE certificate for aeroplanes and poweredlift aircraft shall:

(1) have completed 1500 hours of flight time as a pilot of multipilot aeroplanes or poweredlift, as applicable, of which at least 500 hours shall be as pilot in command;

(2) hold a TRI certificate for the applicable type;

(3) have completed at least 50 hours of flight instruction as a TRI in the appropriate type.

**Comment:**

(a)(3) In case of mixed fleet operations, this requirement is useless. A TRE on a type of aircraft should be nominated TRE on the second type of aircraft as soon he hold a TRI rating on the second type of aircraft.

**Proposal:**

(a)(3) has completed at least 50 hours of flight instruction as a TRI in the appropriate type or in any aircraft used in mixed fleet operations.

response *Noted*

Please see the reply to comment 326 above.

comment 4580 comment by: *AEA*

Relevant Text:

(a) TRE(A) and TRE(PL). Before attending the examiner standardisation course, applicants for a TRE certificate for aeroplanes and powered lift

aircraft shall:

(1) have completed 1500 hours of flight time as a pilot of multi pilot aeroplanes or powered lift, as applicable, of which at least 500 hours shall be as pilot in command;

(2) hold a TRI certificate for the applicable type;

(3) have completed at least 50 hours of flight instruction in as a TRI in the appropriate type

**Comment:**

A TRI with restricted privileges can only instruction on FFS. To become TRE, he needs 50 hours of flight instruction as TRI. Does the hours on instruction on FFS can be use for this pre requisite? What kind of instruction is needed?

**Proposal:**

There is a need for a definition of "Flight Instruction" in **FCL.010 Definitions**

response *Not accepted*

Please see the reply to comment 2253 above.

comment 4583

comment by: AEA

Relevant Text:

(a) TRE(A) and TRE(PL). Before attending the examiner standardisation course, applicants for a TRE certificate for aeroplanes and powered lift aircraft shall:

(1) have completed 1500 hours of flight time as a pilot of multi pilot aeroplanes or powered lift, as applicable, of which at least 500 hours shall be as pilot in command;

(2) hold a TRI certificate for the applicable type;

(3) have completed at least 50 hours of flight instruction in as a TRI in the appropriate type

**Comment:**

(a) (3) is a new requirement. Applicant TRE as followed a standardisation course where he has been supervised by a senior TRE. During this supervision, he has been assessed to be able to exercise as TRE. 50 hours as TRI will not add any competency.

**Proposal:** Skip (a) (3)

response *Not accepted*

Please see the reply to comment 326 above.

comment 4664

comment by: Héli-Union

(b) ~~(2) have completed at least 50 hours of as a TRI on the applicable type;~~  
Propose deletion of this requirement.

Justification:

It is not currently required under JAR-FCL. This will have a significant impact on the helicopter industry where we currently successfully conduct the TRI course and test followed by the TRE course and examiner check without this TRI experience requirement. If not operating at a busy ATO, it will take a TRI some time to accumulate 50 hours instructing experience as TRI and delay the availability of additional examiners. The TRI must demonstrate competence by

response	<p>passing the TRI check, so what is the justification for this new experience requirement before being trained and checked as a TRE?</p> <p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>4883 <span style="float: right;">comment by: HUTC</span></p> <p><del>(b) (2) have completed at least 50 hours of as a TRI on the applicable type;</del> Propose deletion of this requirement. Justification: It is not currently required under JAR-FCL. This will have a significant impact on the helicopter industry where we currently successfully conduct the TRI course and test followed by the TRE course and examiner check without this TRI experience requirement. If not operating at a busy ATO, it will take a TRI some time to accumulate 50 hours instructing experience as TRI and delay the availability of additional examiners. The TRI must demonstrate competence by passing the TRI check, so what is the justification for this new experience requirement before being trained and checked as a TRE?</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>5282 <span style="float: right;">comment by: CAA Belgium</span></p> <p>Part FCL .1010. TRE (b)(2) 50 hours experience on the applicable type is a too strong requirement. Small helicopter operators will need TRE (H) to perform the proficiency checks for their pilots, and will have a lot of difficulties to make them with that prerequisite (TRI(H) on the applicable type), to attend the standardisation course. (b) (2) Have completed at least 50 hours of flight instruction as a TRI <del>in the applicable type</del> <b>(H) or as an FI (H)</b></p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>5449 <span style="float: right;">comment by: CAA Belgium</span></p> <p>The paragraphs in FCL.1010.TRE. (b)(4)(ii) and (b)(5)(ii) should be deleted because FCL.1000(a) already comprises these requirements.</p> <p>The requirements according to FCL.1010.TRE (b) should (editorially) be rewritten in order to become understandable, manageable and acceptable for the affected public (pilots and FTO/TRTO) and authorities. It is further recommended to take the complexity of a helicopter type into account. With regard to complexity, please note our general comment and our comment on FCL.720.H as well.</p> <p>The requirement to hold a valid FI(H) rating/'certificate' in case of single pilot SE helicopters seems to be too demanding, does not seem logic and is not in balance with comparable CRE(A) pre-requisites for SE-SP aeroplane. A TRI(H)</p>

certificate should be sufficient for this purpose as well.

The experience requirements for SP-ME and for MP-ME helicopter types are considered to be too demanding (apparently a mere reproduction of aeroplane TRE(A) requirements). The only difference between a SP-ME type and a MP-ME type might be a second pilot due to operational requirements, e.g. IFR-flights. Thus, these requirements are supposed to be an obstacle for the provision/allocation of a sufficient number of TRE(H)'s, e.g. for the purpose of ATPL(H) skill tests.

response *Noted*

Please see the reply to comment 3874 above.

comment 5722 comment by: *FNAM (Fédération Nationale de l'Aviation Marchande)*

(a)(3): We request to modify this alinea to be in accordance with suggested disposals of modified FCL.940.TRI(a).

Moreover, in case of mixed fleet operation, a minimum quantum of hours seems to be useless: a TRE on a type of aircraft should be nominated TRE on the second type of aircraft as soon he holds a TRI rating on the second type of aircraft.

response *Noted*

Please see the reply to comment 326 above.

comment 6009 comment by: *UK CAA*

**Paragraph:** FCL.1005.TRE & **FCL.1010.TRE**

**Page No:** 68 of 647

**Comment:** No mention here of TRE (Balloons).

**Justification:** Passenger balloons carrying 25 or more passengers are commonplace in Europe. A TRE structure for annual OPC flights is considered essential.

**Proposed Text: (if applicable)**

Add provision for a TRE (Balloons).

response *Not accepted*

There will be no TRE for balloons, since there are no balloon type ratings. The Agency recognises that there is an inconsistency with the AMC to OR.OPS.145.FC, as published in NPA 2009-02. Your comment will be taken into account when reviewing the comments to Part-OR.OPS.

comment 6010 comment by: *UK CAA*

**Paragraph:** FCL.1010.TRE

**Page No\*:** 68

**Comment:** To separate the pre-requisites of TRE in SPA from MPA requirements.

**Justification:** To ensure those qualified to examine in sophisticated single-pilot aeroplanes are appropriately qualified to do so.

**Proposed Text: (if applicable)**

	<p>(a)(1) <i>add</i> at start of para: "<i>In the case of multi-pilot aeroplanes or powered lift, have completed 1500 hours of flight time as pilot of multi-pilot aeroplanes...</i>"</p> <p>Add:</p> <p>(a)(4): In the case of single-pilot aeroplanes have completed at least 50 hours of flight instruction as a TRI in the appropriate type or similar type(s) as determined by the competent authority.</p>
response	<p><i>Partially accepted</i></p> <p>The text of paragraph (a)(1) will be amended accordingly. A new paragraph (a)(2) has been added to cover single-pilot high performance complex aeroplanes. For more details on this change, please see the explanatory note to this CRD. The requirement of (a)(3) (now (a)(5)) remains applicable to both multi and single-pilot aeroplanes, but only for the initial issue of the TRE certificate. Please see the reply to comment 326 above.</p>
comment	<p>6011 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1010.TRE (a)(3) <b>Page No:</b> 68 of 647 <b>Comment:</b> The use of the word "appropriate" is inconsistent because throughout the document the word "applicable" is used (see paragraph (2) immediately above). 'Appropriate' has no definition in this document and should be removed. <b>Justification:</b> Consistency <b>Proposed Text: (if applicable)</b> (3)...as a TRI in the <i>applicable</i> type;"</p>
response	<p><i>Accepted</i></p> <p>Editorial correction accepted. The text will be amended accordingly.</p>
comment	<p>6019 <span style="float: right;">comment by: DRF Stiftung Luftrettung gemeinnützige AG</span></p> <p><del>(b) (2) have completed at least 50 hours of as a TRI on the applicable type;</del> Propose deletion of this requirement.</p> <p>This will have a significant impact on the helicopter industry where we currently successfully conduct the TRI course and test followed by the TRE course and examiner check without this TRI experience requirement. If not operating at a busy ATO, it will take a TRI some time to accumulate 50 hours instructing experience as TRI and delay the availability of additional examiners. The TRI must demonstrate competence by passing the TRI check, so what is the justification for this new experience requirement before being trained and checked as a TRE?</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>6769 <span style="float: right;">comment by: CAA CZ</span></p> <p>FCL.1010.TRE (b)(6)</p>

	<p>The requirement should be changed as follows: "Before the privileges of a TRE(H) are extended from single-pilot multi-engine to multi-pilot multi-engine privileges on the same type of helicopter, the holder shall have at least 100 hours in multi-pilot <del>helicopters</del> <b>operations</b> on this type."  Note: The requirement for at least 100 hours in multi-pilot helicopters on this type makes no sense and this mistake was already in JAR-FCL 2.439(a)(3).</p>
response	<p><i>Accepted</i></p> <p>The text will be amended accordingly.</p>
comment	<p>7154 <span style="float: right;">comment by: <i>CHC Europe EASA Ops Team - representing 550 pilots across Europe</i></span></p> <p>(b) <del>(2) have completed at least 50 hours of as a TRI on the applicable type;</del>  Propose deletion of this requirement.  Justification:  It is not currently required under JAR-FCL. This will have a significant impact on the helicopter industry where we currently successfully conduct the TRI course and test followed by the TRE course and examiner check without this TRI experience requirement. If not operating at a busy ATO, it will take a TRI some time to accumulate 50 hours instructing experience as TRI and delay the availability of additional examiners. The TRI must demonstrate competence by passing the TRI check, so what is the justification for this new experience requirement before being trained and checked as a TRE?</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>
comment	<p>7321 <span style="float: right;">comment by: <i>ECOGAS</i></span></p> <p>Current wording:  "(a) TRE(A) and TRE(PL). Before attending the examiner standardisation course, applicants for a TRE certificate for aeroplanes and poweredlift aircraft shall:  ...  (3) have completed at least 50 hours of flight instruction as a TRI in the appropriate type."  Issue:  Linking the requirement to flight hours is not appropriate to the approval being sought, and would be difficult to reach in a Corporate Aviation arena due to the low number of hours per cycle. Should be linked to take-offs, which is the appropriate phase of flight for the skills in question.  Suggestion:  Amend as follows  <del>(3) have completed at least 50 hours of flight instruction as a TRI in the appropriate type</del>-have supervised at least 6 t/o's and landings as a TRI in the appropriate type.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 326 above.</p>

comment 7595 comment by: CAA Finland

FCL.1010.TRE(a)(3) and (b)(2):

The understanding of "normal progress" during a training and the final level "average / above average / less than average but still safe / less than average and not safe" is gained by experience as an instructor; not as a pilot or as an examinee. The initial privilege and extension to new types should be separated. The proposed number as an instructor means less than 2 crew (32h flight instruction per crew MPA). FCL.1000(b)(1) (and my proposal for that) gives the flexibility required for the introducing a new type. Also harmonization with SFE: ATPL is required. TRI-requirement in current (2) is useless as Basic regulation and FCL.1000(a)(1). New text proposal:

(a)(1) Hold an ATPL(A);

(2) have completed at least 1500 hours of flight time as a pilot of multi-pilot aeroplanes or powered-lift, as applicable, of which at least 500 hours shall be as pilot-in-command;

(3) have completed at least 200 hours of flight instruction as a TRI, of which at least 30 hours in the appropriate type.

(4) the privileges of the TRE shall be extended to further types when the TRE has completed at least 30 hours of flight instruction as a TRI in the appropriate type.

(b)(2) respectively as (3) and (4) above.

response *Noted*

In what regards your proposal for a system to extend the privileges to further types, please see reply to comment 326 above.the  
For the rest of your proposal, the Agency considers that it deviates too much from the JAR-FCL system, and there is no justification to change it at this time.

comment 7683 comment by: Atlantic Training Support

FCL.1010 TRE(A) (3) replace with 'have conducted at least 6 take-offs and landings in the role of TRI in the appropriate type' [many corporate and smaller commercial operators do not have the opportunity to gain instructional time for their TRI's. They do, however, have a desparate need for TRE's within their Company to conduct OPC's and monitor standards.]

response *Noted*

Please see the reply to comment 326 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 4: Specific requirements for Class Rating Examiner**

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comment 3954 comment by: Professional Air Training Ltd

see comment 3938

response *Noted*

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 4: Specific requirements for Class Rating Examiner - FCL.1005.CRE CRE - Privileges**

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comment

2497

comment by: mfb-bb

**Anforderungen an Flugprüfer: FCL 1010.FE**

Mit In-Krafttreten der neuen Regularien soll Voraussetzung für einen Prüfer der CPL sein.

Ein Pilot erwirbt einen CPL mit der Absicht, gewerblich tätig zu werden, also Geld zu verdienen.

Die Wahrscheinlichkeit, dass er als Fluglehrer gewerblich tätig wird, wird auf wenige Fluglehrer beschränkt sein.

Also werden die CPL / ATPL Piloten schwerpunktmäßig als gewerblicher Pilot bei einem Luftfahrtunternehmen tätig sein. Somit auch den Flugzeitenregelungen unterliegen. Die Einhaltung dieser Vorschriften führt schon heute dazu, dass der planbare Einsatz solcher gewerblich tätiger Piloten als Prüfer schwierig ist.

Bei einer schwerpunktmäßigen Ausrichtung auf den gewerblichen Bereich ist die Folge, dass relativ wenig Erfahrung im Bereich der Ausbildung von diesen Prüfern erworben wird.

Bei der Beurteilung einer Pilotenlizenz PPL-A im Privatpilotenbereich zum Ersterwerb geht es in erster Linie darum, die Fähigkeiten in Bezug auf die erworbenen Inhalte zu beurteilen, ein CPL ist dafür nicht notwendig.

Der CPL Stoff ist kein Bestandteil der Ausbildung zum Erwerb der PPL-A, Es ist demzufolge nicht nachvollziehbar, warum für einen FE dieser Stoff Voraussetzung sein sollte.

Viel wichtiger wäre, dass ein Flugprüfer im Bereich der Ausbildung „in Übung“ ist.

Das ist sowohl für den Erwerb der Berechtigung als auch den Erhalt der FE sinnvoll.

Es kann nicht sein, dass ein Prüfer seine Prüfertätigkeit bzw. Lehrberechtigung ausschließlich über seine Prüfertätigkeit erhält.

**Vorschlag:**

Der FE sollte im Besitz der Lizenzen, und Berechtigungen sein, für die er Prüfungen abnimmt.

Im Bereich der PPL-A ist kein CPL notwendig.

**Requirements for flight examiners**

Concerning to the NPA a requirement for a FE (in case of aeroplanes and helicopter) shall hold a CPL.

The intention for getting a CPL is to earn money, to act commercial.

Because of the current economic forecast there will be only a few commercial flight instructors. The consequence will be most of the commercial pilots will fly in a commercial aviation company.

(flight time, rest time, dead-head-time etc.)

After a long flight the commercial pilots have to keep their rest time and they cannot pass

proficiency checks or instruct students in flying. Therefore it is difficult to coordinate the activities – flying commercial and act as examiner.

It can be expected that because of decreasing numbers of examiners it will take a long time for the pilots to pass their proficiency checks.

The CPL knowledge is not included in the private PPL-A or H knowledge therefore it could not be necessary to hold a CPL for a FE / CRE just for PPL-A or PPL-H.

It is more important, that an examiner is **in practice with instruction**.

It is absurd that an examiner has lots of hours of flight time but revalue his instructor certificate only by passing a proficiency check in the period of 12 months before renewal.

**Proposal:**

CRE-Pre-requisites

In the case of aeroplanes, helicopters and airships, hold a CPL **or** have at least **400 hours of flight instruction**

response *Not accepted*

In relation to your comment to FCL.1010.CRE (a), the requirement for the CRE to hold or have held a professional licence was included in JAR-FCL 1.445. The Agency sees no reason to change this requirement at this time.

comment

3482

comment by: *SHA Guido Brun*

Statement: Class ratings should also be incorporated for single engine piston and single engine turbine helicopters. Therefore the need for a class rating examiner (H).

Proposal: The privileges of a CRE are to conduct, for single-pilot aeroplanes **and single pilot helicopters:**

response *Not accepted*

For the moment, class ratings only exist for aeroplanes.

The creation of class ratings for helicopters would have to be subject to specific consideration, in a separate rulemaking task. If a rulemaking proposal is made in this sense, the Agency will consider the issue, and it will eventually be a future task.

comment

3785

comment by: *DGAC FRANCE*

Part FCL 1005 CRE(b) (2)

To give privileges to a CRE to revalidate and renew an instrument rating, it is necessary to require IR experience, not only the rating. 800 hours is a prerequisite to be an IRI.

(b)

(2) revalidation and renewal of instrument ratings, provided that the CRE holds an IR(A) **and have completed 800 hours instrument flight time.**

response *Noted*

The Agency agrees with the reasoning behind your proposal.

However, for reasons of consistency, the text will be amended not as you proposed, but to require the CRE to comply with the requirements for an IRE for aeroplanes in accordance with FCL.1010.IRE (a) in order to be able to

conduct proficiency checks for the revalidation or renewal of an IR(A).

comment 3875

comment by: *Luftfahrt-Bundesamt*

FCL.1005.CRE:

The privileges granted to CRE(A) on CS 23 aeroplane are in the range from single pilot single engine piston up to complex multiengine turbine powered aeroplane with a high technology level . The minimum prerequisites according to **FCL.1010.CRE (b)** seem to be unacceptable low and a safety related matter, specifically in the area of CS 23 light business jets and/or VLJ. It is therefore highly recommended to amend and specify these requirements and to take into account how demanding it is for the pilot to operate a specific aircraft type, i.e. the complexity of the aircraft type. The latter should also be taken into account with regard to the equivalent CRI rating/certificate in order to provide equivalent safe experience requirements more in line with TRI/TRE requirements on CS 25 aeroplane types.

FCL.1005.CRE (a) should include the extension of IR(A) privileges held to further class/type ratings.

In the JAA system, skill test for becoming instructors were conducted by FIEs. If EASA intends to bring TREs and/or CREs into this role, the applicable requirements need harmonisation, because for the time being the system designated by EASA is not understood and apparently is lacking reasons and explanations (e.g.: How come a TRE(A) might hold privilege to perform a skill test for TRI(A) whereas a CRE(A) is not designated to acquire the privilege to conduct the skill test for CRI(A)?).

See also our comment on FCL.935. CRI.

response *Noted*

1st paragraph:

Please see the reply to comment 6018 below.

2nd paragraph:

This is not needed, since for aeroplanes there is no provision for a skill test/proficiency check to extend IR privileges to other types or classes.

3rd paragraph:

The Agency's proposal does not give the CRE the privilege to conduct skill tests/proficiency checks for instructors. For the TRE, please see the replies to comments on FCL.1010.TRE.

comment 3955

comment by: *Professional Air Training Ltd*

see comment 3938

response *Noted*

comment 5450

comment by: *CAA Belgium*

The privileges granted to CRE(A) on CS 23 aeroplane are in the range from single pilot single engine piston up to complex multiengine turbine powered aeroplane with a high technology level . The minimum prerequisites according

to **FCL.1010.CRE (b)** seem to be unacceptable low and a safety related matter, specifically in the area of CS 23 light business jets and/or VLJ. It is therefore highly recommended to amend and specify these requirements and to take into account how demanding it is for the pilot to operate a specific aircraft type, i.e. the complexity of the aircraft type. The latter should also be taken into account with regard to the equivalent CRI rating/certificate in order to provide equivalent safe experience requirements more in line with TRI/TRE requirements on CS 25 aeroplane types.

FCL.1005.CRE (a) should include the extension of IR(A) privileges held to further class/type ratings.

In the JAA system, skill test for becoming instructors were conducted by FIEs. If EASA intends to bring TREs and/or CREs into this role, the applicable requirements need harmonisation, because for the time being the system designated by EASA is not understood and apparently is lacking reasons and explanations (e.g.: How come a TRE(A) might hold privilege to perform a skill test for TRI(A) whereas a CRE(A) is not designated to acquire the privilege to conduct the skill test for CRI(A)?).

See also our comment on FCL.935. CRI.

response *Noted*

Please see the reply to comment 3875 above.

comment 6018

comment by: UK CAA

**Paragraph:** FCL.1005.CRE

**Page No\*:** 69

**Comment:**

Remove privileges of the CRE certificate to test in aeroplanes certificated for operation within the privileges of a single pilot type\_rating.

This effectively restricts the CRE to flight tests within the class ratings only.

**Justification:**

**Proposed Text: (if applicable)**

(a): remove the words "...and type..."

(b)(1): remove the words "...and type..."

response *Noted*

After carefully reviewing your proposal, as well as other comments related to the issue of complex high performance single-pilot aeroplanes, the Agency has decided to exclude the CRE from examining these aircraft, and to add that privilege to the TRE.

Please see the amended text.

For this and other changes related to operation of SPA in multi-pilot operations, as well as for the operation of single-pilot high performance complex aeroplanes, please see the explanatory note to this CRD for more details.

comment 6437

comment by: DCAA

FCL.1005.CRE (b) (2) The CRE shall hold an IRI if the privileges are revalidation and renewal for instrument ratings

response *Noted*

Please see the reply to comment 3785 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 4: Specific requirements for Class Rating Examiner - FCL.1010.CRE CRE– Prerequisites**

p. 69

comment

689

comment by: FOCA Switzerland

K/Section 4  
FCL.1010.CRE

Proposal

**(a) take the wording of JAR-FCL 1.445 (b) which includes the whole paragraph.**

response

*Accepted*

The text will be amended accordingly.

comment

1111

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

**Comment:**

This examiner shall have instructor experience as well as hold a valid CRI certificate. A person without instructor experience is not capable, in a rightful manner, of judging an applicant's performance during a proficiency check or skill test. Such test would be unjust.

**Proposal:**

Before attending the examiner standardisation course, an applicant for a CRE certificate shall:

- (a) hold a CPL, MPL or ATPL for aeroplanes or hold a PPL(A) and have held a professional licence for aeroplanes;
- (b) have completed 500 hours of flight time as a pilot of aeroplanes;
- (c) hold a CRI certificate

response

*Accepted*

Even though the requirement to hold an instructor certificate is already covered by FCL.1000, it is true that it doesn't specify that it has to be a CRI certificate.

The text will be amended accordingly.

comment

3184

comment by: FOCA Switzerland

K/Section 4  
FCL.1010.CRE

Clarification

**(a) the MP-licence holder must have single-pilot privileges**

response

*Accepted*

The text will be amended accordingly.

comment	<p>3876 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>FCL.1010.CRE: Paragraph FCL.1010.CRE (a) should be deleted because FCL.1000(a) already comprises this requirement.</p> <p>The experience requirements according to FCL.1010.CRE (b) seem to be unacceptable low and a safety related matter, specifically in the area of light CS 23 aeroplanes, HPA, business jets and/or VLJ. Is EASA really satisfied with such a low experience and no PIC time? It is highly recommended to amend these requirements under consideration of the complexity of the aeroplane. With regard to complexity, please note our comment on FCL.720.A as well..</p> <p>For CS 23 aeroplanes, HPA, light business jets and/or VLJ the requirements on the experience of an applicant for a CRI rating/'certificate' should be comparable to the requirements on the experience of an applicant for a TRI rating/'certificate' with regard to CS 25 aeroplanes.</p>
response	<p><i>Noted</i></p> <p>1st paragraph: Not accepted. FCL.1000(a) would not require holding or having held a professional licence if the CRE is conducting skill tests or proficiency checks for PPL.</p> <p>2nd paragraph: Noted. After carefully reviewing the comments received related to the issue of complex high performance single-pilot aeroplanes, the Agency has decided to exclude the CRE from examining these aircraft, and to add that privilege to the TRE. Please see amended text.</p> <p>For this and other changes related to operation of SPA in multi-pilot operations, as well as for the operation of single-pilot high performance complex aeroplanes, please see the explanatory note to this CRD for more details.</p>
comment	<p>3956 <span style="float: right;">comment by: <i>Professional Air Training Ltd</i></span></p>
	<p>see comment 3938</p>
response	<p><i>Noted</i></p>
comment	<p>5451 <span style="float: right;">comment by: <i>CAA Belgium</i></span></p> <p>Paragraph FCL.1010.CRE (a) should be deleted because FCL.1000(a) already comprises this requirement.</p> <p>The experience requirements according to FCL.1010.CRE (b) seem to be unacceptable low and a safety related matter, specifically in the area of light CS 23 aeroplanes, HPA, business jets and/or VLJ. Is EASA really satisfied with such a low experience and no PIC time? It is highly recommended to amend these requirements under consideration of the complexity of the aeroplane. With regard to complexity, please note our comment on FCL.720.A as well..</p>

For CS 23 aeroplanes, HPA, light business jets and/or VLJ the requirements on the experience of an applicant for a CRI rating/'certificate' should be comparable to the requirements on the experience of an applicant for a TRI rating/'certificate' with regard to CS 25 aeroplanes.

response *Noted*

Please see the reply to comment 3876 above.

comment 6020

comment by: UK CAA

**Paragraph:** FCL1010 CRE

**Page No:** 69

**Comment:** To become an IRE one needs 450 hours IFR but to conduct instrument rating renewals and revalidations as a CRE no IFR experience is stipulated. ( to be an IRI one needs 800 hours IFR but CRE with IRR privileges is a higher privilege than IRI arguably). In aircraft such as HPA, VLJ twin jets such as Citations the CRE could use his CRI privileges to train someone to revalidate his IR without any IRI privileges.

**Justification:** Consistency, safety and standardisation. Examiners should hold instructional privileges for the items they wish to test.

**Proposed Text: (if applicable)**

(c) For instrument rating revalidation /renewal privileges, hold an IRI or 450 hours IFR.

response *Noted*

Please see the reply to comments on FCL.1005.CRE. The Agency has decided to require the CRD to comply with the requirements for an IRE(A).

comment 6023

comment by: UK CAA

**Paragraph:** FCL.1010.CRE

**Page No:** 69 of 647

**Comment:** There would appear to be no requirement to hold a CRI rating.

**Justification:**

The FE, TRI, IRE, FIE and SFE all either require a instructors certificate of instructional experience

**Proposed Text: (if applicable)**

Hold a CRI certificate for the applicable class;

response *Accepted*

Please see the reply to comment 1111 above.

comment 6024

comment by: UK CAA

**Paragraph:** FCL.1010.CRE

**Page No:** 69 of 647

**Comment:**

The TRE is required to hold a TRI certificate as a pre-requisite for attending the examiner course, but the CRE doesn't have the requirement to hold a CRI certificate for the applicable class or type.

**Justification:** Consistency of qualifications

**Proposed Text: (if applicable)**

Add new paragraph (c) "hold a CRI certificate for the applicable class or type"

response	<p><i>Accepted</i></p> <p>Please see the reply to comment 1111 above.</p>
comment	<p>6939 <span style="float: right;">comment by: CAA CZ</span></p> <p>para (a) CRE can be only a holder of MPL with extended privileges to SPA, i.e. he/she is a holder of Single-Pilot privileges.</p>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 3184 above.</p>
comment	<p>6945 <span style="float: right;">comment by: CAA CZ</span></p> <p>para (b) Paragraph should be completed by the requirement for <b>valid</b> IR(A) as well as for TRE(H) in para FCL.1005(b)(2), i.e.: revalidation and renewal of instrument ratings, provided that the CRE holds a <b>valid</b> IR(A)</p>
response	<p><i>Noted</i></p> <p>There is no need to specify that the IR needs to be valid; if the rating is not valid, then the pilot does not hold it. Please note, however, that the text of FCL.1005.(b)(2) has been amended.</p>
comment	<p>6946 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL1010 CRE <b>Page No:</b> 69 <b>Comment:</b> In UK there are a number of aerobatic experts who train others to fly aerobatics. In specialist aerobatic aircraft such as the Extra 300 or Pitts a person needs to be trained to fly these types generally as well as fly aerobatics. Therefore CREs should be able to train aerobatics provided that they hold an aerobatics rating. <b>Justification:</b> Consistency, safety and existing privileges <b>Proposed Text: (if applicable)</b> New paragraph (c) The issue of an aerobatics rating provided that the CRE holds an aerobatics rating.</p>
response	<p><i>Not accepted</i></p> <p>The issue of an aerobatics rating does not require a skill test. Please see text of Subpart I.</p>
comment	<p>7599 <span style="float: right;">comment by: CAA Finland</span></p> <p>FCL.1010.CRE(a): Licence is nowadays like training certificate. Normally the level of licence does not reduce. CRE has in single-engine aircraft less privileges than FE. Amended text proposal:</p>

(a) In single-pilot single-engine aeroplanes hold **at least** a **PPL** ~~CPL, MPL or ATPL~~ for aeroplanes ~~or hold a PPL(A) and have held a professional licence for aeroplanes;~~ and have completed 500 hours of flight time as a pilot of aeroplanes.

(b) In single-pilot multi-engine aeroplanes hold **at least** a ~~CPL, MPL or ATPL~~ for aeroplanes ~~or hold a PPL(A) and have held a professional licence for aeroplanes;~~ and have completed 500 hours of flight time as a pilot of aeroplanes **of which 100 hours on single-pilot multi-engine aeroplanes.**

response *Not accepted*

The requirements follow JAR-FCL 1.445.  
The Agency can see no reason why a professional licence should be only required for certain types of aircraft and not others.

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comment 3957

comment by: *Professional Air Training Ltd*

see comment 3938

response *Noted*

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 5: Specific requirements for Instrument Rating Examiner - FCL.1005.IRE IRE - Privileges**

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comment 3958

comment by: *Professional Air Training Ltd*

see comment 3938

response *Noted*

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 5: Specific requirements for Instrument Rating Examiner - FCL.1010.IRE IRE - Prerequisites**

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comment 1618

comment by: *Helikopter Air Transport GmbH / Christophorus Flugrettungsverein*

**STATEMENT**

(b) (2) The required 200 hours of flight time as an instructor IR are too excessive.

**PROPOSAL**

(b)(2) 300 hours of instrument flight time in helicopter, of which 200 hours shall be as a pilot-in-command;

response *Not accepted*

This was the requirement already contained in JAR-FCL 2.244 (b).  
The Agency sees no reason to change it at this time.

comment	<p>1772 <span style="float: right;">comment by: <i>REGA</i></span></p> <p><b>STATEMENT</b></p> <ul style="list-style-type: none"> <li>(b) (2) The required 200 hours of flight time as an instructor IR are too excessive.</li> </ul> <p><b>PROPOSAL</b></p> <ul style="list-style-type: none"> <li>(b)(2) 300 hours of instrument flight time in helicopter, of which 200 hours shall be as a pilot-in-command;</li> </ul>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 1618 above.</p>
comment	<p>3877 <span style="float: right;">comment by: <i>Luftfahrt-Bundesamt</i></span></p> <p>FCL.1010.IRE: Regarding FCL.1010.IRE (a) and FCL.10101.IRE(b) the generic prerequisite of just holding an IRI(A) or IRI(H) in order to attend an examiner standardisation course is not supported because the IRE 'certificate' is a specific one and not a generic one.</p> <p>For consistency reasons it should be indicated precisely that an IRI(A) or IRI(H) - either as the holder of a FI(H) and/or a TRI (H) 'certificate' - who applies for an IRE(H) must fulfil the following requirements: FCL.905.IRI (a), FCL.905.FI (b), FCL.905.FI (h) (1), and FCL.905.FI (h) (2), FCL.905.FI (h) (3) (i) in case of aeroplanes and</p> <p>FCL.905.IRI (a), FCL.905.FI (b), FCL.905.FI (h) (1), FCL.905.FI (h) (2), FCL.905.FI (h) (3) (ii) and FCL.905.FI (i) (2) in case of helicopters.</p> <p>By combining all the affected FCL requirements for becoming IRE (A) or IRE(H) it becomes clear that the specific IRE 'certificate' which is based on a specific IRI rating/'certificate' must be specific and cannot be a generic IRI/IRE.</p> <p>The instructional duties/privileges under(a)(2) and (b)(2) should be editorially harmonized with regard rto the privileges for flight instruction.</p>
response	<p><i>Partially accepted</i></p> <p>Paragraphs 1 to 4: Not accepted. The Agency cannot understand the objective of your proposal. The IRE certificate is a specific one, that is true, based on the IRI certificate, which is also a specific one. The Agency does not see the need for an applicant for an IRE to comply with requirements established for the FI.</p> <p>Paragraph 5: Accepted. Please see the reply to comment 6025 below.</p>
comment	<p>3959 <span style="float: right;">comment by: <i>Professional Air Training Ltd</i></span></p> <p>see comment 3938</p>
response	<p><i>Noted</i></p>

comment	<p>5452 <span style="float: right;">comment by: CAA Belgium</span></p>
	<p>Regarding FCL.1010.IRE (a) and FCL.10101.IRE(b) the generic prerequisite of just holding an IRI(A) or IRI(H) in order to attend an examiner standardisation course is not supported because the IRE 'certificate' is a specific one and not a generic one.</p> <p>For consistency reasons it should be indicated precisely that an IRI(A) or IRI(H) - either as the holder of a FI(H) and/or a TRI (H) 'certificate' - who applies for an IRE(H) must fulfil the following requirements:  FCL.905.IRI (a), FCL.905.FI (b), FCL.905.FI (h) (1), and FCL.905.FI (h) (2), FCL.905.FI (h) (3) (i) in case of aeroplanes and</p> <p>FCL.905.IRI (a), FCL.905.FI (b), FCL.905.FI (h) (1), FCL.905.FI (h) (2), FCL.905.FI (h) (3) (ii) and FCL.905.FI (i) (2) in case of helicopters.</p> <p>By combining all the affected FCL requirements for becoming IRE (A) or IRE(H) it becomes clear that the specific IRE 'certificate' which is based on a specific IRI rating/'certificate' must be specific and cannot be a generic IRI/IRE.</p> <p>The instructional duties/privileges under(a)(2) and (b)(2) should be editorially harmonized with regard rto the privileges for flight instruction.</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 3877 above.</p>
comment	<p>6025 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL 1010 IRE (a)(2)  <b>Page No:</b> 69  <b>Comment:</b> Delete "with privileges for flight instruction"  <b>Justification:</b> Consistency with (b) and (c) redundant words  <b>Proposed Text: (if applicable)</b>  Delete "with privileges for flight instruction"</p>
response	<p><i>Accepted</i></p> <p>Editorial correction accepted.  The text will be amended accordingly.</p>
comment	<p>6773 <span style="float: right;">comment by: CAA CZ</span></p> <p>FCL.1010.IRE (c)  Abbreviation for an airship should be corrected (<del>Ass</del>) - in this NPA the symbol composed of the capital letter "A" and the small letter "s" is used .</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing this comment.  The text will be amended accordingly.</p>
comment	<p>7602 <span style="float: right;">comment by: CAA Finland</span></p> <p>FCL.1010.IRE(a)(1) and (b)(1):  The total experience requirement is higher than for TRE that gives statement for commercial operations with hundreds of passangers. That is not logical.</p>

response	<p>Amended text proposal (a)(1) and (b)(1): (1) <b>1500</b> hours of flight time</p> <p><i>Not accepted</i></p> <p>The 2000 hours were required by JAR-FCL 1.450 and 2.445. The Agency sees no reason to change this requirement at this time.</p>
comment	<p>7915 <span style="float: right;">comment by: <i>DHV</i></span></p> <p>FCL.1010.IRE (b) (2):</p> <p>a) "Before attending the IRE standardisation course, the applicant for an IRE certificate for helicopters shall hold an IRI (H) and have completed....." this should be changed for clarification: if applicants holding a IRI (H) [according to FCL.905.IRI (h)?], applicants holding an FI certificate [according to FCL.905.FI (h)] should also be eligible!</p> <p>b) 300 hours of instrument flight time in helicopters, of which 200 hours shall be as an instructor". This needs to be amended. Most likely instructors will give IR-instruction in FSTD´s. Therefore this experience will not be available to a very high proportion of the pilots, especially for onshore operations. 1) 300 hours should be changed to <b>200 hours</b> of instrument flight time in helicopters, <b>from which up to 100 hours must be in helicopters. Up to 50 hours may be instrument ground time in a FFS, an FTD 2/3 or FNPT II.</b> 2) 200 hours shall be as an instructor <b>in a helicopter or FSTD.</b></p>
response	<p><i>Noted</i></p> <p>a) Please see the reply to comment 3877 above.</p> <p>b) Please see the reply to comment 1618 above.</p>
comment	<p>7924 <span style="float: right;">comment by: <i>ADAC Luftrettung GmbH</i></span></p> <p>FCL.1010.IRE (b) (2):</p> <p>a) "Before attending the IRE standardisation course, the applicant for an IRE certificate for helicopters shall hold an IRI (H) and have completed....." this should be changed for clarification: if applicants holding a IRI (H) [according to FCL.905.IRI (h)?], applicants holding an FI certificate [according to FCL.905.FI (h)] should also be eligible!</p> <p>b) 300 hours of instrument flight time in helicopters, of which 200 hours shall be as an instructor". This needs to be amended. Most likely instructors will give IR-instruction in FSTD´s. Therefore this experience will not be available to a very high proportion of the pilots, especially for onshore operations. 1) 300 hours should be changed to <b>200 hours</b> of instrument flight time in helicopters, <b>from which up to 100 hours must be in helicopters. Up to 50 hours may be instrument ground time in a FFS, an FTD 2/3 or FNPT II.</b> 2) 200 hours shall be as an instructor <b>in a helicopter or FSTD.</b></p>
response	<p><i>Noted</i></p> <p>a) Please see the reply to comment 3877 above.</p>

b) Please see the reply to comment 1618 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 6: Specific requirements for Synthetic Flight Examiner - FCL.1005.SFE SFE - privileges and conditions** p. 70

comment 153 comment by: *Michel Lacombe AF TRTO*

Why a SFE can conduct the skill test or proficiency test for the issue, revalidation or renewal of an SFI certificate, when as an SFI he has not the privilege to carry out synthetic flight instruction for the issue of this certificate????

**May suggest to add this privilege (to carry out synthetic flight instruction for the issue, revalidation or renewal of the SFI certificate) to the SFI** in FCL 905 SFI - Privileges and conditions

response *Not accepted*

Thank you for pointing out this inconsistency.  
After carefully reviewing the comments received on this issue, as well as on the privileges of the SFI, the Agency has decided to delete the privilege of the SFE to conduct skill tests and proficiency checks for the SFI.  
This will ensure consistency between the SFI and SFI privileges, and is also consistent with JAR-FCL.

comment 215 comment by: *CAA - The Netherlands*

FCL.1005.SFE

New paragraph:

*(d) SFE(B). The privileges of an SFE for balloons are to conduct in a FFS:  
(1) skill test for the issue of the class and group of balloons  
(2) proficiency checks for revalidation or renewal of the class or group balloons  
(3) skill test and proficiency checks for the issue, revalidation or renewal of an SFI(B) certificate, provided that the examiner has completed four skill tests or proficiency checks for the issue, revalidation or renewal of a balloon rating on the applicable subject.*

response *Not accepted*

To the Agency's knowledge, there are no FSTDs for balloons, nor is it envisaged to create them. Therefore, there is no need for an SFI or SFE for balloons.

comment 690 comment by: *FOCA Switzerland*

K/Section 6  
FCL.1005.SFE

Since the conditions are similar for SFE's as for CRE's with regard to the IR, same wording to be used.

	Proposal <b>(b) (2) .. provided that the SFE holds an IR(H)</b>
response	<i>Partially accepted</i>  Thank you for pointing out this inconsistency. After carefully reviewing the comments on this issue for both the SFE and the CRE, the Agency has decided to amend the text to require both the CRE and the SFE to comply with the prerequisites for the issue of an IRE certificate in the applicable aircraft category, as established in FCL.1010.IRE.
comment	comment by: <i>Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, 2390 IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)</i>  Comment: SFE should be able to conduct ATPL and MPL skill tests  Proposal: under FCL1005 (a), add new § (4) and (5) to read: (4) skill tests for ATPL(A) issue; (5) skill tests for MPL issue
response	<i>Accepted</i>  Text will be amended to include those privileges, and also for the SFE(H), in what refers to the privilege for the ATPL(H). The text will be the same as the one in FCL.1005.TRE to ensure consistency.
comment	3661 comment by: <i>M Wilson-NetJets</i>  FCL.1005.SFE(a)(3)  <ul style="list-style-type: none"> <li>Does not require that the TRE has passed a competency check for the revalidation or renewal of the certificate</li> </ul> Suggestion: After "provided that the examiner has" insert "passed a relevant proficiency check, and has"
response	<i>Not accepted</i>  Please see the reply to comment 153 above.
comment	3794 comment by: <i>OAA Oxford</i>  FCL.1005.SFE(a)(3) does not require that the SFE has passed a competency check for the revalidation or renewal of the certificate. Suggestion: After "provided that the examiner has" insert "passed a relevant proficiency check, and has"
response	<i>Not accepted</i>  Please see the reply to comment 153 above.
comment	4530 comment by: <i>AEA</i>

## Relevant Text:

a) SFE(A) and SFE(PL). The privileges of an SFE for aeroplanes or poweredlift aircraft are to conduct in a FFS:

(1) skill tests for the issue of type ratings for multipilot aeroplanes or poweredlift aircraft, as applicable;

(2) proficiency checks for revalidation or renewal of multipilot type and instrument ratings;

(3) skill tests and proficiency checks for the issue, revalidation or renewal of an SFI certificate in the relevant aircraft category, provided that the examiner has completed 4 skill tests or proficiency checks for the issue, revalidation or renewal of a type rating on the applicable type.

**Comment:**

Why not add ATPL and MPL skill test as well, with the restriction: provided the SFE holds a valid type rating on the applicable aeroplane type?

**Proposal:**

(4) skill tests for ATPL(A) issue; provided the SFE holds a valid type rating on the applicable aeroplane type

(5) skill tests for MPL issue; provided the SFE holds a valid type rating on the applicable aeroplane type

response *Partially accepted*

Please see the reply to comment 2390 above.

comment

5625

comment by: CAE

FCL.1005.SFE (a)

In line with comments 4296, 5526 and 5608, we request that an SFE/TRE has the ability to conduct the multi-pilot check on either a multi-pilot type or a single-pilot type of aircraft operated in a multi-pilot environment by using the multi-pilot check form and procedures and limiting the pilot's single pilot type to multi-pilot operations only.

Suggestion:

(a)(1) "skill tests for the issue of type ratings for multi-pilot aeroplanes, **single pilot aeroplanes operating in a multi-pilot environment** or powered-lift aircraft, as applicable;"

(a)(2) "proficiency checks for revalidation or renewal of multi-pilot type, **single pilot type operating in a multi-pilot environment** and instrument ratings."

Reference comments 4296, 5526 and 5608

response *Not accepted*

The Agency has carefully reviewed the proposals received in relation to TRE, CRE and SFE privileges, and the connection with training for very light jets and other high performance complex aeroplanes, as well as for single-pilot aeroplanes in multi-pilot operations.

Taking this into account, the Agency has decided to amend its initial proposals, with the help of experts in the field. However, in relation to the SFE the Agency has decided to keep their privileges restricted to multi-pilot aeroplanes, as was foreseen in JAR-FCL.

Please see amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.

comment	6026	comment by: UK CAA
	<p><b>Paragraph:</b> FCL.1005.SFE  <b>Page No*:</b> 70  <b>Comment:</b> To extend the privileges of SFE (A) to include flight tests for single-pilot aeroplane type ratings, for which the examiner holds the applicable TRI or SFI certificate.  <b>Justification:</b> To ensure those qualified to examine for sophisticated single-pilot aeroplane type ratings are appropriately qualified to do so.  <b>Proposed Text: (if applicable)</b>  (a)(1): remove words "...multi pilot..."  (a)(2): remove words "...multi pilot..."</p>	
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 5625 above.</p>	

comment	6032	comment by: UK CAA
	<p><b>Paragraph:</b> FCL.1005.SFE (a) and (b)  <b>Page No:</b> 70 of 647  <b>Comment:</b> The SFE does not have the privilege to conduct ATPL skill tests. The TRE, who has the same basic qualifications, is empowered to conduct these skill tests. There is no logic here.  <b>Justification:</b> The TRE and the SFE must complete the same examiner standardisation course, hold the same licence and have the same flight experience yet don't have the same privileges.  <b>Proposed Text: (if applicable)</b>  New paragraph (a)(4)  (4) <i>Skill tests for ATPL(A) or ATPL(PL) (as appropriate) issue.</i></p> <p>New paragraph (b)(4)  (4) <i>Skill tests for ATPL(H) issue.</i></p>	
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 2390 above.</p> <p>In the case of the (PL) category, the initial proposals of the Agency only include the requirements necessary to allow the issue of a (PL) type rating to applicants already holding an ATPL (A) or (H). The Agency has already included in its work programme a rulemaking task to develop a full licensing system for (PL). This issue will be covered by that task.</p>	

comment	6033	comment by: UK CAA
	<p><b>Paragraph:</b> FCL.1005.SFE (a)(3), (b)(3) &amp; (c)(3)  <b>Page No*:</b> 70 of 647  <b>Comment:</b>  The SFE can conduct the skill test and proficiency check for the SFI after only completing 4 type rating skill tests or proficiency checks as examiner (there is no time limit as to how long it may take the examiner to complete these 4 skill tests or proficiency checks, it could be years). Yet to become a tutor on a TRI/SFI course, the applicant must have been a TRI/SFI for 3 years This seems to be an inappropriate measure of preparedness to conduct TRI &amp; SFI testing</p>	

	<p>and the SFE should also complete 3 years as a working TRE or SFE prior to conducting skill tests for SFIs.</p> <p><b>Justification:</b> To make the awarding of qualifications consistent the change should take place.</p> <p><b>Proposed Text: (if applicable)</b> Change (a)(3), (b)(3) &amp; (c)(3) to read "provided the examiner has completed <i>at least 3 years as SFE</i> for the issue..."</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 153 above.</p>
comment	<p>6308❖ <span style="float: right;">comment by: <i>Axel Schwarz</i></span></p> <p>A restricted TRI should be allowed to instruct on any type of FSTD (FFS, FTD, FNPT) instead of being restricted to FFS only. The same replacement (FSTD instead of FFS) applies to the privileges of an SFE.</p>
response	<p><i>Not accepted</i></p> <p>In JAR-FCL the privileges of the SFE were restricted to FFS. The Agency does not intend to change this at this time. However, the Agency has already included in its work programme a rulemaking task which will include in Part-FCL, Part-AR and Part-OR the changes needed to take into account the recent amended of the ICAO manual on the qualification of FSTDs. This issue may be covered by that task.</p>
comment	<p>6774 <span style="float: right;">comment by: <i>CAA CZ</i></span></p> <p>FCL.1005.SFE (c)(3) Abbreviation for an airship should be corrected (<del>ASs</del>) - in this NPA the symbol composed of the capital letter "A" and the small letter "s" is used .</p>
response	<p><i>Accepted</i></p> <p>Thank you for pointing out this editorial mistake. The Agency will correct the text. However, please note that based on the comments received, the SFE(As) has been deleted.</p>
comment	<p>7076 <span style="float: right;">comment by: <i>Oxford Aviation Academy</i></span></p> <p><b>Subpart K. Section 6. FCL.1005. SFE</b> (a) SFE is entitled to conduct PC and Skill Test. PC will for many airlines be conducted as a combined PC/OPC. All references in EU-OPS that requires TRI for OPC must be changed to SFE.</p>
response	<p><i>Noted</i></p> <p>Thank you for your comment, which raises a valid point. Your comment will be taken into account when reviewing the comments to Part-OR.OPS, to make sure there is consistency with the AMC to OR.OPS.145.FC.</p>
comment	<p>7322 <span style="float: right;">comment by: <i>ECOGAS</i></span></p>

Current wording:  
 "(a) SFE(A) and SFE(PL). The privileges of an SFE for aeroplanes or poweredlift aircraft are to conduct in a FFS:

...  
 (3) skill tests and proficiency checks for the issue, revalidation or renewal of an SFI certificate in the relevant aircraft category, provided that the examiner has completed 4 skill tests or proficiency checks."

Issue:  
 Proposal does not require that the TRE has passed a competency check for the revalidation or renewal of the certificate.

Suggestion:  
 Amend as follows:  
 "(a) SFE(A) and SFE(PL). The privileges of an SFE for aeroplanes or poweredlift aircraft are to conduct in a FFS:

...  
 (3) skill tests and proficiency checks for the issue, revalidation or renewal of an SFI certificate in the relevant aircraft category, provided that the examiner has **passed a relevant proficiency check, and has** completed 4 skill tests or proficiency checks."

response *Not accepted*

Please see the reply to comment 153 above.

comment

7547

comment by: *FlightSafety International*

1. The privileges of a SFE should be extended to single-pilot aeroplanes as well. With the recommendation that single-pilot aeroplane and multi-pilot aeroplane type ratings be allowed with a restriction for copilot only or multi-pilot operations, the SFE should be allowed to conduct these.

Add in (a)(1) and single-pilot aeroplanes

2. SFE should be able to conduct ATPL and SFI skill tests

Add (4) skill tests for ATPL(A) issue: (5) skill tests for the issue, revalidation or renewal of a SFI certificate in the applicable aircraft category, provided that the examiner has completed at least 4 skill tests or proficiency checks for the issue, revalidation or renewal of a type rating on the applicable type.

response *Partially accepted*

1.  
 Not accepted.  
 Please see the reply to comment 5625 above.

2.  
 Partially accepted.  
 Please see the replies to comments 2390 and 153 above.

comment

7611

comment by: *CAA Finland*

FCL.1005.SFE(a)(3) and (b)(3):  
 Instructor is the most essential element of good product. The examiner

assessing instructor skills shall have good expertise. Amended text proposal for (a)(3) and (b)(3):

...the examiner has completed at least **20** skill tests or proficiency checks for...

response *Not accepted*

Please see the reply to comment 153 above.

comment 7906 comment by: Atlantic Training Support

FCL.1005 SFE (a)(3) After 'provided that the examiner has' insert 'passed a relevant proficiency check, and has'

response *Not accepted*

Please see the reply to comment 153 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 6: Specific requirements for Synthetic Flight Examiner - FCL.1010.SFE SFE - Prerequisites**

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comment 214 comment by: CAA - The Netherlands

FCL.1010.SFE

In this article a part of JAR-FCL 1.455 is missing: The SFE(H) shall hold a valid type rating for the relevant type of aircraft.

Like the remark at FCL.1005.SFE a new part (d) has to be introduced for balloons

response *Partially accepted*

The requirement to hold a type rating in the relevant type will be added. Please see also the reply to comment 2243 below.

As for your comments related to an SFE for balloons, to the Agency's knowledge, there are no FSTDs for balloons, nor is it envisaged to create them. Therefore, there is no need for an SFI or SFE for balloons.

comment 692 comment by: FOCA Switzerland

K/Section 6  
FCL.1010.SFE (b)(1)

Adaption in analogy as of FCL.1005.SFE (b)(2)

Proposal:

**(b)(1) .. and if applicable an IR(H) on the applicable type.**

response *Noted*

Please see the reply to your comment in FCL.1005.SFE on the same issue. Taking into account the text of FCL.1005.SFE as amended, the Agency considers that the reference to the IR is not needed anymore in FCL.1010.SFE,

and therefore it will be deleted.

comment 1110 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

**Comment:**

This examiner shall have instructor experience as well as hold a valid SFI certificate. A person without instructor experience is not capable, in a rightful manner, of judging an applicant's performance during a proficiency check or skill test. Such test would be unjust. Also the applicants need experience as SFI.

**Proposal:**

(a) SFE(A), Before attending the examiner standardisation course, applicants for an SFE certificate for aeroplanes shall:

- (1) Hold an ATPL(A);
- (2) Hold an SFI certificate;
- (3) Have completed at least 50 hours of instruction as SFI in a multi-pilot aeroplane;
- (4) Have at least 1500 hours of flight time as a pilot of multi-pilot aeroplanes;

response *Partially accepted*

Please see the reply to comment 3318 below.

comment 2243 comment by: *Industry Group (Airbus, Alteon Training, Bell Helicopters, Boeing, CAE, CTC Aviation Group, ECOGAS, Flight Safety International, IAAPS (International Association of Aviation Personnel Schools), IACA, IATA, KLM Luchtvaartschool, Lufthansa Flight Training, TUI Group Airlines)*

Comment: SFE's erroneously required to hold licences and medicals when conducting testing and checking in a simulator. This does not align with SFI privileges. There is no prescribed requirement for a TRE to fly an aircraft, which supports the notion that SFE's do not need to hold a licence. This also addresses the issue of experienced examiners who lose medical privileges

**Proposal:**

In (a) (1) and (b) (1) add text "hold or have held an ATPL(A) (1) licence rating or qualification equivalent to that for which they are authorised to conduct skill tests or proficiency checks, and the privilege to instruct for this licence or rating; (2) be qualified to act as pilot in command of the aircraft during a skill test or proficiency check when conducted in an aircraft"

response *Not accepted*

After carefully reviewing all the comments received on this issue, the Agency has decided to keep the requirement for the SFE to hold an ATPL. This requirement was already included in JAR-FCL 1.445/2.445, and the result of the expert input received by the Agency was that it should be maintained.

Already in JAR-FCL there was a difference between the requirements for the SFI and the SFE in that the SFI could hold/have held a licence, and the SFE needed to hold it. This is justified by the different roles and responsibilities of instructors and examiners.

comment 2406 comment by: *Henk van den Berg*

**FCL.1010.SFE**

According the pre-requisites the SFE(A) shall hold an ATPL(A). As the pre-requisites for an SFI(A) are to hold or have held a CPL, MPL or ATPL in the appropriate aircraft category we think the SFI pre-requisites will be sufficient for an SFE as well.

In order for an SFE to have an ATPL he/she should have a valid medical as well and that is exactly what most SFI's do not have anymore.

We cannot see the quality issue with regards to having a valid ATPL. With having at least 1500 hours as a pilot of a multi-pilot aeroplane all SFE's will have the required experience to fulfill their duties.

It would be better to bring in (re)training requirements by which the SFE will be current with respect to aviation/airline developments. An age restriction could do as well.

response *Not accepted*

Please see the reply to comment 2243 above.

comment 3318 comment by: *DGAC FRANCE*

Part FCL 1010.SFE

Consistency with the TRE requirements: To be an examiner (SFE) it is necessary to have the privilege to instruct for the appropriate type rating ( FCL 1000 (a)(1)) and to have experience as an instructor, as to be an TRE.

Delete (c), the FE(As) has the same privileges and the SFI certificate for Airship doesn't exist.

(a) ...

**(3) Have completed at least 50 hours of synthetic flight instruction as a SFI(A) in the appropriate type**

(b)...

**(3) Have completed at least 50 hours of synthetic flight instruction as a SFI(H)**

~~(c) SFE(As). Before attending the examiner standardisation course, applicants for an SFE certificate for airship shall:~~

~~(1) Hold a CPL(As) and an IR(As)~~

~~(2) Have 500 hours of flight time as a pilot of large airships~~

response *Partially accepted*

Your proposal for a new paragraph (3) for aeroplanes and helicopters will be added, but with a provision that it applies only to the initial issue of the SFE certificate. This is to ensure consistency with the TRE, where similar provisions were included. Please see the replies to related comments on FCL.1010.TRE and the amended text.

The SFE for (As) is deleted. Thank you for pointing out this inconsistency.

comment 3455 comment by: *Boeing*

**Boeing Commercial Airplanes comments re:  
NPA 2008-17b**

Page: 70

Paragraph: FCL.1010.SFE (a)(1)

Boeing suggests that the following changes be made: Change subparagraph (a)(1) to read as follows:

"(1) Hold **or have held an ICAO approved** ATPL (A)."

-----  
**JUSTIFICATION:** This will allow medically unfit examiners to fulfill SFE duties.

response *Not accepted*

Please see the reply to comment 2243 above.

comment

3519

comment by: *Urpo Koskela*

FCL.1010.SFE ( 1 ) Suggest the paragraph to read :  
( 1 )Hold or has held an ATPL ( A ) within 3 previous years

Reason behind:

- It will be in line with requirements for SFI , FCL.915.SFI ( a ). It is more relevant for SFI to be aware of the professional conduct of airlinepilot, because they give the first footprints of flying in a type.

- It is unreasonable to be forced to stop your SFE career immediately after loosing your medical for an smaller defect (which does not harm you instructing in a simulator ) in your health , because your experience will stay. So you will be better SFE in practice than a just new SFE , which has ATPL ( A ).

- Your touch with airlinepilot profession will stay in mind at least 3 years after active duty.

response *Not accepted*

Please see the reply to comment 2243 above.

comment

3662

comment by: *M Wilson-NetJets*

FCL.1010.SFE(A)(1)

- Requirement for currency of the ATPL(A) is unintentional

Suggestion:

Amend (1) to read "Hold or have held an ATPL(A);"

FCL.1010.SFE(B)(1)

- Requirement for currency of the ATPL(H) is unintentional

Suggestion:

Amend (1) to read "Hold or have held an ATPL(H) and an IR(H) on the applicable type;"

FCL.1010.SFE(C)(1)

Requirement for currency of the ATPL(AS) is unintentional

response	<p>Suggestion: Amend (1) to read "Hold or have held a CPL(AS) and an IR(AS);"</p> <p><i>Not accepted</i></p> <p>Please see also the reply to comment 2243 above.</p>
comment	<p>3803 <span style="float: right;">comment by: OAA Oxford</span></p> <p>FCL.1010.SFE(a)(1). Requirement for the currency of the ATPL(A) is unintentional. Suggestion: amend (1) to read " hold, or have held, an ATPL(A)</p> <p>FCL.1010.SFE(b)(1). Requirement for the currency of the ATPL(A) is unintentional. Suggestion: amend (1) to read " hold, or have held, an ATPL(H) and an IR(H) on the applicable type.</p> <p>FCL.1010.SFE(c)(1). Requirement for the currency of the ATPL(AS) is unintentional. Suggestion: amend (1) to read " hold, or have held, an ATPL(AS) and an IR(AS).</p>
response	<p><i>Not accepted</i></p> <p>Please see also the reply to comment 2243 above.</p>
comment	<p>6030 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1010.SFE <b>Page No*:</b> 70 <b>Comment:</b> To separate the pre-requisites of SFE in SPA from MPA requirements. <b>Justification:</b> To ensure those qualified to examine in sophisticated single-pilot aeroplanes are appropriately qualified to do so. <b>Proposed Text: (if applicable)</b> (a)(1): hold an ATPL(A) or, in the case of single-pilot aeroplanes, hold a CPL(A).  (a)(2): in the case of multi-pilot aeroplanes have completed at least 1500 hours of flight time as pilot of multi-pilot aeroplanes or in the case of single pilot aeroplanes; 500 hours as pilot of single pilot aeroplanes..."  Add: (a)(4): In the case of single-pilot aeroplanes have completed at least 50 hours of flight instruction as a TRI or SFI in the appropriate type or similar type(s) as determined by the competent authority.</p>
response	<p><i>Partially accepted</i></p> <p>(a)(1) and (a) (2): Not accepted. The Agency has carefully reviewed the proposals received in relation to TRE, CRE and SFE privileges, and the connection with training for very light jets and other high performance complex aeroplanes, as well as for single-pilot aeroplanes in multi-pilot operations. Taking this into account, the Agency has decided to amend its initial proposals, with the help of experts in the field. However, in relation to the SFE the Agency has decided to keep their privileges restricted to multi-pilot aeroplanes, as was</p>

foreseen in JAR-FCL.  
Please see amended text, and for more detailed explanations on the subject, the explanatory note to the CRD.

(a)(4):  
Partially accepted.  
Please see the reply to comment 3318 above.

comment

6035

comment by: UK CAA

**Paragraph:** FCL.1010.SFE (a)

**Page No:** 70 of 647

**Comment:** There is nothing in this paragraph for the SFE(PL).

**Justification:** SFE(PL) is noted in FCL.1005.SFE for the privileges but the pre-requisites for one haven't been determined.

**Proposed Text: (if applicable)**

Add in paragraph (a) title "SFE(A) and SFE(PL). Before attending..." and at the end of this paragraph add "certificate for aeroplanes and powered lift aircraft shall:"

Add in paragraph (a)(1) "Hold an ATPL(A) and ATPL(PL);"

Add in paragraph (a)(2) "...as a pilot of multi-pilot aeroplanes or powered lift aircraft;"

response

Noted

The current proposals do not include the full licensing system for (PL).  
As stated in the Explanatory Note for this NPA, the Agency has included only the requirements that are necessary to allow an applicant to obtain a (PL) type rating on an ATPL (A) or (H). Further requirements for the (PL) will be developed at a later stage, in a specific rulemaking task.

So, for the moment, the Agency considers that it is better to leave this requirement untouched. Your proposal will be taken into account in the future rulemaking task.

comment

6037

comment by: UK CAA

**Paragraph:** FCL.1010.SFE (a), (b) & (c)

**Page No:** 70 of 647

**Comment:** None of the SFE pre-requisites [SFE(A), SFE(H) & SFE(As)] require that the applicant holds an instructor certificate. The SFE(PL) should also be included.

**Justification:** An examiner must be qualified as an instructor before becoming an examiner.

**Proposed Text: (if applicable)**

Add new sub-paragraph (3) in each sub-paragraph as follows;

"(3) Hold a current SFI certificate for the applicable type."

response

Accepted

Requirement to hold an SFI certificate in the applicable type has been added to (a)(1) and (b)(1).

Please see also the reply to comment 3318.

comment

6438

comment by: DCAA

response	<p>FCL.1010.SFE (a) Add: (3) hold SFI or TRI certificate on applicable type</p> <p><i>Partially accepted</i></p> <p>Please see the replies to comments 3318 and 6037 above.</p>
comment	<p>6777 <span style="float: right;">comment by: CAA CZ</span></p> <p>FCL.1010.SFE (c)(1)</p> <p>Abbreviation for an airship should be corrected (<del>Ass</del>) - in this NPA the symbol composed of the capital letter "A" and the small letter "s" is used .</p>
response	<p><i>Accepted</i></p> <p>Thank you for pointing out this editorial mistake, which has been corrected throughout the text. However, please note that the SFE (As) has been deleted. Please see also the reply to comment 3318 above.</p>
comment	<p>7077 <span style="float: right;">comment by: Oxford Aviation Academy</span></p> <p><b>Subpart K. Section 6. FCL.1010. SFE</b> <b>(a)(1)</b> Change to "Hold or have held an ATPL (A)". Medical case shall not be a restriction to be SFE since the test is limited to FFS</p>
response	<p><i>Not accepted</i></p> <p>Please see the reply to comment 2243 above.</p>
comment	<p>7323 <span style="float: right;">comment by: ECOGAS</span></p> <p>Current wording: "(a) SFE(A). Before attending the examiner standardisation course, applicants for an SFE certificate for aeroplanes shall: (1) Hold an ATPL(A);"</p> <p>Issue: Requirement for currency of the ATPL(A) is presumably unintentional since it clearly is not a requirement for the task from a safety-case point of view.</p> <p>Suggestion: Amend to read "(a) SFE(A). Before attending the examiner standardisation course, applicants for an SFE certificate for aeroplanes shall: (1) Hold <b>or have held</b> an ATPL(A);"</p>
response	<p><i>Not accepted</i></p> <p>Please see also the reply to comment 2243 above.</p>
comment	<p>7326 <span style="float: right;">comment by: ECOGAS</span></p> <p>Current wording: "SFE(H). Before attending the examiner standardisation course, applicants for an SFE certificate for helicopters shall:</p>

	<p>(1) Hold an ATPL(H) and an IR(H) on the applicable type;"</p> <p>Issue: Requirement for currency of the ATPL(H) and IR(H) is presumably unintentional since it clearly is not a requirement for the task from a safety-case point of view.</p> <p>Suggestion: Amend as follows: "SFE(H). Before attending the examiner standardisation course, applicants for an SFE certificate for helicopters shall: (1) Hold <b>or have held</b> an ATPL(H) and an IR(H) on the applicable type;"</p>
response	<p><i>Not accepted</i></p> <p>Please see also the reply to comment 2243 above.</p>
comment	<p>7328 <span style="float: right;">comment by: ECOGAS</span></p> <p>Current wording: "(c)SFE(AS). Before attending the examiner standardisation course, applicants for an SFE certificate for airships shall: (1) Hold a CPL(AS) and an IR(AS);"</p> <p>Issue: Requirement for currency of the CPL(AS) and IR(AS) is presumably unintentional since it clearly is not a requirement for the task from a safety-case point of view.</p> <p>Suggestion: Amend paragraph as follows: "(c)SFE(AS). Before attending the examiner standardisation course, applicants for an SFE certificate for airships shall: (1) Hold <b>or have held</b> a CPL(AS) and an IR(AS);"</p>
response	<p><i>Not accepted</i></p> <p>Please see also the reply to comment 2243 above.</p>
comment	<p>7396 <span style="float: right;">comment by: CAE</span></p> <p>FCL.1010.SFE (a) (1)</p> <p>The available pool of qualified SFE candidates is unnecessarily limited by having to hold a medical and current license. However, we agree that having held one at some point should be a requirement. As such, we recommend changing FCL.1010.SFE as follows:</p> <p>(a)(1) Hold or have held an ATPL(A); (b)(1) Hold or have held an ATPL(H) and an IR (H) on the applicable type; (C)(1) Hold or have held a CPL(AS) and an IR(AS)</p>
response	<p><i>Not accepted</i></p> <p>Please see also the reply to comment 2243 above.</p>

comment 7606 comment by: CAA Finland

FCL.1010.SFE(a):

The understanding of "normal progress" during a training and the final level "average / above average / less than average but still safe / less than average and not safe" is gained by experience as an instructor; not as a pilot or as an examinee. The initial privilege and extension to new types should be separated. The proposed number as an instructor means less than 2 crew (32h flight instruction per crew MPA). FCL.1000(b)(1) (and my proposal for that) gives the flexibility required for the introducing a new type.

SFE has precisely the same privilege when type rating or instrument rating is to be revalidated or renewed. There is no reason to have different requirements for the same privilege. New text proposal Based on my proposal for TRE):

(a) SFE(A). Before attending the examiner standardisation course, applicants for an SFE certificate for aeroplanes shall at least:

(1) Hold an ATPL(A);

(2) have completed at least 1500 hours of flight time as a pilot of multi-pilot aeroplanes

(3) have completed at least 100 hours of flight instruction as a SFI/TRI, of which at least 30 hours in the appropriate type.

(4) the privileges of the SFE shall be extended to further types when the SFE has completed at least 30 hours of flight instruction as a SFI/TRI in the appropriate type.

response *Partially accepted*

In regard to your proposal for paragraph (3), please see the reply to comment 3318 above.

As for your proposal for a new paragraph (4), the Agency considers that similarly to the TRE, the SFE certificate should be extended to further types as soon as the SFE has extended its SFI privileges to the new type. Therefore, your proposal is not accepted.

comment 7911 comment by: Atlantic Training Support

FCL.1010 SFE (A)(1) Amend (1) to read 'hold or have held an ATPL(A)'

response *Not accepted*

Please see the reply to comment 2243 above.

comment 7916 comment by: Atlantic Training Support

FCL.1010 SFE(c)(2) Amend (1) to read 'hold or have held a CPL(AS) and an IR(AS)'

response *Not accepted*

Please see the reply to comment 2243 above.

comment 8066 comment by: Bombardier Aerospace Training

For SFE pre-requisites it would make sense to allow  
(1) Hold an ATPL (A) ICAO equivalent.  
remainder of the paragraph remains the same.

Often pilot hold more than one ATPL licence. We need to ensure that hours flown on different licences are recognized.

response *Not accepted*

The Agency considers that examiners for Part-FCL licences need to hold a licence issued in accordance with Part-FCL.  
Please see also the reply to comment 2243 above.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 7: Specific requirements for the flight instructor examiner**

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comment 910

comment by: *Geschäftsführer Luftsportverband RP*

In der Listung der examiner fehlt der **eigenständige Prüfer für den LAFI**. Hier einen FIE(A) einzusetzen würde der Neuschaffung des LAFI direkt kontraproduktiv sein. Erstens wird der Luftsport zukünftig keine FIE(A) haben und zweitens wird sich sonst kaum ein Kandidat für die Ausbildung zum LAFI im motorgetriebenen Bereich im Luftsport zur Verfügung stellen.

**Deshalb muss ein eigenständiger Prüfer mit wesentlich niedrigeren Stundenzahlen kreiert werden. Anpassung an FIE(S).**

Beim FIE(S) fehlt die Erweiterung des TMG. Falls das ebenfalls beim FIE(A) als Aufgabe bleiben soll, dann wird man hier zukünftig ebenfalls kaum Bewerber mehr bekommen.

response *Noted*

Thank you for providing your opinion.

The Agency partially agrees with your comments but will not create a separate FIE for the LAFI. The prerequisites for FIEs who wish to conduct only skill tests or proficiency checks for LAFI(A) will be added in FCL.1010.FIE(a). A lower amount of total flight time and flight instruction time as defined for the FIE conducting tests or checks for the FI(A) will be required.

Your second comment states that the FIE for FI(S) with TMG extension is missing. This is not right as the privileges contained in FCL.1005.FIE (d) will allow the FIE(S) to conduct skill tests or proficiency checks for FI(S) on TMGs. The Agency agrees that in FCL.1010.FIE (d) a certain minimum experience as prerequisite should be defined for FIE(S) wishing to conduct skill tests or proficiency checks on a TMG. A certain amount of flight instruction time on TMGs will be added.

comment 2076

comment by: *Markus Hitter / JAR-Contra*

To express it somewhat boldly: at some point one has to stop creating examiners of the testers of the teachers of the examiner-instructors of the people instructing pilot students.

response	<p>Regardless of the planned pre-requisites of FIEs being almost unreachable by means of private aviation, we don't see a need for an examiner license specific for examining instructors. The risk of seeing an examiner issuing instructor certificates despite he's not experienced enough to do so is next to zero as even examiners have to be very experienced people. Accordingly, a license specific for examining flight instructors is obsolete, the privileges/duties designated for the FIE should be added to the privileges of examiners (FEs).</p> <p><i>Noted</i></p> <p>The FIE existed already in the JAR-FCL system. The Agency considers that it is necessary to have a specific category of examiners for flight instructors.</p>
comment	<p>2297 <span style="float: right;">comment by: <i>mfb-bb</i></span></p> <p>Requirements for FIE  <b>FIE – Pre requisites</b></p> <p>Die Anforderungen an einen FIE in Höhe von 100 h Ausbildungszeit von Fluglehrern ist in Deutschland nur durch die Tätigkeit an Ausbildungslehrgängen von Fluglehrern an wenige Flugschulen beschränkt. Da die Anzahl der Fluglehrer abnimmt, können fast gar keine FIE mehr anerkannt werden, da die Bedingungen nicht zu erfüllen sind.</p> <p><b>Vorschlag:</b>  100 Stunden Ausbildungszeit von Fluglehrern  <b>oder</b>  50 abgenommene Prüfungen  <b>oder</b>  Eine Prüfung eines Fluglehrers unter Aufsicht eines FIE / Seniorexaminers</p> <p><b>Requirements for FIE  FIE pre-requisites</b></p> <p>The requirements of 100 hours of flight time instructing applicants for an FI (A) certificate are too high and will cause that only a few instructors can become an examiner.  In Germany we have only a few flight training organisation where courses for flight instructors take place.  Because of the decreasing number of flight instructors we will have the same problem with the FIE.</p> <p><b>Proposal:</b></p> <p>100 hours of flight time instructing applicants for an FI(A) certificate  <b>or</b>  50 conducted proficiency checks as FE  <b>or</b>  a proficiency check of a flight instructor under supervision of a FIE or senior flight examiner</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comments to FCL.1010.FIE.</p>
comment	<p>3960 <span style="float: right;">comment by: <i>Professional Air Training Ltd</i></span></p>

	see comment 3938	
response	<i>Noted</i>	
comment	5643	comment by: Klaus Melchinger
	<p>To express it somewhat boldly:          At some point one has to stop creating examiners of the testers of the teachers of the examiner-instructors of the people instructing pilot students!!!</p> <p>Regardless of the planned pre-requisites of FIEs being almost unreachable by means of private aviation, there's no need for an examiner license specific for examining instructors.</p> <p>The risk of seeing an examiner issuing instructor certificates despite he's not experienced enough to do so is next to zero as even examiners have to be very experienced people.</p> <p>Accordingly, a license specific for examining flight instructors is obsolete, the privileges/duties designated for the FIE should be added to the privileges of examiners (FEs).</p>	
response	<i>Noted</i>	
	Please see the reply to comment 2076 above.	
comment	7658	comment by: CAA Finland
	<p>Flight instructor examiner:          "Senior examiner" that takes assessments for examiner certificates is missing. It is possible that they are covered in AR/OR. If not: New paragraph after FIE stating examiner for examiners (obviously need only for two levels: FEE and TREE and shall be Authority's examiner or one specially nominated for the purpose)</p>	
response	<i>Not accepted</i>	
	Please see the replies to comments on FCL.1025.	

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 7: Specific requirements for the flight instructor examiner - FCL.1005.FIE FIE - Privileges and conditions**

p. 71

comment	154	comment by: Michel Lacombe AF TRTO
	<p><b>FCL 1005 FIE Privileges and conditions</b></p> <p>How a FIE (normally qualified on single engine aircraft and single pilot) can conduct skill test or proficiency test for the issue, the revalidation or the renewal certificate for TRI (A) and SFI (A) who are working on multi engines and multi-pilots aircraft.</p> <p>May I suggest :</p> <p>(a) FIE(A). The privileges of an FIE for aeroplanes are to conduct skill tests or proficiency checks for the issue, revalidation or renewal of certificates for LAFI(A), FI(A), CRI(A), IRI(A)(if qualified as in FCL 905.FI), and assessments of competence for the STI(A) and the MI(A).</p>	

response	<i>Partially accepted</i> After careful consideration of the comments received on this paragraph, the Agency agrees to delete the reference the SFI(A) and (H), and to restrict the TRI(A) and (H) to single-pilot aircraft. Please see amended text.
comment	217 <span style="float: right;">comment by: <i>CAA - The Netherlands</i></span> FCL.1005.FIE  (c): The privileges of an FIE for sailplanes, balloons and airships can be extended with the following items: 1. aerobatic rating, 2. sailplane towing, 3. banner towing, 4. night rating, 5. mountain rating, 6. flight testing These items are not described.
response	<i>Not accepted</i> Thank you for providing your comment.  However, the Agency does not agree that there is no need to extend the privileges of an FIE(S), FIE(B) or FIE(As) as there is no specific instructor certificate for the mentioned activities (except mountain rating).  In the case of the mountain instructor, an assessment of competence is not required to issue, revalidate or renew the certificate. Therefore, the reference to the MI will be deleted.
comment	406 <span style="float: right;">comment by: <i>Rod Wood</i></span> (b) line 2 delete LAFI(H). See comments to FCL 910 etc
response	<i>Not accepted</i> Thank you for providing your comment.  However, the Agency does not agree. Based on the fact that the future requirements will contain a LAFI(H) such an FIE(H) will be needed. See also the response to your comment on FCL.910.
comment	661 <span style="float: right;">comment by: <i>British Microlight Aircraft Association</i></span> Accepted
response	<i>Noted</i> Thank you for your feedback.
comment	693 <span style="float: right;">comment by: <i>FOCA Switzerland</i></span> K/Section FCL.1005.FIE

response	<p>Correction</p> <p>TRI and SFI are ratings for Multi-pilot instruction, has nothing to do with basic instruction.</p> <p>Proposal  <b>(a) TRI (A) and SFI (A) to be deleted from the list.</b></p> <p><i>Partially accepted</i></p> <p>Please see the reply to comment 154 above.</p>
comment	<p>694 <span style="float: right;">comment by: FOCA Switzerland</span></p> <p>K/Section 7  FCL.1005.FIE</p> <p>The following changes to apply:</p> <p><b>(b)</b></p> <ul style="list-style-type: none"> <li>• <b>add TRI (H) with SP</b></li> <li>• <b>delete SFI (H)</b></li> </ul>
response	<p><i>Accepted</i></p> <p>Please see the reply to comment 154 above.</p>
comment	<p>1437 <span style="float: right;">comment by: Aero Club Oppenheim e. V.</span></p> <p>Die Stundenzahl ist zu hoch für den privaten Luftsport. Es gibt viele Fluglehrer, die trotz einer geringeren Stundenzahl nachweislich über z. B. ein Checkflug mit einem FIE bestens für Prüfungsflüge geeignet. 30% der Stundenangaben sollten ausreichen; Ziel muss es sein, in jedem Verein wenigstens 1 Prüfer haben zu können, um kostensparende Prüfungen in z. B. Nachbarvereinen abnehmen zu können.</p>
response	<p><i>Noted</i></p> <p>Thank your for providing your opinion.</p> <p>The Agency has based the proposals for the prerequisites for the FIE on the JAR-FCL requirements. For the FIE(S) and (B) the proposals are on input from the drafting group in close cooperation with the licensing experts.</p> <p>The Agency does not agree with your statement that in each club at least one FIE must be available, as the tasks of an FIE are to check instructors only. The Agency believes strongly that following your proposal (to require only 30% of the proposed experience) would lower the experience level of the FIEs dramatically, and does not agree with your statement that such an amount of total flight time would be sufficient to fulfil all the tasks required for an FIE.</p> <p>However, as some of the prerequisites seem to be quite high (based on the numbers already in place with JAR-FCL), the Agency has discussed again the necessary minimum experience for FIEs with the review group members and came to the conclusion that some of the proposed numbers for flight time and instruction time should be lowered slightly. Please see the resulting text.</p>

comment	1583 <span style="float: right;">comment by: <i>Swiss Aviation Training-FTO</i></span>
	<p>FIE - Privileges, conditions, pre-requisites Instructor skill test requirements</p> <p>Comments: The privileges listed in FCL.1005.FIE(a) do not in all cases match with the pre-requisite FCL.1010.FIE(a)(3) of "at least 100 hours of flight time instructing applicants for an FI(A) certificate". The assessment of TRI, SFI, MCCI, MPLI requires a different background from FI, CRI, IRI or STI assessments.</p> <p>Subpart J Instructors does in some cases not clearly define the required examiner qualification:</p> <p>FCL.925 MPLI(b)(2) - "... conducted by an instructor examiner"  FCL.935.LAFI "...demonstrate to an examiner..."  FCL.935.FI "...demonstrate to an examiner..."  FCL.935.TRI (a) "...pass a skill test to demonstrate to a type rating examiner qualified for this purpose..."  FCL.935.CRI "...pass a skill test to demonstrate his ability..."  FCL.935.IRI "...pass a skill test to demonstrate his ability..."  FCL.935.SFI "...pass a skill test to demonstrate to a SFE or TRE..."  FCL.935.MCCI missing  FCL.930.MCCI(b)(3) "under the supervision of a TRI, SFI or MCCI nominated by the training organisation..."  FCL.935.STI missing  FCL.930.STI(b) "...under the supervision of a flight instructor examiner..."  FCL.935.MI missing  FCL.930.MI "...course shall include the assessment of the applicant's competence..."</p> <p>Proposals:  Redefine privileges FCL.1005/ subdivide prerequisites FCL.1010 according to single crew or multi crew instructor examinations.  Redefine and harmonise required examiner qualification for the different instructor categories accordingly.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comments on FCL.1010.FIE. The requirements have been adjusted.</p> <p>The Agency will review the paragraphs you mention in order to make sure that the reference to a specific type of examiner is correct.</p>
comment	<p>1619 <span style="float: right;">comment by: <i>Helikopter Air Transport GmbH / Christophorus Flugrettungsverein</i></span></p> <p><b>STATEMENT</b>  (b) The FIE(H) is limited to single-pilot helicopters.</p> <p><b>PROPOSAL</b>  (b): ...assessments of competence for the STI(H) and the MI(H), <del>on single-pilot helicopters.</del></p>
response	<p><i>Noted</i></p>

The Agency agrees that the privileges are limited to single-pilot helicopters. That is why the sentence you propose to delete is necessary: to make that limitation.  
Please see also the reply to comment 154 above.

comment 1736 comment by: *Sven Koch*

Ein FIE(A) checkt Fluglehrer für LAFI(A),  
FI(A)  
Ein FIE(S) checkt Segelfluglehrer  
Fehlt eigenständiger LAFIE(A), denn im Luftsport wird es bald keine FIE mehr geben.  
Fehlt TMG.

response *Noted*

Thank you for providing your opinion.

The Agency partially agrees with your reasoning, but will not create a separate FIE for the LAFI. Specific prerequisites for FIEs who wish to conduct only assessments of competence for the LAFI(A) will be added in FCL.1010.FIE. A lower amount of total flight time and flight instruction time as defined for the FIE assessing the FI(A) will be required.

Your second comment states that the FIE for FI(S) with TMG extension is missing. This is not correct, as the privileges contained in FCL.1005.FIE (c) will allow the FIE(S) to assess an FI(S) also on TMGs. To make this even more clear the term 'and powered sailplanes' will be added. The Agency agrees that in FCL.1010.FIE (d) a certain minimum experience should be defined for FIE(S) wishing to conduct assessments of competence on a TMG. A certain amount of flight instruction time on TMGs will be added.

comment 1774 comment by: *REGA*

**STATEMENT**

(b) The FIE(H) is limited to single-pilot helicopters.

**PROPOSAL**

(b): ...assessments of competence for the STI(H) and the MI(H), ~~on single-pilot helicopters.~~

response *Noted*

Please see the reply to comment 1619 above.

comment 2190 comment by: *Oelschlaeger, Harald*

Zu hohe Stundenzahl. Die Hälfte reicht vollkommen aus.

response *Noted*

Thank your for providing your opinion.

The Agency has based the proposals for the prerequisites for the FIE on the JAR-FCL requirements. For the FIE(S) and (B) the proposals are based on input from the drafting group in close cooperation with the licensing experts.

The Agency believes strongly that following your proposal and reducing all the required prerequisites to only 50% of the proposed experience wouldn't be sufficient in all the cases to fulfil all the tasks required of an FIE.

However, as some of the prerequisites seem to be quite high (based on the numbers already in place with JAR-FCL) the Agency has reconsidered the necessary minimum experience for FIEs and came to the conclusion that some of the proposed numbers for flight time and instruction time should be lowered slightly. Please see the resulting text.

For the FIE(A) who wishes to conduct assessments of competence for the LAFI(A) specific pre-requisites will be introduced.

comment 2455 comment by: *Dr. Horst Schomann*

Problem: A dedicated FIE(LAFI) is missing.

Proposed solution: Introduce a subparagraph FIE(LAFI).

Justification: If the requirements for the FI(A) and FIE(A) are not reduced as recommended in my other comments, the non-commercial aviation world will in short time be reduced to LAFI due to the high cost elsewhere. Therefore it seems to be wise to introduce a dedicated FIE similar to the FI(LAFI).

response *Not accepted*

Thank you for providing your opinion.

The Agency partially agrees with your reasoning, but will not create a separate FIE for the LAFI. Specific prerequisites for FIEs who wish to conduct only assessments of competence for the LAFI(A) will be added in FCL.1010.FIE. A lower amount of total flight time and flight instruction time as defined for the FIE assessing the FI(A) will be required.

comment 3319 comment by: *DGAC FRANCE*

Part FCL 1005.FIE (a) and (b)

An FIE acts only for single pilot aircraft. For multi-pilot, see FCL.1005.TRE (a) (5) and (b)(5).

The precise privileges of FIE must be given according to their experience as instructor for a specific instructor certificate.

**FCL.1005.FIE FIE-Privileges and conditions**

(a) FIE(A). The privileges of an FIE for aeroplanes are, **according to his experience of training for the different instructor certificates**, to conduct skill tests or proficiency checks for the issue, revalidation or renewal of certificates for LAFI(A), FI(A), ~~TRI(A)~~, CRI(A), IRI(A), ~~SFI(A)~~, and assessments of competence for the STI(A) and the MI(A)

(b) FIE(H). The privileges of an FIE for helicopters are, **according to his experience of training for the different instructor certificates**, to conduct skill tests or proficiency checks for the issue, revalidation or renewal of certificates for LAFI(H), FI(H), TRI(H), IRI(H) or SFI(H) and assessments of competence for the STI(H) ~~and the MI(H)~~, on single-pilot helicopters

(c)....

	<p><b>(d) The privileges of an FIE(A) or FIE(H) are detailed on the certificate, according to the experience of training for instructor certificates gained by the applicant.</b></p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 154 above.</p> <p>The Agency will also amend the text to ensure that it is clear that the examiner must hold the relevant instructor certificate.</p> <p>As for the proposal to include a reference to the privileges to be indicated in the certificate, this is already a general requirement included in FCL.015.</p>
comment	<p>3710 <span style="float: right;">comment by: DGAC FRANCE</span></p> <p>Part FCL 1005.FIE</p> <p>To obtain a MI certificate like to obtain any other flight instructor certificate, it is necessary to pass a skill test at the end of the MI course. This skill test must be conducted by a FIE (A) holding a MI certificate.</p> <p>FCL 1005.FIE</p> <p>(a) FIE (A). The privileges of an FIE for aeroplanes are to conduct skill tests or proficiency checks for the issue, revalidation or renewal of certificates for LAFI(A), FI(A), TRI(A), CRI(A), IRI(A), SFI(A) and assessments of competence for the STI(A) <del>and the MI(A).</del></p> <p><b><i>When holding a MI certificate, an FIE (A) is entitled to conduct skill tests for the issue of MI certificates.</i></b></p>
response	<p><i>Accepted</i></p> <p>The Agency will amend the text to clarify that an FIE will need to hold the relevant instructor certificate.</p>
comment	<p>3878 <span style="float: right;">comment by: Luftfahrt-Bundesamt</span></p> <p>FCL.1005.FIE:</p> <p>The privileges stated in FCL.1005.FIE (a) and (b), respectively, are partially overlapping with the privileges stated in FCL.1005.TRE (a)(5) and FCL.1005.TRE (b)(5), respectively, though the prerequisites for TRE and FIE differ significantly.</p> <p>Is it intended that part of FIE(A) and FIE(H) privileges, respectively, are also included in TRE(A) TRE(H) privileges, respectively, although in contrast to a FIE instructional experience for instructor ratings/'certificates' is not required for TRE(A) and TRE(H), respectively?</p> <p>Is it intended that applicants for FIE(A) and FIE(H), respectively, have to provide additional and specific requirements which are not required for TRE(A) and TRE(H), respectively, although they apparently are supposed to exercise the same privileges?</p>
response	<p><i>Noted</i></p>

Please see the reply to comment 154 above.

comment 3961 comment by: *Professional Air Training Ltd*

see comment 3938

response *Noted*

comment 4173 comment by: *Elmar KUEMMEL*

Fehlt eigenständiger LAFIE(A), denn im Luftsport wird es bald keine FIE mehr geben.  
Fehlt TMG.

Die Zeit seit 2003 spricht klare Worte und sollte eigentlich deutlich zeigen, dass es so wohl nicht der richtig Weg ist.  
Warum verschärft man hier die Vorschriften ohne jeglichen Grund? Oder was sind Gründe?

response *Noted*

Thank you for providing your opinion.

The Agency partially agrees with your reasoning, but will not create a separate FIE for the LAFI. Specific prerequisites for FIEs who wish to conduct only assessments of competence for the LAFI(A) will be added in FCL.1010.FIE. A lower amount of total flight time and flight instruction time as defined for the FIE assessing the FI(A) will be required.

Your second comment states that the FIE for FI(S) with TMG extension is missing. This is not correct, as the privileges contained in FCL.1005.FIE (c) will allow the FIE(S) to assess an FI(S) also on TMGs. To make this even more clear the term 'and powered sailplanes' will be added. The Agency agrees that in FCL.1010.FIE (d) a certain minimum experience should be defined for FIE(S) wishing to conduct assessments of competence on a TMG. A certain amount of flight instruction time on TMGs will be added.

comment 4350 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1005.FIE

**Wording in the NPA  
FIE Privileges and conditions**

**Our proposal**

**Add:**

(d) LAFIE (A). The privileges of an LAFIE for Aeroplanes, are to conduct skill tests or proficiency checks for the issue, revalidation or renewal of certificates for LAFI(A).

**Refer also to comment 4353 with a complementary addition to FCL.1010.FIE**

**Issue with current wording**

The group of LPL based privileges must be extended to the instructor examiner level.

	<p><b>Rationale</b></p> <p>As discussed in our <b>general comment 3250 Nr. 1</b> in great detail the LPL space must be self contained and all functions accessible to holders of an LPL. Germany has a long and good experience in putting private pilot licensing completely in the hands of non profit individuals (volunteers) and organisations including the instructor examiner level. This is necessary to keep the non commercial infrastructure in tact which gives any individual with interest in aviation access to to an aviation activity.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency partially agrees with your reasoning, but will not create a separate FIE for the LAFI. Specific prerequisites for FIEs who wish to conduct only assessments of competence for the LAFI(A) will be added in FCL.1010.FIE. A lower amount of total flight time and flight instruction time as defined for the FIE assessing the FI(A) will be required.</p> <p>Please see also response to your comment No 4353.</p>
comment	<p>4372 <span style="float: right;">comment by: <i>DCA Malta</i></span></p> <p>FCL 1005.FIE(a) TRI(A) and SFI(A) to be deleted</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 154 above.</p>
comment	<p>5108 <span style="float: right;">comment by: <i>Diether Memmert</i></span></p> <p>Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit <b>gegenüber Dritten unter Beachtung der Verhältnismäßigkeit</b> zu gewährleisten.</p> <p>Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!</p> <p>In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.</p> <p>Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht. Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.</p> <p>Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.</p> <p>Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung</p>

der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Die 'FIE' sind fuer Segelflug und TMG voellig unnoetig.

Bei uns haben diese Funktionen schon immer erfahrene Segelfluglehrer erfuehlt, das soll auch so bleiben.

Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden

**Aenderungen:**

(c) Streiche 'FIE for sailplanes' und ersetze durch erfahrenen Segelfluglehrer

response

*Not accepted*

Thank you for providing again your standard response.

As this is only a general comment, please refer to the different reponses already provided to your other similar comments.

Regarding your proposal to allow experienced sailplane instructors to conduct assessments of competence for the FI(S), the Agency cannot see the problem because the requirements published by the Agency ask also for an experienced instructor (500 hours total time and 50 launches instructing FI(S) applicants). If the comment is aiming on a requirement allowing instructors to conduct tests and checks without holding an examiner certificate the Agency does not agree because the Basic Regulation asks clearly for the introduction of examiners.

However, it should be mentioned that the Agency has carefully reviewed the comments received and decided to change some of the prerequisites. Please see the resulting text.

comment

5453

comment by: CAA Belgium

The privileges stated in FCL.1005.FIE (a) and (b), respectively, are partially overlapping with the privileges stated in FCL.1005.TRE (a)(5) and FCL.1005.TRE (b)(5), respectively, though the prerequisites for TRE and FIE differ significantly.

Is it intended that part of FIE(A) and FIE(H) privileges, respectively, are also included in TRE(A) TRE(H) privileges, respectively, although in contrast to a FIE instructional experience for instructor ratings/'certificates' is not required for TRE(A) and TRE(H), respectively?

Is it intended that applicants for FIE(A)and FIE(H, respectively, have to provide additional and specific requirements which are not required for TRE(A) and TRE(H), respectively, although they apparently are supposed to exercise the same privileges?

response

*Noted*

Please see the reply to comment 154 above.

comment

6039

comment by: UK CAA

	<p><b>Paragraph:</b> FCL.1005.FIE (a)  <b>Page No:</b> 71 of 647  <b>Comment:</b> The FI qualification is predominately to do with single pilot work, yet the privileges and conditions permit an FIE to issue, revalidate or renew TRI(A) and SFI(A) certificates which are both multi-pilot qualifications. Can this be correct?  <b>Justification:</b>  Examiners qualified in multi-pilot roles should complete tests and checks for multi pilot certificates. The TRI/SFI initial issue, revalidations and renewals are completed by a TRE qualified for this purpose [see FCL.935.TRI(a) and FCL.935.SFI] so the FIE doesn't require this privilege.  <b>Proposed Text: (if applicable)</b>  Delete TRI(A) and SFI(A) from paragraph (a).</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 154 above.</p>
comment	<p>6042 <span style="float: right;">comment by: UK CAA</span></p> <p><b>Paragraph:</b> FCL.1005.FIE (b)  <b>Page No:</b> 71 of 647  <b>Comment:</b> The FI qualification is predominately to do with single pilot work, yet the privileges and conditions permit an FIE to issue, revalidate or renew TRI(H) and SFI(H) certificates which may be multi-pilot qualifications. Can this be correct?  The FIE may be permitted to conduct skill tests and proficiency checks for single pilot helicopter TRIs &amp; SFIs.  <b>Justification:</b>  Examiners qualified in multi-pilot roles should complete tests and checks for multi pilot certificates. The multi pilot TRI/SFI initial issue, revalidations and renewals are completed by a TRE qualified for this purpose [see FCL.935.TRI(a) and FCL.935.SFI] so the FIE doesn't require this privilege.  The FIE should continue to have the privilege to issue, revalidate or renew TRI/SFI certificates for single pilot helicopters but the IR should be more explicit.  <b>Proposed Text: (if applicable)</b>  Change text in paragraph (b) to read "...revalidation or renewal of certificates for LAFI(H), FI(H) or IRI(H) and for single pilot TRI(H) &amp; SFI(H) and assessments of competence..."</p>
response	<p><i>Partially accepted</i></p> <p>Please see the reply to comment 154 above.</p>
comment	<p>6180 <span style="float: right;">comment by: French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</span></p> <p>FCL.1005.FIE (a) FIE(A). ...for the STI(A) <del>and the MI(A)</del>.  French Mountain Pilot Association and the FFA propose to add the following :  <b>When holding a MI certificate, an FIE(A) is entitled to conduct skill tests for the issue of MI (A) certificates.</b>  <b>Justification :</b> To be consistent with our demand to add the FCL.935.MI MI skill test, this skill test must be conducted by a FIE(A) holding a MI(A) certificate.</p>
response	<p><i>Noted</i></p>

Please note that the reference to the MI has been deleted for both aeroplanes and helicopters, as the issue, revalidation or renewal of an MI certificate does not require a specific assessment of competence.

comment 6221 comment by: *EUROCOPTER*

In FCL.1005.FIE (b), a MI(H) certificate is mentioned. As it does not appear in subpart J, clarification is required as the mountain rating seems applicable only for aeroplanes.

response *Noted*

Thank you for pointing out this inconsistency.  
It is true that initially the mountain rating will be applicable only for aeroplanes. The definition of the requirements for a mountain rating for helicopters will need to be subject to a future rulemaking task.

However, please note that the reference to the MI has been deleted for both aeroplanes and helicopters, as the issue, revalidation or renewal of an MI certificate does not require a specific assessment of competence.

comment 6797 comment by: *CAA CZ*

FCL.1005.FIE (a) and (b)  
If FIE(A/H) may issue, revalidate and renew TRI(A/H) and SFI(A/H), requirements in FCL.1010.FIE(a)/(b) should be completed or the requirements of FCL. 935.TRI(a) and FCL.935.SFI should be suitably corrected.  
According to FCL.935.TRI(a) TRI skill test is conducted by TRE only and according to FCL.935.SFI, SFI skill test is conducted by SFE or TRE only. Therefore FIE can not provide skill test or proficiency check for TRI(A/H) and SFI(A/H).

response *Noted*

Please see the reply to comment 154 above.

comment 7637 comment by: *CAA Finland*

FCL.1005.FIE(a):  
There is a contradiction with FCL.1005.TRE(a)(5) & (b)(5) and 1.005.SFE(a)(3) & (b)(3). We support that FIE (with TRE certificate too = TRE+FIE) is specified for all instructor certificates. MCCI is missing from the list (my proposal of assessment by an examiner). To remove the contradiction amended text proposal:

FCL.1005.FIE FIE Privileges and conditions

**FIE is an additional examiner certificate. The examiner shall also hold an FE, CRE, IRE, TRE or SFE as appropriate**

(a) FIE(A). The privileges of an FIE for aeroplanes are to conduct skill tests or proficiency checks for the issue, revalidation or renewal of certificates for LAFI(A), FI(A), ~~TRI(A)~~, CRI(A), IRI(A), ~~SFI(A)~~ and assessments of competence for the STI(A) and the MI(A).

(b) FIE(H). The privileges of an FIE for helicopters are to conduct, skill tests or proficiency checks for the issue, revalidation or renewal of certificates for LAFI(H), FI(H), TRI(H) single-pilot, IRI(H) or ~~SFI(H)~~ and assessments of

competence for the STI(H) and the MI(H), on single-pilot helicopters.  
 (c) FIE (As),.....  
 (d) The privileges of an FIE for aeroplanes and helicopters are to conduct skill tests for the issue, revalidation or renewal of a TRI or SFI certificate and assessments of competence for the MCCI in the applicable aircraft category, provided that the examiner has completed at least 20 skill tests or proficiency checks for the issue, revalidation or renewal of a type rating on the applicable type.  
 - FCL.1005.TRE(a)(5) & (b)(5) and 1.005.SFE(a)(3) & (b)(3): remove

response *Partially accepted*

Please see the reply to comment 154 above.

The Agency will also amend the text to make clear that the SFE needs to hold the relevant instructor certificate.

comment 7748

comment by: Reinhard Heineking

FCL.1005.FIE listet die FIE Kategorien auf. Hier fehlt ein LAFIE(A). Da es einen LAFI(A) gibt muss es konsequenterweise auch eine LAFIE(A) geben. Ebenso sollte es die TMG Ausbilderprüferlizenz geben und diese hier gelistet und definiert werden.

Reinhard Heineking FI JAR\_FCL PPL(A), TMG, GPL

response *Noted*

Thank you for providing your opinion.

The Agency partially agrees with your reasoning, but will not create a separate FIE for the LAFI. Specific prerequisites for FIEs who wish to conduct only assessments of competence for the LAFI(A) will be added in FCL.1010.FIE. A lower amount of total flight time and flight instruction time as defined for the FIE assessing the FI(A) will be required.

Your second comment states that the FIE for FI(S) with TMG extension is missing. This is not correct, as the privileges contained in FCL.1005.FIE (c) will allow the FIE(S) to assess an FI(S) also on TMGs. To make this even more clear the term 'and powered sailplanes' will be added. The Agency agrees that in FCL.1010.FIE (d) a certain minimum experience should be defined for FIE(S) wishing to conduct assessments of competence on a TMG. A certain amount of flight instruction time on TMGs will be added.

**B. Draft Opinion Part-FCL - Subpart K: Examiners - Section 7: Specific requirements for the flight instructor examiner - FCL.1010.FIE FIE - Prerequisites**

p. 71

comment 116

comment by: ADAC Luftrettung GmbH

According to FCL.1010.FIE (b) (4) [ > please change this to (3) ] a person must have given "at least 100 hours of flight time instructing applicants for an FI(H), TRI(H) or IRI(H) certificate" to become an FIE(H).

Due to the very limited number of new applicants for a FI(H), TRI(H) IRI(H) certificate compared to fixed wing instructors, this will lead to a lack of FIE's

for helicopters in various member states. Therefore we request to change the wording as example as follows:

(3) at least 100 hours of flight time instructing applicants for an FI(H), TRI(H) or IRI(H) certificate, or 20 hours and a proficiency check with a FIE(H) or SE(H) holding an FI(H) certificate;

or as an alternative:

(3) at least 100 hours of flight time instructing applicants for an FI(H), TRI(H) or IRI(H) certificate, or 200 hours of flight instruction given as a FI(H), TRI(H) or IRI(H) or TRE(H);

PS.: this problem seems to be recognized for FE(AS) where the requirements call for 20 hours flight instruction only!

response *Noted*

After carefully assessing all the comments received on this issue, the Agency has decided not to change the requirements coming from JAR-FCL, except when they refer to licences and certificates that were not included in JAR-FCL. Therefore, in the case of the FIE(A) and (H) the prerequisites as proposed in the NPA will remain the same, except for those FIEs wishing to conduct assessments of competence for the LAFI only. In this case, specific requirements have been introduced. Please see amended text.

comment

337

comment by: *Michel Lacombe AF TRTO*

Numbering error  
paragraph (b)

(b) FIE(H). Before attending the examiner standardisation course, applicants for an FIE certificate for helicopters shall:

(1) Hold an FE(H), TRE(H) or IRE(H) certificate, as applicable;

(2) Have completed 2000 hours of flight time as pilot of helicopters;

~~(4)~~ (3) Have at least 100 hours of flight time instructing applicants for an FI(H), TRI(H) or IRI(H) certificate;

response

*Accepted*

Thank you for pointing out this editorial mistake. The numbering will be reviewed.

comment

390

comment by: *REGA*

#### **STATEMENT**

(b) (4) The required 100 hours of flight time instructing applicants for an FI(H), TRI(H) or IRI(H) certificate is too excessiv.

#### **PROPOSAL**

Before attending the examiner standardisation course, applicants for an FIE(H) shall have at least 50 hours of flight time instructing applicants for an FI(H), TRI(H) or IRI(H).

response

*Noted*

Please see the reply to comment 116 above.

comment 419 comment by: *Geschäftsführer Luftsportverband RP*

Reduzierung bei (a), (2) auf 1.000 Flugstunden. Wenn 2.000 Flugstunden bestehen bleiben, dann wird diese Personengruppe ausschließlich aus gewerblichen Fluglehrern bestehen. Ein ehrenamtlich tätiger Fluglehrer hätte in seinem Fliegerleben gar keine Chance diesen Status zu erreichen. Es wird in Zukunft eine drastische Reduzierung in den Vereinen an FI(A) geben.

In über 50 Jahren hat das Vereinsausbildungssystem in Deutschland im Sinne der Jugendförderung und zur Hinführung des Interesses zu fliegerischen Berufen funktioniert und sich bewährt. Es wäre fatal, dies durch Beschneidung und Reduzierung wegen überhohe Anforderungen auf` s Spiel zu setzen.

Um eine Durchgängigkeit im Luftsport zu gewährleisten - und weil es praktisch heute schon feststeht, dass mit Einführung eines LPL im Motorflugbereich vermutlich nur noch höchstens 5 % aller Piloten einen PPL machen werden - muss hier ein eigenständiger

FIE(LAFI-A) mit Stunden- und Startangaben ähnlich dem FIE(S) etabliert werden.

response *Noted*

Please see the reply to comment 116 above.

comment 660 comment by: *British Microlight Aircraft Association*

Accepted

response *Noted*

Thank you for your feedback.

comment 695 comment by: *FOCA Switzerland*

K/Section 7  
FCL.1010.FIE

Following change to be made; TRE is multi-pilot and not adequate in this place:

**(a)(1) delete TRE(A)**

response *Noted*

After carefully reviewing the comments received on this paragraph and on FCL.1005.FIE, the Agency decided to amend the text to require the FIE to hold the relevant instructor certificate (meaning, the certificate which he/she seeks privileges for). Which certificates those might be, are indicated in FCL.1005.FIE (please see the replies to comments to that paragraph). This will apply to all categories of FIE.

comment 696 comment by: *FOCA Switzerland*

K/Section 7

	FCL.1010.FIE	
	For clarification, the following change to apply: <b>(b) (1) add TRE(H) with SP</b>	
response	<i>Noted</i>	
	Please see the reply to comment 695 above.	
comment	1035	comment by: <i>CAA Belgium</i>
	(a)(1) to be deleted: <i>"TRE(A) or IRE(A) certificate, as applicable"</i> . (b) (1) to be deleted: <i>"TRE(H) or IRE(H) certificate, as applicable"</i> .	
response	<i>Noted</i>	
	Please see the reply to comment 695 above.	
comment	1077	comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i>
	<b>Comment:</b> It seems that some text in (a) 3) is missing when compared to (b) 4). The requirement should be the same. Have the same text in (a) 3) as in (b) 4).	
	<b>Proposal:</b>  (a) FIE(A). Before attending the examiner standardisation course, applicants for an FIE certificate for aeroplanes shall: (1) Hold an FE(A), TRE(A) or IRE(A) certificate, as applicable; (2) Have completed 2000 hours of flight time as a pilot of aeroplanes; and (3) Have at least 100 hours of flight time instructing applicants for an FI(A), TRI(A) or IRI(A) certificate;	
response	<i>Noted</i>	
	Please see the reply to comment 695 above.	
comment	1355	comment by: <i>Gerhard Hehl</i>
	Generell werden zu viele Flugstunden gefordert. Es reichen die Hälfte. Ansonsten wird es bald keine FIE geben.	
response	<i>Noted</i>	
	Thank you for providing your opinion.  Please see the reply to comments 419 and 1737.	
comment	1620	comment by: <i>Helikopter Air Transport GmbH / Christophorus Flugrettungsverein</i>
	<b>STATEMENT</b> (b) (4) The required 100 hours of flight time instructing applicants for an FI(H), TRI(H) or IRI(H) certificate is too excessive.	

	<p><b>PROPOSAL</b>  Before attending the examiner standardization course, applicants for an FIE(H) shall have at least <u>50 hours of flight time</u> instructing applicants for an FI(H), TRI(H) or IRI(H).</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 116 above.</p>
comment	<p>1737 <span style="float: right;">comment by: <i>Sven Koch</i></span></p> <p>FIE(A) 2.000 Std PIC auf Flugzeugen, darin 100 Std Ausbildung für Fluglehrer  FIE(S) 500 Std auf Segelflugzeugen und 15 Std oder 50 Starts Segelfluglehrer-Ausbildung  Zu hohe Stunden: es reichen überall die Hälfte der Angaben Fehlt FIE(S) für TMG</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding your first comment please see the response to comment 419.</p> <p>Regarding your comment on the prerequisites for the FIE(S), the Agency does not agree with your proposal to require only 50% of the proposed total flight time and instruction time. However, after careful consideration of the comments received, the Agency decided to keep the proposed amount of flight time but to lower the required amount of flight time and launches instructing applicants for an FI(S) certificate.</p> <p>Your third comment states that the FIE for FI(S) with TMG extension is missing.  This is not correct, as the privileges contained in FCL.1005.FIE (c) will allow the FIE(S) to assess an FI(S) also on TMGs. To make this even more clear the term 'and powered sailplanes' will be added. The Agency agrees that in FCL.1010.FIE (d) a certain minimum experience should be defined for FIE(S) wishing to conduct assessments of competence on a TMG. A certain amount of flight instruction time on TMGs will be added.</p>
comment	<p>1832 <span style="float: right;">comment by: <i>Matthias SIEBER</i></span></p> <ul style="list-style-type: none"> <li>• - (a) Es ist fachlich nicht nachzuvollziehen, warum ein Prüfer für PPL-Fluglehrer eine CPL haben soll? Dies schränkt Kreis des verfügbaren Personals stark ein, ohne fachlichen Mehrwert für die Prüfungsmaßnahme.</li> </ul>
response	<p><i>Noted</i></p> <p>The Agency supposes that your comment refers to FCL.1010.FE.  Please see the replies to comments on that paragraph.</p>
comment	<p>1867 <span style="float: right;">comment by: <i>Dr. Schreck</i></span></p> <p>FCL.1010.FIE  Auch hier gilt, dass der Prüfer fachlich nur das Know-how für das entsprechende Prüfungsfach nachweisen muss.</p>
response	<p><i>Noted</i></p>

Thank you for your feedback.

comment 1887 comment by: Markus Malcharek

Es ist aus fachlicher Sicht weder nachzuvollziehen noch verständlich, warum ein Prüfer für PPL Fluglehrer eine CPL inne haben soll. Damit würde der Kreis der verfügbaren Personen stark eingeschränkt werden, ohne einen erkennbaren Mehrwert für die Prüfungsmaßnahmen.

response Noted

Please see the reply to comment 1832 above.

comment 2456 comment by: Dr. Horst Schomann

Subparagraph (a)

Problem 1: The required flight time is too high and the TMG as alternative is doubtful.

Proposed solution: (2) Have completed 1000 hours of flight time ...

Justification: The required 2000 hours seem to be adapted to the commercial aviation only. With 1000 hours the applicant for FIE(A) has gained a sufficient experience.

TMG: According to the definitions in FCL.010 the "aeroplane" covers a TMG also. But elsewhere in the document the "single-engine piston aeroplane" or "single-engine aircraft" is used and the TMG separately mentioned. Though the "aeroplane" should be defined as is and it should be given some examples for participants inside this definition, e.g. single-engine aircraft, TMG.

Problem 2: A dedicated FIE(LAFI) is missing.

Proposed solution: Define a separate subparagraph for the FIE(LAFI) with reduced requirements related to the FIE(A), i.e. 50 %.

Subparagraph (d) (1)

Problem 3: The required flight time is too high.

Proposed solution: Have completed 250 hours in flight time ...

Justification: The required flight time should be in relation to the requirement in FCL.905.FI, subparagraph (j) (i). A factor of 5 is sufficient.

response Noted

Thank you for providing your opinion.

Regarding your first issue of reducing the prerequisites for the FIE(A) please see the responses to comments No 419 and 1737 above.

Regarding the issue of flight time on TMG, the Agency agrees that some clarification is needed. Please see amended text.

Regarding the issue of a dedicated FIE for the LAFI(A), the Agency will not

create a separate examiner category but will add specific requirements for FIEs who wish to conduct skill tests and proficiency checks for the LAFI(A) only. A lower amount of flight time and instructing experience in FI courses will be required. Please see the resulting text.

Regarding your last proposal (dealing with the required 500 hours total flight time) you are wrong when referring to FCL.905.FI (j) and explaining that factor 5 is a suitable number for defining the minimum experience of an FIE(S). The minimum flight experience for an FI(S) is described in FCL.915.FI (prerequisites) and asks for 100 hours flight time. For the FE(S) a total amount of 300 hours is required. As FCL.1010 in (d)(1) is asking for 500 hours total flight time the proposed factor 5 was already used.

comment

2498

comment by: *mfb-bb*

**Requirements for FIE**  
**FIE – Pre requisites**

Die Anforderungen an einen FIE in Höhe von 100 h Ausbildungszeit von Fluglehrern ist in Deutschland nur durch die Tätigkeit an Ausbildungslehrgängen von Fluglehrern an wenige Flugschulen beschränkt. Da die Anzahl der Fluglehrer abnimmt, können fast gar keine FIE mehr anerkannt werden, da die Bedingungen nicht zu erfüllen sind.

**Vorschlag:**

100 Stunden Ausbildungszeit von Fluglehrern

**oder**

50 abgenommene Prüfungen

**oder**

Eine Prüfung eines Fluglehrers unter Aufsicht eines FIE / Seniorexaminers

**Requirements for FIE**  
**FIE pre-requisites**

The requirements of 100 hours of flight time instructing applicants for an FI (A) certificate are too high and will cause that only a few instructors can become an examiner.

In Germany we have only a few flight training organisation where courses for flight instructors take place.

Because of the decreasing number of flight instructors we will have the same problem with the FIE.

**Proposal:**

100 hours of flight time instructing applicants for an FI(A) certificate

**or**

50 conducted proficiency checks as FE

**or**

a proficiency check of a flight instructor under supervision of a FIE or senior flight examiner

response

*Noted*

Please see the reply to comment 116 above.

comment 3018 comment by: *Deutscher Aero Club (DAeC)*

This rule says among others that an applicant for the FIE certificate has to train applicants for a FI certificate during an approved FI training course. This is a requirement that the air sport community is unable to fulfil and which will decrease the level of safety in FI training.

1. For the time being about 30 FIE exist in Germany, but there are about 6000 FI to check.
2. Therefore there is high demand to "create" much more FIE as fast as possible.
3. Volunteers perform the training of FIs in their spare time (holidays).
4. There are not more as 6 FI training courses for sailplane and 2 for aeroplane per year and 1 for balloons every three years in Germany.
5. Under normal conditions it would be possible to train one applicant for the FIE certificate per FI training course.
6. But under the condition pursuant to 2 it would be necessary to exchange the complete set of FI instructors to produce as much as possible FIEs.
7. This contradicts the need to involve the best-qualified FI instructors to achieve the highest possible level of quality and safety during such a course.
8. The result is a decrease in level of safety. Quod erat demonstrandum.

Please refer to comment #3019 to AMC to FCL.1020. This AMC requires having three persons on board of an aircraft during the assessment of competence of a FIE. As no sailplane with three seats exists that requirement can't be fulfilled.

response *Noted*

Please see the response to comment No 116 above.

comment 3320 comment by: *DGAC FRANCE*

Part FCL 1010.FIE(a) and (b)

An FIE acts only for single pilot aircraft. For multi-pilot, see FCL.1005.TRE (a) (5) and (b)(5).

The precise privileges of FIE must be given according to their experience as instructor for a specific instructor certificate.

**FCL.1010.FIE (a)(3):** consistency with the helicopters and JAR FCL

**FCL.1010.FIE FIE-Pre-requisites**

(a)....

- (1) Hold an FE(A), ~~TRE(A)~~ **CRE(A)**, or IRE(A) certificate as applicable;

..

- (3) Have at least 100 hours of flight time instructing applicants for an FI(A), **CR I(A), IRI(A)** certificate.

(b) .....

- (1) Hold an FE(H) , TRE(H) **for single pilot helicopter**, or IRE(H) certificate, as applicable

(2)..

- (3) Have at least 100 hours of flight time instructing applicants for an FI(H), TRI(H) **for single pilot helicopters** or IRI(H) certificate;

response *Noted*

Please see the reply to comment 695 above.

comment 3523 comment by: *Egon Schmaus*

FCL.1010.FIE

(a)(2)... Have completed ~~2000~~ "1000" hours of flight time as a pilot of aeroplanes. "Up to 500 hours on helicopters, Micro-Light, TMG and sailplanes can be credited;

and

(a)(3) Have at least ~~400~~ "50" hours of flight time instructing...

(b)(2) ... Have completed ~~2000~~ "1000" hours of flight time as a pilot of helicopters. "Up to 500 hours on aeroplanes, Micro-Light, TMG and sailplanes can be credited; and...

(b)(3) Have at least ~~400~~ "50" hours of flight time instructing...

(d)(1) Have completed 500 hours of flight time as a pilot of sailplanes or powered sailplanes. "Up to 250 hours on aeroplanes, helicopters, Micro-Light or TMG can be credited."

Reason:

(1) 2000 hours of flight experience and 100 hours of training Flight Instructors is only feasible for professional Pilots/Instructors. Thus, experienced leisure-time FEs can never be FIE.

(2) Engaged non-professional pilots will mostly be active in several classes of aviation (Sailplane - TMG - SEP). Their flight experience in other aircraft classes is highly valuable for later activities as an FE or FIE.

(3) Examination of AMATEUR Pilots need not necessarily be done by professionals only.

response *Noted*

Thank you for providing your opinion.

Please see the responses to comments No 116, 419 and 1737 above.

Regarding your proposal to introduce some kind of crediting for flight time in other aircraft categories, the Agency does not agree. A certain amount of experience on aircraft of the specific category is required in order to exercise the privileges as FIE safely. However, it should be mentioned that flight time on TMG is already included in (d), as this requirement talks about sailplanes and powered sailplanes. The term 'or TMG' will be further added in (a).

comment 3730 comment by: *Klaus HARTMANN*

FCL.1010.FIE FIE Prerequisites (e) FIE(B)

In Deutschland werden durch die zusätzlichen proficiency checks bei jeder 3. Verlängerung als FI für ca. 220 FI mehrere FIE benötigt. Zur Zeit erfüllen die prerequisites nach (2) mit großer Wahrscheinlichkeit nur 2-3 FE. Da nur in Abständen von mehreren Jahren wenige Lehrer ausgebildet werden, wird sich die Anzahl der FE mit den geforderten Voraussetzungen nicht erhöhen lassen. Daher sollte (2) wie folgt geändert werden:

(2) have completed 15 hours instructing applicants for a LAFI(B) or FI(B) certificate or attend a FIE seminar of 1 day with a senior examiner;

response *Noted*

Thank you for providing your opinion and the proposal to introduce some kind

of an additional proficiency check in order to substitute the prerequisite requirement in (e)(2) (flight instruction for a LAFI(B) or FI(B) certificate).

However, the Agency does not agree because an applicant for an FIE certificate should have some experience in instructing to be able to assess the FI(B)s performance during the assessment of competence. After careful consideration of the feedback received on this issue the Agency decided to lower the requirement in (2) slightly but not to introduce a separate additional proficiency check.

comment 3748

comment by: ANPI

**Additional comment concerning the FI / FE system.**

**FI / FE are part of a complete system supervised by Authorities. Its mission dedicated to Flight Training and supervision of Pilots is entirely oriented "Flight Safety"**

**The mission of the System is:**

- o maintain teaching practices at the required level.**
  - o Taking care of drifts and tendencies**
  - o Reacting accordingly**
- o apply a continuous improvement process**
  - o Analyzing Incidents and accidents on the instructors and Examiners stand point**
  - o Upgrading training accordingly**
  - o Adapting to changing environment (new culture, new aircrafts, new equipments)**
  - o Linking with European initiatives and possibly Others.**

**This mission makes necessary a proper definition of functional relationship with Authorities and of responsibilities.**

- Authorities shall be providing support and directives, receiving and analyzing bottom up data from the fields, initiating any kind of survey permitting to complete investigations when needed, and issue Regulations and/or recommendations permitting to improve aviation Safety**
- FI / FE are tasked to apply Top Down directives and to gather any requested information.**

**It should be clear that FIs and FEs are acting on behalf of Authorities. They shall be legally protected accordingly for this mission.**

response *Noted*

Thank you for your feedback.

comment 3962

comment by: Professional Air Training Ltd

see comment 3938

response *Noted*

comment 4111

comment by: SFVHE

**Die geforderten Flugstundenzahlen sind völlig überzogen. Weniger als die Hälfte ist ausreichend.**

response *Noted*

Thank you for providing your opinion.  
Please see the responses to comments No 116, 419 and 1737 above.

comment 4174 comment by: *Elmar KUEMMEL*

Siehe comment 4173.  
TMG fehlt

response *Noted*

Thank you for providing your opinion.  
Regarding your first statement please see the response to your comment No 4173.

The second part of your comment states that the FIE for FI(S) with TMG extension is missing.

This is not correct, as the privileges contained in FCL.1005.FIE (c) will allow the FIE(S) to assess an FI(S) also on TMGs. To make this even more clear the term 'and powered sailplanes' will be added. The Agency agrees that in FCL.1010.FIE (d) a certain minimum experience should be defined for FIE(S) wishing to conduct assessments of competence on a TMG. A certain amount of flight instruction time on TMGs will be added.

comment 4272 comment by: *SFG-Mendig*

Auch hier müssen die quantitativen Voraussetzungen deutlich reduziert werden, denn die kommerziell eingesetzten Berufsluftfahrzeugführer haben keine Zeit und auch nicht die Erfahrung, um in der privaten Luftfahrt die erforderlichen Fluglehrer auszubilden. und zu prüfen. Wenn hier keine Trendwende eingeläutet wird, dann stirbt die Luftfahrt im privaten Bereich alleine schon deshalb aus, weil nicht ausreichend Fluglehrer nachwachsen können.

response *Noted*

Thank you for providing your opinion.  
Please see the responses to comments No 116, 419 and 1737 above.

comment 4351 comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1010.FIE(a)

**Wording in the NPA**

(a) FIE(A). Before attending the examiner standardisation course, applicants for an FIE certificate for aeroplanes shall:

- (1) Hold an FE(A), TRE(A) or IRE(A) certificate, as applicable;
- (2) Have completed 2000 hours of flight time as a pilot of aeroplanes; and
- (3) Have at least 100 hours of flight time instructing applicants for an FI(A) certificate.

**Our proposal**

**Change:**

(a) FIE(A). Before attending the examiner standardisation course, applicants for an FIE certificate for aeroplanes shall:

- (1) Hold an FE(A), TRE(A) or IRE(A) certificate, as applicable;
- (2) Have completed 2000 hours of flight time as a pilot of aeroplanes **or**

touring motor gliders; and

(3) Have at least 100 hours of flight time instructing applicants for an FI(A) certificate.

(4) Flight respectively instruction time on sailplanes or 3 axis controlled micro lights may be credited against 50% of the required flight times in (2) and instruction times in (3)

#### Issue with current wording

Flight and instruction time on other fixed wing categories must be credited, TMG must be fully credited.

#### Rationale

As discussed in our **general comment 3250 Nr. 2 and 3** experience in other fixed wing categories must be credited since it is not justifiable that a instructor and examiner for sailplanes or micro lights with many hours of flight time and instruction time in these categories is not credited for this activity when applying for the this certificate.

Since Touring motor gliders are an equivalent rating in the PPL license it must be fully credited against the required flight and instruction time. There must be the option of an FIE solely rated on TMG

response *Partially accepted*

Thank you for providing your opinion.

Regarding the first issue the Agency agrees that flight time on TMG should be counted against the experience requirement in (a). The term 'or TMGs' will be added.

Regarding the proposed 'crediting' of flight time in sailplanes or Annex II aircraft, the Agency has responded already to your other comments on the requirements for the FE prerequisites. The Agency is of the opinion that a certain amount of experience should be gained on aircraft of the same category/class and will not accept any kind of crediting for this requirement.

comment

4352

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1010.FIE(d)

#### Wording in the NPA

(d) FIE(S). Before attending the examiner standardisation course, applicants for an FIE certificate for sailplanes shall:

(1) Have completed 500 hours of flight time as a pilot of sailplanes or powered sailplanes,

(2) Have completed 15 hours or 50 launches instructing applicants for an FI(S) or LAFI(S) certificate;

(3) Hold a certificate as FE(S) or FE(LPLS).

#### Our proposal

##### Change:

(d) FIE(S). Before attending the examiner standardisation course, applicants for an FIE certificate for sailplanes shall:

(1) Have completed 500 hours of flight time as a pilot of sailplanes or powered sailplanes **or touring motor gliders,**

(2) Have completed 15 hours or 50 launches instructing applicants for an FI(S) or LAFI(S) certificate;

(3) Hold a certificate as FE(S) or FE(LPLS).

(4)Flight respectively instruction time on aeroplanes, or 3 axis controlled micro lights may be credited against 50% of the required flight times in (1) and instruction times in (2)

**Issue with current wording**

Flight and instruction time on other fixed wing categories must be credited

**Rationale**

As discussed in our **general comment 3250 Nr. 2 and 3** experience in other fixed wing categories must be credited since it is not justifiable that a instructor and examiner for aeroplanes or micro lights with many hours of flight time and instruction time in these categories is not credited for this activity when applying for the this certificate.

Since Touring motor gliders are a valid rating in the SPL license it must be fully credited against the required flight and instruction time.

response *Partially accepted*

Thank you for providing your opinion.

Regarding the first issue the Agency agrees that flight time on TMG should be counted against the experience requirement in (1), but as the text already uses the wording 'or powered sailplanes' the TMG flight time is clearly included.

Regarding the proposed 'crediting' of flight time in sailplanes or Annex II aircraft, the Agency has responded already to your other comments on the requirements for the FE prerequisites (and the FIE(A) prerequisites). The Agency is of the opinion that a certain amount of experience should be gained on aircraft of the same category/class and will not accept any kind of crediting for this requirement.

comment

4353

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.1010.FIE

**Wording in the NPA**

**FIE Prerequisites**

**Our proposal**

**Add:**

(f) LAFIE(A). Before attending the examiner standardisation course, applicants for an LAFIE(A) certificate for aeroplanes shall:

(1) Hold an FE(A) certificate ;

(2) Have completed 750 hours of flight time as a pilot of aeroplanes or touring motor gliders; and

(3) Have at least 30 hours of flight time instructing applicants for an FI(A) certificate

(4)Flight respectively instruction time on sailplanes or 3 axis controlled micro lights may be credited against 50% of the required flight times in (2) and instruction times in (3)

**Refer also to comment 4350 with a complementary addition to FCL.1005.FIE**

**Issue with current wording**

The group of LPL based privileges must be extended to the instructor examiner level.

**Rationale**

As discussed in our **general comment 3250 Nr. 1** in great detail the LPL space must be self contained and all functions accessible to holders of an LPL. Germany has a long and good experience in putting private pilot licensing completely in the hands of non profit individuals (volunteers) and organisations including the instructor examiner level. This is necessary to keep the non commercial infrastructure in tact which gives any individual with interest in aviation access to to an aviation activity. Please refer to general comment 3250 Nr. 7 regarding the specified level of required flight time experience.

response *Partially accepted*

Thank you for providing your comment.

The Agency agrees that a specific FIE privilege for conducting skill tests and proficiency checks for the LAFI(A) should be incorporated. An additional privilege for the FIE(A) will be added in order to conduct skill tests and proficiency checks for the LAFI(A), but no separate LAFIE(A) examiner category must be introduced. As proposed in your comment a lower amount of flight time and instructing experience in FI courses will be required. Please see the resulting text.

comment 5111

comment by: *Diether Memmert*

Der vorliegende Entwurf, NPA 2008-17a+b+c, verfehlt, was den nichtgewerblichen Teil auf dem Sektor Segelflug und TMG (recreational aviation) angeht, in einigen Punkten seine originäre Aufgabe, nämlich Sicherheit **gegenüber Dritten unter Beachtung der Verhältnismäßigkeit** zu gewährleisten.

Mehr Sicherheit wird nicht durch weitere Überprüfungen, Auflagen und bloße Behauptungen erreicht. Daß es auch anders sehr gut funktioniert, wurde mit dem richtigen Augenmaß an Vorschriften in den letzten mehr als fünfzig Jahren u.a. im Bereich des DAeC nachgewiesen. Und dies betraf mehr als die Hälfte der europäischen Segelflieger, also eine sicher aussagekräftige Mehrheit!

In den Flugvereinen des DAeC wurde eine vorbildliche Leistung mit gutem Sicherheitsstandard bei Ausbildung, In-Übunghaltung, sowie Weiterbildung von Piloten und Fluglehrern in weitgehend ehrenamtlicher Tätigkeit erbracht. Dies sollte sicherlich für die gesamte EU als Richtschnur dienen können.

Aus dem angeblichen Sicherheitsaspekt wird hier nur ein weiterer Überprüfungsproporz im Freizeitpilotenbereich aufgebaut, der aber gegenüber der bewährten deutschen Vereinsausbildung ausschließlich die Kosten erhöht.

Die soziale Kompetenz von Vereinen und die Vorteile einer freiwillig „überwachten“ ehrenamtlichen Vereinsumgebung werden ignoriert, der Aspekt der Eigenverantwortlichkeit des Piloten wird völlig unterdrückt.

Es ist eben nicht richtig, daß ein System, das sicherlich im gewerblichen Bereich seine Gültigkeit hat, auch einfach dem Freizeitsport übergestülpt werden kann.

Der vorgeschlagene verwaltungstechnische Überbau (FIE, ATO, Beschränkung der Gültigkeit mit periodischer fliegerischer Überprüfung, etc.) ist unnötig und kostet die Piloten (aus ihrer Tasche!) nur zusätzliche Gebühren. Diese Mittel fehlen dann für Erlangung von mehr Flugpraxis. Diese war aber schon immer das wirkungsvollste Mittel zum Erhalt ausreichender Flugsicherheit!

Die 'FIE' sind fuer Segelflug und TMG voellig unnoetig.

Bei uns haben diese Funktionen schon immer erfahrene Segelfluglehrer erfüllt, das soll auch so bleiben.

	Dipl.-Ing. TU Diether Memmert, Segelflugpilot seit 1953 mit >8500 Flugstunden
	<b>Aenderungen:</b> (d) Streiche 'FIE(S)' und ersetze durch erfahrenen Segelfluglehrer
response	<i>Not accepted</i>  Thank you for providing your opinion.  As this is again a copy of your comment assigned to several different segments, please see the responses to your other comments.  As already explained before, the Agency will not allow an FI(S) to act as examiner (in this case FIE(S)) because the Basic Regulation (Article 7(5)) requires a separate examiner certificate also for sailplane examinations.
comment	5134 <span style="float: right;">comment by: <i>Allen A.</i></span>  (a)(2) 2000 Flugstunden als Voraussetzung für FE(A) ist zu hoch, da mit dieser Forderung in den meisten Ländern die nötige Anzahl an FEs nicht generierbar ist. Ferner ist der fliegerische Unterschied zu Piloten mit einigen hundert Stunden weniger nicht bemerkbar. Vorschlag: Reduktion auf 800 Flugstunden.
response	<i>Noted</i>  Thank you for providing your opinion. Please see the responses to comments No 116, 419 and 1737 above.
comment	5285 <span style="float: right;">comment by: <i>CAA Belgium</i></span>  Part FCL 1010.FIE(a) and (b) An FIE acts only for single pilot aircraft. For multi-pilot, see FCL.1005.TRE (a) (5) and (b)(5). The precise privileges of FIE must be given according to their experience as instructor for a specific instructor certificate.  <b>FCL.1010.FIE</b> (a)(3) : consistency with the helicopters and JAR FCL  <b>FCL.1010.FIE FIE-Pre-requisites</b> (a).... (1) Hold an FE(A), <del>TRE(A)</del> <b>CRE(A)</b> , or IRE(A) certificate as applicable; .. (3) Have at least 100 hours of flight time instructing applicants for an FI(A), <b>CRI(A), IRI(A)</b> certificate. <b>for single pilot helicopter</b> , or IRE(H) certificate, as applicable (2).. (3) Have at least 100 hours of flight time instructing applicants for an FI(H), TRI(H) <b>for single pilot helicopters</b> or IRI(H) certificate;
response	<i>Noted</i>  Please see the reply to comment 695 above.
comment	5373 <span style="float: right;">comment by: <i>CAA Belgium</i></span>

	<p><b>Comment:</b> It seems that some text in (a) 3) is missing when compared to (b) 4). The requirement should be the same. Have the same text in (a) 3) as in (b) 4).</p> <p><b>Proposal:</b> (a) FIE(A). Before attending the examiner standardisation course, applicants for an FIE certificate for aeroplanes shall: (1) Hold an FE(A), TRE(A) or IRE(A) certificate, as applicable; (2) Have completed 2000 hours of flight time as a pilot of aeroplanes; and (3) Have at least 100 hours of flight time instructing applicants for an FI(A), TRI(A) or IRI(A) certificate;</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 695 above.</p>
comment	<p>5406 <span style="float: right;">comment by: <i>Aerovision</i></span></p> <p>You must also include a requirement for examiners to be interviewed for their suitability to become an examiner by their NAA. This will improve examiner quality and will help to ensure that not too many examiners are appointed (particularly in ballooning). Too many examiners would reduce the quality and would restrict existing examiners from meeting the minimum examining requirements.</p>
response	<p><i>Noted</i></p> <p>This is included in the general requirements for examiners. Please see the replies to comments to FCL.1010.</p>
comment	<p>5447 <span style="float: right;">comment by: <i>ECA- European Cockpit Association</i></span></p> <p>Add words: (3) Have at least 100 hours of flight time instructing applicants for an FI(A), <b><u>LAFI(A), CRI(A), IRI(A) or SFI(A) certificate as applicable.</u></b></p> <p>Justification: It depends on what type of instructor examiner he/she is willing to become certified.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 695 above.</p>
comment	<p>5522 <span style="float: right;">comment by: <i>ECA- European Cockpit Association</i></span></p> <p>Renumber (editorial) and add text:  (b) (4) Have at least 100 hours of flight time instructing applicants for an FI(H), TRI(H) or IRI(H) certificate, <b><u>as applicable;</u></b> Justification: Editorial and for clarification</p>
response	<p><i>Partially accepted</i></p> <p>Editorial accepted. Please see the reply to comment 695 above.</p>

comment	<p>5977 <span style="float: right;">comment by: <i>Luftsport-Verband Bayern</i></span></p> <p>vgl. Kommentierung zu FCL 1005.FE (Anforderungen zu 2000 Std. Gesamtflugzeit)</p> <p><i>(Kommentar FCL 1005.FE: Die in FCL 1005 FE aufgestellten Anforderungen an die vorhandenen Gesamtflugzeiten als PIC und FI sind deutlich zu hoch: Im nicht-kommerziellen Bereich werden zu wenig Prüfer zur Verfügung stehen. Die bislang von den Luftfahrtbehörden eingesetzten Prüfer dürften nur zu geringem Teil diesen Vorgaben entsprechen. Lediglich bei Luftfahrtunternehmen können Stundenzahlen in diesem Umfang in überschaubarer Zeit erreicht werden. Diese haben wiederum kein Interesse, dass Flugzeiten für Aufgaben in der Allgemeinen Luftfahrt - vor allem dem Luftsport - geopfert werden, da dies zu Lasten der zur Verfügung stehenden 900 Stunden Flugzeit pro Pilot p.a. ginge.)</i></p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the responses to comments No 116, 419 and 1737 above. See also responses to your comment on FCL.1005.FE.</p>
comment	<p>6043 <span style="float: right;">comment by: <i>UK CAA</i></span></p> <p><b>Paragraph:</b> FCL.1010.FIE (a)(1) <b>Page No:</b> 71 of 647 <b>Comment:</b> Applicants for an FIE certificate are limited to holding FE(A), TRE(A) or IRE(A). Why can't they hold a CRE(A) or SFE(A)? They would be as equally well qualified and shouldn't be prevented from applying for the FIE certificate. <b>Justification:</b> Consistency <b>Proposed Text: (if applicable)</b> Add to paragraph (1) the following "FE(A), TRE(A), CRE(A), SFE(A) or IRE (A) certificate...."</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 695 above.</p>
comment	<p>6046 <span style="float: right;">comment by: <i>UK CAA</i></span></p> <p><b>Paragraph:</b> FCL 1010 FIE (a)(3) <b>Page No:</b> 71 <b>Comment:</b> If the requirement is to hold a TRE or IRE then the applicant must have experience instructing TRI and IRI. <b>Justification:</b> Paragraph (b)(3) for helicopters is correct and so this paragraph should be worded similarly. <b>Proposed Text: (if applicable)</b> (a) (3) Have at least 100 hours of flight time instructing applicants for FI(A), TRI(A) or IRI(A) certificate</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 695 above.</p>
comment	<p>6147 <span style="float: right;">comment by: <i>Flybe Ltd</i></span></p>

FCL.1010.FIE (a) (3) indicates a requirement to have a minimum experience of instructing applicants for an FI(A) certificate. Was there an omission here? FIE(H) specifies FI(H), TRI(H) or IRI(H). Suggest something similar should apply to aeroplanes.

Suggest the following:

FCL.1010.FIE FIE - Pre-requisites

(3) Have at least 100 hours of flight time instructing applicants for an FI(A), TRI(A) or IRI(A) certificate;

response *Noted*

Please see the reply to comment 695 above.

comment

6268

comment by: *Christoph Talle*

1010.FIE(S) (d)(1) / (2) Problem: I think we have not enough FI(E).

For example in my part of Germany (called: "Niedersachsen"), we have about 550 FI, but we are only **6** !! FI(E). When we can't recruit new FI(E), my job for the next years is to check FI !!

So what to do ?

(1) The 500 hours of flight must be flown as pilot of sailplane or powered sailplane **or** TMG !

(2) Have completed **5** hours or **10** launches instructing applicants for an FI(S) or LAFI(S)

**So, I finish now, sorry for my english, good night, have much fun reading the lot of comments.**

**with kind regards**

**Christoph Talle**

National Authority

Member of DAeC

CPL/IFR (frozen ATP)

MEP / Citation / BE 200

FE / FIE aeroplane/glider/TMG

Senior flight Examiner

Holder of a pitts special and Nimbus 3 DM

response *Partially accepted*

Thank you for providing your opinion, the examples explaining the situation in your part of Germany ('Niedersachsen') and the additional remarks.

Regarding your first proposal the Agency agrees that flight time on TMGs must be counted for the total flight time required in (d)(1). But as the text already mentions 'or powered sailplanes' the TMG flight time is clearly included. Please see the definition of the TMG in FCL.010.

Regarding your second proposal the Agency has carefully reviewed all the comments received on this issue and has realised that the issue of flight instruction for FI(S) applicants seems to be a difficult issue. The Agency will therefore reduce the required flight instruction to 10 hours or 30 launches.

comment

6522

comment by: *Austro Control GmbH*

	<p>Comment: The NPA is too restrictive on that</p> <p>Proposed Text: (a) (3) Have at least 100 hours of flight time instructing applicants for an FI(A), <b>CRI (A) or IRI (A)</b> certificate.</p>
response	<p><i>Noted</i></p> <p>Please see the reply to comment 695 above.</p>

comment	<p>7129 <span style="float: right;">comment by: <i>Luftsportverband Rheinland Pfalz</i></span></p> <p>FCL.1010.FIE a) (2) ....2000 hours of flight time ...(3) at least 100 hours of flight time instruction applicants -... diese Bedingungen bitte streichen</p> <p>Es stellt sich die grundsätzliche Frage, ob der FIE überhaupt benötigt wird. Die Anforderungen sind sehr hoch. Es entstehen dem Flight inspector examiner bis zum Erreichen der Flugzeiten und der Fluglehrerzeiten hohe Kosten, so das zu erwarten ist, dass sich der Flight inspector examiner die Überprüfungen bezahlen läßt. Flight inspector examiner wird es nach dieser Regelung im Ehrenamt kaum noch geben. Durch die Finanzierung der Bedingungen und die dadurch notwendige Refinanzierung für den Inspector Examiner wird sich das Fliegen verteuern. Des weiteren ist zu erwarten, dass nur wenige Fluglehrer diese Bedingungen erfüllen, so dass ein erheblicher Engpass zu befürchten ist. Die Bedingungen müssen deutlich reduziert werden.</p> <p>Vorschlag: keine neue Definition oder maximal:...500 hours of flight time ...at least 50 hours of flight instruction...</p> <p>(d) (1)500 hours of flight time ...(2) including 15 hours or 50 launches instructing applicants for an FI (S) or LAFI (S) certificate-... diese Bedingungen bitte streichen</p> <p>Der Flight inspector examiner wird nach den heutigen Erfahrungen im deutschen Segelflug nicht benötigt. Die Anforderungen sind zudem zu hoch. Es entstehen dem Flight inspector examiner bis zum Erreichen der Flugzeiten und der Fluglehrerzeiten hohe Kosten, so das zu erwarten ist, dass sich der Flight examiner die Überprüfungen bezahlen läßt. Flight inspector examiner wird es nach dieser Regelung im Ehrenamt kaum noch geben. Durch die Finanzierung der Bedingungen und die dadurch notwendige Refinanzierung für den FIE wird sich das Fliegen verteuern. Des weitem ist zu erwarten, dass nur wenige Flightexaminer diese Bedingungen erfüllen, so dass ein erheblicher Engpass zu befürchten ist. Sofern der FIE beibehalten wird, müssen die Bedingungen deutlich reduziert werden.</p> <p>Vorschlag: Den FIE komplett streichen oder die Bedingungen drastisch reduzieren auf maximal (1)...250 hours of flight time ..., (2) have completed 10 hours or 25 launches instructing applicants for an FI(S) or LAFI (S) certificate.</p> <p>Hinweis: es sind keine Regelungen für den FIE für touring motorglider enthalten</p>
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response *Partially accepted*

Thank you for providing your opinion.  
Regarding your first comment on the prerequisites for the FIE(A), please see the responses to comments No 116, 419 and 1737 above.

Regarding your second comment on the prerequisites for the FIE(S) please see the response to comments No 6268 and 1737 above.

comment 7448

comment by: *Holger Scheibel*

In Deutschland werden durch die zusätzlichen proficiency checks bei jeder 3. Verlängerung als FI für ca. 220 FI mehrere FIE benötigt. Zur Zeit erfüllen die prerequisites nach (2) mit großer Wahrscheinlichkeit nur 2-3 FE. Da nur in Abständen von mehreren Jahren wenige Lehrer ausgebildet werden, wird sich die Anzahl der FE mit den geforderten Voraussetzungen nicht erhöhen. Daher sollte (2) wie folgt geändert werden:

(2) have completed 15 hours instructing applicants for a LAFI(B) or FI(B) certificate or attend a FIE seminar of 1 day with a senior examiner;

response *Noted*

Thank you for providing your opinion.  
Please see the response to comment No 3730 above.

comment 7649

comment by: *CAA Finland*

FCL.1010.FIE(a) and (b):  
Ref my comment to FCL.1005.FIE.

1500 hour flight experience is required for ATPL and commercial air transport with hundreds of passengers > harmonization in numbers of experience hours.  
Proposed new text:

(a) FIE(A). Before attending the examiner standardisation course, applicants for an FIE certificate for aeroplanes shall:

- (1) Hold an FE(A), **CRE(A)**, IRE(A), TRE(A) or **SFE(A)** certificate, as applicable;
- (2) Have completed **1500** hours of flight time as a pilot of aeroplanes; and
- (3) Have at least 100 hours of flight time instructing applicants for an ~~FI(A)~~ **instructor** certificate.

(b) FIE(H). Before attending the examiner standardisation course, applicants for an FIE certificate for helicopters shall:

- (1) Hold an FE(H), IRE(H), TRE(H) or SFE(H) certificate, as applicable;
- (2) Have completed **1500** hours of flight time as pilot of helicopters;
- (4) Have at least 100 hours of flight time instructing applicants for an ~~FI(H), TRI(H) or IRI(H)~~ **instructor** certificate.

(c) FIE(As). Before attending the examiner standardisation course, applicants for an FIE certificate for airships shall:

- (1) Have completed 500 hours of flight time as a pilot of airships;
- (2) Have at least 20 hours of flight time instructing applicants for an FI(AS) certificate;
- (3) Hold an FE(As) certificate;

(d) FIE(S). Before attending the examiner standardisation course, applicants for an FIE certificate for sailplanes shall:

- (1) Have completed 500 hours of flight time as a pilot of sailplanes or powered sailplanes,
- (2) Have completed 15 hours or 50 launches instructing applicants for an FI(S) or LAFI(S) certificate;
- (3) Hold a certificate as FE(S) or FE(LPLS).

(e) FIE(B). Before attending the examiner standardisation course, applicants for an FIE certificate for balloons shall:

- (1) Have completed 350 hours of flight time as a pilot of balloons
- (2) have completed 15 hours instructing applicants for an LAFI(B) or FI(B) certificate;
- (3) Hold a certificate as FE(B) or FE(LPLB).

(logical numbering ref (a) and (b): examiner requirement as (1) to (c), (d) and (e))

response *Noted*

In regard to your proposal to change the amount of hours of flight experience from 2000 to 1500, 2000hrs were already required by JAR-FCL 1.460 and 2.459. The Agency sees no evidence that this requirement needs to be amended.

Please see also the reply to comment 695 above.

comment 7740

comment by: *Reinhard Heineking*

CL.1005.FE.(A).(1) würde eine Flugerfahrung von 1000 Std und Ausbildungserfahrung von 250 Std fordern. Diese Anforderungen sind als zu hoch anzusehen und nicht erforderlich.

Ein freizeitliche Engagierter Fluglehrer in einem durchschnittlichen Verein kann ca. 50 - 100 Std. p.A. erbringen, wenn das Engagement sehr hoch ist, ansonsten entsprechend weniger.

Dann könnte er frühestens nach ca. 7 - 10 Jahren eine FE Lizenz erwerben. Wenn er also mit 20 Jahren den PPL erwirbt und relativ schnell nach 5 Jahre die FI Lizenz, könnte er fruehstens mit 32 - 35 die FE Lizenz erwerben. I.d. R. werden die Flugstunden über einen wesentlichen längeren Zeitraum gesammelt, sodass nach langer Zeit , etwa im Alter von 45 - 50 Jahre erst die Voraussetzungen für die FE Lizenz vorhanden sind.

Es würde nur wenige geben, die dann noch motiviert wären, eine solche Weiterbildung anzustreben. Wenn dann noch die FIE Lizenzen angestrebtt werden soll, sind die Voraussetzungen nur zu zu erfüllen, wenn der Bewerber seine komplette Freizeit in diese Aufgabe investiert und genügend Auszubildende Schüler und Fluglehrer verfügbar hat.

Dies ist als Hobbypilot NICHT zu leisten.

Daher plädiere ich für eine Herabsetzung der geforderten Flug - und Ausbildungszeiten auf jeweils die Hälfte in FCL.1010.FIE, sowie die Reduzierung der 100 Std. "Flight Time instructing applicants for FI(A) certificate" auf 30 Std.

Reinhard Heineking FI JAR\_FCL PPL(A), TMG, GPL

response *Noted*

Thank you for providing your opinion.  
Please see the responses to comments No 116, 419 and 1737 above.

comment 7760 comment by: *Christophe Saeys*

This is WAY too little to be examining instructors; min 1000hrs suggested. The minimum of 15 instructions is no valid benchmark. Suggest proof of min75 instructions on min 5 different pupils. THIS IS A VERY IMPORTANT TASK, there need to be more requirements than those given.

response *Not accepted*

Thank you for providing your opinion and the proposal to raise the prerequisites for the FIE(B).

However, as all other comments addressed to this segment and dealing with the prerequisites are asking for a lowering of the required flight time, your proposal raised some questions for the review group dealing with it.

Your proposal is to ask for 1000 hours flight time on balloons and 75 hours of instructing BPL pilots to become an instructor during the required training courses. Your proposal is in contrast with all the comments saying that it is very difficult to reach such an experience (flight instruction for instructors). The Agency has checked the situation and does not believe that in Belgium (or other countries in Europe) more than one balloon instructor exists who has provided more than 75 hours training for FI(B) applicants. The comment must have been based on a misunderstanding.

The Agency will therefore not take your comment into account. Please see the response to comment 3730 above.

comment 7890 comment by: *Svenska Ballongfederationen*

FCL.1010.FIE FIE – Pre-requisites

(e)(2) The amount of hours training LAFI or FI applicants will in Sweden take a very long time to achieve. This is once again because of the small number of balloonists in Sweden. Our thirty-five years experience of training the main part of all certificate holders in Sweden tells us to have experienced instructors become examiners. They will have learned all the basic skills and experiences to do this after being instructors.

For more information about the instructor/examiner situation in Sweden see comment #7883 and #7894.

response *Noted*

Thank you for providing your opinion.  
Please see the responses to comments No 7760 and 3730 above.

comment 8079 comment by: *Ingo Wiebelitz*

FCL.1010.FIE

(a)(2) Die Anforderungen sind zu hoch. Die Tätigkeit soll auch im Ehrenamt ausgeführt werden können!

	(d) Volle Zustimmung!
response	<i>Noted</i> Thank you for providing your opinion. Please see the responses to comments No 116, 419 and 1737 above.

## **Appendix A – Attachments**

 [BFU Jahresbericht 2007.pdf](#)  
Attachment #1 to comment [#2030](#)

 [AerobaticInstructorRatingUKcomments.pdf](#)  
Attachment #2 to comment [#931](#)

 [BFU Segelflugzeuge 2007.pdf](#)  
Attachment #3 to comment [#2029](#)

 [BBGA - Examiner Requirements - Revised.pdf](#)  
Attachment #1 to comment [#3938](#)

 [AMC to 1015.pdf](#)  
Attachment #2 to comment [#7312](#)