



## TERMS OF REFERENCE

<b>Task No:</b>	RMT.0412 & RMT.0413 (FCL.013(a) & (b))
<b>Issue:</b>	1
<b>Date:</b>	30 October 2012
<b>Regulatory reference:</b>	Regulation (EC) No 216/2008 <sup>1</sup> ('Basic Regulation')
<b>Reference documents:</b>	Subparts GEN, FCL, ATO and FSTD and the relevant Appendices of Annex VI Part-ARA (authority requirements for aircrew) and Subparts GEN, ATO and FSTD of Annex VII Part-ORA (organisation requirements for aircrew) of Commission Regulation (EU) No 1178/2011 <sup>2</sup> and Commission Regulation (EU) No 290/2012 <sup>3</sup>  Corresponding Acceptable Means of Compliance (AMC) and Guidance Material (GM) in the Agency's Decisions <sup>4</sup>  JAR-FCL 1 and 2, JAA Administrative & Guidance Material, relevant Joint Implementation Procedures (JIPs), ICAO Annex I (Appendix 2)

### 1. Subject:

Updating Part-ARA and Part-ORA pertaining to Flight Crew Licensing (FCL).

Review of:

- a. subparts GEN, FCL, ATO and FSTD and the relevant Appendices of Annex VI Part-ARA;
- b. subparts GEN, ATO and FSTD of Annex VII Part-ORA, and;
- c. the corresponding Acceptable Means of Compliance (AMC) and Guidance Material (GM) in the Agency's Decision.

<sup>1</sup> Commission Regulation (EC) No 216/2008 of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19. 03. 2008, p. 1), Regulation as last amended by Regulation (EC) No 1108/2009 of 21 October 2009 (OJ L 309, 24. 11. 2009, p. 51).

<sup>2</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).

<sup>3</sup> The Commission Regulation (EU) No 290/2012 of 30 March 2012 amending Regulation (EU) No 1178/2011 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 has been published in the Official Journal on 05 April 2012. This Regulation contains harmonising requirements applied to cabin crew, pilot training organisations, aero-medical centres and national civil aviation authorities.

<sup>4</sup> Decision n° 2012/006/Directorate R (Part-ARA) and Decision n° 2012/007/Directorate R (Part-ORA) of the Executive Director of the Agency of 19th 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.

**2. Problem/Statement of issue and justification; reason for regulatory evolution (regulatory tasks):**

Experience indicates that it is advisable to plan for a rulemaking task immediately after the adoption of a full set of Implementing Rules to solve any inconsistencies that might arise from amendments to individual paragraphs during the legislative process to adopt the Implementing Rules, or during the process leading to the publication of such rules.

**3. Objectives:**

The objective of this rulemaking task is to improve the quality of the draft requirements proposed by the Agency by solving any inconsistencies that might arise from amendments to individual paragraphs during the legislative process to adopt the Implementing Rules, or during the process leading to the publication of such rules. Such changes are:

- a. of an editorial nature and to improve clarity;
- b. numbering changes to ensure correct references to requirements published after Commission Regulation (EU) No 1178/2011 and Commission Regulation (EU) No 290/2012;
- c. certain issues raised during the CRD phase that require consultation with stakeholders;
- d. additional issues or possible gaps identified only during the implementation of Part-ARA and Part-ORA.

**4. Specific tasks and interface issues (Deliverables):**

- a. Development of AMC and GM to Appendix I to Annex VI Part-ARA containing the EASA form 141 (the standard EASA licence format) to clarify what information should be entered onto this form and in which way;
- b. Development of AMC and GM to Appendix III to Annex VI Part-ARA, Certificate for Approved Training Organisations (ATOs) containing the EASA form 143 to clarify what information should be entered onto this form and in which way;
- c. The AMC and GM mentioned under a. and b. should also contain a list of standardised abbreviations (for example ratings, aircraft categories) and their possible combinations;
- d. Amendment of Appendix I to Annex VI Part-ARA containing the EASA form 141 (the standard EASA licence format);
- e. Development of an additional Appendix in Part-ARA, including a format for examiner certificates and a format for those instructor certificates, which do not require a licence;
- f. Development of AMC or GM to ORA.GEN.130 for ATOs on changes requiring prior approval;
- g. Review of AMC1 ORA.ATO.135 and possibly develop an additional GM to clarify what is meant by 'adequate fleet of training aircraft'; to include training aircraft requirements for additional ratings under development;
- h. Development of GM to ORA.ATO.140 to clarify what is meant by 'appropriate facilities and characteristics';
- i. Development of GM to ORA.ATO.210(a) to provide clarity on the licence and experience requirements for the Head of Training (HT) of an ATO;
- j. Development of AMC or GM to ORA.ATO.300 to clarify for which training courses distance learning courses for theoretical knowledge might be approved;
- k. Review of the definitions contained in ARA.GEN.105, Annex VI Part-ARA. This paragraph contains definitions for Part-ARA and Part-ORA;
- l. Review of AMC2 ARA.GEN.200(a)(2) and AMC1 ARA.FCL.205 to include additional

<p>criteria for the training and qualification of inspectors;</p> <p>m. Development of AMC or GM to ARA.GEN.315 concerning procedures for transfer of pilot licences;</p> <p>n. Review of AMC5 ARA.FSTD.100(a)(1) containing the format of the FSTD evaluation report and possible development of additional GM;</p> <p>o. Amendment of existing Implementing Rules and AMC or GM Part-ARA and Part-ORA to cover possible gaps identified during the implementation of Part-ORA and Part-ARA.</p>
<p><b>5. Working Methods</b> (in addition to the applicable Agency procedures):</p> <p>Group task.</p>
<p><b>6. Time scale, milestones:</b></p> <p>Start: Q3/2012</p> <p>CRD/Opinion: Q2/2014</p> <p>Decision: Q2/2015</p>