



# Explanatory Note to Decision 2019/017/R

## Amendments to the Acceptable Means of Compliance and Guidance Material to Part-FCL<sup>1</sup> and Part-ARA<sup>2</sup> of Commission Regulation (EU) No 1178/2011

RELATED NPA/CRD: 2016-03(A)(B)(C)(D)(E)(F) — RMT.0595

### EXECUTIVE SUMMARY

The objective of this Decision is to address a safety and regulatory coordination issue related to flight crew licensing, and it has been developed in response to the European Plan for Aviation Safety (EPAS) safety actions.

It contains the new Subject 090 ‘Communications’, which replaces Subjects 091 ‘VFR Communications’ and 092 ‘IFR Communications’, as amended by Commission Implementing Regulation (EU) 2018/1974 of 14 December 2018 amending Commission Regulation (EU) No 1178/2011.

It also contains the amended examination procedures in the relevant AMCs to ARA.FCL.300(b) ‘Examination procedures’ regarding this new Subject 090 ‘Communications’.

This Decision also issues some editorial corrections to the AMCs to Appendix 6 and in the Learning Objectives (LOs) (i.e. AMC1 FCL.310; FCL.515(b); FCL.615(b) ‘Theoretical knowledge examination’) of Decision 2018/001/R of 8 February 2018 and Decision 2018/011/R of 6 November 2018.

<b>Action area:</b>	Aviation personnel		
<b>Affected rules:</b>	AMC/GM to Part-FCL; AMC/GM to Part-ARA		
<b>Affected stakeholders:</b>	Pilots; operators; approved training organisations (ATOs); competent authorities (CAs); student pilots; providers of textbooks and training material; European Central Question Bank (ECQB)		
<b>Driver:</b>	Safety	<b>Rulemaking group:</b>	Yes
<b>Impact assessment:</b>	Light	<b>Rulemaking Procedure:</b>	Standard



<sup>1</sup> Decision 2011/016/R of 15 December 2011 (<https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2011016r>).

<sup>2</sup> Decision 2012/006/R of 19 April 2012 (<https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2012006r>).



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## 1. About this Decision

The European Union Aviation Safety Agency (EASA) developed ED Decision 2019/017/R in line with Regulation (EU) 2018/1139<sup>3</sup> ('Basic Regulation') and the Rulemaking Procedure<sup>4</sup>.

This Decision addresses issues from two different rulemaking activities. Both rulemaking activities are included in the latest EPAS<sup>5</sup>. The scope and timescales of the tasks were defined in the related Terms of Reference (ToR RMT.0595 Issue 1<sup>6</sup>; ToR RMT.0581 and RMT.0582 Issue 2<sup>7</sup>).

This Decision addresses various non-controversial issues in the AMC and GM to Part-FCL and Part-ARA of Commission Regulation (EU) No 1178/2011<sup>8</sup>. It consists of amended AMC and GM to those published in Decision 2018/001/R<sup>9</sup> of 8 February 2018 and Decision 2018/011/R<sup>10</sup> of 6 November 2018, and is therefore a follow-up of those Decisions. In the Explanatory Note to Decision 2018/001/R, under 2.5 'The review and update over a number of steps', it is explained that in a third or subsequent step the syllabus and LOs for Subject 090 'Communications', along with the examination procedures, will be published as amendments to AMC1 FCL.310, FCL.515(b) and FCL.615(b), and to the relevant AMCs to ARA.FCL.300(b) 'Examination procedures'. With the publication of the amending Commission Implementing Regulation (EU) 2018/1974<sup>11</sup>, introducing the merged Subject 090 'Communications', the required amendments are published with this Decision. This Decision also issues some editorial corrections in the LOs (i.e. AMC1 FCL.310; FCL.515(b); FCL.615(b) 'Theoretical knowledge examination') as amended with Decision 2018/001/R.

The text of this Decision has been developed by EASA based on the input of the RMT.0595 Rulemaking Group (RMG), which was led by industry representatives and comprised EASA staff acting as group members and also providing the secretariat. All interested parties were consulted through Notice of Proposed Amendment (NPA) 2016-03(A)(B)(C)(D)(E)(F)<sup>12,13</sup>.

<sup>3</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

<sup>4</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

<sup>5</sup> [https://www.easa.europa.eu/document-library/general-publications?publication\\_type%5B%5D=2467](https://www.easa.europa.eu/document-library/general-publications?publication_type%5B%5D=2467)

<sup>6</sup> <https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0595>

<sup>7</sup> <https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0581-and-rmt0582>

<sup>8</sup> Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R1178&qid=1561977539024&from=EN>).

<sup>9</sup> <https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2018001r>

<sup>10</sup> <https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2018011r>

<sup>11</sup> Commission Implementing Regulation (EU) 2018/1974 of 14 December 2018 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (OJ L 326, 20.12.2018, p. 1) (<https://www.easa.europa.eu/document-library/regulations/commission-regulation-eu-no-11782011>)

<sup>12</sup> In accordance with Article 115 of Regulation (EU) 2018/1139, and Articles 6(3) and 7 of the Rulemaking Procedure.

<sup>13</sup> <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment>



1 164 individual comments were received from interested parties, including industry, national aviation authorities (NAAs) and other stakeholders. The majority of the comments contained multiple statements, mostly relating to the amended LOs.

EASA reviewed the comments received during the public consultation. To assist EASA in reviewing the comments, an NPA Review Group was formed. This Group, led by EASA, was made up of representatives from industry and NAAs. The related comments received and EASA's responses to them are presented in Comment-Response Document (CRD) 2016-03(A)(B)(C)(D)(E)(F)<sup>14</sup>. CRD 2016-03(E) is supplemented with this Decision, where the comments and responses related to 090 'Communications' are added.

Following the publication of Decisions 2018/001/R and 2018/011/R, EASA was made aware of the need to update the references in Subject 010 'Air Law', and also to correct a small number of inconsistencies and inaccuracies in the syllabi and LOs for the theoretical knowledge (TK) element of professional pilot training courses. To address these, where appropriate, subject-matter experts (SMEs) from the RMT.0595 subgroups were consulted. Additionally, EASA extended an invitation to all providers of TK courseware for professional pilot training courses to participate in a stakeholder forum: the 'Editors-in-Chief (EIC) Meeting'. Interested contributors were made aware of the opportunity to participate in this forum through communications from all Member State NAAs and directly from EASA through existing stakeholder groups. Following the EIC Meeting and the subsequently established work stream, and the work with individual SMEs, a number of proposals for the amendment of individual LOs were considered and have been subject to peer review.

The final text of this Decision has been developed by EASA.

The major milestones of this rulemaking activity are presented on the title page.

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<sup>14</sup> <https://www.easa.europa.eu/document-library/comment-response-documents>



## 2. In summary — why and what

### 2.1. Why we need to change the AMC and GM

The need to amend the AMC and GM that stem from the activities of RMT.0585 is generally explained in Chapter 1 above. As regards the amendments in 010 'Air Law', since the publication of the LOs in 2018, ICAO has made major amendments to its Doc 8168 and to Annex 15, and EASA has a new Basic Regulation. The amendments issued with this Decision provide the current applicable references in the affected LOs.

Regarding Subject 081 'Principles of Flight', a more extensive review was considered necessary in the light of the greater quantity of feedback collated by both Member State ECQB focal points and industry groups. Addressing this feedback in a consistent and complete manner resulted in a greater number of amendments to individual LOs. EASA has strived to ensure that the 081 'Principles of Flight' syllabus remains highly relevant taking into consideration the various aerodynamic design advances that are now commonplace on the aircraft of today. This will ensure that students assimilate appropriate focused knowledge, bringing benefit to the wider industry, and ensuring that applicable topics identified in the EPAS are conscientiously considered.

### 2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. This Decision will contribute to the achievement of the overall objectives by addressing the issues outlined in Section 2.1.

The specific objectives of this Decision are to:

- update the TK syllabi and LOs whilst also improving teaching methodologies and accommodating evolving learning needs; and
- facilitate updating the ECQB, thus ensuring that it is current and relevant to evolving training needs.

### 2.3. How we want to achieve it — overview of the amendments

This Decision amends the AMC and GM to Part-FCL and Part-ARA in order to remove existing inconsistencies and editorial errors, to improve the quality of the existing text, and to introduce the merged Subject 090 'Communications' that is associated with Regulation (EU) 2018/1974.

### 2.4. AMC and GM to Part-FCL

- Amendment of AMC1 to Appendix 6 and AMC3 to Appendix 6, to remove reference to Area 100 KSA as this is not applicable for a course towards an instrument rating.
  - Amendment of AMC1 FCL.310, FCL.515(b) and FCL.615(b) to correct some editorial errors in the LOs in several subjects, to correct inaccuracies in some LOs in Subjects 022 'Aircraft General Knowledge — Instrumentation' and 081 'Principles of Flight (Aeroplanes)', to update source material to some of the LOs in Subject 010 'Air Law', to delete Subjects 091 'VFR Communications' and 092 'IFR Communications', and to insert in their place Subject 090 'Communications'.

**Overview of the amendments introduced per subject****SUBJECT 010 — AIR LAW**

- Source references have been updated to reflect publication of the Basic Regulation (Regulation (EU) 2018/1139).
- LOs, in particular the source references, have also been updated to reflect ICAO's amendments to Annex 15 (16th Edition), ICAO Doc 8168 (July 2018), and the publication of ICAO Doc 10066 'Procedures for Air Navigation Services — Aeronautical Information Management'. Specifically in the case of RNAV approach procedures based on VOR/DME, the four LOs under 010 06 04 06 are deleted and a note is made to refer to 062 'Radio Navigation'.

**SUBJECT 021 — AIRCRAFT GENERAL KNOWLEDGE — AIRFRAME, SYSTEMS AND POWER PLANT**

- LOs under 021 05 04 01 have been amended, with some deletions and some new LOs, to consider modern fly-by-wire systems.

**SUBJECT 022 — AIRCRAFT GENERAL KNOWLEDGE — INSTRUMENTATION**

- LO 022 06 03 01 on the flight director has been amended.

**SUBJECT 031 — FLIGHT PERFORMANCE AND PLANNING: MASS AND BALANCE — AEROPLANES/HELICOPTERS**

- 031 04 01 07 (02) has been amended to not require calculations.
- 031 05 06 02 (01) has been amended to not require information to be extracted.

**SUBJECT 032 — FLIGHT PERFORMANCE AND PLANNING — PERFORMANCE — AEROPLANES**

- A minor editorial correction to 032 04 04 04 (01) has been made.

**SUBJECT 033 — FLIGHT PERFORMANCE AND PLANNING — FLIGHT PLANNING AND MONITORING**

- 033 04 02 02 (01) has been made applicable only to aeroplane-specific exams.

**SUBJECT 040 — HUMAN PERFORMANCE AND LIMITATIONS**

- A minor editorial correction has been made to 040 03 01 01 (02), and 040 03 04 04 (04) has been deleted.

**SUBJECT 061 — NAVIGATION — GENERAL NAVIGATION**

- The preamble has been edited as regards mental dead reckoning for crosswind, headwind and tailwind components.

**SUBJECT 062 — NAVIGATION — RADIO NAVIGATION**

- 062 02 02 02 (06) and 062 02 03 02 (05) on ADF and VOR procedures have been updated in the light of ICAO Doc 8168, and minor editorial corrections have been made to 062 06 01 03 (01) and (05).



**SUBJECT 070 — OPERATIONAL PROCEDURES**

- 071 01 02 01 (02) has been updated to refer to the (new) Basic Regulation (Regulation (EU) 2018/1139).

**SUBJECT 081 — PRINCIPLES OF FLIGHT — AEROPLANES**

- Many LOs have been amended, some have been deleted and some new LOs have been inserted in order to better take into account fly-by-wire systems on modern aircraft and design advances that affect flight in the higher speed regime.

**SUBJECT 090 — COMMUNICATIONS**

- Introduction of new Subject 090 ‘Communications’, replacing Subjects 091 ‘VFR Communications’ and 092 ‘IFR Communications’, as amended by Commission Implementing Regulation (EU) 2018/1974 of 14 December 2018 amending Commission Regulation (EU) No 1178/2011.

**2.5. AMC and GM to Part-ARA**

- Amendment of AMC1 ARA.FCL.300(b) by deleting the tables for Subject 091 ‘VFR Communications’ and Subject 092 ‘IFR Communications’ and inserting the table for Subject 090 ‘Communications’, which covers the ATPL(A), CPL(A), ATPL(H)/VFR, ATPL(H)/IFR, and instrument ratings; and
- Deletion of the AMC2 ARA.FCL.300(b) tables for Subject 091 ‘VFR Communications’ and Subject 092 ‘IFR Communications’. The tables for Subjects 010 to 081 were already deleted with Decision 2018/011/R, and with this Decision, AMC2 ARA.FCL.300(b) is deleted in its entirety.

**2.6. What are the stakeholders’ views**

EASA received comments supporting the amendments that were proposed in NPA 2016-03(E). Most of the comments were related to the LOs. EASA reviewed all the comments and, based on them, developed the new AMC and GM that are annexed to this Decision.

**2.7. Where are the LO tables published**

The LO tables were published (as appendices) in Annex I to Decision 2018/001/R as a clean document to assist ATOs that work with them to modify their training materials and courseware.

The few amendments in the LO tables in this Decision are marked amendments. These marked amendments show deleted text, new or amended text as shown below:

- deleted text is ~~struck through~~;
- new or amended text is highlighted in **grey**.

**2.8. What are the benefits and drawbacks**

The amendments address non-controversial issues and, as explained above, the amended exam blueprint tables are necessary to ensure that the exams align with the revised syllabus and LOs.



The amendments are considered to be non-controversial. The benefits will be to ensure that the exam structure supports effective testing of the candidates' level of theoretical knowledge based on the new syllabus and LOs.

As for the financial and administrative impacts, these have been analysed and estimated in the light RIA published in the NPA. In order to mitigate the additional costs and the administrative tasks incurred by the implementation of the amendments, there is a transition period. Each competent authority has the flexibility to set an expiry date within the second 2 years of the transition period for the old syllabus examinations. The last 2 years of the 4 would allow for an additional 24-month window for competent authorities and ATOs to complete the transition in their own States. The ATOs will be able to use the first 2 years to start preparing for the implementation of the amendments.

In conclusion, EASA does not expect any drawbacks in the implementation of the above-mentioned AMCs.





### 3. How do we monitor and evaluate the rules

The impact assessment conducted for RMT.0595 was presented in NPA 2016-03(A)<sup>15</sup>. EASA will monitor and evaluate the new AMCs and GM through its regular standardisation activities. The updated AMCs and GM to Commission Regulation (EU) No 1178/2011 might be subject to evaluation. Through this evaluation, it will be assessed how well the adopted AMCs and GM have performed or are currently performing. The decision whether an evaluation will be necessary will be taken based also on the monitoring results.

EASA recognises that before the new system can be fully implemented, there are several actions that need to be completed first. These actions were already described in Section 2.10 of the Explanatory Note to ED Decision 2018/001/R. Specific to this Decision, the actions include but are not limited to the following:

- EASA to update the ECQB to reflect the amendments made to the LOs. This work will need to include drafting and reviewing questions for the new and revised LOs in sufficient numbers to ensure a robust examination system and recataloguing the questions in response to the amendments (deletions, movements, additions) made to the new LOs.
- The competent authorities to approve the revised ATO training manuals; prepare their exam delivery system to accommodate the revised ECQB; migrate the revised ECQB into their examination delivery platform; and translate, where necessary, the questions into the language(s) of the examination.
- The ATOs to update their training course design, and amend their training manuals to introduce the new LOs.

It is also recognised that commercial organisations that provide textbooks and other training material will likely need to update their products to reflect the AMCs and GM published with this Decision.

All these activities will take time to manage effectively and EASA proposes a transition period spanning extending to 31 January 2022. This will allow to update the ECQB with questions based on the new and revised syllabi and LOs, and will allow for the competent authorities to implement the updated ECQB and the amendments mentioned above.

In parallel with EASA preparing the update of the ECQB, ATOs should start preparing their new courses and competent authorities should prepare the implementation measures. It would be up to the individual competent authorities to set an expiry date for the old syllabus examinations — this would provide flexibility for each competent authority to choose the date of transition. Complex transitional arrangements for student pilots caught between the old and the new syllabus should, wherever possible, be kept to a minimum. However, special consideration should be given to the examinations where entire topics or subtopics have been moved between various subject areas.

<sup>15</sup> <https://www.easa.europa.eu/document-library/notices-of-proposed-amendment/npa-2016-03a>

## 4. References

### 4.1. Related regulations

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

### 4.2. Affected decisions

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

### 4.3. Other reference documents

n/a

