



**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.2 - Subpart B

c.3 - Subpart C

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL

p. 11

comment

197

comment by: *Aero-Club of Switzerland*

General remark: We do absolutely not like the name "Leisure pilot licence. As the instructor for this licence is name "Light aircraft flight instructor" the licence can be name "Light aircraft pilot licence". We know that this will require a change of the Basic Regulation, but this can be done when it will be changed next time.

Justification: The word "leisure" is degrading the competencies needed to acquire even this licence. There is no such thing like a "Leisure car driver licence".

The syllabus must have the same structure as the one for the PPL (see FCL.215, page 18 and Subpart-C, page 269...316.

Justification: With an identical stucture the whole formation is much easier to prepare and to deliver.

response

Noted

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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph (in the Cover Regulation) that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment

358

comment by: *Michal Orlita*

Cancel Basic LPL rating as it won't be used anyway - see my comment above

response

Not accepted

Thank you for your opinion.

However, the Agency does not agree. All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors' and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL(A) as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques.

The text will be changed accordingly.

comment

584

comment by: *trevor sexton*

LPL i don,t like the name since this is suppose to be derived from the UK,s NPPL should it not be called the

EPPL Euopean Private Pilots License.

response

Noted

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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation. The proposed name EPPL cannot be used as there will be already a European PPL (see subpart C) and this could lead to misunderstandings and confusion.

The text will be changed accordingly.

comment

854

comment by: *Heliswiss AG, Belp*

For our operation, the LPL(H) is absolutely of no value. We are renting helicopters to about 200 different pilots and maintain a strict recency and checking regime for our pilots. A good training in this respect is a must and in our opinion, such a category will lower the safety standards of helicopter pilots in general. It would make a lot more sense to lighten the theoretical knowledge burden for the private helicopter pilot under the motto "less is more"! The LPL category could be omitted

response

Noted

Thank you for providing your comment.

However, after reviewing all the comments received the Agency is still of the opinion that the full LPL(H) should be kept as sub-ICAO helicopter licence. The main difference will be the medical standard (please see NPA 2008-17c) because the experience and training requirements for the full LPL are not much different from the PPL(H) requirements (5 hours less as the instrument training

will not be required).

It should be mentioned that the Agency has decided not to keep the proposal for a Basic LPL(H) as this concept seems to be not accepted by the helicopter community and most of the the NAAs.

comment

1528

comment by: *Danish Balloon Organisation*

Subpart B Leisure Pilot Licence - LPL:

We suggest the name to be **Light Aircraft Pilot License (LAPL)**.

Justification: This name more accurately describes the license.

response

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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment

1602

comment by: *Geschäftsführer Luftsportverband RP*

Die Etablierung eines eigenen europäischen Luftfahrerscheins für die Sportluftfahrt kann ich nur begrüßen. Sie bietet eine relativ einfache und nicht so kostenintensive Einstiegsmöglichkeit in die Luftfahrt und ist für Jugendliche gleichzeitig Werbung für technische sowie fliegerische Berufe. Die zukünftige Sportluftfahrt in Deutschland wird zu 90 % nur noch mit diesem Schein ausgestattet sein.

Ein sehr wichtiger Aspekt ist jedoch hier, dass im LPL-Bereich ein vollständiger Durchgang vom normalen Scheininhaber bis zum Fluglehrer-Prüfer existiert.

response

Noted

Thank you for your positive feedback.

The Agency is aware of the fact that there must be a stepwise approach which allows to start with the LPL, do a certain upgrade module and apply for the PPL and to be credited for further commercial licences.

comment

2036

comment by: *Martin Vollmer*

The Licence should not be named Leissure Pilot licence.

For example: a driver driving in his spare time or mainly for private purpose is normally not called a Leissure driver.

A better name would be Light Aircraft Pilot license, reflecting the fact that he or

she is flying a light Aircraft.

Also a better name would be to use the Term Private Pilot License and to distinguish between LPL and PPL with the Letter L for example:

LPL -> PPL(LA)

response

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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment

2156

comment by: *Joachim Werner*

Dear Sir or Madam,
in the US this concept did not work. Concerning the cost it is totally unattractive. From the point of safety it is unjustifiable. Being constrained in the cruising range LPL-pilots will not fly a straight course, instead they will go back and forth, and such flights are unpredictable for following airplanes. The same problem exist with gliders, they go right, left, climb and/or descend and this is a sure recipe for collisions. No intermediate landings permitted is imprudent, if a bad weather front is moving over the departure airport. People who run airplanes for LPL will try to compensate for the restrictive usage by keeping these airplanes as cheap as possible by economizing equipment. Finding the 50 km back to the departure airport with a badly equipped plane will be more hazardous than doing 200 miles with a good equipped aircraft.
Recommendations: we need good equipped airplanes and experienced pilots, so that flying is safe and attractive again (as in former times). The airspace in germany is devoid and empty, in no way congested, as rumours tell. Many times in summer we flew across germany and met none or at most one other airplane. Cancel LPL.

response

Noted

Thank you for providing your comment.

However, the Agency does not understand the meaning behind some of the arguments and does not agree with some of the statements given.

Firstly the US LSA system is mentioned. The Agency has evaluated the US system for the LSA licence and the recreational licence and cannot support the statement that the concept for these licences did not work. No further justification is provided.

The comment further states that there will be a certain risk for collisions if the LPL concept will be introduced mentioning the sailplane operations as an example. However, in the same comment it is said that "the airspace in

Germany is devoid and empty, in no way congested". Trying to understand this argument the Agency cannot see why the introduction of the LPL will cause a risk for additional mid-air collisions.

The comment further tries to explain that aircraft used and may be owned by LPL pilots will be badly equipped which then would cause additional hazardous situations. The Agency has tried to understand this argument and to find a logical justification but failed to do so.

Finally the Agency cannot see any reason provided with this comment which would lead to the conclusion to delete the LPL.

comment

2162

comment by: *D J Akerman*

"Leisure" sends a bad message. All pilots should consider that they are required to act like professionals at all times. Recommend change of name to something like PPL-Restricted(A) or PPL-Restricted(H)

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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment

2208

comment by: *AECA(SPAIN)*

This is not an ICAO Licence. During basic Regulation discussion in the EU Council was rejected by a clear greater part of States. We are totally against this licence. Notwithstanding now is in Basic Regulation, but not as a 'basic LPL' and 'LPL'.

In any case we need to take in account two elements:

1. Privileges of this licences are covered by PPL.
2. This licence is a reduction of minimum requirements for PPL... to fly in the same airspace. Safety!, Safety!, Safety!
3. Will create a sure hazard to flight safety in the complex and crowded airspace we have.

response

Noted

The Agency has taken into account the EU Regulation 216/2008 (Basic Regulation) when developing the requirements for the Leisure Pilot Licence. Article 7 of the Basic Regulation states:

"Such measures shall also include provisions for the issuance of all types of pilot licences and ratings required under the Chicago Convention, and of a

leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less ..a leisure pilot licence covering non-commercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less.."

The Agency agrees that the LPL licence is a reduction of the ICAO standards but it is of the opinion that this new licence with the standards set for the level of training and the skill test will not create any hazard to flight safety but will revitalize General Aviation in Europe.

comment 2328

comment by: *Susana Nogueira*

This is not an ICAO Licence. During basic Regulation discussion in the EU Council was rejected by a clear greater part of States. We are totally against this licence. Notwithstanding now is in Basic Regulation, but not as two licences: 'basic LPL' and 'LPL'.

In any case we need to take in account two elements:

1. Privileges of this licences are covered by PPL.
2. This licence is a reduction of minimum requirements for PPL... to fly in the same airspace.

response *Noted*

The Agency has taken into account the EU Regulation 216/2008 (Basic Regulation) when developing the requirements for the Leisure Pilot Licence. Article 7 of the Basic Regulation states:

"Such measures shall also include provisions for the issuance of all types of pilot licences and ratings required under the Chicago Convention, and of a leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less ..."

See response to comment No. 2208.

comment 2416

comment by: *Danish Powerflying Union*

We suggest the name to be **Light Aircraft Pilot License (LAPL)**.

Justification:

Light Aircraft Pilot license describes more accurately the license. We are concerned about the interpretation of the word "leisure".

response *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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment 2623 comment by: *David Trowse*

The name of this licence should be Light Aircraft Pilot Licence. The word "Leisure" is misleading because this licence may be the start of a professional pilot's incremental training. Also the word "Leisure" would enable those people who would try to stop other's enjoying light aircraft flying claim that the activity is not important.

response *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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment 2702 comment by: *Claudia Steinbach*

Dear Sir or Madam,

I am fully convinced that this concept will not be accepted. LPL is too expensive and considering the costs absolutely unattractive. Please do not try whether this concept works despite, because the interest in private flying is in the meantime anyway decreasing and will not recover if powered down further. Proposal: Make the PPL(A) more attractive (normal tax on gas, less restrictions).

response *Noted*

The Agency acknowledges your opinion but would like to highlight that the main driving force for developing such a Leisure Pilot Licence with a training syllabus based more on competency than on training hours (compared with the existing JAR-FCL PPL) and a medical assessment which could be issued by a General Medical Practitioner (GMP) was to revitalise General Aviation in Europe.

As the comment does not specify how to "make the PPL more attractive" (the Agency has no influence on the fuel tax) the LPL should be the right answer to this proposal.

comment 2739 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

Based on its national experience built through almost 30 years, FFA strongly supports the introduction of a Basic LPL and of a LPL.

	FFA is aware and agrees that these two licences, which are a real breakthrough in pilot licensing, will not fully meet the ICAO standards.
response	<i>Noted</i> Thank you for your positive feedback.
comment	2798 comment by: <i>Frank Gesele</i> Das Konzept der hirarchischen Lizenzstruktur und dem geregelten Upgrade finde ich sehr gut !
response	<i>Noted</i> Thank you for your positive feedback.
comment	2818 comment by: <i>Clare GRANGE</i> Sixteen years of age is too young to be granted a pilot's licence. It is not possible to gain a driving licence (in the UK) until 17 years of age. Flying is a very serious and responsible undertaking and needs to be considered as such.
response	<i>Noted</i> Thank you for providing your opinion. See the responses regarding the mimum age requirement for the LPL in FCL.100. The requirement will be changed for the LPL(A) / (H).
comment	3132 comment by: <i>Jim Ellis</i> I think this is a good concept under a bad name. The proposed name will give a wrong impression to the public. I recommend using the name 'Light Aircraft Pilot Licence' instead. This would abbreviate to 'LAPL'. This name gives a much better impression.
response	<i>Accepted</i> 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" has not been accepted by a huge amount of General Aviation stakeholders. The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation. The text will be changed accordingly.
comment	3251 comment by: <i>PPL/IR Europe</i> We support all the proposals for the LPL
response	<i>Noted</i>

Thank you for your positive feedback.

comment

3348

comment by: *Luftsportgruppe Breitscheid Haiger e.V.*

"Beginn der Segelflugschulung erst 16 Jahren"

Nein. Das Einstiegsalter sollte europaweit wie in Deutschland bei 14 Jahren liegen !

Begründung:

Die Luftsportgruppe Breitscheid-Haiger e.V. hat in den letzten 10 Jahren 7 PPLC Schüler im Alter von 14-17 Jahren erfolgreich und ohne nennenswerte Zwischenfälle ausgebildet.

Die meisten dieser Piloten sind heute aktive Segelflieger und nehmen unter anderem an Segelflugwettbewerben teil. Ein Schüler hat weiterhin die JAR-FCL SEP Ausbildung sowie eine Kunstflugausbildung erfolgreich absolviert, ein weiterer befindet sich noch in der JAR-FCL SEP Ausbildung.

Derzeit befinden sich 4 Schüler im Alter von 14 Jahren in der Segelflugausbildung. Fast alle diese Schüler haben bereits sehr viel früher am Segelflugbetrieb teilgenommen und somit auch einen wesentlichen Teil dazu beigetragen, das überhaupt ein Segelflugbetrieb stattfinden konnte.

Es hat sich gezeigt, dass es außer ordentlich wichtig ist, dass die Schüler, beziehungsweise angehenden Schüler, möglichst früh am Segelflugbetrieb sowie am ganzen sozialen Umfeld auf dem Flugplatz und im Vereinsleben teilnehmen. Dies ist nicht nur für die Flugausbildung der Schüler wichtig sondern hat auch einen entscheidenden positiven Einfluss auf Ihr soziales Verhalten.

Die Schüler lernen sehr früh sich in einem Team zu integrieren und gemeinsam erfolgreich zu sein.

Klare Aufgaben und Ziele motivieren sie und lassen sie zu verantwortungsvollen Mitmenschen werden.

Sollte die Segelflugausbildung erst mit 16 Jahren beginnen, so befürchte ich, das es noch viel schwerer sein wird

Nachwuchskadidaten zum Segelflug zu bewegen. Im Internet Zeitalter bekommen die jungen Menschen so viele Freizeit Möglichkeiten geboten, dass es ohnehin schon sehr schwer ist Nachwuchs zu bekommen.

Mit 16 Jahren haben junge Menschen bereits eine sehr ausgeprägte Persönlichkeit entwickelt, die sich im sozialen Rahmen einer Segelflugausbildung nur noch sehr schwierig beeinflussen lässt.

Es hat sich gezeigt, das der Ausbildungsbeginn mit 14 Jahren sowie eine noch frühere Teilnahme am Segelflugbetrieb einen außer ordentlich positiven Einfluss auf die Entwicklung junger Menschen parallel zur Schulausbildung hat.

Aus diesen positiven Erfahrungen heraus, kann ich nur sehr stark dafür plädieren, den Beginn der Segelflugausbildung auf jeden Fall bei 14 Jahren zu belassen sowie Europaweit einzuführen.

Ein Segelflugverein ist wie eine große Familie. Je früher ein junger Mensch in diesem sozialen Umfeld aufwächst desto größer sind die Chancen, dass aus ihr/ihm ein verantwortungsvoller, erfolgreicher und selbstbewusster Mensch wird. Gerade für die Kandidaten, die aus schwierigen familiären und/oder sozialen Umfeldern zu uns kommen ist das eine große Chance.

Breitscheid, den 15.02.2009

Peter Schönauer

response

Noted

The comment is aiming on the age for starting the training for the LPL but it seems to be based on a misunderstanding.

The Agency has never proposed the age of 16 to start with the training for the LPL. The minimum age requirement in FCL.100 refers to the age to hold a licence.

The minimum age for the first solo flight is contained in paragraph FCL.020.

comment **3420** comment by: *Royal Danish Aeroclub*

Leisure pilot licence - LPL do lead the thoughts in a wrong direction.

Pilots flying small air planes in the spare time, or fly air sports vehicles are serious about the flying and we recommend the name to be changed to **Light Aircraft Pilot License**.

response *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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment **3539** comment by: *Swiss Power Flight Union*

General remark: We do absolutely not like the name "Leisure pilot licence. As the instructor for this licence is name "Light aircraft flight instructor" the licence can be name "Light aircraft pilot licence".

Justification: The word "leisure" is degrading the competencies needed to acquire even this licence. There is no such thing like a "Leisure car driver licence".

response *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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment	<p>3599 comment by: <i>Swiss Power Flight Union</i></p> <p>The syllabus must have the same structure as the syllabus for PPL. See FCL.215, page 18 and subpart C, page 269-316. Reason: The structure for basic instruction must be the same as for higher education.</p>
response	<p><i>Noted</i></p> <p>The Agency has proposed already the same subjects for the Theoretical Knowledge for PPL/SPL/BPL and LPL. Due to the concept of introducing common subjects for the LPL the order was changed but not the contents.</p> <p>The structure of the syllabus contained in the AMCs is following also the same structure.</p>
comment	<p>4463 comment by: <i>AOPA Switzerland</i></p> <p>AOPA Switzerland does not encourage the implementation of a Leisure Pilot Licence. We believe that no student pilot with 20 hours flying experience will be able to act as an PIC of an aircraft with an MTOM of 2000 kg. The limitation of PAX does not rise safety. If flight safety is not granted, it does not make any difference whether 1 or 3 PAX are on board. The same explanation is applicable for the maximum of 50 km range.</p> <p>A reduced PPL might be as such that Radio Navigation and Communications are not subject of the training, and that such a licence is limited to the airspace of the issuing Member State.</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges your opinion but would like to highlight that the main driving force for developing such a Leisure Pilot Licence with a training syllabus based more on competency than on training hours (compared with the existing JAR-FCL PPL) and a medical assessment which could be issued by a General Medical Practitioner (GMP) was to revitalise General Aviation in Europe.</p> <p>As your comment is referring also to the privileges of the Basic LPL(A) it should be mentioned that these privileges are explained in FCL.105.BA/H. Please check the Agency's responses and the final resulting text for this paragraph in the appropriate section of the CRD.</p>
comment	<p>4758 comment by: <i>ECA- European Cockpit Association</i></p> <p>On the general comment on Subpart B, ECA thinks that a LPL is a non ICAO compliant licence. Therefore, LPL should be strictly limited for what its name says, leisure, and should not be mixed with ratings that require a higher degree of knowledge and experience, like the night flying and cloud flying. This is not correct and goes against any safety impact assessment that a pilot with such low experience could have such privileges. No RIA is done in a way that identifies the risks of giving this licence such privileges. The LPL licence must be clearly understood as a leisure licence, not as a way to have rating and privileges that belong to higher trained licences.</p>
response	<p><i>Noted</i></p> <p>The Agency has taken into account the EU Regulation 216/2008 (Basic</p>

Regulation) when developing the requirements for the Leisure Pilot Licence. In it's recital (9) the Basic Regulation states:

"The privileges associated with the leisure pilot licence should be limited by the training received to obtain the related ratings, in accordance with the implementing rules."

The Agency cannot see a reason why an LPL(A) licence holder should not be able to tow a sailplane or do some aerobatics after fulfilling the pre-requisites and having received the proper training for this rating.

comment **5037** comment by: *SKY ADVENTURE Jaroslaw Woszkowski*

I think,that new licence is not need for ballooning. One licence is enough. Add the next licence will make system very complicated. For commercial operations is now CHAB, for non commercial is HAFB or HAFB -R. It is enough!

response *Noted*

The Agency has taken into account the EU Regulation 216/2008 (Basic Regulation) when developing the requirements for the Leisure Pilot Licence. Article 7 of the Basic Regulation states:

"Such measures shall also include provisions for the issuance of all types of pilot licences and ratings required under the Chicago Convention, and of a leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less ..."

Reviewing the comments received on the LPL(B) it seems that the reduced medical is an important argument to keep the LPL for balloons. Please see the other responses in the appropriate subpart for the LPL(B).

comment **5795** comment by: *UK Department for Transport*

The UK Department for Transport strongly supports the proposal for the Leisure Pilot Licence.

response *Noted*

Thank you for your positive feedback.

comment **5838** comment by: *EFLEVA*

EFLEVA agrees with the introduction of the Basic LPL and the Full LPL.

response *Noted*

Thank you for your positive feedback.

comment **5978** comment by: *ENAC TLP*

All kinds of LPL should be deleted entirely, since we think it would be a better solution avoiding as much as possible any difference with ICAO Annex 1.

Furthermore, the LPL licence, both basic and full, doesn't help pilot to train for further licences, because of the impossibility to train in navigation. We think that focus of the regulation should be the growth of the pilot proficiency, and

LPL doesn't follow this policy. If it's created for older pilot, is useless because they can limit themselves and their privileges even with a PPL.
 To maintain the student pilot licence should be a better solution for the purpose.
 Anyway, if this licence, that we strongly criticize, has to be maintained for policy reasons, then we think that it could be limited to the Basic LPL, increasing the minimum training requirements (at least 12 hours dual, 7 hours solo flight, 3 hours at discretion of the FI) and with the restriction to carry only 1 passenger.

response

Noted

The Agency has taken into account the EU Regulation 216/2008 (Basic Regulation) when developing the requirements for the Leisure Pilot Licence. Article 7 of the Basic Regulation states:

"Such measures shall also include provisions for the issuance of all types of pilot licences and ratings required under the Chicago Convention, and of a leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less ...".

The Agency does not really understand the proposal to keep only the Basic LPL but to raise the training requirements slightly. The full LPL is already on a much higher level and includes additional cross country training.

All the comments received on the proposal for the Basic LPL and the LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques.

The text will be changed accordingly.

comment

6276

comment by: DCAA

Subpart B shall be deleted.

LPL is not in accordance with the minimum requirements in the ICAO standard. The PART-FCL shall adhere to the ICAO standards which is the obligation of a contracting State.

response

Not accepted

The Agency has taken into account the EU Regulation 216/2008 (Basic Regulation) when developing the requirements for the Leisure Pilot Licence. Article 7 of the Basic Regulation states:

"Such measures shall also include provisions for the issuance of all types of pilot licences and ratings required under the Chicago Convention, and of a leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less ..."

All the comments received on the proposal for the Basic LPL and the LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques.

The text will be changed accordingly.

comment

6329

comment by: *DSvU*

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Subpart B
LEISURE PILOT LICENCE - LPL

Comment:

The expression "Leisure Pilot Licence" might be misunderstood by the public and e.g. nature conservancy associations could get the impression that flying with a LPL is only for fun.

Proposal:

The licence should be named **Light Aircraft Pilot Licence – LAPL**.

Justification:

"Light Aircraft Pilot Licence" is an exact description of the intention of the privileges connected with that licence.

response

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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment **6467** comment by: *Royal Swedish Aeroclub*

Royal Swedish Aeroklub (KSAK) strongly support LPL

response *Noted*

Thank you for your positive feedback.

comment **6483** comment by: *IAOPA Europe*

The name of the new so-called "Leisure Pilot License" is by the whole General Aviation industry regarded as very unfortunate. The term "Leisure" associates the license with just sport or hobby purposes. In fact the license will be used for many other activities where the most prominent is simply "personal transportation".

A car you can be used both for driving to work and going to leisure activities. Yet your drivers license is not tagged "leisure", and the risk is that this new license will not get proper recognition with this "leisure" brand.

There seems to be general agreement in the industry that the best term for the license would be Light Aircraft Pilot License (LAPL). AOPA therefore strongly suggest that the name is changed accordingly.

response *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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly

comment **6535** comment by: *Light Aircraft Association UK*

We support the introduction of a Basic LPL and the Full LPL.

We are however well aware that these two licences will not fully meet the ICAO

	standards.
response	<i>Noted</i> Thank you for your positive feedback.
comment	6796 comment by: <i>Joachim J. Janezic (Institute for Aviation law)</i> We are very concerned about the question if the minimum required hours to obtain an LPL are sufficient to keep up flight safety.
response	<i>Noted</i> The Agency is aware of these concerns. When drafting the minimum training requirements the proposed system of training and checking (by the instructor) in an approved training organisation followed by the skill test with an examiner was chosen to guarantee a proportionate but safe level of theoretical and practical knowledge of the LPL pilots. By using the term "at least" it implies clearly that this is only a minimum number. Depending on the student pilot's abilities and the progress he/she makes the total amount of flight training might be much higher in most cases.
comment	7449 comment by: <i>Royal Netherlands Aeronautical Association</i> In general, the KNVvL welcomes the concept of the LPL and supports the effort Europe Air Sports has made towards defining this concept. We hope that the resulting rulemaking will indeed enable more people to enjoy the freedom of flight in a safe and sensible way, which is more proportional towards the involved risk.
response	<i>Noted</i> Thank you for your positive feedback.
comment	7580 comment by: <i>Leiter LTB LSVRP</i> Die Einführung eines LPL halte ich für sehr gut, da damit eine notwendige Förderung des Luftsports erreicht werden kann.
response	<i>Noted</i> Thank you for your positive feedback.
comment	7701 comment by: <i>Europe Air Sports, VP</i> EAS strongly supports the concept of the non complex aeroplane, the concept of the leisure pilot license - not the name - the Basic LAPL and Full LAPL including the concept of the LAFI rating. EAS believes that this two tier licensing system will achieve the built -up of a flexible step by step training system offering only those levels of qualification needed for the desired privilege. This system will certainly contribute to increase flight safety. Nevertheless, to make the system successful, a number of changes and amendments have to be introduced to the IR.
response	<i>Noted</i>

Thank you for your positive feedback.

comment

8042

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.

First is a summary with our positions, and thereafter each statement is explained in detail.

Summary

1. We encourage the introduction of the LPL.
2. The name of LPL should be changed to Light Aeroplane Pilots Licence.
3. The Basic-LPL should be reworked in terms of training level and privileges.
4. We are positive that General medical practioners can do medical assessments of pilots that are not flying for commercial purposes.
5. The LPL should also be ICAO-PPL compliant or the LPL should be LPL compliant after flight training of the additional items. Our positions into detail:

SFUF encourages the introduction of the LPL.

With the introduction of the LPL, the administration will be substantially reduced, which in turn will give more resources available for flying. Statistics show that pilots who are current, are less prone to accidents. The reduction of administration of ratings is very positive and we also suggest that the system with currency instead of ratings will be implemented for all pilots flying aircraft below 2000 kg We also suggest that the system without revalidation of ratings will be enforced to all PPL holders, at least for all piston engined aircraft.

The name of LPL should be changed to Light Aeroplane Pilot License.

The fact that the privileges are not limited to leisure activities, must be followed by the change of name to the more logical "Light Aeroplane Pilot License". As with any car or boat, people or companies use them for their personal transportation. The name of the license should rather include the type of use that is corresponding to the actual type of operation. In this case, only "light airplane" would be adequate.

The "Basic LPL" should be reworked in terms of training levels contra privileges, in order not cause reduction in flight safety.

The limitations of the Basic-LPL would be too restrictive for the pilot and might cause flight safety hazards not mentioned in the NPA. For instance, the limitation of taking off and land on only one airport will be contradictory to flight safety when either weather conditions or other circumstances favor a landing on another airport. SFUF position is that the rules should help the pilots to make safe decisions. In this case, the opposite is very probable. Pilots do not want to violate rules. SFUF suggests that training for Basic LPL should include nav training including take-offs and landings at one other airport/airfield. There is a risk that the solo hours that today are flown with supervision of a flight instructor, will be replaced by student flying completely on his/her own. We are afraid that the reduction of supervised solo flight will cause a negative impact to the level of flight safety. We encourage that requirement of supervised solo flights will remain to a proper extent also for Basic LPL.

If our recommendations above will make the training requirement for Basic LPL too similar to LPL training, it is better to abandon the Basic LPL level from the proposal.

response

Partially accepted

Thank you for providing your opinion on several different issues in the attached document.

1. General statement - Noted

Regarding the first issue the Agency welcomes your positive general feedback on the LPL concept. The currency system cannot be introduced for the PPL as it was agreed that the main items of the JAR-FCL should be transferred. The system for the additional ratings will be introduced for all licences.

2. Name LPL - Accepted

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 be accepted by a huge amount of General Aviation stakeholders. The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation. The text will be changed accordingly.

3. Basic LPL - changing of training and privileges or deletion of the Basic LPL - Not accepted

The comment proposes to include additional navigational training for the Basic LPL pilot and to allow the pilot to land on other airfields. Additionally the comment asks for more supervised solo flight time. Finally the comment comes to the conclusion that with all the changes proposed the Basic LPL would reach the level of the full LPL and could be deleted. The Agency discussed the issue of the Basic LPL with the experts and decided finally to keep the Basic LPL and not to raise the training standards because of the reason that the hours mentioned in FCL.110.BA/H are anyway only minimum numbers (using the term: "at least"). Taking into account the comments received the privileges will be further limited. Please see the resulting text and the responses given in the appropriate segment.

comment

8080

comment by: *EPFU is the European Union of national powered flying organisation from the 10 main European countries*

EPFU was satisfied with the name "Light Aircraft Pilot Licence or LAPL" and do not support the change to "Leisure Pilot Licence or LPL" as the word "leisure" can be read or translated in a negative way.

We support the idea to return to the name LAPL.

But EPFU strongly support the concept proposed by EASA under the name of LPL, in addition to the PPL, with "bridges" between the different types of pilot licences.

response

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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence

mentioned in the Basic Regulation.

The text will be changed accordingly.

comment

8198

comment by: *Gareth Jones*

Glider pilot licencing

The existing UK system has worked well for many years. I suggest it be adopted in the rest of the EU.

response

Noted

Thank you for providing this comment.

However, the Agency has evaluated several existing national licensing schemes and came to the conclusion that none of these systems already in place could be transferred and used for all Member States without adjustments and changes. The reason for this are mainly the framework which is already given by the Basic Regulation and the ICAO requirements.

comment

8234

comment by: *AOPA Sweden*

AOPA Sweden proposes that the LPL as far as possible is made compliant with the FAA LSA- pilot licence as well as level. This will ensure easier rulemaking and also will open the market in europe for new cost effective aircraft designs.

response

Noted

Thank you for providing your opinion.

The Agency would like to highlight that the existing US system for the Light Sports Aircraft category was evaluated together with several systems for national licences in different Member States when drafting the requirements for the LPL. Several differences (for example the restriction to fly with the LSA licence only aeroplanes with a MTOM of 650 kg) made it impossible to make the LPL fully compliant with the LSA licence. Some elements and limitations are the same but some others (like airspace limitations - only airspace E and G) are totally different.

comment

8248

comment by: *Linkoping Flying Club*

Linkoping Flying Club (Linkopings Flygklubb, LFK) has 300 members holding pilot licenses (PPL, CPL or ATPL). LFK has 8 light aeroplanes for rental. LFK runs an FTO providing training for PPL and Instrument Rating.

FTO LFK strongly supports the proposed introduction of LPL.

response

Noted

Thank you for providing this positive feedback.

comment

8249

comment by: *Linkoping Flying Club*

FTO LFK recommends that the LPL will be named Light Aeroplane Pilot License,

rather than Leisure Pilot License.

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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment

8260

comment by: *Paul Mc G*

The concept of a Leisure Pilot Licence is beneficial, with development from a basic LPL and full LPL as well as the concept of a LAFI Certificate and further, the concept of a FI Certificate open to PPL holders. A simple system of upward extension of skill is always to be applauded. These licences achieve, to a limited extent, the building-up of a progressive training system, from Basic LPL to PPL via LPL for some pilots and from PPL to Basic LPL via LPL, for aging or restricted pilots but some clarification from the Agency for additional requirements permitting the use of the new FCL system on Annex II aircraft is needed. The Agency nomenclature needs to be changed to a new more logical and progressive nomenclatural system for the NPA/Rule sections, as the proposed one is unbelievably confusing.

response

Noted

Thank you for providing this positive feedback on the general idea of the LPL and the stepwise approach to other licence categories.

Regarding the issue of crediting for flight time on Annex II aircraft the Agency agrees and will introduce a system which will be based on an pre-entry flight test in an ATO and will provide credit for prior flight experience in any aircraft category.

Regarding your comment on a change of the nomenclature the Agency is still of the opinion that the system found is logical and does not understand why the structure chosen should be confusing. Unfortunately the comment does not provide a proposal how to make it "more logical and progressive".

comment

8269

comment by: *Paul Mc G*

The introduction of an EU wide Basic LPL and Full LPL would appear to be beneficial if over-complexity can be avoided but will these two licences will fully ICAO standard complaint? Actually can they be made so?

response

Noted

Thank you for providing this comment and the question about the ICAO

standard.

The Leisure Pilot Licence is linked with a medical certificate based on medical history and may be issued by GMPs if permitted under national law as required by the EU Regulation 216/2008. ICAO Annex 1 requires a class II medical for an ICAO compliant PPL/SPL/BPL licence. Therefore the LPL will not be an ICAO compliant licence.

For the LPL(A) and (H) there are some more differences compared with the ICAO standards.

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 1: Common Requirements - FCL.100 LPL - Minimum age

p. 11

comment 79 comment by: *Aero Club Malta*
 The word "Applicant" should be replaced by the word "Student pilots" so that this fits exactly with FCL.020 and avoid unnecessary confusion.

response *Partially accepted*
 Thank you for providing your comment.
 However, the Agency does only agree partially. The minimum age mentioned in FCL.100 is not the age to start with the training but to hold the licence. The minimum age to fly solo is contained in FCL.020.
 Taking the comments on this issue into account the Agency will review the wording of FCL.100 to make clear that this is the minimum age to hold a licence. Based on several other comments the age for the LPL(A) and (H) will be changed.
 The text will be changed accordingly.

comment 191 comment by: *Aero-Club of Switzerland*
 Please reduce the LPL Minimum age for LPL (S) applicants to 15 years.

Justification: According to your proposal FCL.020 (b) (2) in the case of sailplanes and balloons, a student pilot may fly solo at the age of 14, so 15 years of age are correct for an application for LPL(B) and LPL (S).

response *Not accepted*
 Thank you for providing your comment.
 However, the Agency does not agree and will keep the proposed minimum age of 16 years to hold an LPL(S) or (B). The age issue for sailplane pilots is mentioned in several comments. The majority of stakeholders (mainly from one Member State) are of the opinion that the proposed age of 16 is too low for a sailplane pilot and that it should be raised. Only a few comments ask for lowering this age limit.
 Evaluating the minimum age requirements for sailplane pilots in Europe the Agency is of the opinion that 16 years of age should be a good and safe compromise (checking the accident statistic of countries which allow to fly solo with an age of 14 years and hold a licence with 16 the Agency could not

identify any significant safety related problem) and will keep its proposal. The same age of 16 years is required for the Glider Pilot Licence mentioned in the ICAO requirements (see Annex 1 - 2.9.1.1.) and will be therefore also kept for the SPL.

As some comments on this segment seem to aim on the minimum age to start the training or fly solo it should be clarified that the minimum age mentioned in FCL.100 is the age to hold such a licence. The text will be amended to make this more clear (it will also be checked if an additional definition could be introduced).

comment **251** comment by: *Rod Wood*

This is below many country's legal driving age and should be increased to 17.

response *Partially accepted*

Thank you for providing your comment.

The Agency agrees partially with the proposal to increase the minimum age. It will change the minimum age requirement for holding a Basic LPL and a full LPL licence for aeroplanes and helicopters to be in line with the minimum age requirement for the PPL. Nevertheless the minimum age for the LPL(S) and (B) will be kept. This is also in line with the requirements contained in ICAO Annex 1.

The text will be amended accordingly to read as follows:
The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

As some comments on this segment seemed to comment on the minimum age to start the training or fly solo it should be clarified that the minimum age mentioned in FCL.100 is the age to hold such a licence.

comment **605** comment by: *British Microlight Aircraft Association*

Disagree. There is no reason that the LPL should be granted to persons younger than are eligible for the PPL (17 years). Alternatively the age limit for the PPL should be lowered to the same as the LPL (16 years).

response *Accepted*

Thank you for providing your comment.

The Agency agrees with the proposal to increase the minimum age slightly and to align it with the requirements for the PPL. It will change the minimum age requirement for holding a Basic LPL and a full LPL licence for aeroplanes and helicopters to be in line with the minimum age requirement for the PPL. Nevertheless the minimum age of 16 years for the LPL(S) and (B) will be kept. This is also in line with the requirements contained in ICAO Annex 1 for the Glider Pilot and the Balloon Pilot Licence.

The text will be amended accordingly to read as follows:
The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

comment

1012

comment by: *George Rowden*

Comment: The rules on minimum age do not show any consistency and are not based upon any evidence of maturity by the pilot. There is no objective evidence that a first flight in a modern two seat sailplane is any less demanding than a similar flight in a powered training aircraft. In some respects the sailplane is more demanding and less forgiving of error. In many countries the minimum age to fly sailplanes solo is 16 based on experience of problems with younger pilots. There is a need for EASA to review minimum ages and establish a coherent and common policy for all classes of aircraft.

If the proposals in NPA17c become law then any aspiring young pilot will have to spend a significant amount of money on a medical clearance. This must be unacceptable as it is a barrier to young people's involvement in flying. Evidence from the UK's Air Cadets gathered over many years proves that a health declaration signed by a parent is entirely adequate. Even severely disabled applicants are accepted although inevitably their training opportunities are limited. The risk of a young person suffering a disabling attack when airborne is almost zero, for the only diseases in young persons that are likely to cause an accident are epilepsy or juvenile onset Type 1 diabetes. Neither of these conditions is apparent on examination. The best way to safeguard young people's safety in a flying environment is to provide them with knowledgeable oversight and supervision within an Approved Training Organisation until experience and maturity is gained. This is what happens in Germany and explains the good safety record of young people there.

I propose that that common minimum ages be established for all classes of aircraft with 16 years for first solo in a sailplane.

All young pilots have to remain under the supervision of an Approved Training Organisation until the age of 18 years, at which point their Licences can be validated.

No person under the age of 18 should be permitted to carry passengers.

The medical requirements for young people below the age of responsibility be via a simple health declaration signed by parents or guardian and endorsed [if required by 216/2008] by a GMP with access to the young person's records.

It is noted that there are no references in the NPA to any maximum ages for non professional pilots. As the risk of a disabling cardio-vascular event increases rapidly with age in older pilots, and such events are difficult to predict, even via examination, a maximum age for instructors needs to be considered. This is particularly important for instructors when flying with inexperienced students who would be unable to take over control in the event the instructor took ill. This problem is significantly less serious when the student is experienced and receiving advanced training. In the UK, the BGA adopted a policy of restricting instructors over the age of 70 years from flying with early students, but allowed experienced older instructors to continue training at an advanced level, contributing to overall club safety.

There is increasing evidence that aviation insurance companies are imposing their own age related limitations which, in the absence of any regulation may prove to be needlessly severe.

It is therefore proposed that the UK BGA policy in relation to older instructors is incorporated into the document

response

Noted

Thank you for providing your comment.

The Agency does not agree with the request to establish a coherent and common system for the minimum age for all aircraft categories. The

comment proposes a general age of 16 for the first solo flight and the age of 18 to hold a licence.

The Agency does not agree and will keep the requirements for the minimum age contained in FCL.020 (first solo flight). The experts evaluated the accident statistics of countries which allow to fly solo with the age of 14 and could not identify any safety related problem.

Taking into account the comments on the age to hold a licence for helicopters and aeroplanes the Agency will change the minimum age requirement for holding a Basic LPL and a full LPL(A) or (H) licence to be in line with the minimum age requirement for the PPL. Nevertheless the minimum age for the LPL(S) and (B) will be kept. This is also in line with the requirements contained in ICAO Annex 1.

The text will be amended accordingly to read as follows:
The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

The additional proposal to introduce a maximum age limit for pilots was discussed but the Agency does not agree to introduce such a limit.

comment

1060

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Comment:

An applicant for the LPL A and H should be at least 17 years of age. At 16 years of age, a person normally don't have the judgement which is required to take the responsibility of flying aircraft up to 2000 kg at a speed above 300 km/h. Most of the LPL holders will fly exactly the same aircraft as the PPL A/H holders do. For PPL A/H, we require that the holder shall be at least 17 years of age. Therefore, we should require that the LPL A/H holder shall have the same age for performing the same thing.

For LPL S and B, we can maintain the proposal for at least 16 years of age. We should not deviate from ICAO Standards.

Proposal:

Applicants for the LPL (A) and LPL (H) shall be at least 17 years of age.
Applicants for the LPL (S) and LPL (B) shall be at least 16 years of age.

response

Accepted

Thank you for providing your comment.

The Agency agrees with the proposal to align the minimum age to hold a licence with the requirements for the PPL (ICAO compliance). It will change the minimum age requirement for holding a Basic LPL and a full LPL licence to be in line with the minimum age requirement for the PPL/BPL/SPL.

The text will be amended accordingly to read as follows:
The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

As some comments on this segment seem to aim on the minimum age to start the training or fly solo it should be clarified that the minimum age mentioned

in FCL.100 is the age to hold such a licence.

comment **1295** comment by: *George Knight*

Age too low. Proposed minima:

- 15 to start training.
- 16 for supervised solo.
- 17 to hold a licence.

response *Partially accepted*

Thank you for your comment.

However, reviewing all the comments dealing with the minimum age the Agency has decided to align the minimum age to hold a licence with the requirements for the PPL (ICAO compliance). It will change the minimum age requirement for holding a Basic LPL and a full LPL licence to be in line with the minimum age requirement for the PPL/BPL/SPL which are all based on the minimum age requirements required by ICAO in Annex 1.

The text will be amended accordingly to read as follows:
 The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
 The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

As some comments on this segment seem to aim on the minimum age to start the training or fly solo it should be clarified that the minimum age mentioned in FCL.100 is the age to hold such a licence. For sailplanes and balloons the minimum age of 14 for the first solo flight and the age of 16 for holding a licence will be kept. Evaluating the minimum age requirements for sailplane pilots in Europe the Agency is of the opinion that 16 years of age should be a good and safe compromise (checking the accident statistic of countries which allow to fly solo with an age of 14 years and hold a licence with 16 the Agency could not identify any significant safety related problem) and will keep its proposal. The same age of 16 years is required for the Glider Pilot Licence mentioned in the ICAO requirements (see Annex 1 - 2.9.1.1.) and will be therefore also kept for the SPL.

comment **1501** comment by: *Klaus-Dieter Schoenborn*

FCL.100 LPL Minimum Age is 16 years.
 We welcome that regulation.

response *Noted*

Thank you for your positive feedback.

However, reviewing all the comments dealing with the minimum age the Agency has decided to align the minimum age to hold a licence with the requirements for the PPL (ICAO compliance). It will change the minimum age requirement for holding a Basic LPL and a full LPL licence to be in line with the minimum age requirement for the PPL/BPL/SPL which are all based on the minimum age requirements required by ICAO in Annex 1.

The text will be amended accordingly to read as follows:

The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
 The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

As some comments on this segment seem to aim on the minimum age to start the training or fly solo it should be clarified that the minimum age mentioned in FCL.100 is the age to hold such a licence.

comment

1543

comment by: *Regierung von Oberbayern-Luftamt Südbayern*

Wir gehen davon aus, dass das Mindestalter von 16 Jahren sich auf den frühestmöglichen Zeitpunkt des Erwerbs der Lizenz bezieht.

Es fehlt jedoch die Festlegung eines Mindestalters für den Ausbildungsbeginn.

Dieses sollte unbedingt festgelegt werden, da nach unserer Erfahrung pro Jahr in mehreren Fällen bereits deutlich unter 14-Jährige einen Antrag stellen, mit der (Segelflug-)Ausbildung beginnen zu können.

Die Regelung in FCL.020 hinsichtlich Alleinflügen halten wir allein nicht für ausreichend. Auch für den Beginn der Ausbildung sollte eine gesetzliche Mindestaltersgrenze vorgesehen werden; ein Mindestalter von 14 Jahren scheint uns hier angemessen zu sein.

response

Noted

Thank you for providing your comment.

However, the Agency cannot see a need to regulate also the minimum age to start with the training. FCL.020 defines the minimum age for the first solo flight. This means that the instructor will be always on board of the aircraft during all flights before the student pilot reaches the required age. The Agency cannot see a safety case if a 13 year old student pilot is flying with an FI(S) or LAFI(S). The Agency is of the opinion that the ATO and the FI should be capable to decide on this issue and to take responsible decisions without being limited by this regulation.

comment

1677

comment by: *Sven Koch*

Scheinerwerb 16 Jahre

response

Noted

The Agency acknowledges your comment.

However, it seems to be only a translation of one element of this requirement. The Agency agrees that the 16 years requirement in FCL.100 is the minimum age to hold the licence.

comment

1789

comment by: *Sebastian Grill*

Die Ausbildung zum Segelflieger trägt gerade für junge Menschen zu einer positiven Entwicklung in einer wichtige Lebensphase bei. Man lernt, Verantwortung zu tragen, Teamwork, Risikoabschätzung usw. Außerdem ist man in diesem Alter sehr lernwillig und lernfähig.

response

Noted

Thank you for providing your opinion.

comment	<p>1791 comment by: <i>Dr. Gerhard Herbst</i></p>
	<p>Seit Jahrzehnten hat sich das Alter von 14 Jahren für den Einstieg in die Segelflugschulung bewährt. In unserem Verein wird bewußt versucht die Jugendlichen frühzeitig für unseren Flugsport zu begeistern, weil ein Jugendlicher, der sich für eine andere Sportart entschieden hat (Fussball, Basketball, ...etc.) nur schwer für den (zeitlich aufwendigen) Flugsport zu begeistern sein wird.</p> <p>In unserem Verein sind trotz des frühen Einstigalters in den letzten 50 Jahren, KEINE Flugunfälle mit Jugendlichen passiert!!!</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>It seems that the comment is aiming on the age for starting the training. The requirement in FCL.100 is dealing with the age to hold the licence.</p> <p>The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.</p>
comment	<p>1796 comment by: <i>Matthias SIEBER</i></p>
	<p>Das Minimum Alter sollte für Segelflug (LPL(S))bereits ab 14 Jahre möglich sein. Diese Regelung galt bislang und es resultierten daraus keine signifikanten Unfallzahlen. Auch zu betrachten sind die soziale Aspekte die heutzutage immer wichtiger werden. Die notwendigerweise Ausübung des Segelflugsports im Gruppenrahmen hat bewiesenermaßen einen positiven Einfluss auf die Entwicklung Jugendlicher. Die frühzeitige Bindung an den Verein und die Vermittlung von Werten (Loyalität, Zuverlässigkeit, Einsatz für den anderen usw.) ist ein weiterer Punkt für das Eintrittsalter von 14 Jahren.</p>
response	<p><i>Noted</i></p> <p>Thank you for giving us your opinion.</p> <p>It seems that the comment is aiming on the age for starting the training. The requirement in FCL.100 is dealing with the age to hold the licence.</p> <p>The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.</p>
comment	<p>1798 comment by: <i>Georg Schott</i></p>
response	<p><i>Noted</i></p> <p>Comment 1798 does not contain any text.</p>
comment	<p>1801 comment by: <i>Georg Schott</i></p>
	<p>Es gibt m. E. keinen vernünftigen Grund das bisherige Anfangsalter von 14 Jahren heraufzusetzen. Meines wissens gibt es keinerlei statistische Information darüber, dass es im Ausbildungsbetrieb mit 14-16 jährigen Jugendlichen zu erhöhten Zwischenfällen bzw. Unfällen gekommen ist.</p>

Andererseits ist es nur positiv, wenn man bereits 14 Jährige an verantwortungsvolle Tätigkeiten heranführt und diese frühzeitig eine sinnvolle Freizeitbeschäftigung im Verein wahrnehmen.

response *Noted*

Thank you for giving us your opinion.

It seems that the comment is aiming on the age for starting the training. The requirement in FCL.100 is dealing with the age to hold the licence.

The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.

comment **1813** comment by: *Dr. Schreck*

Mindestalter für sollte 14 Jahre betragen! Es gibt in Deutschland keine signifikanten Unfallzahlen für Jugendliche im Segelflug, dagegen viele positive Jahrzehnte Erfahrung! Jugendliche Segelflugschüler sind erheblich verantwortungsbewußter, verhalten sich sozial Kmpetenter, verursachen weniger Unfälle im Straßenverkehr etc. Und durch die frühe Bindung im Verein kann positiver Einfluss genommen werden und Umgang mit Vearntwörung erlernt werden.

response *Noted*

It seems that the comment is aiming on the age for starting the training. The requirement in FCL.100 is dealing with the age to hold the licence.

The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.

comment **1815** comment by: *Bruha Oliver*

In der langjährigen Ausbildung hat sich gezeigt, dass Flugschüler bereits ab 14 Jahren in der Lage sind Verantwortung zu übernehmen. Auch die Vereinsmitgliedschaft ab 14 Jahren ist sehr sinnvoll. So ist es möglich gute Jugendarbeit zu leisten. Die Geschichte hat gezeigt, dass ein Verein lebt, wenn er junge, engagierte Mitglieder im Nachwuchs hat. Die wenigsten Unfälle passieren im Alter zw. 14 und 20. Das Alter für den Beginn der Schulung sollte auf jeden Fall bei 14 Jahren bleiben.

response *Noted*

It seems that the comment is aiming on the age for starting the training. The requirement in FCL.100 is dealing with the age to hold the licence.

The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.

comment **1842** comment by: *jp*

Als Segelflugreferent versorge ich die Jugendlichen unseres vereines, habe sehr gute Erfahrungen gemacht. Die Jugend ist in Ihrer Freizeit gut aufgehoben, keine Drogen... Die Jugendliche sind nach kurzer

	<p>Einarbeitungsphase bereit Verantwortung zu übernehmen, verlässlich Arbeiten durchzuführen. Im Alter von 16 Jahren sinken die Chancen Jugendliche zu binden massiv, da sie in anderen Vereinen unterkommen.</p> <p>Ich habe nur positive Erfahrungen gemacht, keine Unfallzahlen sind uns bekannt, gute Erfahrungen mit Eltern, welche und sehr unterstützen. Ich finde das Eintrittsalter für Flugschüler mit 14 unerlässlich.</p>
response	<p>Noted</p> <p>It seems that the comment is aiming on the age for starting the training. The requirement in FCL.100 is dealing with the age to hold the licence.</p> <p>The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.</p>

comment	<p>1844 comment by: <i>Reinhard Weihermueller</i></p> <p>- soll für Segelflug ab 14 Jahre möglich sein</p> <p>-</p>
response	<p>Noted</p> <p>It is unclear if the comment is aiming on the age for starting the training or for applying for the the licence. The requirement in FCL.100 is only dealing with the age to hold the licence.</p> <p>The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.</p>

comment	<p>1870 comment by: <i>Markus Malcharek</i></p> <p>Mindestalter für Segelflug sollte 14 Jahre betragen! Es gibt in Deutschland keine signifikanten Unfallzahlen für Jugendliche im Segelflug, dagegen viele positive Jahrzehnte Erfahrung! Jugendliche Segelflugschüler sind erheblich verantwortungsbewußter, verhalten sich sozial kompetenter, verursachen weniger Unfälle im Straßenverkehr etc. Und durch die frühe Bindung im Verein kann positiver Einfluss genommen werden und Umgang mit Verantwortung erlernt werden.</p>
response	<p>Noted</p> <p>It is unclear if the comment is aiming on the age for starting the training or for applying for the the licence. The requirement in FCL.100 is only dealing with the age to hold the licence.</p> <p>The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.</p>

comment	<p>2042 comment by: <i>Thomas SIEWERT</i></p> <p>FCL.100 LPL - Minimum age</p> <p>Das Mindestalter wird hier grundsätzlich auf 16 Jahre festgeschrieben.</p> <p>Für den Segelflug sollte jedoch der Einstieg mit 14 Jahren möglich sein. Diesbezüglich haben wir in den Vereinen gute Erfahrungen gemacht. Den</p>
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Jugendlichen wird frühzeitig eine soziale Bindung in einem Verein gegeben. Die Bindung an den Luftsport kann gerade durch einen frühzeitigen Einstieg und persönliche Kontakte zu weiteren Gleichaltrigen und Gleichgesinnten intensiver erfolgen. Begleitend zu den Ausbildungs- und Jugendförderungsmaßnahmen im Verein ergeben sich für Jugendliche ab 14 Jahren hervorragende Möglichkeiten z. B. im Rahmen von Fluglagern die Ferien zu verbringen. Durch eine qualifizierte Betreuung in den Vereinen werden so auch die Eltern entlastet. Dem stehen keine uns bekannten signifikanten Unfallzahlen mit Segelflugschülern unter 16 Jahren gegenüber.

Alternativvorschlag

FCL.100 sollte um den Zusatz erweitert werden, dass der Bewerber für eine LPL(S) bereits mit 14 Jahren die Ausbildung beginnen kann.

response *Not accepted*

The comment is aiming on the minimum age for starting the training. The requirement in FCL.100 is dealing only with the age to hold the licence.

The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.

FCL.100 will not be complemented by a paragraph explaining the minimum age for starting the training as the Agency cannot see a need for this.

comment 2259

comment by: *Mike Grierson*

What Safety Justification is there for this licence? The privileges of the LPL are largely the same as those for a PPL, the Age at which the licences can be issued differs by a year WHY? How can someone with less training be ready to exercise the privileges a year earlier than someone with more training?

ICAO defines a 40 hour PPL which is a non-commercial leisure licence. Why do we require 3 such licences PPL LPL and LPL Basic? There is no Safety case for this!

response *Partially accepted*

Thank you for providing your comment.

The Agency agrees with the proposal to align the minimum age to hold a licence with the requirements for the PPL (ICAO compliance). It will change the minimum age requirement for holding a Basic LPL and a full LPL licence to be in line with the minimum age requirement for the PPL/BPL/SPL.

The text will be amended accordingly to read as follows:
 The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
 The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

Regarding your second comment the Agency would like to add that the LPL is mentioned already in the Basic Regulation. There are some differences between the LPL and the PPL (which is based on the JAR- FCL requirements) which should revitalize General Aviation through the introduction of a cheap "entry" licence combined with a lower level medical standard allowing the use of GMPs. In several Member States similar sub JAR-FCL licences are actually in place (in the UK for example the UK NPPL).

comment	<p>2301 comment by: <i>Matthias Dangel</i></p>
	<p>Hier sollte wenigstens für den Segelflug die Möglichkeit bestehen ab 14 Jahren die LPL Segelflug zu erwerben. Gerade die frühe Einbindung von Jugendlichen in Verantwortlichkeiten und Vereinsstrukturen ist für die Sozialkompetenz der jungen Menschen förderlich und prägend was einen absolut positiven Aspekt für die Entwicklung der Person mit sich bringt. Es sind auch keine signifikanten Unfallzahlen im Segelflug, speziell bei Jugendlichen in diesem Alter, bekannt, was für eine frühe Förderung der jungen Menschen im Luftsport spricht. Das sollte man ihnen nicht verbauen.</p>
response	<p><i>Noted</i></p> <p>It is unclear if the comment is aiming on the age for starting the training or for applying for the the licence. The requirement in FCL.100 is only dealing with the age to hold the licence.</p> <p>The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.</p>
comment	<p>2626 comment by: <i>Dieter Lenzkes</i></p> <p>see comment 2552</p>
response	<p><i>Noted</i></p> <p>See response to comment 2552.</p>
comment	<p>2669 comment by: <i>Luftamt Nordbayern</i></p> <p>Das Mindestalter von 16 Jahren regelt nur den frühestmöglichen Zeitpunkt für die Erteilung einer Lizenz. Unklar ist, welches Mindestalter für den Beginn der Ausbildung zu fordern ist. Die Regelung in FCL.020 bezieht sich lediglich auf die Alleinflüge und ist daher allein noch nicht ausreichend.</p> <p>Auch für den Beginn der Ausbildung sollte eine gesetzliche Mindestaltersgrenze vorgesehen werden. Dieses Mindestalter sollte 14 Jahre nicht unterschreiten. Ein Mindestalter von 14 Jahren würde mit der auch in anderen Bereichen gesetzten Grenze von 14 Jahren übereinstimmen, ab der ein gewisses Mindestmaß an Verantwortungsbewusstsein vorausgesetzt werden kann. So ist dies im deutschen Recht z.B. auch die Altersgrenze zum Erreichen der Strafmündigkeit.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. However, the Agency cannot see a need to regulate also the minimum age to start with the training. FCL.020 defines the minimum age for the first solo flight. This means that the instructor will be always on board of the aircraft during all flights before the student pilot reaches the required age. The Agency cannot see a safety case if a 13 year old student pilot is flying with an FI(S). The Agency is of the opinion that the ATO and the FI should be capable to decide on this issue and to take responsible decisions without being limited by this regulation.</p>

comment	<p>3257 comment by: <i>Matthias Heine</i></p>
	<p>Das Mindestalter sollte zumindest für den Bereich Segelflug auf 14 Jahre gesetzt werden LPL (S). Soweit es aus diesem Dokument hervorgeht, sind die hier genannten Bedingungen auch auf Section 5 anzuwenden. Gerade für die Segelflugvereine in Deutschland ist es von großer Bedeutung Jugendliche in geringem Alter für den Luftsport zu begeistern. Mit höherem Alter steigen die Anforderungen in Schule und Beruf sowie die "Konkurrenz" anderer Hobbies, so dass der aufwendige Segelflug dann kaum noch eine Chance hat als Beschäftigung aufgenommen zu werden. Damit wird aber das bereits bestehende Problem des fehlenden Nachwuchses verschärft.</p>
response	<p><i>Noted</i></p> <p>It is unclear if the comment is aiming on the age for starting the training or for applying for the the licence. The requirement in FCL.100 is only dealing with the age to hold the licence.</p> <p>The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.</p>
comment	<p>3431 comment by: <i>Royal Danish Aeroclub</i></p> <p>We support the age of 16 years.</p>
response	<p><i>Noted</i></p> <p>Thank you for your positive feedback. However, reviewing the comments received and taking into account the comments which proposed to align the age limit with the age limits for the PPL the Agency agreed and will raise the age for holding an LPL(A) or (H) to 17. For the LPL(B) the age of 16 will be kept.</p>
comment	<p>3698 comment by: <i>Axel Mitzscherlich</i></p> <p>Minimum age is okay</p>
response	<p><i>Noted</i></p> <p>Thank you for your positive feedback.</p> <p>However, reviewing the comments received and taking into account the comments which proposed to align the age limit with the age limits for the PPL the Agency agreed and will raise the age for holding an LPL(A) or (H) to 17. For the LPL(B) and (S) the age of 16 to hold the licence will be kept.</p>
comment	<p>3721 ❖ comment by: <i>Klaus HARTMANN</i></p> <p>Im FCL.100 LPL Minimum age wird ein Mindestalter von 16 Jahren gefordert, im FCL.020 das Mindestalter für den ersten solo flight für Segelflug und Ballon 14 Jahre. Daraus muß gefolgert werden, dass es sich bei der Altersangabe im FCL.100 nicht um das Mindestalter für den Ausbildungsbeginn handeln kann. Daher sollte :</p> <ol style="list-style-type: none"> 1. Außer dem Mindestalter für den 1. solo flight auch das Mindestalter für den Beginn der Ausbildung definiert werden. 2. Klargestellt werden, wofür das Mindestalter in FCL.100 gefordert wird. Z.B. Zulassung zum entsprechenden skill test oder theoretical knowledge

	examination oder Aushändigung der Lizenz oder was sonst damit gemeint ist.
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency agrees that the wording used could create some irritation. The comment is right in stating that the minimum age for the first solo flight is contained in FCL.020 (for balloons: 14 years). In order to make clear what is meant in FCL.100 the text will be amended accordingly to read as follows: "The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age".</p> <p>This means also that the necessary skill test and the theoretical knowledge examination can be done before reaching this age. The Agency will consider to develop an AMC clarifying this issue.</p>
comment	<p>3926 comment by: <i>Bayerisches Staatsministerium für Wirtschaft, Infrastruktur, Verkehr und Technologie</i></p> <p>Das Mindestalter von 16 Jahren regelt nur den frühestmöglichen Zeitpunkt für die Erteilung einer Lizenz. Unklar ist, welches Mindestalter für den Beginn der Ausbildung zu fordern ist. Die Regelung in FCL.020 bezieht sich lediglich auf die Alleinflüge und ist daher allein noch nicht ausreichend.</p> <p>Auch für den Beginn der Ausbildung sollte eine gesetzliche Mindestaltersgrenze vorgesehen werden. Dieses Mindestalter sollte 14 Jahre nicht unterschreiten. Ein Mindestalter von 14 Jahren würde mit der auch in anderen Bereichen gesetzten Grenze von 14 Jahren übereinstimmen, ab der ein gewisses Mindestmaß an Verantwortungsbewusstsein vorausgesetzt werden kann. So ist dies im deutschen Recht z.B. auch die Altersgrenze zum Erreichen der Strafmündigkeit.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. See response for comment No. 2669.</p>
comment	<p>4121 comment by: <i>Elmar KUEMMEL</i></p> <p>Die Einführung des LPL als "Sonderzugeständnis" verstehe ich nicht.</p> <p>Will man die Anforderungen für den Freizeitbereich senken, sollte man das nicht über die Einführung einer zusätzlichen Lizenz tun, sondern in dem der wesentliche Teil dieser Regelungen zum LPL zur ICAO - Norm macht.</p> <p>Gerade die Flugtauglichkeit betreffend, würde der Abbau eine Bürokratiemonsters eine Chance zur Erholung der Freizeitluftfahrt führen.</p> <p>Die medizinischen Voraussetzungen für die "normale" GPL entbehren jeder Begründung und auch hier sollte ein sportmedizinisch weitergebildeter Arzt in der Lage sein, die Flugtauglichkeit festzustellen.</p> <p>Wenn jemand in der Lage ist, eine Ballsportart zu betreiben, zu tauchen oder Bergsteiger zu sein, kann er auch Segelflug betreiben.</p> <p>Mein Vorschlag wäre, diese Bedingungen als Grundlage des GPL zu verstehen</p>

	und entsprechend anzuwenden und durchzusetzen.
response	<p><i>Noted</i></p> <p>The comment is clearly not aiming on the requirement on the minimum age for LPL pilots.</p> <p>Thank your for giving us your opinion. The proposal behind is unclear. The medical proposals for the LPL are explained in NPA 2008-17c.</p>
comment	<p>4138 comment by: <i>Max Heinz Katzschke</i></p> <p>Dieser Text sollt für den Teil LPL(S) und SPL, also für den Segelflug auf 14 Jahre oder sogar noch jünger festgesetzt werden. Nach ~50 Jahren als FI - Segelfluglehrer weiss ich, dass diese jungen Menschen mit hoher Aufmerksamkeit und großem Fleiss sich ausreichend Erfahrungen aneignen können, wenn Sie gut angeleitet werden (was in den Fliegerclubs mit großer Verantwortung auch getan wird). Sie sind in diesem Alter leicht für die umfassenden Aufgaben in der Fliegerei zu begeistern, was mit höherem Alter durch steigende Anforderungen in Schule und Beruf schwieriger wird. Außerdem steigt die "Konkurrenz" durch andere Trendsportarten, sodass die sehr aufwendige Ausbildung im Flugsport von älteren Jugendlichen oft gescheut wird. Erfahrungsgemäß kann man Nachwuchs für den Flugsport erst wieder in der Altersgruppe 30+ gewinnen, die dann aber als Personal für die Luftfahrt und deren Industrie nicht mehr zu gewinnen sind.</p>
response	<p><i>Noted</i></p> <p>It is unclear if the comment is aiming on the age for starting the training or for applying for the the licence. The requirement in FCL.100 is only dealing with the age to hold the licence.</p> <p>The minimum age for flying solo is described in FCL.020. For flying solo in a sailplane a minimum age of 14 years is required.</p>
comment	<p>5357 comment by: <i>CAA Belgium</i></p> <p>Comment: An applicant for the LPL A and H should be at least 17 years of age. At 16 years of age, a person normally don't have the judgement which is required to take the responsibility of flying aircraft up to 2000 kg at a speed above 300 km/h. Most of the LPL holders will fly exactly the same aircraft as the PPL A/H holders do. For PPL A/H, we require that the holder shall be at least 17 years of age. Therefore, we should require that the LPL A/H holder shall have the same age for performing the same thing.</p> <p>For LPL S and B, we can maintain the proposal for at least 16 years of age. We should not deviate from ICAO Standards.</p> <p>Proposal: Applicants for the LPL (A) and LPL (H) shall be at least 17 years of age. Applicants for the LPL (S) and LPL (B) shall be at least 16 years of age.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your proposal.</p>

See the response for comment No 1060.

comment **5395** comment by: *BMVBS (German Ministry of Transport)*

This provision addresses solely the minimum age to apply for a LPL pilot licence. Under the proposed system it would be permitted to commence a pilot training before this age, but it is not said how old the person has to be before he may begin his education as a pilot. FCL.020 merely addresses solo flights. The minimum age as to when a young pilot may begin his training should also be included in the rules. This age should not be younger than 14 years.

response *Noted*

Thank you for providing your comment.
However, the Agency cannot see a need to regulate also the minimum age to start with the training. FCL.020 defines the minimum age for the first solo flight. This means that the instructor will be always on board of the aircraft during all flights before the student pilot reaches the required age. The Agency cannot see a safety case if a 13 year old student pilot is flying with an FI(S). The Agency is of the opinion that the ATO and the FI should be capable to decide on this issue and to take responsible decisions without being limited by this regulation.

comment **5804** comment by: *Peter Holland*

FCL.100 Minimum Age

It is wrong to have different ages for different licences - it should be standardised, 17 years of age to apply for licence, 16 years for solo student flights, 14 years for dual training.

response *Noted*

Thank you for your comment.

However, reviewing all the comments dealing with the minimum age the Agency has decided to align the minimum age to hold a licence with the requirements for the PPL (ICAO compliance) but not to create a common standardised age limit. The minimum age requirement for holding a Basic LPL and a full LPL licence will be changed to be in line with the minimum age requirement for the PPL/BPL/SPL which are all based on the minimum age requirements required by ICAO in Annex 1.

The text will be amended accordingly to read as follows:
The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age;
The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age.

For your comment on the minimum age for the first solo flight no change is foreseen. Please see the responses in the segment with the appropriate paragraph (FCL.020) on this issue. For sailplanes and balloons the minimum age of 14 for the first solo flight will be kept. Reviewing the accident statistics of countries in which such a minimum age is already established no indication was found that this could cause any safety related problems.

comment **5924** comment by: *Luftsport-Verband Bayern*

	<p>Diese Regelung wird ausdrücklich begrüsst. Das Einstiegsalter für die Ausbildung und den Erwerb von Fluglizenzen sollte dem Vorschlag entsprechend beibehalten werden.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion and the positive feedback.</p> <p>However, reviewing the comments received and taking into account the comments which proposed to align the age limit with the age limits for the PPL the Agency agrees and will raise the age for holding an LPL(A) or (H) to 17.</p>
comment	<p>6343 comment by: <i>Johann Friedrich</i></p> <p>SUBPART B LEISURE PILOT LICENCE LPL SECTION 1 Common Requirements FCL.100 LPL Minimum age Applicants for the LPL shall be at least 16 years of age. Comment: Delete FCL.100 completely Reason: FCL.100 violates the principle of subsidiarity: it - unnecessarily - restricts the authority of flight instructors and interferes with their responsibilities to judge the maturity of student pilots.</p>
response	<p><i>Not accepted</i></p> <p>The Agency will keep a requirement for a minum age to hold an LPL but the paragraph will be amended. It has to be recognised also that the minimum age for the first solo flight is descibed in FCL.020.</p>
comment	<p>6484 comment by: <i>IAOPA Europe</i></p> <p>IAOPA welcomes the minimum age of 16 for applicants. Young people at age 16 that are already mature enough should be allowed to enjoy the privileges of the LPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for your positive feedback.</p> <p>However, reviewing the comments received and taking into account the comments which proposed to align the age limit with the age limits for the PPL the Agency agreed and will raise the age for holding an LPL(A) or (H) to 17.</p>
comment	<p>6580 comment by: <i>Kevin Van Dessel</i></p> <p>I would suggest to set the minimum age to 18 years, which is the age that a person is recognized as adult and also the minimum age to drive a car.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for your comment.</p>

However, reviewing all the comments dealing with the minimum age the Agency has decided to align the minimum age to hold a licence with the requirements for the PPL (ICAO compliance). It will change the minimum age requirement for holding a Basic LPL and a full LPL licence to be in line with the minimum age requirement for the PPL/BPL/SPL which are all based on the minimum age requirements required by ICAO in Annex 1.

The text will be amended accordingly to read as follows:
 The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
 The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

comment 6750 comment by: *Viehmann, Regierungspräsidium Kassel*

Das Mindestalter für den Beginn der Ausbildung ist bisher nicht festgelegt worden. Die Regelung in FCL.020 bezieht sich lediglich auf die Alleinflüge und ist daher allein noch nicht ausreichend.

Die Mindestaltergrenze sollte festgelegt werden. Das Mindestalter sollte 14 Jahre nicht unterschreiten. Das Mindestalter von 14 Jahren wird ausdrücklich begrüßt. In Deutschland wurden in Bezug auf die Ausbildung zum Segelflugzeugführer sehr gute Erfahrungen gemacht bei der Ausbildung von Jugendlichen mit einem Alter von 14 Jahren.

Uns sind keine Unfälle und Vorkommnisse bekannt, die ursächlich mit einem möglicherweise zu frühen Ausbildungsbeginn in Verbindung stehen könnten.

Ein Mindestalter von 14 Jahren würde mit der auch in anderen Bereichen gesetzten Grenze von 14 Jahren übereinstimmen, ab der ein gewisses Mindestmaß an Verantwortungsbewusstsein vorausgesetzt werden kann. Auf die Altersgrenze von 14 Jahren zum Erreichen der Strafmündigkeit nach deutschem Recht sei hingewiesen.

response *Noted*

Thank you for providing your comment and the support for the minimum age of 14 for the sailplane pilot.

However, the Agency cannot see a need to regulate also the minimum age to start with the training. FCL.020 defines the minimum age for the first solo flight. This means that the instructor will be always on board of the aircraft during all flights before the student pilot reaches the required age. The Agency cannot see a safety case if a 13 year old student pilot is flying with an FI(S). The Agency is of the opinion that the ATO and the FI should be capable to decide on this issue and to take responsible decisions without being limited by this regulation.

comment 6782 comment by: *Colin Troise*

See comment re: FCL.020

response *Noted*

See the Agency's response on comment 6761.

comment 7895 comment by: *RSA*

FCL.100 LPL Minimum Age

For consistency with the change proposed to FCL.020 (b) (1), the minimum age for application for the LPL should be set at 15 years.

response

Not accepted

Thank you for your comment.

However, reviewing all the comments dealing with the minimum age for the applicant the Agency has decided to align the minimum age to hold a licence with the requirements for the PPL (ICAO compliance). It will change the minimum age requirement for holding a Basic LPL and a full LPL licence to be in line with the minimum age requirement for the PPL/BPL/SPL which are all based on the minimum age requirements required by ICAO in Annex 1.

The text will be amended accordingly to read as follows:
 The holder of an LPL(A) or an LPL(H) shall be at least 17 years of age
 The holder of an LPL(S) or an LPL(B) shall be at least 16 years of age

The proposed age of 15 years seems to be too low to hold already a pilot licence.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 1:
 Common Requirements - FCL.105 LPL - Privileges and conditions**

p. 11

comment

113

comment by: *Nick Wilcock*

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.105 is right to restrict the privileges and conditions of the LPL(A) such that a LAFI may not receive remuneration for the provision of flight instruction or examination for the LPL(A).

response

Noted

Thank you for providing your opinion and the positive feedback on the limitation of the privileges for the LAFI.

The Agency will keep the system of the LPL because it has to take into account the EU Regulation 216/2008 (Basic Regulation) in which the development of requirements for the Leisure Pilot Licence is requested. Article 7 of the Basic Regulation states:

"Such measures shall also include provisions for the issuance of all types of pilot licences and ratings required under the Chicago Convention, and of a leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less ..a leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less.."

comment

348

comment by: *Colm Farrell*

The name Leisure Pilot Licence is inappropriate. Light Aircraft Pilots licence would be more appropriate. Many holders of this licence will be using their aircraft for more than leisure activities.

response

Accepted

Thank you for providing your opinion.

The name Leisure Pilot Licence (LPL) was used in the NPA based on the 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" has not been accepted by a huge amount of General Aviation stakeholders.

The Agency has checked and reviewed the issue and has decided to change the proposal and call this licence Light Aircraft Pilot Licence (LAPL) but to make clear in a general paragraph that this licence will be the Leisure Pilot Licence mentioned in the Basic Regulation.

The text will be changed accordingly.

comment

366

comment by: *REGA***STATEMENT**

To restrict the holder of a Basic LPL(H) to fly only within a radius of 50 km around the aerodrome of departure without the privileg for intermediate landings (outside landing, other aerodrome) makes the LPL useless, uncomely and leads to more air traffic density (safety, noise) around the airports.

PROPOSAL

Beside the useful requirements regarding the typ and weight of helicopter, holder of the Basic LPL(H) shall be limited to domestic flights and privileged to land on other areodromes or outside of aerodromes (according national law).

response

Not accepted

FCL.105 is dealing with the privileges and condition for the holder of a LPL in general and not with the privileges of the Basic LPL as such. These privileges of the Basic LPL are contained in FCL.105.BA/H.

The Agency does not agree with the proposed limitation to "domestic flights" and the extension of privileges regarding the use of aerodromes.

It has to be added that the Agency has received some comments on the Basic LPL proposing to delete this new licence or to change it completely (changing limitations or adding training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.

comment

606

comment by: *British Microlight Aircraft Association*

Disagree with "*without remuneration*". The holder of a LPL can also hold an instructor rating and it makes no sense that a PPL with an instructor rating can be remunerated for instruction but a LPL instructor cannot. They may both be instructing on the same aircraft for the grant of the same licence, or rating.

response

Not accepted

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced.

comment	<p>781 comment by: <i>Geschäftsführer Luftsportverband RP</i></p> <p>Text muss so abgefasst werden, dass ein Pilot im Nicht-gewerblichen Bereich, für seinen Verein "Selbstkostenflüge" bis maximal 4 Personen an Bord zur Förderung des Luftsports durchführen kann (Passagierflüge ohne weitere Zusatzprüfung). Die Bezahlung erfolgt ja nicht an den Piloten, sondern an den gemeinnützigen Verein, der keine Gewinnerzielung anstrebt.</p>
response	<p><i>Not accepted</i></p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by Implementing Rules.</p>
comment	<p>840 comment by: <i>Luftsportverband Rheinland Pfalz</i></p> <p>Non commercial operations: Selbstkostenflüge mit maximal 4 Personen müssen in der Definition nichtgewerblich enthalten sein. Mit diesen Flügen wird vielen Bürgern, kostengünstig ermöglicht an einem sehr individuellen Erlebnis "Fliegen" teilzuhaben. Es wäre sehr schade und dem Luftsportgedanken abträglich, wenn solche kostengünstige Selbstkostenflüge nicht mehr möglich wären. Diese Flüge fördern in der Bevölkerung auch die Akzeptanz für die gesamte Luftfahrt. Menschen, die der Luftfahrt verbunden sind, haben weniger Probleme mit Lärm oder anderen Beeinträchtigungen durch die gesamte Luftfahrt.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by Implementing Rules.</p>
comment	<p>862 comment by: <i>Stefan Kramer</i></p> <p>Gastflüge gegen Erstattung der Selbstkosten müssen weiterhin möglich sein.</p>
response	<p><i>Noted</i></p>

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by Implementing Rules.

comment

878

comment by: ASW-27B

Passagierflüge im Verein zum Selbstkostenpreis müssen nach wie vor möglich sein. Nur so ist es möglich, immer wieder Interessenten für den Luftsport zu gewinnen.

response

Noted

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by Implementing Rules.

comment

938

comment by: Hubert Raaf

Selbstkostenflüge müssen weiterhin möglich sein, zur Gewinnung von Freunden und Nachwuchs für den Luftsport.

response

Noted

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by these Implementing Rules.

comment	<p>1037 comment by: <i>Jan MICZAIKA</i></p> <p>This text should be modified to allow holders of a LPL to carry up to 4 persons paying a total fee equal to the actual cost of the flight.</p> <p>This would allow the current practice of aero clubs to finance their flying by taking people for short flights around the airport.</p>
response	<p>Not accepted</p> <p>Thank you for your opinion.</p> <p>The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.</p>

comment	<p>1140 comment by: <i>Schäfer</i></p> <p>Es muß für einen Luftsportverein möglich sein Passagierflüge zum Selbstkostenpreis und zur Förderung des Luftsports weiterhin durchführen zu können. Schließlich rekrutiert sich eine große Anzahl der gewerblichen Piloten aus den Luftsportvereinen.</p>
response	<p>Noted</p> <p>Thank you for your opinion.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.</p> <p>For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.</p>

comment	<p>1165 comment by: <i>Thomas Reusch</i></p> <p>Selbstkosten des Passagierfluges müssen berechnet werden können zur Förderung des Luftsports und in Übung Haltung des Piloten.</p>
response	<p>Noted</p> <p>Thank you for your opinion.</p>

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment

1192

comment by: *Karge*

Zur Förderung des Luftsports müssen unter Selbskostenerstattung zulässig sein.

response

Noted

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by these Implementing Rules.

comment

1236

comment by: *Aeromega*

The concept of the BLPL and LPL is a nonsense for helicopters. It will lead to a 2 tier system whereby the lower level will be favoured by students due to cost. It will be unenforcible and difficult to police as helicopters, by definition do not operate from aerodromes. Once an owner has a helicopter, he can attempt to land almost anywhere even though he has not be trained to do so - he therefore should be fully trained in all off airfield techniques before being allowed to hold a licence. I therefore propose that the PPL (H) be the minimum level of helicopter licence.

It would also place examiners in a difficult position as they would be required to pass a candidate based on his performance against the LPL syllabus knowing full well that he is not equipped to make or handle precautionary landings.

The LPL syllabus assumes that by restricting a pilot to a 50km radius from base, he will never have to make a traffic avoiding turn - i.e. a steep turn, he will never land or take off on uneven or sloping ground, he will never inadvertently enter cloud or have to make a precautionary landing. This will inevitably lead to greater accidents and casualties.

This licence should be removed from the document for helicopters as it constitutes a direct lowering of safety standards.

response

Partially accepted

Thank you for providing your opinion.

The Agency has reviewed the comments received on the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete the Basic LPL(H) or to change it completely (adding further limitations or additional training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.

The full LPL with 45 hours training which is quite close to the PPL(H) training syllabus and skill test (see AMC material) but with reduced medical standards will be kept.

It should be mentioned that it was decided to reduce the total amount of flight training for the LPL(H) to 40 hours based on the fact that the PPL(H) training syllabus includes 5 hours instrument training.

comment

1390

comment by: *Wilfried Müller*

Sightseeing flights on no profit basis should be for LPL allowed.

These flights are non commercial and based upon cost of fuel, insurance and aircraft depreciation. Such flights are important to help to finance our clubs cost budget. Additionally it helps to keep good neighbourhood to avoid or reduce anti airfield activities.

LPL sightseeing flights should be limited to a maximum of 4 persons per aircraft.

Wilfried Müller 11-27-2008

response

Noted

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment

1474

comment by: *Stephan Johannes*

Sehr geehrte Damen und Herren,

ich halte es für notwendig, dass auch LPL Piloten, Selbstkostenflüge bis max. 4 Personen, im nicht gewerblichen Bereich durchführen können. Die Vereine benötigen die Selbstkostenflüge zur Mitgliedergewinnung und zur Förderung des Luftsports.

	<p>Mit freundlichem Gruß Stephan Johannes</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.</p>
comment	<p>1597 comment by: <i>Helikopter Air Transport GmbH / Christophorus Flugrettungsverein</i></p> <p>STATEMENT To restrict the holder of a Basic LPL(H) to fly only within a radius of 50 km around the aerodrome of departure without the privilege for intermediate landings (outside landing, other aerodrome) makes the LPL useless, uncomely and leads to more air traffic density (safety, noise) around the airports.</p> <p>PROPOSAL Beside the useful requirements regarding the type and weight of helicopter, holder of the Basic LPL(H) shall be limited to domestic flights and privileged to land on other aerodromes or outside of aerodromes (according national law).</p>
response	<p><i>Not accepted</i></p> <p>See response for comment 366.</p> <p>FCL.105 is dealing with the privileges and conditions for the holder of an LPL in general and not with the privileges of the Basic LPL as such. These privileges of the Basic LPL are contained in FCL.105.BA/H.</p> <p>The Agency does not agree with the proposed limitation to "domestic flights" and the extension of privileges regarding the use of aerodromes.</p> <p>The Agency has reviewed all the comments received on the Basic LPL and the LPL for helicopters carefully. A huge amount of stakeholders is proposing to delete the Basic LPL(H) or to change it completely (adding further limitations or additional training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.</p> <p>The full LPL with 45 hours training which is quite close to the PPL(H) training syllabus and skill test (see AMC material) but with reduced medical standards will be kept.</p> <p>It should be mentioned that it was decided to reduce the total amount of flight training for the LPL(H) to 40 hours based on the fact that the PPL(H) training syllabus includes 5 hours instrument training.</p>

comment	<p>1644 comment by: <i>Dr. Jürgen Hendricks, Bamberg</i></p> <p>Die Mitnahme von Pasagieren erst nach 10 h Alleinflug reduziert den Stress auf den Piloten während der ersten Flugstunden allein.</p>
response	<p><i>Noted</i></p> <p>FCL.105.LPL does not include any limitation for carrying passengers.</p> <p>FCL105.S contains a proposal for an LPL(S) holder only to have completed at least 10 hours as pilot-in-command before carrying passengers.</p> <p>Thank you for providing your opinion.</p>
comment	<p>1678 comment by: <i>Sven Koch</i></p> <p>LPL-Inhaber darf keine Bezahlung in nichtgewerblichem Bereich erhalten Die Voraussetzungen der Flugzeugkategorie erfüllen und die Klassen-oder Typenberechtigung mit praktischer Prüfung besitzen Text muss so gefasst sein, dass ein Pilot für seinen Verein „Selbstkostenflüge" bis maximal 4 Personen an Bord zur Förderung des Luftsports durchführen kann (Passagierflüge)</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.</p>
comment	<p>1817 comment by: <i>Bruha Oliver</i></p> <p>Aufgrund der Luftraumstrucktur in Deutschland und der bisherigen Erfahrung in der Ausbildung ist der Basic-LPL abzulehnen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not understand the the statement given regarding the airspace structure in Germany and the experience gained during pilot training. The training syllabus of the Basic LPL (see AMC material) contains the necessary elements to fly safely in different airspace categories. The theoretical knowledge exam will be the same one as for the PPL.</p> <p>As a justification is missing the Agency cannot see the problem.</p>

comment	<p>1818 comment by: <i>Dr. Schreck</i></p> <p>Dies ist kritisch zu hinterfragen! Unter FCL.100 soll gut ausgebildeten Jugendlichen die Eignung zum Führen eines Segelflugzeuges abgesprochen werden. Dagegen soll jemand mit gerade 20 Stunden Flugerfahrung ein Flugzeug mit 2000kg MTOW sicher führen können? Dies birgt ein hohes Unfallpotenzial!</p> <p>Weiter: Wenn jemand z.B. mit einer Basic LPL aus Norddeutschland in den Voralpen Raum reist, darf er dort um einen ihm unbekanntem Platz im Umkreis von 50km fliegen? Und das, obwohl er weder mit der Umgebung vertraut ist, noch genügend Erfahrung und Auszubildung hat, um im unbekanntem Gelände und evtl. ungewohnten Luftraum sicher navigieren und fliegen zu können.</p>
response	<p>Noted</p> <p>Thank you for giving us your opinion. However, the comment seems unclear and not addressing this paragraph.</p> <p>FCL.105 is dealing with the privileges and conditions for the holder of an LPL in general and not with the privileges of the Basic LPL as such. These privileges of the Basic LPL are contained in FCL.105.BA/H.</p>
comment	<p>1845 comment by: <i>Reinhard Weihermueller</i></p>
response	<p>Noted</p> <p>The comment for 1845 is missing.</p>
comment	<p>1871 comment by: <i>Markus Malcharek</i></p> <p>Dies ist kritisch zu hinterfragen! Unter FCL.100 soll gut ausgebildeten Jugendlichen die Eignung zum Führen eines Segelflugzeuges abgesprochen werden. Dagegen soll jemand mit gerade 20 Stunden Flugerfahrung ein Flugzeug mit 2000kg MTOW sicher führen können? Dies birgt ein hohes Unfallpotenzial!</p> <p>Weiter: Wenn jemand z.B. mit einer Basic LPL aus Norddeutschland in den Voralpen Raum reist, darf er dort um einen ihm unbekanntem Platz im Umkreis von 50km fliegen? Und das, obwohl er weder mit der Umgebung vertraut ist, noch genügend Erfahrung und Auszubildung hat, um im unbekanntem Gelände und evtl. ungewohnten Luftraum sicher navigieren und fliegen zu können.</p>
response	<p>Noted</p> <p>See response for comment 1818.</p> <p>Thank you for giving us your opinion. However, the comment seems unclear and not addressing this paragraph.</p> <p>FCL.105 is dealing with the privileges and conditions for the holder of an LPL in general and not with the privileges of the Basic LPL as such. These privileges of the Basic LPL are contained in FCL.105.BA/H.</p>
comment	<p>2010 comment by: <i>Lukas Grams</i></p>

	<p>Inhabern der LPL werden hier nur nicht-kommerzielle Flüge erlaubt. Dabei wird aber kommerziell so definiert, dass auch Selbstkostenflüge als kommerziell gelten.</p> <p>In vielen gemeinnützigen Vereinen sind Passagierkostenflüge aber das meistgenutzte Mittel, Öffentlichkeitsarbeit zu machen und neue Mitglieder zu werben. Außerdem stellen sie eine kleine Einnahmequelle dar, um die finanziellen Belastungen für den Flugsport in Grenzen zu halten.</p> <p>LPL-Inhaber sollten Selbstkostenflüge deshalb in dem Umfang durchführen, in dem sie nach dem Entwurf auch schon entgeltfreie Passagierflüge durchführen dürfen.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.</p> <p>For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.</p>
comment	<p><i>2067</i> comment by: <i>Verein für Luftfahrt Mönchengladbach e.V.</i></p> <p>In principle we agree with the idea that a LPL pilot should not get any remuneration for his activity of flying. In Germany we are allowed to get a kind of remuneration from a passenger that shall not exceed the original costs of the flight.</p> <p>Most of the flying clubs in Germany are non-profit organizations. We sell short sightseeing flights for interested people. Out of this people we usually recruit new members for our clubs.</p> <p>In the past there have been no known difficulties with this practice. On the one hand a private pilot can share his costs for his flights and gets more practical experience. On the other hand this is not a real commercial activity.</p> <p>The German flying clubs get difficulties to recruit new members if they aren't allowed anymore to sell short sightseeing flights. Also these flights are no real commercial activities. This due to the fact that the pilot gets no more remuneration than a free flight. We think that these activities should also be permitted in the future. On the other hand flying clubs are not able to perform sightseeing flights with commercial pilots. The training is too expensive to do it as a hobby.</p> <p>We foresee problems for the existence of flying clubs and the new blood in the area of leisure pilots. We think furthermore that a strong community of leisure pilots is the foundation for new blood in the area of commercial pilots. Our club has trained many young sailplane pilots who are now ATPL pilots or who are doing their training now to become an ATPL pilot in the near future.</p>
response	<p><i>Noted</i></p>

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment

2092

comment by: *Stefan JAUDAS*

FCL.105

Many clubs actually execute guest flights for a fee based on an "at cost" basis, both during normal flying operations and during local flight shows. These flights are an important tool of promoting flying as a sport and hobby, generating good-will with the non-flying population and attracting new members. This applies particularly to gliding and TMG flying, but due to local flight shows it is not limited to glider and TMG operation. Actually many clubs cooperate for such events, e.g. motor flying clubs providing motor planes for gliding club air shows.

The term "without remuneration" is too narrow to ensure that this practice can be continued. It should be replaced with a term that allows non-profit and promotional guest flights (as opposed to for-profit passenger flights). Indicators for non-profit and promotional guest flights could be that the aircraft is operated by a non-profit organisation (like a club) and piloted by a member of such organisation, the aircraft is not operated after an advertised flight schedule, the pilot himself is not paid for his time even if the operator (either an organisation or a private citizen) is reimbursed for fuel, depreciation of A/C, engine, propeller, etc., and other costs marked up against flight hours (insurance, maintenance, etc.), the trip does not constitute a "journey" but effectively ends where it started, even if the trip includes stop-overs and interludes with other modes of transport.

It should be kept in mind that for guest flights such hourly rates are generally nominally higher than for club members. This is due to the fact that a club member also pays in terms of services and work done for the club.

response

Not accepted

Thank you for your opinion and the proposal to replace the term "without remuneration".

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment **2168** comment by: *Oelschlaeger, Harald*

Der Text muss so geändert werden, dass ein Pilot für seinen Verein "Selbstkostenflüge" bis maximal 4 Personen an Bord zur Förderung des Lustsport durchführen kann. (Möglichkeit von Passagierflügen)

response **Not accepted**

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment **2374** comment by: *Arnold Klapp*

Inhaber einer LPL sollten Fluggäste im Rahmen von „Selbstkostenflügen“ mitnehmen können. Diese Selbstkostenflüge sind nicht gewerblich und basieren auf Kostendeckung für Kraftstoff/Versicherungen/Wartung. Solche Flüge dienen der Förderung und finanziellen Unterstützung der Vereine. Bei den Flügen sollen max.4 Personen an Bord sein.

response **Noted**

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment **2402** comment by: *Volkmar Kynast*

„Gastflüge“ und „Schnupperflüge“ haben m. E. nicht den primären Zweck, einen Flugsportverein finanziell zu stärken, sondern sie dienen vielmehr der Anreizförderung zum Fliegen.

	<p>Die EASA könnte mit der Zulassung solcher Flüge mit dazu beitragen, dass der stetige Mitgliederrückgang der letzten Jahre reduziert wird. Mein Vorschlag ist die bisherige Regelung beizubehalten (maximal 4 Personen an Bord bei „Selbstkostenflügen“).</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion. The comment is mentioning "guest flights" and "Schnupperflüge" (some kind of "trial flights"). The Agency would like to mention that the privileges described in FCL.105 do not prevent the LPL holder to do such a flight provided that no remuneration will be given.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.</p>
comment	<p>2433 comment by: <i>Dr. Horst Schomann</i></p> <p>The introduction of a Leisure Pilot License is helpful to support young people in the entrance to aviation, especially the LPL(S). After World War II we have long and good experience in Germany's flying clubs with social integration and successful instruction of youth from 14 years onwards regarding aviation. The safety aspect is covered also, there is no higher rate of mishaps compared to elder pilots in the general aviation.</p> <p>The LPL license holder as member of an aviation club (non-commercial entity) should be allowed to perform "net cost flights" with passengers after some flight time as PIC, e.g. 10 hours (see FCL.105.S). This is to support the aviation as sport and the entrance to it.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.</p>
comment	<p>2637 comment by: <i>Günter Lorenz</i></p>

Selbstkostenflüge müssen erlaubt bleiben. Wichtig für Förderung, Sponsoring, Mitgliederwerbung, auch für "in Übung-Haltung" von weniger bemittelten Piloten z.B. Schüler, Studenten, Rentnern

response

Noted

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment

2664

comment by: *barry birch*

The limit of 4000 m³ has been chosen for those with privileges of an LPL. for balloons However the number of passengers being permitted does not reflect the manufacturers recommendations for this size of balloon. It is not so safe to fly with this size of envelope without the correct loading. Therefore it should be permitted that pilot plus a maximum of 5 passengers be allowed to fly. Balloons that do not carry sufficient weight are not correctly pressurised and there is a risk in fast descents that the mouth of the envelope will close leading to an irreversible and dangerous lose of control with subsequent hard landing. Barry Birch (member BBAC)

response

Noted

Thank you for providing this comment on FCL.105.

However, it seems that this comment is dealing with the specific privileges of the LPL(B) and not with the contents of this paragraph.

The Agency does not agree on raising the amount of passengers allowed to carry with an LPL(B). Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of three passenger which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities.

The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the

BPL. Taking into account the comments received the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment 2949 comment by: *FEDERATION FRANCAISE D'AEROSTATION*

FCL105B / Privilèges

Il est prévu une certification et entretien allégé pour les ballons à air chaud jusqu'à 3600m³. Pourquoi ne pas reprendre cette valeur dans les privilèges au lieu de 4000m³. Nous demandons à ce qu'il y ait **harmonisation des volumes dans les différents textes**.

response *Partially accepted*

Thank you for providing your opinion.

The issue of the given size limitation for hot-air balloons is mentioned in several comments. The Agency agrees that the given number of passengers does not relate to the envelope size and could cause loading problems. As the Agency cannot see a need for a pure leisure pilot to carry more than three passengers it was agreed with the experts to lower the envelope size.

The Agency does not agree that the given size must correspond exactly with the numbers introduced for the ELA categories as certification and maintenance issues are not connected with the licence of the pilot but will lower the maximum envelope size for the LPL(B) pilot to 3400m³.

comment 4073 comment by: *Bernd Hein*

Hier wird vielen Vereinen die finanzielle Basis entzogen, da mit Passagierflügen die Selbstkosten des Vereins gedeckt werden, die in anderen Segmenten, z.B. Segelflug, insbesondere Jugendarbeit nicht ausgeglichen werden können. Es muß, sollte den Vereinen nicht der Garaus gemacht werden, unbedingt die Möglichkeit wie im LuftVG § 20 ausgeführt, gegeben werden, dass Flüge gegen Entgelt mit Luftfahrzeugen, die mit bis zu 4 Sitzen zugelassen sind, möglich bleiben!

response *Noted*

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment 4123 comment by: *Elmar KUEMMEL*

Hier sollte sich das Wesen meines Kommentares 4117 wiederfinden, nämlich

	<p>die Feststellung der Nichtkommerzialität eines Passagierfluges in einem Motorsegler, Segelflugzeuges oder UL.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.</p>
comment	<p>4139 comment by: <i>Max Heinz Katzschke</i></p> <p>Diese Regelung ist für den Teil des LPL und SPL nicht ausreichend; es soll eine Regelung aufgenommen werden durch die LPL- und SPL-Piloten als Beauftragte für die Luftsportvereine kommerzielle Gastflüge durchführen dürfen, bei denen dann die Haftung durch den Verein erfolgt. Der Verein versichert sich dabei durch seine (Geräte-)Sitzplatzversicherung und eine Vereins-Haftpflichtversicherung.</p> <p>Begründung: Viele Vereine brauchen für die Nachwuchsgewinnung (siehe meine Kommentare zu 2008-17b/FCL.065) die Gastflüge und haben oft gar keine oder zu wenig Piloten mit CPL. Insbesondere trifft dies auf die Segelflugvereine zu.</p> <p>Sollte die Trennung zwischen SPL und LPL(S) bleiben, werden in Zukunft nur noch sehr wenige Piloten den SPL erwerben (wozu auch, wenn man mit dem LPL(S) gleichwertig fliegen kann). Dann wird es auch keine Piloten mehr für die Durchführung von Gastflügen geben, wenn es bei der vorgeschlagenen Regel bleibt.</p> <p>Die Entscheidung über die Fähigkeit des Piloten zur Durchführung von Gastflügen sollte im Ermessen des Vereins liegen, die die fliegerischen Fähigkeiten und die Einstellung zu den "Humane Factors" des beauftragten LPL - und/oder SPL-Piloten durch den ständigen Kontakt am besten beurteilen können.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for your opinion. The comment is mentioning "guest flights". The Agency would like to highlight that the privileges described in FCL.105 do not prevent the LPL holder to do such a flight provided that no remuneration will be given.</p> <p>The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.</p> <p>For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p>

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment

4186

comment by: *SFG-Mendig*

Selbstkostenflüge müssen möglich sein, diese stellen keine Konkurrenz zur gewerblichen Luftfahrt dar, erhöhen aber deutlich das Sicherheitspolster der eingesetzten Luftfahrzeugführer aufgrund der höheren currency.

response

Noted

Thank you for your opinion.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment

4287

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.105(a)

Wording in the NPA

(a) *General*. The privileges of the holder of a LPL are to act **without remuneration** as pilotincommand in noncommercial operations within the appropriate aircraft category engaged.

Our Proposal**Change:**

(a) *General*. The privileges of the holder of a LPL are to act **without remuneration** as pilotincommand in noncommercial operations within the appropriate aircraft category engaged. **Costs may be shared**

Issue with current wording

Non commercial operations need the possibility to share costs when taking passengers.

Rationale

Non commercial operations mainly clubs need a good relationship to the communities they belong to. It is expected that residents of these communities are given the opportunity to take advantage of the capabilities of the flying club in their vicinity. If these opportunities are not accessible the clubs will have difficulties operating their airfields in the community. It will be too costly for the club to give away rides for free. Despite of Article 3 (i) of the basic regulation this minimum non profit activity should not be in conflict with the basic regulation. It is unrealistic to forbid any kind of compensation and it jeopardizes non commercial operations. See also our general **comment 3250 Nr. 1. and 4. .**

response

Not accepted

Thank your for your opinion and the proposal to add: "costs may be shared".

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

comment

4288

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.105(a)

Wording in the NPA

(a) *General*. The privileges of the holder of a LPL are to act **without remuneration** as pilotincommand in noncommercial operations within the appropriate aircraft category engaged.

Our proposal**Add:**

(c) Notwithstanding the paragraph (a), the holder of a LPL(A) may receive remuneration for the provision of flight instruction for the LPL(A).

Issue with current wording

Instructors must be allowed to receive compensation for there engagement to a certain extent. LPL holders should not be treated different in this point than PPL and SPL holders.

Rationale

Internally clubs have various compensation schemes for the various contributors in the club. Instructors are usually included in these schemes. E.g. the club requires each member to contribute a certain number of work hours to the various services of the club. Instructors are credited against these required hours for their instruction activity. Others are compensated with free flying time. So compensation can not be completely avoided in the non commercial operations.

response

Not accepted

Thank your for your opinion and the proposal to add some additional privileges for the LAFI.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it. Consequently the LAFI cannot provide training against

remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

comment 4502

comment by: *FFK*

I want to have Microflight aeroplanes. Can they fly cessna 152 the could also fly a microlight that is not more complicated to fly.
You should be allowed to count flighthours for your PPL or LPL when you fly microlight.

Once again we are flying in the same air with simular airplanes.

Except for those microlight that you steer with your weight (trikes etc)

response *Noted*

This paragraph contains the privileges and conditions for the LPL.
It seems that the comment should be adressed to another paragraph (e.g. the crediting of flight hours).

Due to the fact that microlights are mentioned in Annex II of the EU Regulation 216/2008 to be excluded from the future Implementing Rules for Licensing consequently no credit for experience on microlights was given for the LPL.

Reviewing all the comments received the Agency reconsidered this issue and came to the conclusion that certain prior flight experience should be credited when starting with the training for an LPL. Based on a pre-entry flight test the amount of credit shall be decided by the ATO (up to a certain maximum). The text of the relevant paragraphs (FCL.110.X Experience requirement and crediting) will be amended accordingly.

comment 4569

comment by: *Patrick Diewald*

Ich betreibe Luftsport im Verein. Passagierflüge stellen für unseren Verein ein wichtiges Standbein dar und sichern damit auch die Existenz unseres Vereins. Daher muss meiner Meinung nach der Abschnitt "are to act without remuneration" umformuliert werden. Es sollte mit aufgeführt werden, dass "Flüge mit bis zu drei Passagieren, zu Selbstkostenpreisen, zur Förderung von Vereinen, erlaubt sind.

response *Not accepted*

Thank your for your opinion and the proposal to add: "flight against some kind of cost sharing with a maximum of 3 passengers".

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

comment 4759 comment by: *ECA- European Cockpit Association*

Delete the word:
General. The privileges of the holder of a LPL are to act without remuneration as pilot in command in noncommercial operations within the appropriate aircraft category ~~engaged~~.
 Justification:
 For editorial purposes.

response *Accepted*

Thank you for sending this editorial remark.
 The text will be changed accordingly.

comment 4924 comment by: *Prof. Dr. Alexander Bubenik*

FCL.105 (a) General. The privileges engaged. Flights carrying passengers in order to attract them to aviation, only compensating prime costs within the scope of a non-profit organisation should be considered as non-commercial operations.

Refer also to comment #5003!

response *Not accepted*

Thank your for your opinion and the proposal to additional privileges. It has to be stated that the LPL holder will be allowed to do "flights carrying passengers in order to attract them to aviation". Nothing will prevent the LPL holder to do this but no remuneration has to be paid for these flights.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

See response for comment 5003.

comment 5094 comment by: *Dieter Zimmermann*

Zu FCL.105, Absatz (a):
 Der Begriff "remuneration" ist missverständlich und passt in diesem Zusammenhang nicht zu durchaus üblichen Gepflogenheiten des allgemeinen Lebens.

Der Absatz ist wie folgt zu formulieren: Der Inhaber eines LPL darf weder beruflich noch gewerblich als verantwortlicher Pilot im Rahmen des LPL tätig werden. Eine Erstattung der Selbstkosten des Fluges an ihn oder einen dritten ist gestattet.

response *Not accepted*

Thank your for your opinion and the proposal not to use the term "without remuneration" but to add the term that the LPL holder "is not allowed to act in commercial operations".

The Agency cannot see the difference between the proposed wording and the proposal provided with this comment. The definition given by the EU regulation 216/2008 for commercial operation uses the term "remuneration". Furthermore ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL: "the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as ..."

Taking this into account it leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

comment

5394

comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

a) The paragraph should take over the complete meaning of the 2016-2008 article 3 i to make it really clear.

response

Not accepted

Thank your for your opinion and the proposal to add the definition for commercial operation given by the EU Regulation 216/2008.

The Agency is of the opinion that the wording of this paragraph clearly describes the privileges. No additional explanation or repetition seems necessary.

A similar wording is used in ICAO Annex 1 (paragraph 2.3.2.1.) to explain the privileges for the PPL.

comment

5697

comment by: *barry birch*

If an LPL is flying a balloon for example with the name of a sponsor but is not being paid for this or being told where to fly then this should not be considered as 'commercial' reward and they should have the privilege of doing this.

response

Noted

Thank your for your opinion.

Nothing will prevent the LPL holder to fly a balloon with a logo on the

envelope but no remuneration has to be received for these flights.

The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for all flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it. (the BPL with the commercial privilege will allow to do so)

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be categorised as commercial operation or not (e.g. the evaluation if a sponsoring activity has to be seen as remuneration or not) cannot be provided by the Implementing Rules.

comment

5925

comment by: *Luftsport-Verband Bayern*

Eine Klarstellung ist erforderlich, dass unter "Remuneration" lediglich die Entlohnung der Dienstleistung und nicht ein Kostenbeitrag zu den Betriebskosten des Lfz. zu verstehen ist. Eine Erstattung tatsächlich entstandener Kosten muß möglich sein.

response

Not accepted

Thank your for your opinion and the proposal to add a term allowing some kind of cost sharing for guest flights.

The definition given by the EU regulation 216/2008 for commercial operation uses the term "remuneration". Furthermore ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL:

"the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as ..."

Taking this into account it leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.

For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by Implementing Rules.

comment

6130

comment by: *David COURT*

What does "without remuneration" and "non-commercial" mean?

In the Basic Regulation and NPA 2009 02a the term "valuable consideration" has also been used to try to define these.

Is a sponsored balloon which is provided to a pilot "valuable consideration".

If the pilot is not paid to fly and is not told where and when to fly by the sponsor this should be allowed on the LPL(B). Many private pilots rely on sponsorship at this level to keep their costs to an acceptable level. They are not operating under the control of the sponsor and are not being paid.

	<p>If this is left to individual NAAs to rule on then we could have the same rule applied differently in different member states. That would be unfair and certainly not the "level playing field" we have been promised by EASA.</p>
response	<p><i>Noted</i></p> <p>It is not the responsibility of the Agency to provide a definition for the term "without remuneration".</p> <p>The definition given by the EU regulation 216/2008 for commercial operation uses the term remuneration.</p> <p>Taking the given definition into account it leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it. (the BPL with the commercial privilege will allow to do so).</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be categorised as commercial operation or not (e.g. the evaluation if a sponsoring activity has to be seen as remuneration or not) cannot be provided by the Implementing Rules.</p> <p>Nothing should prevent the LPL holder to fly a balloon with a logo on the envelope if no remuneration has been received for these flights.</p>
comment	<p>7390 comment by: <i>Ann Herdewyn</i></p> <p>Corning hot air balloons</p> <p>I can't see why LPL ballooning pilots can't get any remuneration as pilot in command. There is a restriction anyway on the total amount of passengers (max 3), also the volume is restricted and finally with a LPL license it is prohibited to fly with publication on the balloon.</p> <p>When the restriction is put on 3 passengers, an LPL never can be in competition with a CPL. Safety is not an issue as well: there is no difference in safety or insurance if you fly passengers who pay or doesn't pay.</p> <p>I'm really concerned of the existence in the future of LPL or in other words 'sportsballoonists' if they can't get any remuneration as well. Ballooning is very expensive, with a regulation like this it soon will be privileged to a very very small amount of people.</p>
response	<p><i>Noted</i></p> <p>The definition given by the EU regulation 216/2008 for commercial operation uses the term remuneration to define a commercial operation. Consequently the Agency came to the conclusion that a pilot would need a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it. The BPL with the commercial privilege will allow to do so.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind</p>

of operation must be categorised as commercial operation or not (e.g. the evaluation if a sponsoring activity has to be seen as remuneration or not) cannot be provided by the Implementing Rules.

Nothing will prevent the LPL holder to fly a balloon with a logo on the envelope if no remuneration has been received for these flights.

comment

7399

comment by: *Peter van Harten*

The proposal of allowing a pilot with an LPL flying a 140.000 cu ft. balloon is indicated why ?? If the reason is, so that our French colleague balloonist can fly with three passengers over the Alps, this reason is suggestive, because also the Dutch pilots are NOT able to take three passengers in their 105.000 cu ft. balloon, as it now is.

I think that an LPL should be limited to maximum three passengers, and the balloon who is committing this, should be maximal a 105.000 cu ft. balloon. Although a driver only takes three passengers, he is not allowed to drive a bus. So limit not only the passengers, but also the size of the balloon.

response

Partially accepted

The comment is adressed to the wrong paragraph. FCL.105.B defines the privileges of the holder of an LPL for balloons whereas this paragraph defines the privileges of the LPL in general.

The Agency has taken the comments on the maximum envelope capacity into account and will change the figure contained in FCL.105.B accordingly.

Consequently the group distinction for the BPL will be changed also.

comment

7482

comment by: *A. Mertz*

Selbstkostenpassagierflüge (mit Flugzeugen wie in FCL.105 A) definiert, sowie eine Aufwandsentschädigung (sachleistung oder monetär) für Fluglehrer (LAFI) und Schlepppiloten muss auch in der Freizeitluftfahrt möglich sein. Ansonsten besteht die große Gefahr, dass diese Leistungen nicht mehr in den ehrenamtlichen Vereinsstrukturen erbracht werden können.

Um langwierige Rechtsstreitigkeiten zu vermeiden (Welche gegenleistungen zählen als "remuneration" und welche nicht ?) sollte in der Formulierung auf Begrifflichkeiten zurückgegriffen werden, die im Steuerrecht schon geklärt sind.

Eine solche Formulierung wäre: "...are to act without remuneration... Expense allowances may be paid."

response

Not accepted

Thank your for your opinion and the proposal to add: "costs may be shared" and an additional privilege for the LAFIs to instruct against remuneration.

The definition given by the EU regulation 216/2008 uses the term remuneration to define a commercial operation. Consequently the Agency came to the conclusion that a pilot would need a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will

lead to the conclusion that no flight against remuneration can be performed with it. The BPL with the commercial privilege will allow to do so.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be categorised as commercial operation or not (e.g. the evaluation if a sponsoring activity has to be seen as remuneration or not) cannot be provided by Implementing Rules.

comment 7484

comment by: *Luc Herdewijn*

I fly my balloon for fun With a maximum of 3 passengers i earn a part of the costs back. I see this as a commitment in the costs not as an earning. I shall never earn enough to cover all my costs. But to do it like this i have a nice hobby which i can effort.

response *Noted*

The definition given by the EU regulation 216/2008 for commercial operation uses the term remuneration to define a commercial operation. Consequently the Agency came to the conclusion that a pilot would need a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it. The BPL with the commercial privilege will allow to do so.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be categorised as commercial operation or not (e.g. the evaluation if a sponsoring activity has to be seen as remuneration or not) cannot be provided by these Implementing Rules.

comment 7716

comment by: *Reinhard Heineking*

Einem LPL Piloten muss es erlaubt sein, Gastflüge bzw. Passagierflüge durchzuführen, bei denen er selbst kein Einkommen erzielt (daher nicht kommerziell), obwohl die Gäste einen Beitrag zur Kostendeckung durch Ticketkauf beim Verein leisten. Der Preis des Tickets muss nachweislich so kalkuliert sein, dass die tatsächlich entstehenden Sachkosten des LFZ gedeckt werden, aber kein Gewinnanteil für den Halter/Betreiber/Verein vereinnamt wird. Unter dieser Voraussetzung liegt kein gewerbl. Betrieb des LFZ vor.

Dieser Sachverhalt sollte in FCL.105 zum Ausdruck gebracht werden.

Reinhard Heineking FI JAR_FCL PPL(A), TMG, GPL

response *Not accepted*

Thank your for your opinion.

The definition given by the EU regulation 216/2008 uses the term remuneration to define a commercial operation. Consequently the Agency came to the conclusion that a pilot would need a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed

with it. The BPL with the commercial privilege will allow to do so.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be categorised as commercial operation or not (e.g. the evaluation if a sponsoring activity has to be seen as remuneration or not) cannot be provided by these Implementing Rules.

comment

7863

comment by: *Svenska Ballongfederationen*

FCL.105 LPL – Privileges and conditions

(a) We assume that remuneration in this case does not include the case of balloons with a brand on the envelope or banners with brands attached to the balloon when the balloon is operated by private pilots, balloon clubs or balloon societies. This needs to be specified and be clear after reading this paragraph. A big part of all Swedish balloons are sponsored, either with a brand on the balloon itself or with brands on banners attached to the balloon. The balloons are operated without any personal profit. All money from the sponsor goes into the balloon itself and the cost inherent with operating the balloon. The main point is that this should not be considered commercial flight and should not require a commercial BPL. A LPL(B) (or non commercial BPL) should cover this. If this is considered commercial flight the main part of Swedish private balloon pilots will loose their hobby.

response

Noted

Thank you for giving us your opinion.

The definition given by the EU regulation 216/2008 for commercial operation uses the term remuneration to define a commercial operation. Consequently the Agency came to the conclusion that a pilot would need a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it. The BPL with the commercial privilege will allow to do so.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be categorised as commercial operation or not (e.g. the evaluation if a sponsoring activity has to be seen as remuneration or not) cannot be provided by these Implementing Rules.

comment

7979

comment by: *HeliAir Ltd*

WE welcome a simple and customer friendly entry license - our challenge is, as always, to help these people not KILL themselves -

Overprescriptive rules encourage people to believe that compliance is sufficient to prevent their death. It is not - and self checking is essential - pilots will not survive without common sense.

This license could be the PPL - the restrictions could apply like a provisional license

So after 200 hours - or 1000hrs or 100hr or *anything* sensible restrictions removed - possibly subject to further flight test...

	(that would be a purpose of a log book...)
response	<i>Noted</i> Thank you for providing your opinion.

comment	<p>8029 comment by: <i>European Sailplane Manufacturers</i></p> <p>The European sailplane manufacturers do not accept the limitation to non-commercial operations.</p> <p>Example: Renting a glider could easily qualify as commercial operation in the definition of 216/2008. If a LPL does not allow such sort of operation then it is useless.</p> <p>It is accepted that a LPL should not be used to earn money. But the existing definitions (commercial operations or commercial air transport) are simply unsuitable to define this.</p>
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response	<p><i>Noted</i></p> <p>Thank you for giving us your opinion.</p> <p>The definition given by the EU regulation 216/2008 for commercial operation uses the term remuneration to define a commercial operation. Consequently (this is also in line with the privilege for the PPL defined in ICAO Annex 1) the Agency came to the conclusion that a pilot would need a commercial privilege (e.g. SPL with a commercial privilege) or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.</p> <p>A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be categorised as commercial operation or not (e.g. if renting of an aircraft has to be seen as remuneration or not) cannot be provided by the Implementing Rules.</p> <p>However, the Agency considers that there are lot more activities not related to any remuneration which can be performed with the LPL(S) and will keep the concept in general.</p>
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comment	<p>8175 comment by: <i>Alouette Flying Club</i></p> <p>In the interests of safety, I would strongly urge EASA to modify the proposed privileges of the LPL holder to allow landings within the 50km area, not only in emergency, but also for the experience of landing at airfields other than the one where they were trained. To allow any pilot to make their first landing at a strange airfield only in case of emergency is implies that they will be carrying out a strange (to them) procedure when under considerable stress.</p> <p>Over many years Human Factors Specialists have made inputs to training material in order to ensure that such situations are very unlikely to occur</p>
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response	<p><i>Noted</i></p> <p>Thank you for providing your comment on the restriction for local flights with</p>
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the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the LPL. The different options were discussed and it was finally decided to delete the Basic LPL for helicopters. It seems that the helicopter community does not agree to the proposal to introduce a sub JAR-FCL helicopter licence and that the limited privileges (as mentioned also in your comment) are not accepted.

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. Taking into account the wish of some stakeholders who proposed to extend the privileges to intermediate landings and further cross country training would only be possible if further training elements would be added. This would then lead immediately to the full LPL.

comment

8183

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

Für "Selbstkostenflüge" sollten die bisherigen Regelungen erhalten bleiben. Für die "untere soziale Schicht" im Kreis der Privatpiloten ist diese Regelung "die" einzige Möglichkeit Flugerfahrung und -übung zu bekommen um damit eventuell auch so viele Flugstunden zu sammeln, um einen Berufspilotenschein zu erlangen (auch ohne Airline-Ausbildung).

response

Noted

Thank you for giving us your opinion.

The definition given by the EU regulation 216/2008 for commercial operation uses the term "remuneration" to define a commercial operation. Consequently the Agency came to the conclusion that a pilot would need a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration. For the LPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it. The BPL with the commercial privilege will allow to do so.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be categorised as commercial operation or not (e.g. the evaluation if a sponsoring activity has to be seen as remuneration or not) cannot be provided by the Implementing Rules.

comment

8271

comment by: *Paul Mc G*

Within a radius of 50 km from the departure airfield, the Basic LPL holder should be allowed to land and take-off at another airfield as the result of the potential unavailability of the 'base' airfield, due to weather or sudden closure. As the amendment reads at present, is this actually dangerous or just weird?

response

Noted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum

training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as a cheap "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (french Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training will be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the mentioned case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are typical emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should be dangerous if pilots will accept to conduct the flights within the given limits of their privileges (responsibility and airmanship).

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL.

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 1: Common Requirements - FCL.110 LPL – Crediting for the same aircraft category

p. 11

comment 14

comment by: *Sport Pilot Group (Malta)*

The new Leisure Pilot Licence should immediately become a pan-European licence available to pilots who intend to fly ultralight/microlight aircraft as described under Annex II (e) & (f) of the Basic Regulation EC216/2008.

It would be irrational and beyond comprehension if this class of recreational pilot is completely left out from the new implementing rules when on the other hand provisions are being made to grant LPL to pilots flying Touring Motor Gliders (TMG), sailplanes and even balloons!!

It would be unfair to exclude ultralights pilots from the new LPL especially when one remembers that although these aircraft are Annex II they are still required to comply to the stringent insurance requirements under EC 745/05.

Irrespective of the fact that microlight aircraft fall under Annex II, ultralight pilots who are currently holders of national licences or certificates such as the UK CAA NPPL (M) and the italian Attestato VDS should be given grandfather rights to convert their existing licences or certificates up to the new proposed LPL with full credit of their logged flight time and theoretical knowledge.

It should be noted that although there might be some resistance by ultralight pilot associations such as EMF, this should not be at the detriment to all the

other ultralight pilots who wish to conform to one common European standard rather than a rely on the limited national licences currently available.

One aspect that might have escaped the Working Group is the consideration of the Sport Pilot Licence as a sub category of the LPL giving the possibility of pilots to fly two-seater aircraft (including ultralights) up to a MTOM of 600kgs. This suggestion should be considered as an alternative to replace the proposed Basic LPL.

Furthermore the 50km limitation on the Basic LPL should be extended to a minimum of 120kms because in the case of Malta based pilots the nearest European mainland (Sicily) lies at a distance of 100kms. If this is not extended then Maltese pilots holding a Basic LPL would be trapped on the island without possibility for them to fly away from Malta!!!

response *Noted*

Thank you for giving us your opinion.

As already mentioned in the comment the EU Regulation 216/2008 provides some clarification on the issue of future requirements for Annex II aircraft.

Article 4 of this Basic Regulation (BR) defines the basic principles and applicability of the BR. Paragraph 5 of this article clearly states that the requirements of this regulation regarding pilot licensing do not apply to Annex II aircraft (exception: when used for commercial air transport). Annex II itself defines further the different categories of Annex II aircraft and mentions under item (c)(v) land planes below 472,5 kg MTOM (or 315 kg MTOM if single seater). This is clearly the aircraft category of microlight aeroplanes the comment is referring to.

The Agency has to develop Implementing Rules which reflect the basic principles of the Basic Regulation, therefore no specific LPL category for microlights has been developed. The Member States will have to implement a national licensing system for Annex II aircraft. As long as microlights are categorised as Annex II aircraft the future licensing requirements will not apply.

However, it has to be highlighted that the requirement FCL.110 is dealing only with the crediting for the same aircraft category. Based on the comments received the Agency has decided to change the text in order to clarify the issue. To provide an example: If a pilot has held a CPL(Aeroplanes) or a PPL(Aeroplanes) he will be fully credited towards the requirements of the LPL(Aeroplanes) except for the skill test on a TMG or SEP aeroplane. The Agency will change the text accordingly.

As explained before the conversion of national licences into the future European licence is not covered by this requirement and will be regulated by the Annex IV to the Implementing Regulation and the Cover Regulation for Part-FCL. It will be up to the Member States to decide which categories of national PPLs will fulfil the minimum requirements to be converted into such a European leisure pilot licence.

A different issue will be the crediting for flight time on microlights for starting the training for the LPL. The Agency has decided to accept a certain amount of previous flying experience on the basis of a pre-entry test within an ATO before starting the training. You will find the changes in the resulting text for

the different paragraphs (for example FCL.110.A)

The additional comment on the privileges of the Basic LPL(A) should be addressed to FCL.105.BA/H. Please check the responses given by the Agency on this paragraph and the resulting text of the Implementing Rules.

comment

80

comment by: *Aero Club Malta*

Here provision should be made for all those pilots holding national microlight/ultralight licences or certificate to have their full logbook hours credited on to the new LPL.

Although the EMF seems to be strongly resisting - it is worth nothing that no all EU states have their own national microlight licence hence the introduction of the LPL will provide them with a great opportunity to have a pan-European licence without any border limitations which is the most serious limitation of existing national licences/certificates. It is to be remembered that not all countries have representatives in EMF and not all the claimed 37,000 EMF 'members' want to be excluded from the new EASA proposals.

response

Noted

Thank you for giving us your opinion.
Please see response for comment No. 14.

comment

462

comment by: *Geschäftsführer Luftsportverband RP*

zu (a): Wenn Anerkennung in "the same category of aircraft" stattfindet, dann muss auch die dokumentierte Ultraleichtflugzeit hier Anerkennung finden. Es hat mit Flugsicherheit und Praxis nichts zu tun, wenn sich ein Flugzeug mit 472,5 kg oder 560 kg nur im Gewicht unterscheidet. Darüber hinaus hat sich in der deutschen LuftPersV bewährt, dass in so einem einfachen Schein, wie der LPL es zukünftig sein wird, alle Flugzeiten anerkannt werden. Der Satz a) sollte daher ergänzt werden:

(a) Applicants ...of aircraft including appendix 2 aircraft.

zu (b): wenn eine Berechtigung länger als 1 Jahr abgelaufen ist, dann sollte die praktische Prüfung entfallen (ist nur Kostenfaktor) stattdessen sollten in der jeweiligen Section die Recency requirements mit Fluglehrer und/oder unter Aufsicht eines Fluglehrers zum Tragen kommen.

(b)Without prejudice to the paragraph above, if the applicant`s licence has lapsed, he/she shall complet the conditions for recency requirements.

response

Not accepted

Thank you for giving us your opinion.

As already mentioned in the comment the EU Regulation 216/2008 provides some clarification on the issue of future requirements for Annex II aircraft.

Article 4 of this Basic Regulation (BR) defines the basic principles and applicability of the BR. Paragraph 5 of this article clearly states that the requirements of this regulation regarding pilot licensing do not apply to Annex II aircraft (exception: when used for commercial air transport). Annex II itself

defines further the different categories of Annex II aircraft and mentions under item (c)(v) land planes below 472,5 kg MTOM (or 315 kg MTOM if single seater). This is clearly the aircraft category of microlights the comment is referring to.

The Agency has to develop Implementing Rules which reflect the basic principles of the Basic Regulation, therefore no specific LPL category for microlights has been developed and no additional requirement to include microlight flying time for the crediting between different categories can be incorporated.

However, it has to be highlighted that the requirement FCL.110 is dealing only with the crediting for the same aircraft category. Based on the comments received the Agency has decided to change the text in order to clarify the issue. To provide an example: If a pilot has held a CPL(Aeroplanes) or a PPL(Aeroplanes) he will be fully credited towards the requirements of the LPL(Aeroplanes) except for the skill test on a TMG or SEP aeroplane. The Agency will change the text accordingly.

A different issue will be the crediting for flight time on microlights for starting the training for the LPL. The Agency has decided to accept a certain amount of previous flying experience on the basis of a pre-entry test within an ATO before starting the training. You will find the changes in the resulting text for the different paragraphs (for example FCL.110.A)

In (b) the issue of a "lapsed" PPL / CPL or ATPL licence is covered. If this licence has lapsed for more than 1 year the pilot who applies for the LPL shall have to pass the skill test for the LPL in the appropriate category. The Agency cannot see the purpose behind the proposal of accepting flights with (or under supervision of) an instructor and will not change the text.

comment

607

comment by: *British Microlight Aircraft Association*

(a) Agreed assuming that national licences can carry the credit as well as JAA licences.

Accepted

response

Noted

Thank you for giving us your opinion.

However, it has to be highlighted that the requirement FCL.110 is dealing only with the crediting for the same aircraft category. Based on the comments received the Agency has decided to change the text in order to clarify the issue. To provide an example: If a pilot has held a CPL(Aeroplanes) or a PPL(Aeroplanes) he will be fully credited towards the requirements of the LPL(Aeroplanes) except for the skill test on a TMG or SEP aeroplane. The Agency will change the text accordingly.

A different issue will be the crediting for previous flight experience in other aircraft categories for starting the training for the LPL. The Agency has decided to accept a certain amount of previous flying experience on the basis of a pre-entry test within an ATO before starting the training. You will find the changes in the resulting text for the different paragraphs (for example FCL.110.A)

The conversion of national licences into the future European licence is not

covered by this requirement and will be regulated by the Annex IV to the Implementing Regulation and the Cover Regulation for Part-FCL. It will be up to the Member States to decide which categories of national PPLs will fulfil the minimum requirements to be converted into such a European LPL.

comment

841

comment by: *Luftsportverband Rheinland Pfalz*

FCL 110 a) Aerodynamisch, dreiachs - gesteuerte UL Flugzeuge unterscheiden sich nur unwesentlich von kleinen motorgetriebenen Flugzeugen. Mit diesen Flugzeugen können relativ kostengünstig Erfahrungen und Flugzeiten gesammelt werden. Aus diesem Grund müssen auf aerodynamisch gesteuerten Ultraleichtflugzeugen durchgeführte und im Flugbuch dokumentierte Flugzeiten für den LPL anerkannt werden.

b) Alternativ zum "skill-test" muss es wie in den bisherigen deutschen Regelungen möglich sein, Flugzeiten unter Aufsicht eines Fluglehrers nachzuholen. Die von mir vorgeschlagene Regelung, ist aus pädagogischer Sicht sinnvoller, da die Flugerfahrung über einen längeren Zeitraum unter der Aufsicht eines Fluglehrers eine wesentlich besseren Erfahrungsgewinn bedeutet und von dem Fluglehrer besser gewertet und bei Bedarf korrigiert werden kann, wie ein Skill Test. Kein Fluglehrer wird einen unsicheren Kandidaten alleine fliegen lassen. Der Skill Test hat seinen Sinn als Alternative, für die Piloten, die a) nicht in einem Verein gebunden sind, b) mit den jeweiligen Fluglehrern (oder sich selbst) Probleme haben oder c) die Erneuerung beschleunigen wollen.

...to pass a skill test or ...oder

Formulierungsvorschlag:

holt die zur Erneuerung der Lizenz notwendigen Starts und Stunden unter Aufsicht eines Fluglehrers nach

response

Partially accepted

Thank you for giving us your opinion.

As already mentioned in the comment the EU Regulation 216/2008 provides some clarification on the issue of future requirements for Annex II aircraft.

Article 4 of this Basic Regulation (BR) defines the basic principles and applicability of the BR. Paragraph 5 of this article clearly states that the requirements of this regulation regarding pilot licensing do not apply to Annex II aircraft (exception: when used for commercial air transport). This is clearly the aircraft category of microlights the comment is referring to.

The Agency has to develop Implementing Rules which reflect the basic principles of the Basic Regulation, therefore no specific LPL category for microlights has been developed and no additional requirement to include microlight flying time can be incorporated.

However, it has to be highlighted that the requirement FCL.110 is dealing only with the crediting for the same aircraft category. Based on the comments received the Agency has decided to change the text in order to clarify the issue. To provide an example: If a pilot has held a CPL(Aeroplanes) or a PPL(Aeroplanes) he will be fully credited towards the requirements of the LPL(Aeroplanes) except for the skill test on a TMG or SEP aeroplane. If he/she holds or has held an SEP or TMG class rating which has not lapsed for more than 1 year he/she will be credited also for the skill test. The Agency will

change the text accordingly.

A different issue is the crediting for flight time on microlights for starting the training for the LPL. The Agency has decided to accept a certain amount of previous flying experience on the basis of a pre-entry test within an ATO before starting the training. You will find the changes in the resulting text for the different paragraphs (for example FCL.110.A).

The second part of the comment seems to deal with the revalidation of a licence or rating (in the case of the LPL: currency requirement). The Agency agrees that for fulfilling the recency requirement (e.g. FCL.140.A) the LPL holder should be allowed to fly the required hours with or under supervision of the instructor. The Agency will add a requirement allowing this. See the responses and the for the relevant paragraphs.

comment

863comment by: *Stefan Kramer*

Im Falle der länger als ein Jahr abgelaufenen Lizenz ist eine Nachholung der Voraussetzungen unter Aufsicht eines Fluglehrers ausreichend. Die Wiederholung der Praktischen Prüfung ist in diesem Fall übertrieben.

response

Not accepted

Thank you for giving us your opinion.

In (b) the issue of a "lapsed" PPL / CPL or ATPL licence was covered. In the original text this requirement contained that if a licence/rating has lapsed for more than 1 year the pilot who applies for the LPL shall have to pass the skill test for the LPL in the appropriate category. The Agency cannot see the purpose behind the proposal of accepting flights with (or under supervision of) an instructor. It should be also mentioned that the text of this requirement will be changed to clarify the issue. The new wording will ask for a skill test without differentiation if the licence and rating is valid or not.

See also the additional information given to comment No 841. It seems that this comment is referring to another issue which is addressed in a different paragraph.

comment

1166comment by: *Thomas Reusch*

Alle dokumentierten Flüge müssen auf alle Lizenzen angerechnet werden. Bei fehlenden Zeiten reicht ein das Nachholen der Zeiten unter Aufsicht eines Fluglehrers.

response

Not accepted

Thank you for providing the comment.

See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.

comment

1391comment by: *Wilfried Müller*

Recorded flight hours by Micro Lights (aerodynamically controlled) should be recognised.

	<p>Make up for missing flying time in order to endorse a license should be flown with a FI or under the supervision of a FI.</p> <p>Wilfried Müller 27-11-2008</p>
response	<p><i>Noted</i></p> <p>Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p>1426 comment by: <i>Aero Club Oppenheim e. V.</i></p> <p>Mit Anrechnung sollte auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden.</p> <p>Zur Nachholung von geforderten Flugzeiten waren bisher die Fluglehrer zuständig und haben diesen Part gewissenhaft übernommen. Deshalb sollte das Nachholen der geforderten Zeiten im normalen Verlängerungszeitraum mit oder unter Aufsicht eines Fluglehrers weiterhin genügen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p>1475 comment by: <i>Stephan Johannes</i></p> <p>Sehr geehrte Damen und Herren,</p> <p>hier sollte eingefügt werden, dass die Zeiten auf dreiachsgesteuerten UI´s mit angerechnet werden können. Sollte eine Berechtigung abgelaufen sein, so sollte es ausreichen, dass die Starts unter Aufsicht eines Fluglehrers durchgeführt werden können. Eine praktische Prüfung ist überzogen und führt nur zu einer Kostensteigerung.</p> <p>Mit freundlichem Gruß</p> <p>Stephan Johannes</p>
response	<p><i>Noted</i></p> <p>Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p>1679 comment by: <i>Sven Koch</i></p> <p>Eine Lizenz in der gleichen Flugzeugkategorie wird voll angerechnet auf andere Lizenz Bei Berechtigungsablauf länger ein Jahr ist eine praktische Prüfung notwendig</p>

	<p>Mit Anrechnung muss auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden. Das Nachholen der geforderten Zeiten im normalen Verlängerungszeitraum mit oder unter Aufsicht eines Fluglehrers muss genügen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p>2169 comment by: <i>Oelschlaeger, Harald</i></p> <p>Mit Anrechnung muss auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerte Ultraleichten anerkannt werden.</p> <p>Das NACHholen der geforderten Zeiten im normalen Verlängerungszeitraum mit oder unter Aufsicht eines Fluglehrers muss genügen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p>2375 comment by: <i>Arnold Klapp</i></p> <p>Mit der Anrechnung muss auch die dokumentierte Flugzeit mit aerodynamisch gesteuerten UL`s anerkannt werden.</p> <p>Ein Nachholen von fehlender Zeit im normalen Verlängerungszeitraum mit Fluglehrer oder unter Aufsicht eines Fluglehrers muss möglich sein und genügen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p>2654 comment by: <i>Prutech Innovation Services Ltd.</i></p> <p>SubPart B, FCL.110(b): It isn't clear if this subsection applies to a LPL that simply lapses for 1 year, after which a revalidation is sought: 12 months can quickly go by for most Leisure pilots and a full skill test should not again be required so soon in this case; perhaps 24 or 36 months or alternatively a subset of the full skill test might be appropriate.</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges your opinion but it seems that the requirement was misunderstood. This requirement deals only with the crediting of another licence in the same</p>

aircraft category for the LPL. You will find the recency requirements for the LPL (Aeroplanes) in FCL.140.A. It has to be mentioned that the concept for the LPL does not foresee a renewal procedure but it provides recency requirements instead.

comment **3006** comment by: *Cary Crawley*

How many students may be instructed simultaneously?

response *Noted*

Thank you for providing the comment but it seems that it should have been addressed to another requirement.

Concerning your question the Agency would like to highlight that only one student can be trained at a certain time but more students can be on board (not counting as instruction time for the additional students). If the question is aiming on the maximum amount of students who are registered in a certain ATO the answer would be that there is no limit given in this NPA.

comment **3007** comment by: *Cary Crawley*

Please define "Solo" Is this (a) Without any other person in the aircraft? or (b) Without an Instructor or any suitably qualified pilot in the aircraft?

response *Noted*

Thank you for your comment but it seems that the comment should have been addressed to another requirement. FCL.110 is dealing with the crediting for the same aircraft category.

The definition of a "solo" flight is given in FCL.010 Definitions. It says: 'Solo flight time' means flight time during which a student pilot is the sole occupant of an aircraft.

comment **3346** comment by: *DGAC FRANCE*

FCL 110

Comment :

If the system is built like in the JAR FCL, this paragraph is not consistent because if a pilot holds a licence in the same category than a LPL, it is necessarily a higher level licence.

Even no more valid, this licence still exists and can be renewed at any time. And if the problem is medical, the same licence may have lower privileges if the medical certificate is lower (FCL.040).

It would be an unnecessary administrative burden to issue an LPL for the same category to a pilot holding already a higher licence.

Delete paragraph FCL 110

response *Not accepted*

Thank you for providing your comment.

The comment already states that this requirement is aiming on a pilot who has

held a PPL / CPL or ATPL in a specific category of aircraft and wants to apply for the LPL in this category.

The Agency agrees that this licence could be renewed also. The Agency's intention is to provide a solution for a pilot who will not be able to fulfil the medical criteria for class I or class II.

Based on the comments received the Agency has decided to change the text in order to clarify the issue. To provide an example: If a pilot has held a CPL(Aeroplanes) or a PPL(Aeroplanes) he will be fully credited towards the requirements of the LPL(Aeroplanes) except for the skill test on a TMG or SEP aeroplane. The Agency will change the text accordingly.

comment

3699

comment by: *Axel Mitzscherlich*

(b)Experience showed enough safety if the skill test will be performed after five years,
but if the licence lapsed more than one year the applicant should perform a check flight with a flight instructor, if lapsed more than five years he should perform a check flight with an flight examiner.

response

Not accepted

Thank you for giving us your opinion.

It has to be highlighted that the requirement FCL.110 is dealing only with the crediting for the same aircraft category. To provide an example: If a pilot has held a CPL(Aeroplanes) or a PPL(Aeroplanes) he will be fully credited towards the requirements of the LPL(Aeroplanes).

In (b) the issue of a "lapsed" PPL / CPL or ATPL licence was covered. The proposal was that if this licence has lapsed for more than 1 year the pilot who applies for the LPL should have to pass also the skill test for the LPL in the appropriate category. Based on the input received the Agency will change the wording and will ask for a skill test in any case.

The Agency does not accept the proposal of accepting a check flight with an instructor if the licence has lapsed for more than one year or with an examiner only if the licence has lapsed for more than 5 years.

comment

4074

comment by: *Bernd Hein*

Es ist nicht einzusehen, warum UL-Flugzeiten außen vor bleiben.
Diese sind heute oft wie E-Klasse-Flugzeuge ausgestattet und fliegen auch so, oft mit besseren Leistungen.
Die geforderten Verlängerungszeiten müssen, sofern sie nachge-holt werden müssen zur Lizenzverlängerung unter Aufsicht und Anweisung, sowie Bestätigung durch einen FI absolviert werden.
Eine Prüfung ist nicht erforderlich, solange die Lizenz ausgestellt ist.

response

Noted

Thank you for providing the comment.

See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.

comment	<p data-bbox="352 237 427 271">4127</p> <p data-bbox="1023 237 1449 271" style="text-align: right;">comment by: <i>Elmar KUEMMEL</i></p> <p data-bbox="352 293 1406 360">Mit Anrechnung muss auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden.</p> <p data-bbox="352 394 1430 461">Das Nachholen der geforderten Zeiten im normalen Verlängerungszeitraum mit oder unter Aufsicht eines Fluglehrers muss genügen.</p> <p data-bbox="352 495 1437 562">Alles andere erhöht nur Kosten, die bei der Zahl der Flugstunden eingespart werden. Das kann nicht im Sinne dieser Verordnung liegen.</p> <p data-bbox="352 562 1437 629">Leider zeigt die Einführung der neuen Lizenzen in Deutschland in 2003 genau dieses Verhalten.</p> <p data-bbox="352 663 1437 775">Einen sehr schönen Einblick in die Realität gibt der Bericht der Luftsportverbandes aus Rheinland-Pfalz (der ihnen zugegangen ist). Das dort Beschriebene ist traurige Realität und muss zu einem Umdenken ihrerseits führen.</p>
response	<p data-bbox="352 790 440 824"><i>Noted</i></p> <p data-bbox="352 857 1437 992">Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p data-bbox="352 1037 427 1070">4140</p> <p data-bbox="959 1037 1449 1070" style="text-align: right;">comment by: <i>Max Heinz Katzschke</i></p> <p data-bbox="352 1104 1437 1205">Hier ist zu Überlegen, ob der hier geforderte Umfang der Ausbildung ausreicht. Es sind Situationen zu erwarten, denen die so kurz Ausgebildeten nicht gewachsen sind.</p>
response	<p data-bbox="352 1205 440 1238"><i>Noted</i></p> <p data-bbox="352 1272 1437 1384">Thank you for providing the comment but it seems that the comment should be adressed to another requirement as this paragraph is dealing with the crediting for the same aircraft category.</p>
comment	<p data-bbox="352 1429 427 1462">4188</p> <p data-bbox="1078 1429 1449 1462" style="text-align: right;">comment by: <i>SFG-Mendig</i></p> <p data-bbox="352 1485 1437 1552">Zur Anrechenbarkeit von Flugzeiten vgl. Kommentar an anderer Stelle (UL, Anrechenbarkeit Helicopter, Aeroplane u.s.w.)</p> <p data-bbox="352 1585 1437 1720">Skill Test wird in dieser "harten Form" nicht befürwortet, ein Lizenzinhaber sollte zunächst unter Aufsicht eines Fluglehrers tätig werden und die entsprechende currency wieder erwerben können, eine formale Prüfung erscheint übertrieben.</p>
response	<p data-bbox="352 1720 440 1753"><i>Noted</i></p> <p data-bbox="352 1787 1437 1921">Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p data-bbox="352 1966 427 2000">4497</p> <p data-bbox="1190 1966 1449 2000" style="text-align: right;">comment by: <i>FFK</i></p>

	<p>Skill test, Is that for a person that comes from "governant"?</p> <p>I think it will be enough with Profficient check. If the licence will be lack for more than 2 years, It needs some training with a flight instructor and after that a skill test.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>The mentioned skill test or proficiency check has to be done with an examiner. The Agency does not know exactly to what you are referring to when mentioning "governant" but you will find the pre-requisites and provisions for the examiner in subpart K.</p> <p>See also the response to comment No 841.</p>
comment	<p>4573 comment by: <i>Deutscher Aero Club</i></p> <p>FCL.110.a LPL (A) Experience and crediting Para (b)</p> <p>According to this paragraph, glider pilots applying for an LPL(A) power flying licence (requiring at least 30 hours flying time) are only credited with 6 hours, whereas, according to FCL 110 S (b) and to SPL 110 (b), power flyers applying for an LPL(S) or SPL glider pilot licence (requiring at least 10 hours flying time) are also credited with 6 hours.</p> <p>Comment</p> <p>A power flyer therefore has to fly only 2 hours in a glider to apply for a glider pilot licence whereas a glider pilot has to fly 24 hours in aeroplanes for the LPL(A). This is illogical, since there is not that much more that a glider pilot needs to learn to gain the required skills for flying a powered aircraft. EGU believes that holders of a glider pilot licence should be credited with more hours. This would also help in recruiting tow plane pilots by making access to the power flying licence somewhat easier for glider pilots.</p> <p>EGU Proposal:</p> <p>(c) Crediting. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot- in- command in such aircraft, up to a maximum of 6 hours (10 hours for glider pilots) towards the requirements in (a).</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>However, it seems that the comment should be addressed to another paragraph. This comment is mainly aiming on the crediting of flying time in other aircraft categories for the issue of an LPL in another category wheras FCL.110 contains the requirements for the crediting within the same aircraft category (e.g.: PPL/CPL(A) - LPL(A)).</p> <p>The Agency has reviewed all the comments received and agrees that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience on the basis of a pre-entry test within an ATO before starting the training for the LPL. You will find the changes in the resulting text for the different paragraphs (for example FCL.110.A)</p>

comment	<p>4587 comment by: <i>Patrick Diewald</i></p> <p>Bei der Anrechnung der Flugzeiten sollten auch die Flugzeiten von aerodynamisch gesteuerten Ultraleichtflugzeugen mit aufgeführt werden. Flugzeit bleibt Flugzeit (Es spielt beim Straßenverkehr auch keine Rolle, ob die Fahrpraxis durch einen Smart oder durch einen 3er BMW zustande kommt.</p> <p>Eine praktische Prüfung nach Berechtigungsablauf halte ich für ungerechtfertigt und vor allem für teuer. Es sollte ausreichen, wenn der entsprechende Pilot die fehlenden Zeiten mit einem Fluglehrer nachholt, bzw. Flüge unter seiner Aufsicht durchführt.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing the comment. See response for comment No 841 (Luftsportverband RP). It seems that this comment is referring to another issue which is addressed in a different paragraph.</p>
comment	<p>5067 comment by: <i>UK CAA</i></p> <p>Paragraph: FCL.110 LPL-Crediting for the same aircraft category</p> <p>Page No: 11 of 647</p> <p>Comment: If the applicant's licence has lapsed for more than 1 year...does this mean an expired licence or a rating that has lapsed by more than 1 year? You could have a situation whereby a licence has lapsed (expired) but it still contains a valid rating.</p> <p>Justification: Clarification.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency agrees that the wording in (b) could cause some irritation. Based on FCL.040 which says that the privileges of a licence are dependent on the validity of the ratings contained and of the medical certificate the Agency thought that the term "licence" would be the correct one.</p> <p>Based on the input received the Agency has decided to change the wording and to allow a credit towards all the requirements for the LPL in that category but to require a skill test in any case.</p> <p>The text will be changed accordingly.</p>
comment	<p>5070 comment by: <i>UK CAA</i></p> <p>Paragraph: FCL.110(a)</p> <p>Page No*: 11</p> <p>Comment: This paragraph does not specify whether licences other than JAR-FCL or EASA licences are fully credited. Clarification should be made if the intent is not to</p>

	<p>accept certain licences.</p> <p>Justification: There will be a number of ICAO and National licence holders who will be obliged, or may wish, to convert to the EASA LPL.</p> <p>Proposed Text: (if applicable) If all licences (ICAO PPL, UK NPPL etc) are to be credited, the text may stand as it is.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>It has to be highlighted that the requirement FCL.110 is dealing only with the crediting for the same aircraft category in the future European system. To provide an example: If a pilot has held a European Part-FCL CPL(Aeroplanes) or an PPL(Aeroplanes) he will be credited towards the requirements of the LPL(Aeroplanes). It should be mentioned also that the requirement was changed taking into account the feedback received and in order to clarify the issue.</p> <p>The acceptance and the conversion of existing licences (national or ICAO based licences) is not covered in this paragraph. Please see the responses on the Annex III of this regulation (acceptance of licences). The conversion of existing European Licences into the future system will be covered in the Cover Regulation for Part-FCL. Based on a conversion report the Member States have to define which national licence can be converted into the new system or which kind of additional training will be necessary to have the licence converted.</p>
comment	<p>5249 comment by: <i>CAA Belgium</i></p> <p>If the system is built like in the JAR FCL, this paragraph is not consistent because if a pilot holds a licence in the same category than a LPL, it is necessarily a higher level licence. Even no more valid, this licence still exists and can be renewed at any time. And if the problem is medical, the same licence may have lower privileges if the medical certificate is lower (FCL.040). It would be an unnecessary administrative burden to issue an LPL for the same category to a pilot holding already a higher licence.</p> <p>Delete paragraph FCL 110</p>
response	<p><i>Not accepted</i></p> <p>See response for comment 3346. Thank you for providing your comment.</p> <p>The comment already states that this requirement is aiming on a pilot who has held a PPL / CPL or ATPL in a specific category of aircraft and wants to apply for the LPL in this category.</p> <p>The Agency agrees that this licence could be renewed also. Nevertheless the Agency's intention is to provide a solution for a pilot who will not be able to fulfil the medical criteria for class I or class II. Based on the comments received the Agency will change the proposed text slightly to clarify the issue. The ATPL or CPL holder will be fully credited towards the requirements in FCL.115 and FCL.120 for the LPL in the same category of aircraft but has to pass a skill test in any case.</p>

comment 5559 comment by: *Belgian Gliding Federation*

FCL.110.a LPL (A) Experience and crediting Para (b)

According to this paragraph, glider pilots applying for an LPL(A) power flying licence (requiring at least 30 hours flying time) are only credited with 6 hours, whereas, according to FCL 110 S (b) and to SPL 110 (b), power flyers applying for an LPL(S) or SPL glider pilot licence (requiring at least 10 hours flying time) are also credited with 6 hours.

BGF comment

A powered flying pilot has to fly only 2 hours in a glider to apply for a glider pilot licence whereas a glider pilot has to fly 24 hours in aeroplanes for the LPL(A). This is not logic, since there is not that much more that a glider pilot needs to learn to gain the required skills for flying a powered aircraft. We believe that holders of a SPL / LPL(S) should be credited with more hours. This would also help in recruiting tug pilots by making access to the PPL(A)/LPL(A) somewhat easier for glider pilots.

Proposal:

(c) *Crediting*. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot- in- command in such aircraft, up to a maximum of 6 hours (10 hours for glider pilots) towards the requirements in (a).

response *Partially accepted*

Thank you for providing your opinion.
The comment should be addressed to FCL.110.A.

See response for comment No 4573.

comment 5996 comment by: *ENAC TLP*

This paragraph introduces a new concept: it seems, as it's written, that a licence can lapse. This concept is new, and should be stressed. The policy till now has been that the licence doesn't lapse: the form has to be re edited, but the title itself never lapse.
we think it should be better clarify,

response *Accepted*

Thank you for providing your comment.

The Agency agrees that the wording in (b) could cause some irritation. Based on FCL.040 which says that the privileges of a licence are dependent on the validity of the ratings contained and of the medical certificate the Agency thought that the term "licence" would be the correct one.

Based on the input received the Agency decided to change the requirement and to require a skill test in any case.

The text will be changed accordingly.

comment 8154 comment by: *F Mortera*

2. About the conditions, requirements, syllabus and tests for getting a LPLB or a BPL and their "performance" privileges

FCL.110.B "LPL Experience reqs.", (page 11)

FCL.210.B "Experience reqs. And crediting", (page 22)

AMC to FCL.115 and FCL.120 (Syllabus LPL B) (page 189) = AMC N° 3 to FCL.210.B and FCL.215.B "Syllabus BPL", (page 321)

AMC to FCL.110.B and FCL.210.B "Flight instruction", (page 254)

AMC N° 2 to FCL.125.B and FCL.235 "Skill test", (page 206)

AMC N° 1 to FCL.135.B and FCL.225.B "Extension of class and class and group privs.", (page 262)

AMC N° 2 to FCL.135.B and FCL.225.B (") "Class extension", (page 263)

AMC N° 3 to FCL.210.B and FCL.215.B (Syllabus BPL) page 321 = AMC to FCL.115 and FCL.120 "Syl. LPL B" (page 189)

APPENDIX 1 / CREDITING T K / A / 1

Probably I missed something but, except for the skill test for BPL, they seem identical. Obviously their privileges are different, but considering that the syllabus is the same for a new balloon pilot, getting their first licence, what does make the difference to choose one or other licence? Is it just the price?

It looks reasonable to share same amounts of minimum training hours, exams and processes according the responsibility of flying a balloon, but what is the real difference if their programs are the same? Just the legal capability of use balloons sized "139" or "141" and receive remuneration or not respectively? It has not too much sense for me.

I'm not suggesting that the BPL requirements must be harder, [but they could be simplified for LPLB or reduced their privileges alternatively, to get the BPL reevaluation. For instance the LPLB can not fly in controlled air space \(it should not be necessary ATC liaison methods\), over cities...](#)

That is the only different here in Spain. As a private pilot (even with a radio rate), we can not fly in CTR or TMA. Only when we are flying for authorized Aerial Works Companies, making commercial flights, we can use the ATC services.

I think that differences must be established between both LPLB and BPL licences not only in economical privileges, but also in their syllabus, training and real performance capabilities.

Even considering carrying passengers as the main balloon commercial activity, advertising and filming are also commercial flights (I understand sponsorship is different to aerial advertising). And as far as I understand they soon will be considered in this way in Europe.

In my experience, the best advertising flights or flights for images recording are those with a little "65", where the pilot is alone in the basket or only with a camera operator. The "risky" flights close the sea, in ATC areas, in very fast winds, landings in small parks into the cities... can be done better with small balloons without passengers.

These other flights, not CAT, have been (and still they are) the economical support in most of the balloon companies that I know. In this case, the big balloons are not only unnecessary, but rather they are not practical.

response

Establishing different performance capabilities (restrictions) will permit to have a "light" licence, capable to offer a reasonable club / sponsor relationship and a good platform to jump to a professional environment, without favouring misunderstandings about capabilities or privileges between LPLB and BPL.

Noted

Thank you for providing your comment.

However, it seems that this comment is dealing mainly with some specific Implementing Rules and AMCs for the LPL on balloons. As this paragraph is dealing only with the general crediting for the same aircraft category none of the mentioned items is connected with this paragraph.

The comment is asking what the differences are between the LPL(B) and the BPL. Please check the responses in the appropriate segments for the LPL(B) and the BPL. Some of the differences are:

- LPL only up to a certain envelope size (only one group)
- LPL only non-commercial
- LPL instructor not remunerated
- LPL holder with different medical standards

Further the comment proposes to increase the training level for the BPL but lower it for the LPL mentioning also the possibility to exclude the LPL pilot from controlled airspace. Due to the complex and different airspace structure in the Member States the Agency has tried always not to connect a certain licence to a specific airspace category. This could lead to the result, that certain licence holders would not be able to fly in certain countries. This is not in line with the philosophy of the Agency.

The issue if certain activities with balloons are commercial operations or not cannot be solved with these licensing requirements.

Please see the responses to the appropriate paragraphs in the other segments.

comment

8184

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

Selbst fliege ich (noch) kein UL aber ich bin der Meinung, dass die heutigen dreiachsgesteuerten UL's vollwertige Fluggeräte sind und damit sollten auch die Flugzeiten auf solchen Geräten "verrechenbar" sein für den Scheinerhalt anderer Lizenzklassen (wie heute schon TMZ / SEP).

response

Noted

Thank you for giving us your opinion.

The EU Regulation 216/2008 provides some clarification on the issue of future requirements for Annex II aircraft.

Article 4 of this Basic Regulation (BR) defines the basic principles and applicability of the BR. Paragraph 5 of this article clearly states that the requirements of this regulation regarding pilot licensing do not apply to Annex II aircraft (exception: when used for commercial air transport). This is clearly the aircraft category of microlight aeroplanes the comment is referring to.

The Agency has to develop Implementing Rules which reflect the basic principles of the Basic Regulation, therefore no specific LPL category for microlights has been developed. The Member States will have to implement a national licensing system for Annex II aircraft. As long as microlights are categorised as Annex II aircraft the future licensing requirements will not apply. This means also that flying time on microlights cannot be credited for the necessary flight training or for fulfilling the recency requirements for the LPL.

However, it has to be highlighted that the requirement FCL.110 is dealing only with the crediting for the same aircraft category. Based on the comments received the Agency has decided to change the text in order to clarify the issue. To provide an example: If a pilot has held a CPL(Aeroplanes) or a PPL(Aeroplanes) he will be fully credited towards the requirements of the LPL(Aeroplanes) except for the skill test on a TMG or SEP aeroplane. If he/she holds or has held an SEP or TMG class rating which has not lapsed for more than 1 year he/she will be credited also for the skill test. The Agency will change the text accordingly.

A different issue will be the crediting for flight time on microlights for starting the training for the LPL. The Agency has decided to accept a certain amount of previous flying experience on the basis of a pre-entry test within an ATO before starting the training. You will find the changes in the resulting text for the different paragraphs (for example FCL.110.A)

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 1:
Common Requirements - FCL.115 LPL - Training course**

p. 11

comment	240	comment by: <i>Irish Aviation Authority</i>
	<p>FCL 115 (a) Here the provision requires an 'approved organisation', which implies at least the approval of training material and an inspection, however the part MS requirements for an ATO seems to allow these organisations (LAPL and PPL) without inspection. Given the proposed low level of experience for the LAPL instructors, an inspection should be mandatory. nfc 25-08-08</p>	
response	<p><i>Noted</i></p> <p>Thank you for giving us your opinion.</p> <p>You are referring to the oversight and auditing of the approved Training Organisations (ATOs). Due to the fact that all the requirements for the ATOs and the competent authorities are contained in NPA 2008-22b/c this has to be addressed in the comments for these NPAs and cannot be clarified in the requirements for FCL.</p>	
comment	608	comment by: <i>British Microlight Aircraft Association</i>
	<p>Accepted.</p>	
response	<p><i>Noted</i></p> <p>Thank you for your positive feedback.</p>	

comment	<p>782 comment by: <i>Geschäftsführer Luftsportverband RP</i></p> <p>Ein Zusammenschluss von örtlichen Ausbildungseinrichtungen (Vereinsausbildung) muss in einer z.B. Landesorganisation (globale Ausbildung) zugelassen sein.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>You are referring to the issue of small and large training organisations (or some kind of cooperation between different ATOs). Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL.</p>
comment	<p>843 comment by: <i>Luftsportverband Rheinland Pfalz</i></p> <p>Bitte in den Definitionen wie in Kommentar Nr 838 vorgesehen berücksichtigen,</p> <p>Approved Training Organisation : In Deutschland sind viele Landesverbände Flugschulen mit einer globalen Ausbildungsgenehmigung für das gesamte Bundesland. Diese Praxis hat die Ausbildung im Ehrenamt erleichtert, da hierdurch ein problemloser Austausch von Fluglehrern und Flugschülern von einem zum anderen Verein problemlos möglich war. Bürokratische Vorgänge entfielen, was sehr positiv für die Ausübung des Luftsportes ist. Die Flugschulen der Landesverbände mit der globalen Ausbildungsgenehmigung für das jeweilige Bundesland müssen daher in der Definition "Approved Training Organisation berücksichtigt, enthalten oder als eine Approved Training Organisation anerkannt sein.</p>
response	<p><i>Noted</i></p> <p>Thank you for giving us your opinion.</p> <p>You are referring to the issue of small and large training organisations (or some kind of cooperation between different ATOs). Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL.</p>
comment	<p>864 comment by: <i>Stefan Kramer</i></p> <p>Der Begriff: Approved Trainings Organisation ist nicht definiert. Die Terms of Approval müssen jedoch eine vereinsgestützte, auf ehrenamtlicher Tätigkeit basierende Ausbildung weiterhin ermöglichen.</p>
response	<p><i>Noted</i></p> <p>Thank you for giving us your opinion.</p> <p>You are referring to the issue of the system for small (club-based) training organisations. Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL.</p>

It should be mentioned that you will find a distinction in these NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL.

comment **879** comment by: *ASW-27B*

Nur dann sinnvoll, wenn auch Flugvereine über die Landesluftfahrtorganisationen als Flugschulen anerkannt werden.

response *Noted*

Thank you for providing your opinion.
See response for comments No 782/843 (Luftsportverband RP).

comment **958** comment by: *CAA Belgium*

JAR-FCL introduced for PPL the "registered facility" as a simplified approved training organisation next to FTO and TRTO. A similar simplified training organisation should be foreseen for this kind of leisure licence training.

response *Noted*

Thank you for providing your opinion.

You are referring to the issue of the system for "registered facilities" in JAR-FCL. Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is be used as a general expression for the different types of training organisations.

It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL.

comment **1142** comment by: *Schäfer*

Hier muß nach wie vor gewährleistet sein, das der Zusammenschluß von Vereins-Ausbildungsbetrieben in einem Landesverband (globale Ausbildung) als " approved training organisation " zugelassen ist.

response *Noted*

Thank you for providing your opinion.
See response for comments No 782/843 (Luftsportverband RP).

comment **1167** comment by: *Thomas Reusch*

Vereinsausbildungsbetriebe müssen zugelassen sein

response *Noted*

Thank you for providing your opinion.
See response for comments No 782/843 (Luftsportverband RP).

comment **1193** comment by: *Karge*

Zusammenschluss von örtlichen Ausbildungsbetrieben (Verein) in einer z.B. Landesverbandsorganisation (globale Ausbildung) muss zugelassen sein.

response *Noted*

Thank you for providing your opinion.
See response for comments No 782/843 (Luftsportverband RP).

comment **1256** comment by: *Günter End*

Globale Ausbildungserlaubnis durch Luftsportverbände muss beibehalten werden, weil die Organisation sich bestens bewährt hat.

response *Noted*

Thank you for providing your opinion.
See response for comment No 782.

comment **1392** comment by: *Wilfried Müller*

Clubs should be allowed to cooperate in student training (need to become a FTO). More clubs could organise themselves in a larger group for flight training for instance on a county basis. This so formed and organised training syndicate would also get a permission to be a FTO.

Wilfried Müller 11-27-2008

response *Noted*

Thank you for providing your opinion.
See response for comment No 782.

comment **1427** comment by: *Aero Club Oppenheim e. V.*

Zusammenschluss von örtlichen Ausbildungsbetrieben und Vereinen in einer z.B. Landesverbandsorganisation im Rahmen der globalen Ausbildung muss zugelassen sein.

Sonst würden unterschiedliche Ausbildungsrichtungen aussterben. Die Fliegerei ist ein Gemeinschaftssport. Mit entsprechenden Zusammenschlüssen wird dem Rechnung getragen. Außerdem können Ausbildungsvoraussetzungen kanalisiert und gezielt an die entsprechenden Luftsportler weitergegeben werden. Damit verbessern sich die Ausbildungsziele und -methoden.

response *Noted*

Thank you for providing your opinion.
See response for comment No 782.

comment **1476** comment by: *Stephan Johannes*

	<p>Sehr geehrte Damen und Herren,</p> <p>in ehrenamtlichen Strukturen (Vereinen, Landesverbänden) sollte ein Zusammenschluß von Ausbildungsgemeinschaften möglich sein. Es gibt kleine Vereine, die z.B. keinen Theorieunterricht in allen Unterrichtsfächern gewährleisten können. Es hat sich über Jahre bewährt, wenn Vereine gemeinsamen Theorieunterricht angeboten haben.</p> <p>Das gilt auch für die Trudeleinweisung, es gibt Vereine, die keinen trudelfähigen Doppelsitzer besitzen, hier wurde und wird auf Ausbildungsgemeinschaften zurückgegriffen.</p> <p>Mit freundlichem Gruß</p> <p>Stephan Johannes</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response for comment No 782.</p>

comment	<p><i>1608</i> comment by: <i>Dieter Lenzkes</i></p> <p>Zu FCL.115 Kommentar: Es gibt mittlerweile sehr gute Lehrprogramme, die sich ausgezeichnet für ein Selbststudium eignen. Diese Möglichkeit des Wissenserwerbs sollte zumindest für den LPL als Alternative oder Ergänzung zugelassen sein. Hiermit können vor allem bei den Vereinsflugschulen Aufwand und Kosten gespart werden bei gleichzeitiger Sicherstellung eines hohen Niveaus der theoretischen Ausbildung.</p> <p>Vorschlag: Ergänze zu FCL.115:</p> <p>Das theoretische Wissen kann alternativ und/oder ergänzend zu einem Training Kurs an einer zugelassenen Flugschule auch im Selbststudium mit oder ohne Unterstützung durch ein geeignetes PC-Programm erworben werden.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment.</p> <p>The Agency agrees that nowadays other means can be used to provide the necessary theoretical knowledge instruction. (not only classroom instruction). The system should allow modular theoretical knowledge courses with a certain amount of classroom teaching but also elements like interactive videos, slide/tape presentations, learning carrels, computer based training and other media distance learning courses as approved by the authority. The Agency will reconsider this issue and will draft an additional AMC to FCL.115 explaining and allowing this for the LPL. However, it has to be highlighted that this can be done only under the supervision and control of the ATO.</p>

comment	<p><i>1680</i> comment by: <i>Sven Koch</i></p> <p>Nur an zugelassener Flugschule möglich und soll Theorie und Praxis</p>
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response	<p>einschließen. Zusammenschluss von örtlichen Ausbildungsbetrieben (Verein) in einer z.B. Landesverbandsorganisation (globale Ausbildung) muss zugelassen sein.</p> <p><i>Noted</i></p> <p>Thank you for providing your opinion. See response for comment No 782.</p>
comment	<p>2170 comment by: <i>Oelschlaeger, Harald</i></p> <p>Eine Ausbildung an einer Flugschule ist den deutschen vereinen kontraproduktiv. Es muss auch der Zusammenschluss von örtlichen Ausbildungsbetrieben (Verein) in einer z.B. Landesverbandsorganisation (globale Ausbildung) muss zugelassen sein.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>First of all it has to be clarified that also a club based flying school will be an approved training organisation in the future. The ATO is general name for the certified facilities offering flight training.</p> <p>You are referring to the issue of small and large training organisations (or some kind of cooperation between different ATOs). Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL.</p>
comment	<p>2376 comment by: <i>Arnold Klapp</i></p> <p>Der Zusammenschluss von mehreren örtlichen Ausbildungsbetrieben(Vereine) in einer gemeinsamen Organisation, z.B. in einem Landesverband (Globale Ausbildung) muss erlaubt werden. Dies wird in mehreren Bundesländern der BRD seit Jahrzehnten erfolgreich praktiziert.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See response for comment No 782.</p>
comment	<p>2434 comment by: <i>Dr. Horst Schomann</i></p> <p>Problem: This NPA requires “approved training organization” as the same entity for LPL students up to airline pilots.</p> <p>Proposed solution: Introduce different levels of “approved training organization” according to the demands of the different classes of pilot licenses.</p> <p>Justification: Since many years the DAeC as non-commercial entity in Germany with its province organization and aviation clubs performed training on private pilot level very successfully. This is the major way to recruit new blood in</p>

	<p>aviation and should be continued under European law.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>You are referring to the issue of the system for small (club-based) training organisations offering training for the LPL only. Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is to be used as a general expression for the different types of training organisations.</p> <p>It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that the differentiation you are proposing is already envisaged.</p>
comment	<p>2655 comment by: <i>Prutech Innovation Services Ltd.</i></p> <p>FCL.115: This sub-section should be redrafted to allow much more flexibility to a candidate leisure pilot, for whom this is already a VERY expensive hobby. "An approved training organisation" should be replaced by "one or more approved training organisations", thus facilitating a candidate to commence practical training in one school and finish in a different (better or more geographically convenient) school. Secondly, the reference to theoretical knowledge training must be separated out into a new sentence that takes account of modern training methods such as on-line or cd-based training. It is not essential that theoretical knowledge is obtained at the same location or in any particular format - what is important is only that it is acquired, and the examination is the only objective measurement of whether it has so been acquired.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment.</p> <p>The text mentions "an approved training organisation" which does not exclude the case mentioned in the comment that someone has started the training in one ATO and moves later on to another training school. To exclude that the student pilot will be trained by two training organisations at the same time the wording will be kept as proposed.</p> <p>Regarding the second issue the the Agency agrees that nowadays other means are used to provide the necessary theoretical knowledge instruction. The system should allow modular theoretical knowledge courses with a certain amount of classroom teaching but also elements like interactive videos, slide/tape presentations, learning carrels, computer based training and other media distance learning courses as approved by the authority. The Agency will reconsider this issue and will draft an additional AMC to FCL.115 explaining this. However, it should be highlighted that this kind of training has to be done under the oversight and control of the ATO responsible for the training.</p>

comment	<p>2665 comment by: <i>barry birch</i></p> <p>In training pilots for a Balloon License the UK has had a very successful record of safety in allowing student pilots to train and build up knowledge with other P1 pilots. They are subjected to regular checks with a qualified instructor and the standard is high without having to apply an 'all flights with instructors' scenario. Can this system still be kept in place to promote the sport of ballooning and keep the cost down for new pilots. Barry Birch (member BBAC).</p>
response	<p><i>Noted</i></p> <p>Thank you for sending us your comment.</p> <p>The EU Regulation 216/2008 defines that flight training has to be provided by an instructor only. Annex III of this regulation states that theoretical instruction as well as flight and flight simulation instruction must be given by appropriately qualified instructors. The Agency cannot deviate from these requirements in these Implementing Rules. As a consequence licence holders not holding an instructor certificate will not be allowed to provide flight training in the future.</p>
comment	<p>2720 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 thinks that JAA "declared training organisation" was a good and a valid concept for organisations limited up to VFR PPL training and well adapted to aero-clubs. FFA thinks that deletion of this concept in the EASA rules is a real mistake.</p> <p>The requirement to be trained in an ATO is acceptable provided that it will be introduced in the following NPAs the concept of light/small ATOs, to which light and adapted requirements will be specified.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>You are referring to the issue of the system for small (club-based) training organisations offering training for the LPL/PPL only. Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is be used as a general name for the different types of training organisations.</p> <p>It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that the differentiation you are proposing is already envisaged.</p>
comment	<p>2964 comment by: <i>FEDERATION FRANCAISE D'AEROSTATION</i></p> <p>FCL.115 LPL-Training Course Organismes de formation pour licences Ballons A ce jour en France, la qualification d'instructeur délivrée par la DGAC vaut agrément. Exiger des organismes de formations agréés avec des</p>

infrastructures d'accueil, va entraîner une diminution considérable du nombre d'instructeur, et par conséquent nuire au développement de l'Aérostation. La formation de pilotes de ballon se fait principalement sur le terrain en dehors d'aérodromes, peu de clubs possèdent des locaux, et la majorité des instructeurs reçoivent chez eux leurs élèves pour la formation théorique. **Nous proposons que la fédération soit l'organisme pédagogique et qu'elle soit responsable de mettre en place des règles simples qui répondent aux critères proposés. Par exemple, l'instructeur devra démontrer l'utilisation d'outils pédagogiques (un cartable avec le manuel de pilotage, des planches PPT, des articles, documents, schémas,).**

response *Noted*

Thank you for providing your opinion.

You are referring to the issue of the instructors offering training without being a full training organisation and the issue of small approved training organisations.

Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is to be used as a general name for the different types of training organisations.

It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that the differentiation you are proposing is already envisaged. The level of the former FTO should be the one which is comparable with the proposed large training organisation offering training for the CPL/ATPL level.

As mentioned by the comment a federation or organisation could be the "head" training organisation for different clubs or instructors.

comment 4076

comment by: *Bernd Hein*

Vereinen muß es möglich bleiben, über ihren Verband einen Ausbildungsbetrieb zu installieren.

response *Noted*

Thank you for providing your opinion.
See response for comment No 782.

comment 4128

comment by: *Elmar KUEMMEL*

Wenn damit die Vereinsausbildung unmöglich gemacht wird, ist das ein Schlag ins Gesicht des Ehrenamts.

Ein genereller Zwang zur Flugschule wird die Kosten immens in die Höhe treiben, keinesfalls mehr Sicherheit bringen und auch nichts zur Erhöhung der Professionalität beitragen. Als Beispiel sei die Struktur in Deutschland angeführt.

Kein Verein wird einem ungeeigneten Bewerber ein Flugzeug überlassen, von

dem der Verein nicht sicher sein kann, das Pilot und Maschine unversehrt bleiben. Ob das bei Schulen mit entsprechendem Erfolgszwang ebenso der Fall ist???

Diese Strukturen müssen erhalten bleiben, sie haben sich bewährt.

response *Noted*

Thank you for providing your opinion.

As there seems to be a misunderstanding of the requirement it has to be clarified that also a club based flying school will be an approved training organisation in the future. The ATO is general name for the certified facilities offering flight training. This requirement does not prevent a club based training organisation to provide their flight training nor does it require to involve any "commercial" training school.

comment *4190*

comment by: *SFG-Mendig*

Die Anforderungen an die Approved Training Organisation müssen deutlich unter dem heutigen Aufwand für eine FTO liegen, Ausbildung in Vereinen und Verbänden muss möglich sein.

response *Noted*

Thank you for providing your opinion.

You are referring to the issue of the system for small (club-based) training organisations offering training for the LPL/PPL only. Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is to be used as a general name for the different types of training organisations.

It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that the differentiation you are proposing is already envisaged. The level of the former FTO should be the one which is comparable with the proposed large training organisation offering training for the CPL/ATPL level.

comment *4552*

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 der Tauglichkeit zeigt das amerikanische System des Führerscheininhabers für den Segelflug und Motorsegelflug seit Jahrzehnten, daß es unproblematisch zu handhaben ist.

Ein modernes, auf Förderung und Wachstum des Luftsports gerichtetes Regelwerk muß sich am Autoführerschein für Erwerb und Erhalt orientieren. Nur so kann sich auch erfolgreich eine Hinführung des Nachwuchses zum Interesse an direkten und indirekten fliegerischen Berufen entwickeln.

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

Aenderungen:

Streiche ATO. Dies geht im Verein mindestens genau so gut!

response

Not accepted

Thank you for providing your opinion.

Some of the mentioned issues (e.g. the proficiency check) are not regulated in this requirement.

You are proposing to delete the term ATO and you are referring to the system of small (club-based) training organisations offering training for the LPL/PPL only. Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL.

However, the term "approved training organisation" is taken from the EU regulation 216/2008 and is to be used as a general name for the different types of training organisations.

It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that the differentiation you are proposing is already envisaged.

As there seems to be a misunderstanding of the requirement it has to be clarified that the wording used does not prevent a club based training

organisation to provide flight training nor does it require to involve any "commercial" training school.

comment **4590** comment by: *Patrick Diewald*

Dieser Abschnitt sollte umformuliert werden. Ausbildung sollte nicht nur an Flugschulen möglich sein, sondern auch im Verein.

response **Noted**

Thank you for providing your opinion.

As there seems to be a misunderstanding of the requirement it has to be clarified that also a club based flying school will be an approved training organisation in the future. The ATO is general name for the certified facilities offering flight training. This requirement does not prevent a club based training organisation to provide their flight training nor does it require to involve any "commercial" training school.

comment **4997** comment by: *Prof. Dr. Alexander Bubenik*

Regional amalgamations of aero club flight schools (for instance in Germany the so-called Luftsportverbände LVRP, HLB etc. act as an umbrella organisation for their member clubs) should be considered as approved flight training organisations to keep bureaucratic efforts for a single aero club (as a non-profit organisation) low.

response **Noted**

Thank you for providing your opinion.
See response for comment No 782.

comment **5118** comment by: *Dieter Zimmermann*

Zu FCL.115:

Der Ausdruck "Training course" ist zumindest in der deutschen Übersetzung unpassend - läßt die die Verschrift eines geschlossenen Lehrgangs befürchten. Es ist deshalb sowohl in der Überschrift als auch im Text durch "training" (Ausbildung) zu ersetzen.

response **Not accepted**

Thank you for providing your opinion.

However, the 'term training' course is used all over this NPA and is a fixed term. The Agency cannot see the problem described with some kind of a short term "closed" course ("geschlossener Lehrgang"). The training course can last more than several months or in the case of seasonal activities like sailplane operations also several years.

The Agency will not change the wording.

comment **5839** comment by: *EFLEVA*

EFLEVA considers the requirement to be trained in an ATO will increase the cost burden on light aviation

response

Noted

Thank you for providing your opinion.

Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is to be used as a general name for the different types of training organisations.

It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that a certain kind of differentiation is already envisaged.

The Agency is aware that these future requirements for small training organisations (Part Organisation Requirements) must correlate with the size and complexity of this operation and will find ways to fulfill these needs.

comment

5872

comment by: *Professional Balloonists Netherlands*

- Subpart B/ LPL

FCL.115 LPL - training Course

For gaining a LPL student-pilots must follow a training course at an approved training organisation. The training has to deal with both theoretical and practical instruction in ballooning. The proposals suggest that there must be an approved ballooning education in which a student can obtain its knowledge, both theoretical and practical. In Holland now a student pilot can obtain his knowledge of a FI (FB), other balloonists or other experienced people who do not have an approved integral training organisation. Or this student pilot can only obtain its practical knowledge of a FI (FB) who do not have an approved integral training organisation. How the student obtains its theoretical knowledge is of other importance. The student pilot has to do eventually a theoretical and practical test. The examiners must assess this and it is important that the student has the knowledge and that he or she passes the exams. We also have FI (FB) who are allowed to give practical training to a student or a pilot, without having done a training course.

At this moment in Holland there are no approved training organisations. For that the market is and will be also too small.

Proposal: FCL.115 entirely to be crossed out.

Examiners must assess whether a student pilot satisfies or not. Therefore they are examiners.

response

Not accepted

Thank you for providing your opinion and the information about the actual training situation for balloon pilots in the Netherlands.

However, the Agency is not in favor with the concept of allowing single FIs to provide flight instruction for the LPL or the BPL. The Basic Regulation mentions the approved training organisation and asks for defined training courses. The Agency believes that the concept of training organisations providing the training will guarantee a certain standard and a high level of safety due to the guidelines given for training organisations and the oversight activities of the

competent authorities. (see NPA 2008-22b)

The Agency will not delete FCL.115.

comment

6537

comment by: *Light Aircraft Association UK*

The requirement to be trained in an ATO is an issue which the LAA has some concern although it appreciates the logic behind this proposed amendment. We are however further concerned about the increased cost to light aviation: currently flying schools in the UK providing PPL tuition are self-auditing by use of the 'Registered Facility' approval. The requirement for an ATO (and full approval and auditing by the Agency) will add cost and complexity at no proven safety benefit, therefore our recommendation is to retain the current 'Registered Facility' option for flight schools providing PPL tuition and associated ratings.

response

Noted

Thank you for providing your opinion.

Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is to be used as a general name for the different types of training organisations.

The term 'registered facility' cannot be used any longer but it should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that a certain kind of differentiation is already envisaged.

The Agency is aware that these future requirements for small training organisations (Part Organisation Requirements) must correlate with the size and complexity of this operation and will find ways to fulfill these needs. No auditing by the Agency is envisaged but by the competent authority.

comment

7393

comment by: *Peter van Harten*

In the Netherlands we do not have 'ballooning education schools'. Therefore this proposal is hard to realize. Furthermore I think that an examiner should test the skills, both theoretical and practical. It is of other importance how a student obtained its knowledge.

response

Noted

Thank you for providing your opinion and the information about the actual training situation for balloon pilots in the Netherlands.

However, the Agency is not in favor with the concept of allowing individual FIs (not being under the scope of an ATO) to provide flight instruction for the LPL or the BPL. The Basic Regulation mentions the approved training organisation and asks for defined training courses. The Agency believes that the concept of

training organisations providing the training will guarantee a certain standard and a high level of safety due to the guidelines given for training organisations and the oversight activities of the competent authorities. (see NPA 2008-22b)

comment

7721

comment by: *Europe Air Sports, VP*

While it is accepted that the training course has to be given by a FTO, we strongly advise that the present requirements as published in NPA 2008 -22 are much too stringent for the training up to the PPL A. It was understood that Member States wanted for legal reasons to discontinue the system of registered facilities, the reason being mainly the problem of supervision and revoking a registration.

Again, concerning FTOs the principle of proportionality and risk involved has to be applied. The all in one approach - common requirements - is not appropriate for all categories of aircraft and flight instruction.

response

Noted

Thank you for providing your opinion.

Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c the mentioned issue has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is to be used as a general name for the different types of training organisations.

It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that a certain kind of differentiation is already envisaged. If as mentioned the proposed requirements for the ATOs providing LPL/PPL training are still too high this must be commented and discussed during the review of the NPA 2008-22.

comment

8002

comment by: *HeliAir Ltd*

Who is going to 'approve' these courses?

Is this for revenue purposes?

Is it necessary?

Some people think that the man who approves courses in UK does not understand how to fly himself !! (I would not necessarily agree with that)

Can we approve **them**?

response

Noted

Thank you for providing your comment and raising the question about the training courses.

FCL.115 clearly states that applicants for an LPL "shall complete a training course within an approved training organisation". An approval of the course is not required in this paragraph.

In NPA 2008-22c you will find organisational requirements for the Training Organisation. In OR.ATO.125 you will find the requirement for an ATO to develop a training program for each type of course. In OR.ATO.015 you will find the requirement for the ATO to provide the competent authority with an operations- and training manual for the initial approval but it clearly excludes the ATOs wishing to provide training for the LPL, PPL, BPL and SPL only.

comment 8091 comment by: *EPFU is the European Union of national powered flying organisation from the 10 main European countries*

EPFU was satisfied with the JAR concept of "declared training organisations", and strongly asks for an equivalent light "Approved Training Organisation" to avoid any supplemental administrative burden.

response *Noted*

Thank you for providing your opinion.

Due to the fact that all the requirements for the ATOs and the Authorities are contained in the NPAs 2008-22b and 22c the mentioned issue has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is to be used as a general name for the different types of training organisations.

It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that a certain kind of differentiation is already envisaged. If as mentioned the proposed requirements for the ATOs providing LPL/PPL training are still too high this must be commented and discussed during the review of the NPA 2008-22.

comment 8270 comment by: *Paul Mc G*

The requirement to be trained in an ATO causes some concern although the logic behind this proposed amendment is apparent, but further concerns about increased costs to light aviation appear to be profound and this is quite unnecessary as many flying clubs have managed to skill pilots to higher standards at lower costs than many registered bodies where cash was more important than the activity of aviation itself.

Flying schools in the UK providing PPL tuition are self-auditing by use of the 'Registered Facility' approval. The requirement for an ATO and full approval and auditing by the Agency will add cost and complexity at no proven safety benefit and one has to ask why? Is this more Eurocracy?

Could not the current 'Registered Facility' option be retained for flight schools providing PPL tuition and associated ratings, at least at initial training levels?

response *Noted*

Thank you for providing your opinion.

Due to the fact that all the requirements for the ATOs and the Authorities are

contained in the NPAs 2008-22b and 22c this has to be addressed in the comments for these NPAs and cannot be clarified in the Implementing Rules for FCL. The term "approved training organisation" is taken from the EU regulation 216/2008 and is be used as a general name for the different types of training organisations. This name can therefore not be changed and the term "registered facility" cannot be used any longer.

It should be mentioned that you will find a distinction in the above mentioned NPAs between small and large training organisations. Specific AMC material explains the alleviations for the training organisations providing training only for the LPL and the PPL, SPL and BPL. This means that a certain kind of differentiation is already envisaged.

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 1: Common Requirements - FCL.120 LPL - Theoretical knowledge examination

p. 11

comment

84

comment by: *phil mathews*

The UK NPPL has suffered in its appeal by the Authority not following through with the original statement of creating a set of Theoretical knowledge examinations suitable for the scope of the licence.

The appropriate aviation authorities must ensure this does not happen with the LPL. Therefore there must be a suitable theoretical knowledge examination process for the LPL and a separate process for the PPL

response

Noted

Thank you for providing your opinion.

The Member States will be responsible for the examinations. The Agency's intention is to provide some guidelines how these theoretical knowledge examination for the LPL should be done.

In AMC to FCL.120 you will find further explanations for this examination and the skill test for the LPL. Along these lines the Competent Authorities of the Member States have to develop a theoretical knowledge examination procedure like most of them have it already in place for the PPL.

Due to the fact that the TK Syllabus is identical with the one for the PPL in the appropriate category it could happen, that the same procedures will be used as for the PPL examinations.

comment

228

comment by: *Irish Aviation Authority*

LPL(H) syllabus includes turbine engines, page 193, is this necessary since LPL(H) privileges are restricted to piston engine helicopters.
Is there a Central Question Bank.
JS 21 8 08

response

Noted

Thank you for your comment.

Based on several comments questioning the limitation of the LPL(H) to single-

engine piston helicopters the Agency reviewed this issue and came to the conclusion that the turbine helicopters should be included. The reference to turbine engines in the AMC material can be kept.

The Agency has nor envisaged a Central Question Bank (CQB) for the LPL neither for the PPL/SPL/BPL. It might be a future Rulemaking task to develop and establish such a CQB for these licence categories if requested by stakeholders.

comment 331 comment by: *Michel Lacombe AF TRTO*

Numbering error

FCL.120 LPL Theoretical knowledge examination

~~(a)~~ Applicants for a LPL shall have demonstrated to the competent authority a level of theoretical knowledge appropriate to the privileges granted, through examinations on the following:

~~(1)~~ **(a)** common subjects:

- Air law;
- Human performance;
- Meteorology; and
- Communications;

~~(2)~~ **(b)** specific subjects concerning the different aircraft categories:

- Principles of flight;
- Operational procedures;
- Flight performance and planning;
- Aircraft general knowledge; and
- Navigation.

response *Accepted*

Thank you for your comment.

The numbering will be changed accordingly.

comment 483 comment by: *FOCA Switzerland*

FCL.120 (a)(1) Communications

Proposal:

The requirement "Communication" shall not be mandatory for LPL and is to be deleted.

response *Not accepted*

Thank you for your comment.

The issue has been discussed again with the review group experts. As the subject communication seems to be an important general issue nowadays when pilots have the privilege to fly in all European countries, cross borders and enter different airspace categories a certain amount of knowledge about communication procedures seems to be necessary. A second issue is the fact that the Basic Regulation clearly asks for this subject (Annex III 1.b.1) and the ICAO based PPL contains this subject also (full credit for the LPL theoretical knowledge means also to keep all the subjects).

The subject "communications" is different from an R/T licence which is required in different Member States when entering certain airspace categories.

comment **609** comment by: *British Microlight Aircraft Association*

Communications? Is this a requirement for an RT licence? Many pilots prefer not to use the radio in flight. There should be no automatic requirement for an RT licence to be held.

response **Noted**

Thank you for your comment.

The issue has been discussed again with the review group experts. As the subject communication seems to be an important general issue nowadays when pilots have the privilege to fly in all European countries, cross borders and enter different airspace categories a certain amount of knowledge about communication procedures seems to be necessary. A second issue is the fact that the Basic Regulation clearly asks for this subject (Annex III 1.b.1) and the ICAO based PPL contains this subject also (full credit for the LPL theoretical knowledge means also to keep all the subjects).

The subject "communications" is different from an R/T licence which is required in different Member States when entering certain airspace categories.

comment **960** comment by: *CAA Belgium*

1) there is FCL.120 (a) but no (b).
2) the description of the theoretical knowledge subjects is different from the subjects for PPL under FCL.215. Any reason ?

response **Partially accepted**

Thank you for providing your comment.

The numbering will be changed accordingly.
The Agency cannot see a difference in the description of the contents for the theoretical knowledge examination. The subjects are the same as contained in FCL.215. However, a new concept of 4 "common subjects" and 5 "specific subjects" was introduced. This is the reason for the slightly changed order of the subjects. To reduce the risk of irritation the Agency will change and align the order of the specific subjects to the order used in FCL.215.

comment **1120** comment by: *KLSPublishing*

120 (2) no operational procedures (JAR OPS1) for LPL, must be an error.

response **Not accepted**

Thank you for providing your comment. However, the Agency cannot agree with your proposal to delete the subject "Operational Procedures".

The subject "Operational procedures" was introduced by JAR-FCL as one of the subjects of the theoretical knowledge for the PPL and is required for all pilot licences by the Basic Regulation (Annex III). The Agency has decided to incorporate this subject also in the LPL Syllabus. Please check the appropriate

AMC material with the syllabus to understand the importance of this subject also for the LPL pilots.

comment 1442

comment by: *Anja Barfuß*

Please clarify in case of theoretical requirements are provided for common Requirements how to deal with additional definition provided for extension of the license. Do the definition replace the common definition or is it needed to add? I assume that the knowledge here is asked in a global manner and in detail for the AC class according FCL125b sheduled skill test.

response *Noted*

Thank you for providing your comment and the related question.

The Agency does not know on which particular issue the question is aiming on but it has to be highlighted that for every aircraft category or LPL category a different syllabus for the Theoretical Knowledge was developed. You will find it in the AMC material.

For an extension of the licence (e.g. the extension of a LPL(S) to TMGs) a separate AMC to FCL.125.S was developed explaining also the contents of the additional theoretical knowledge instruction.

comment 1529

comment by: *Danish Balloon Organisation*

FCL.120 (a) (1):

We suggest that the subject "Communications" to be only a theoretical subject and the practical exercises and testing leading to an R/T license be voluntary. This should be reflected in the associated AMC.

Justification: The mandatory subject Communications and the associated AMC imply that a VFR R/T license is now mandatory also for sailplanes and balloons. ICAO Annex 1 does not require this.

Alternatively it should be stated that all pilots flying today on ICAO compliant licenses without an R/T license shall be able to continue to fly without an R/T license. (Grandfather rights.).

response *Noted*

Thank you for your comment.

The issue has been discussed again with the review group experts. As the subject communication seems to be an important general issue nowadays when pilots have the privilege to fly in all European countries, cross borders and enter different airspace categories a certain amount of knowledge about communication procedures seems to be necessary. A second issue is the fact that the Basic Regulation clearly asks for this subject (Annex III 1.b.1) and the ICAO based PPL contains this subject also (full credit for the LPL theoretical knowledge means also to keep all the subjects).

The subject "communications" is different from an R/T licence which is required in different Member States when entering certain airspace categories. It should be clarified that communications will be only a theoretical subject like all the

other subjects without any need to undergo practical R/T training or to hold an R/T licence.

comment **1681** comment by: *Sven Koch*

(1) allgemeine Fächer: Luftrecht, menschl. Leistungsvermögen, Meteorologie, Sprechfunk.
 (2) besondere Fächer mit Schwerpunkt der unterschiedlichen Flugzeugkategorien:
 Aerodynamik, Technik, Flugleistungen
 + Planung, Flugzeugkunde, Navigation.

response **Noted**

Thank you for your comment.
 However, the Agency does not understand the reason behind.

It can be acknowledged that most of the subjects mentioned in FCL.120 are translated correctly into the German language but we would like to highlight that the subject "Operational procedures" is missing.

comment **2163** comment by: *D J Akerman*

Add Navigation to FCL.120

response **Not accepted**

Thank you for providing your opinion.

In FCL.120(a)(2) the specific subjects concerning the different aircraft categories are mentioned. One of the subjects is Navigation. Therefore the Agency concludes that it must not be added a second time. Due to the different navigational techniques and specific problems of every aircraft categories (e.g. navigation for balloon pilots which is different from navigational techniques for aeroplane pilots) this subject will be kept in the group of specific subjects.

comment **2464** comment by: *CAA Belgium*

FCL120
 Should the LPL examination be of the same level as the PPL ? If so, it cannot be guaranteed as each state organizes the examination in his own way.
 If they are not of the same level there is a problem because the LPL holder is credited in full for the issue of a PPL in the same category of aircraft (see App.1, (1),(1.1.2).

response **Noted**

Thank you for providing your comment and the related questions.

Yes, the intention of the Agency is to propose the same level of theoretical knowledge for the LPL of a certain aircraft category and the PPL for this category. The Member States have to ensure that the LPL theoretical knowledge exams will be at the same level as the PPL exams.

So far the theoretical examination of the JAR-PPL was also based on the

procedures each Member State has developed its "own way".

The Agency cannot see a problem by proposing this. However, for the future it might be necessary to evaluate the possible need for a harmonisation of the exams also on LPL and PPL level (Learning Objectives/Question Bank).

comment

3126

comment by: *FTO 09-157 FRENCH AIR FORCE*

An applicant for a "theoretical" LPL shall have demonstrated to the Authority a level of communications appropriate to the privileges granted. However the subject "communications" is too general. For the safety , it's better that an applicant shall have demonstrated the same level as an applicant for a CPL.

It could be better to write "VFR communications" .

response

Not accepted

Thank you for your comment.

The issue has been discussed again with the review group experts. As the subject communication seems to be an important general issue nowadays when pilots have the privilege to fly in all European countries, cross borders and enter different airspace categories a certain amount of knowledge about communication procedures seems to be necessary. A second issue is the fact that the Basic Regulation clearly asks for this subject (Annex III 1.b.1) and the ICAO based PPL contains this subject also (full credit for the LPL theoretical knowledge means also to keep all the subjects).

The comment is stating that the subject "communications is too general". The Agency would like to highlight that all the subjects mentioned in this paragraph are general terms (like they are used in the Basic Regulation). If you are searching for the contents of the theoretical knowledge instruction you should study the AMC material. This should not be part of the Implementing Rules. The Agency does further not agree that the LPL holder should be trained to CPL level in any of the subjects mentioned.

The subject "communications" is different from an R/T licence which is required in different Member States when entering certain airspace categories. It should be clarified that communications will be only a theoretical subject like all the other subjects without any need to undergo practical R/T training or to hold an R/T licence.

comment

3737

comment by: *ANPI*

This list is vague. ANPI would recommend to revisit this list with consideration of flight safety issues that are common to any type of aircraft. For example aerodynamic principles applicable from very light ACFT to airliners have to be included. The MD82 stall at take off results from the same basic pilot behavior / background that may be fatal to any aircraft, (TB.10 crash at take off from Arcachon)

IMC training intends to mitigate Risk related to loss of VFR conditions. It's valid for LPL and PPL for Aircrafts and Helicopters. It includes theory and practice. It's one of the reasons why the UK have a much better accident record than France.

Navigation course should include visual and radio-navigation with a particular

emphasis on GNSS use and its tricks and traps. (All LPL will probably use GPS anyway, without training course ?).

Airspace knowledge should be good to prevent the increasing danger of Airspace inadvertent penetration. It cannot be withdrawn from any Flying vehicle Pilot background. (ULM is considered as a real danger by anti-terrorist services).

On human factors stand point associated with Operational Procedures, higher emphasis should be placed on the Safety Very Critical "Decision Logic" associated "Key Points" also called "GO / NO GO"

Above points dealt with TOP accident and incidents categories : Loss of Control (VMC and IMC), CFIT, Airspace Infringement, destination Objectives, GPS related accidents.

We consider that necessary simplification shall be driven in any case by Safety considerations. Accident statistical data provide the basis for a "Safety Criticality Ranking" permitting to isolate Safety Critical Items applicable to training and to knowledge examination. This process will certainly simplify a lot NON Safety Critical domains, but will probably reinforce others that reveal to be necessary for Safety improvement.

Making sure that Safety Critical Items are covered may require examination guides indicating Pilots Performance criteria and acceptability limits .

These comments are applicable also to "FCL.125 page 12 LPL Skill Test »

And to

part C, SECTION 1

Common Requirements

FCL.215 Theoretical knowledge examination page 18

FCL.235 Skill Test

response

Noted

Thank you for providing this detailed comment.

First of all the Agency would like to agree that most of the items mentioned are important issues and topics and should be included in the theoretical and practical training for all pilot licences.

However, the Agency would like to highlight that the list of theoretical knowledge subjects contained in the Implementing Rules in FCL.120 is based on the Basic Regulation 216/2008 (see Annex III) which is the basis for the development of these requirements. This list must be kept and will be kept because the Agency cannot see a need to change them.

It seems that the comment does not take into account that most of the items mentioned should not be incorporated in these high level implementing rule text but could be mentioned in the appropriate AMC material. Your comment is mentioning for example topics like:

- aerodynamic principles
- VFR flights in IMC (training)
- visual and radio navigation
- airspace knowledge
- human factors issues (decision making)

The Agency would like to highlight that all these items are already part of the LPL theoretical knowledge training syllabus. The Syllabus will be the same as for the PPL in the appropriate category. Please see the detailed AMC material.

comment	<p>3798 comment by: <i>DGAC FRANCE</i></p> <p>FCL 120</p> <p>Appendix 1, A 1 paragraph 1.1.2 : gives credit in full of theoretical knowledge for the issue of a PPL to the holder of a LPL of the same category. Therefore, it will avoid an unnecessary burden (for the regulator and for the executive bodies) to reach the same result.</p> <p><i>Have the same theoretical knowledge instruction and examination for LPL(A) and PPL(A), and for LPL(H) and PPL(H).</i></p> <p>As it is already the case in the NPA for the theoretical knowledge instruction and examination for respectively LPL (B)and BPL, LPL(S) and SPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment and the related question.</p> <p>Yes, the intension of the Agency is to propose the same level of theoretical knowledge for the LPL of a certain aircraft category and the PPL for this category. The Member States have to ensure that the LPL theoretical knowledge exams will be at the same level as the PPL exams.</p> <p>To reach the goal requested in the comment and to have the same level of theoretical knowledge instruction and examination the same syllabus was already developed for the LPL and for the PPL (see AMC material).</p> <p>However, for the future it might be necessary to evaluate the possible need for a harmonisation of the exams also on LPL and PPL level (Learning Objectives / Question Bank).</p>
comment	<p>3906 comment by: <i>DCA Malta</i></p> <p>The theoretical knowledge training and examination for the issue of the Leisure Pilot Licence should be the same as that for the Private Pilot Licence as the holder of a LPL in the same category is credited in full in regard to theoretical knowledge requirements for the issue of the PPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>See response for comment 3798.</p>
comment	<p>4499 comment by: <i>FFK</i></p> <p>We think this should be in the same level as PPL-licence. We are flying in the same air and almost the same rules.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>See response for comment 3798.</p>
comment	<p>4836 comment by: <i>Royal Danish Aeroclub</i></p>

	FCL.120 (a)(1) Communication should not mean obligation to have a R/T license. Obligation to have a radio and a radio license should only be for areas with obligation to carry and use radio. Many pilots do fly for recreation and do not necessarily want to be stressed by listening to unnecessary radiocommunications - and therefore should a general obligation to have R/T license not be implemented. The wording "Communication" should be changed to "Communications other than radio communications" .
response	<i>Not accepted</i> Thank you for your comment. The issue has been discussed again with the review group experts. As the subject communication seems to be an important general issue nowadays when pilots have the privilege to fly in all European countries, cross borders and enter different airspace categories a certain amount of knowledge about communication procedures seems to be necessary. A second issue is the fact that the Basic Regulation clearly asks for this subject (Annex III 1.b.1) and the ICAO based PPL contains this subject also (full credit for the LPL theoretical knowledge means also to keep all the subjects). The subject "communications" is different from an R/T licence which is required in different Member States when entering certain airspace categories. It should be clarified that communications will be only a theoretical subject like all the other subjects without any need to undergo practical R/T training or to hold an R/T licence. The Agency cannot see a need to change the title for this subject.
comment	5764 comment by: <i>Royal Danish Aeroclub</i> See Cmt# 4813.
response	<i>Noted</i> Thank you for providing your comment. See response to comment No 4813.
comment	6278 comment by: <i>DCAA</i> Training and Examination should be identical to PPL (Subpart C, section 1, FCL.215 (a))
response	<i>Noted</i> Thank you for providing your comment. The Agency has drafted the requirements for the PPL/SPL/BPL and the LPL with the intension that training and examination should be identical. Having this in mind the subjects mentioned in FCL.120 are the same as the subjects contained in FCL.215. However, a new concept of 4 "common subjects" and 5 "specific subjects" was introduced to facilitate the LPL holder to change from a LPL licence for a certain aircraft category to another. This is also the reason for

the slightly changed order of the subjects. To reduce the risk of irritation the Agency will change and align the order of the specific subjects to the order used in FCL.215.

comment

6345

comment by: *Johann Friedrich***FCL.120 LPL Theoretical knowledge examination**

(a) Applicants for a LPL shall have demonstrated to the competent authority a level of theoretical knowledge appropriate to the privileges granted, through examinations on the following:

(1) common subjects:

Air law;
Human performance;
Meteorology; and
Communications;

(2) specific subjects concerning the different aircraft categories:

Principles of flight;
Operational procedures;
Flight performance and planning;
Aircraft general knowledge; and
Navigation.

Comment FCL.120 (2): Navigation is rather part of (1) Common subjects than of (2) Specific subjects.

Reason: This would be in contradiction to Appendix 1, A 1.1 page 72

response

Partially accepted

Thank you for providing your comment.

The intension of the Agency is to propose the same level of theoretical knowledge for the LPL of a certain aircraft category and the PPL for this category. To reach the goal requested in the comment and to have the same level of theoretical knowledge instruction and examination the same syllabus was developed as for the PPL (see AMC material).

In FCL.120(a)(2) the specific subjects concerning the different aircraft categories are mentioned. One of the subjects is Navigation. After having a discussion with the Licensing experts the Agency concluded that Navigation should be mentioned under the specific topics. Comparing ballooning navigational techniques with the ones used by aeroplane pilots or sailplane pilots the Agency realised the specific problems of each aircraft categories and decided to keep this subject in the second group.

The Agency agrees that this is in contradiction to Appendix 1, A.1.1 on page 72. This has to be changed in the Appendix.

comment

7560

comment by: *Royal Netherlands Aeronautical Association*

We suggest to make communications an optional subject, with the limitation that pilots without an examination in this subject can only obtain the privileges of the basic LPL.

This ruling will also enable conversion of national licenses in the Netherlands into the Basic LPL as communication is an optional subject for such licenses.

Exams of the communication subject must also be allowed to be taken after obtaining the privilege of the basic LPL.

response *Not accepted*

Thank you for your comment.

The issue has been discussed again with the review group experts. As the subject communication seems to be an important general issue nowadays when pilots have the privilege to fly in all European countries, cross borders and enter different airspace categories a certain amount of knowledge about communication procedures seems to be necessary. A second issue is the fact that the Basic Regulation clearly asks for this subject (Annex III 1.b.1) and the ICAO based PPL contains this subject also (full credit for the LPL theoretical knowledge means also to keep all the subjects). This is the reason why the Agency will not follow the proposal to make this subject an optional subject.

The subject "communications" is different from an R/T licence which is required in different Member States when entering certain airspace categories. It should be clarified that communications will be only a theoretical subject like all the other subjects without any need to undergo practical R/T training or to hold an R/T licence.

comment 7776

comment by: *European Microlight Federation*

(a)(1) Communications. While some communication skills will be necessary this should not imply that R/T licence training is required. There is no universal requirement for pilots to hold an R/T licence.

response *Noted*

Thank you for your comment.

The issue has been discussed again with the review group experts. As the subject communication seems to be an important general issue nowadays when pilots have the privilege to fly in all European countries, cross borders and enter different airspace categories a certain amount of knowledge about communication procedures seems to be necessary. A second issue is the fact that the Basic Regulation clearly asks for this subject (Annex III 1.b.1) and the ICAO based PPL contains this subject also (full credit for the LPL theoretical knowledge means also to keep all the subjects).

The subject "communications" is different from an R/T licence which is required in different Member States when entering certain airspace categories. It should be clarified that communications will be only a theoretical subject like all the other subjects without any need to undergo practical R/T training or to hold an R/T licence.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 1:
Common Requirements - FCL.125 LPL - Skill Test**

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comment 175

comment by: *EberhardSekler*

Hallo,

I am the owner and pilot of a small motor glider (Piccolo B MTOW 297kg). I have approximately 1000 landings and 1000 h of flight experience.

You intent to have a "proficiency check" every 6 year in addition to all the other rules i.e. number of landings and hours of flight time.

I think his would be a very hard burden for all pilots flying just for fun.

To pass the "proficiency check" I would have to charter a double seat motor glider with an instructor for approximately 10 hours which would cost me 1000,- €.

If I use the same amount of money I can fly more then 30h on my own glider. This hours of practice would give me more safety then a check flight.

In Germany there are about 30000 glider pilots, so a check flight every 6 year would cause 5000 "proficiency check" per year! For a one hour flight plus one hour of preparation time (paper work and bureaucracy) for the examiner you have to spend 10000 hours spare time. I can not imaging if this is feasible in volunteer time.

And what would happen if no examiner is available, I can not fly and practise I would stay on the ground and loss my license.

And what is the risk of a 300 or 500kg glider for the environment? Nothing!!!

My car has approximately 1200kg and I pass the other traffic in a distance of 1 or 2 meters but nobody force me to make my driver license every 6 year even if the risk for the environment is even more higher.

So after all I can not see any sense for "proficiency check" in the field of LPL(s) license.

Best Regards,

Eberhard Sekler

response *Noted*

Thank you for providing your opinion.

It seems that this comment should be addressed to another segment. The comment is dealing with the proposal for LPL and PPL licence holders to pass a proficiency check at least once every 6 years.

FCL.125 is dealing only with the requirements for the skill test which will be taken after having completed the flight instruction and the pass marks.

Concerning the mentioned regular proficiency check please see the responses and the resulting text in the different segments for the recency requirements (e.g. FCL.140.A). The Agency has reconsidered this issue and will introduce a mandatory training flight with an FI every 2 years instead of the proposed proficiency check.

comment 199

comment by: *HoT Heli Holland FTO*

response	<i>Noted</i> No text provided.
comment	<i>610</i> comment by: <i>British Microlight Aircraft Association</i> Accepted except the privileges should include the privilege to be remunerated for acting as an instructor when holding an instructor rating.
response	<i>Noted</i> Thank you for providing this comment. It seems that the comment should have been addressed to another segment. FCL.125 is dealing with the skill test for the LPL. See the responses for your comment No 606 and 616.
comment	<i>961</i> comment by: <i>CAA Belgium</i> (b) states that "the applicant shall have received instruction on the same class, type or group...used for the skill test". There is NO INDICATION of how many instruction is required. According this wording a training of a few minutes could be enough. (c)(1): a common standardized skill test report form should be imposed.
response	<i>Noted</i> Thank you for providing your opinion. Due to the fact that FCL.125 is dealing only with the general items of the skill test for all categories you cannot find any further indication in this requirement about the minimum instruction time needed before the skill test is taken. You will find these requirements for experience for example in in FCL.110.A or FCL.110.H. The proposed common standard skill test form are already developed and attached to this NPA as AMC. (e.g. AMC 1 to FCL.125 and to FCL.235 for LPL(S) and SPL)
comment	<i>1054</i> comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i> Comment: The SCAA can't see any need for the Basic LPL. There are many restrictions for safety reasons which show that this is not a safe way. The requirements for Basic LPL are more suitable for Micro Lights. Just keep the normal LPL. Se attachment: http://www.ingentaconnect.com/content/asma/asm/2008/00000079/00000010/art00008 Abstract: Pagán BJ, de Voogt A. Gyroplane accidents 1985-2005: epidemiological

analysis and pilot factors in 223 events. Aviat Space Environ Med 2008; 79:983-5.

Introduction: Gyroplanes (autogyros) are regarded as a relatively safe and stable type of general-aviation aircraft. The U.S. Federal Aviation Administration categorizes them as sport pilot/light sport aircraft, and reports of gyroplane accidents are included in a publicly available database. We hypothesized that issues related to pilot experience and aircraft maintenance would affect the severity of accidents as indicated by aircraft damage and fatalities. **Methods:** A search of the National Transportation Safety Board database for the period 1985-2005 yielded 223 reports of gyroplane accidents. Information from those reports was compiled and cross-referenced with pilot performance breakdowns and contextual information. The data was then analyzed using the Human Factors Analysis and Classification System. **Results:** There was a strong effect of pilot experience on crash outcomes; compared to more experienced pilots, crashes involving pilots with less than 40 flight hours in the same make/model gyroplane were five times more likely to involve loss of control, twice as likely to destroy the aircraft, and four times more likely to involve fatalities. On the other hand, crashes involving pilots with more than 40 make/model hours were more likely to be related to perception-based performance breakdown. Maintenance issues were not found to play a significant role in this sample of crashes. **Conclusion:** The results support the hypothesis that pilot experience is a significant predictor of accident fatality in gyroplanes. Training that is adapted to the experience level of pilots as implemented in new FAA regulations for sport pilot and light sport aircraft (2004) may help to reduce the frequency and seriousness of gyroplane accidents.

Proposal:

Delete FCL. 105. BA/H

Delete FCL.110. BA/H

Move FCL.135. BA/H to LPL FCL.135.A and H. Add limitations for sea-class ratings. Require at least 8 hours training and theoretical knowledge.

Delete FCL.140. BA/H

response

Noted

Thank you for providing your opinion.

However, the Agency does not agree. All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but

will not include specific cross country techniques.

The text will be changed accordingly.

comment

1450

comment by: *Anja Barfuß*

a) 'the skill test shall be taken within 6 month...'

In gliding clubs in Germany it is common to start theoretical and practical training in parallel. Due to club based and voluntary training operation the training took mainly place on weekends of the gliding season. So it is common that the training needs more time. According to my experience as a trainer it is normal to send trainees solo within one year and apply for examination after 2-3 years. In case of individual interruptions like other priorities like schooling, work or private problems it is not seldom that such a volunteer training took also 4-5 years. A skill test within 6 months is with these constraints not realistic for gliding and other club based volunteering training. But to be fair: for our training we also need more instruction time due to the longer period and a complex training program. So please

1) skip this sentence

2) or change to 'The skill test shall be taken at latest 6 months after flight instruction is completed.'

3) or change 6 months to 4 years (according to current German regulation)

4) or change to 'the minimum defined flight instruction time should be taken place not more than 6 months before skill test (exception for gliding to 1 year due to winter break)'

response

Noted

Thank you for providing your opinion.

It seems that this comment should have been addressed to another segment. The comment is dealing with the proposal for LPL and PPL licence holders to pass a proficiency check at least once every 6 years.

FCL.125 is dealing only with the requirements for the skill test which will be taken after having completed the flight instruction and the pass marks.

Concerning the mentioned regular proficiency check please see the responses and the resulting text in the different segments for the recency requirements (e.g. FCL.140.A). The Agency has reconsidered this issue and will introduce a mandatory training flight with an FI every 2 years instead of the proposed proficiency check.

comment

1503

comment by: *Volker ENGELMANN*

last Paragraph: Failure to achieve a pass in all sections of the test in 2 attempts will require further practical training.

In order to increase flight safety it is highly recommended, to allow the Flight Examiner to write a report, given to the flight school and the appropriate EASA Office whether the student needs additional training even after a first failed attempt.

Reason:

FE should be allowed to report poor performance of students in basic skills even if it is a first attempt. With this tool the FE will be enabled to "document"

	<p>poor training to authorities on a "normal" based way. In the matter of an effective operational risk management the safety will be increased. The flight school can be evaluated by the performance of the "outcome".</p>
response	<p>Noted</p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that the FE should provide feedback to the training organisation and/or to the competent authority (not the Agency) if poor performance of the applicant will require further practical training. The examiner is always allowed to communicate this to the ATO and it should be common standard anyway that a certain exchange about the students performance will be established between examiner and training organisation. There seems to be no need to change the wording of this paragraph.</p>
comment	<p>1682 comment by: <i>Sven Koch</i></p> <p>Innerhalb 6 Monaten nach Abschluss der praktischen Ausbildung Die Praxisprüfung wird in mehrere Sektionen aufgeteilt; bei Durchfallen in einem Teil, kann dieser wiederholt werden. Bei Durchfallen in mehr als einem Teil, komplette Wiederholung</p>
response	<p>Noted</p> <p>Thank you for providing your opinion. However, the Agency does not understand the meaning behind this comment.</p> <p>The text seems to be a German translation of some parts of the requirement but no additional information is given.</p>
comment	<p>2865 comment by: <i>Jeremy Hinton</i></p> <p>Skill test: Indeed needs to be rigorous. I support this section.</p>
response	<p>Noted</p> <p>Thank you for sending this positive feedback.</p>
comment	<p>4802 comment by: <i>Chris Gowers</i></p> <p>Para (4). Para (4) Change to, "Failure to achieve a pass in all sections of the test in 2 attempts will require further <i>mandatory</i> training <i>as directed by the flight examiner.</i>"</p> <p><i>Who determines the extra training not detailed in original text.</i></p>
response	<p>Not accepted</p> <p>Thank you for providing your opinion.</p> <p>However, the Agency is of the opinion that the current wording (used also in JAR-FCL) will not cause any problem. The failed sections will be documented by the examiner and an ATO should be able to determine the necessary extra training by using this information.</p>

The Agency believes that a certain exchange of information about the performance of the applicant will be established anyway between the examiner and the training organisation and considers this as sufficient.

comment

5079

comment by: UK CAA

Paragraph:

FCL.125 LPL-Skill Test

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Comment:

- Does not state validity of the skill test for licence/rating issue.
- No mention of number of attempts allowed.
- Once all items of the skill test have been successfully completed how long does the applicant have to apply for the licence/rating. No mention of any corrective action (i.e training/testing) if the time period is not met.

Justification:

Clarification.

response

Not accepted

Thank you for providing your opinion.

Regarding your first item (missing validity of the skill test for licence issue) the Agency cannot see a need to define a certain time limit as the pilot will receive anyway an unlimited licence and has to fulfill the recency requirements.

The comment is proposing a maximum number of attempts. The Agency has reconsidered this issue and came to the conclusion to keep the wording.

Both items will be kept also for the PPL/SPL/BPL subpart which are mainly based on the existing JAR-FCL requirements.

comment

6140

comment by: CAA Finland

FCL.125(a) skill test 6 months:

If time between the end of training and skill test would be 7 months, what to do? New text proposal:

The skill test shall be taken within 6 months of completing the flight instruction. Otherwise the applicant shall undertake further training at an approved training organisation. The extent and scope of the training needed shall be agreed by the training organisation, based on the needs of the applicant. The training organisation shall give a certificate of the additional training.

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees that there should be a certain "corrective action" if the given time period between the end of the training and the skill test will not be kept.

The proposal to add a sentence asking the applicant to undertake further training at an approved training organisation will be incorporated. The text will be changed accordingly.

As this training must be entered in the pilot's logbook the Agency does not see a need to introduce an additional certificate for this training.

comment 6144

comment by: CAA Finland

FCL.125(c)(4), additional training:

It is unclear who defines the additional training. New text proposal after existing text:

... will require further practical training at an approved training organisation. The extent and scope of the training needed shall be agreed by the training organisation, based on the needs of the applicant. The training organisation shall give a certificate of the additional training.

response

Not accepted

Thank you for providing your opinion.

However, the Agency is of the opinion that the current wording (used also in JAR-FCL) could be kept and will not cause any problem. The failed sections will be documented by the examiner and an ATO should be able to determine the necessary extra training by using these information. Additional training can only provided by an ATO.

The Agency believes that a certain exchange of information about the performance of the applicant will be established anyway between the examiner and the training organisation and considers this as sufficient.

As this training must be entered in the pilot's logbook the Agency does not see a need to introduce an additional certificate for this training.

comment 6347

comment by: Johann Friedrich

FCL.125 LPL Skill Test

(a) Applicants for a LPL shall demonstrate through the completion of a skill test the ability to perform, as pilot in command of the appropriate aircraft category, the relevant procedures and manoeuvres with competency appropriate to the privileges granted.

~~The skill test shall be taken within 6 months of completing the flight instruction.~~

Comment: Delete FCL.125 (a) last sentence

Reason: FCL.125 (a) last sentence is an inadequate restriction.

response

Not accepted

Thank you for providing your opinion.

However, the Agency cannot see that this requirement is an "inadequate restriction". The requirement was introduced to force the ATO and the student pilot to undergo the skill test in an acceptable time frame after finishing the

flight training.

comment 7140 comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

(a)

Demonstration of theoretical ability for LPL(S) on the subjects listed under FCL.125 shall be able to be made, not only to "competent authority" ("CAA") but also to "a qualified entity" approved to issue and revalidate licences. Such possibility is raised in our comment on Subpart A subclause FCL.015 (a) related to the planned possibility to empower national sports aviation bodies (Aviation Federations) to issue and revalidate licences etc. on behalf of the competent authority.

Justification:

Limiting of these actions to competent authorities ("CAAs") only – as it according to the texts is now proposed – is not justified.

Proposed text:

Change text of the first paragraph of FCL.120 (a) to read:

Applicants for a LPL shall have demonstrated a level of theoretical knowledge appropriate to the privileges granted, through examinations on the following:

In related to change on FCL.120 (a) above, change the text under "AMC to FCL.120 and FCL.125"

by adding the following item:

1.0: The examination may be arranged by *a qualified entity* or by competent authority.

and by changing the item 1.3 to read:

1.3: The *qualified entity* or competent authority arranging the examination should inform applicants of the language(s) in which the examinations will be conducted

response *Partially accepted*

Thank you for providing your opinion.

However, it seems that this comment should be addressed to another paragraph, namely FCL.120 and is aiming on the wording in this paragraph stating that the level of theoretical knowledge should be demonstrated to the competent authority.

The Basic Regulation EC 216/2008 defines the qualified entity as follows: "Qualified entity shall mean a body which may be allocated a specific certification task by, and under the control and the responsibility of, the Agency or a national aviation authority". Article 13 and Annex V of this regulation provide further criteria.

As a consequence certain tasks could be allocated to a qualified entity.

In addition to this the Agency decided to delete the referencte to the competent authority in FCL.120 and FCL.215 (PPL) because the same wording is used for the CPL and the ATPL requirement.

comment 7974

comment by: *HeliAir Ltd*

There is no reason why a test should be performed within 6 months - if they can pass they pass. Unnecessary limitation.

Why not just have pass or fail? Agrovation - "two item in section one or one item in two sections , no items in section 3 - series 1 attempt number two etc" just unnecessary complication... !

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree that this requirement is an "unnecessary limitation". The requirement was introduced to force the ATO and the student pilot to undergo the skill test in an acceptable time frame after finishing the flight training.

The Agency will add a sentence explaining that if this time frame given cannot be kept the student pilot has to undertake further training. This will guarantee that the student pilot has a certain amount of actual practical experience when doing the skill test.

Regarding the second issue (wording in (c) 2) the Agency will not change the idea of allowing to repeat only a certain section and not the whole skill test if this was the only failure.

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 2: Specific requirements for the Basic LPL - aeroplane and helicopter categories p. 12

comment

283

comment by: *CAA Belgium*

Section : Basic LPL

TO BE DELETED

response

Partially accepted

Thank you for your opinion.

However, the Agency does not agree. All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment *1121* comment by: *KLSPublishing*

Basic LPL in my opinion completely superfluous.
Adds only bureaucracy and brings no advantage.

response *Partially accepted*

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment *2209* comment by: *AECA(SPAIN)*

Delete Section totally.

Justification: **Is not** in ICAO Annex 1 and **not** in Basic Regulation

response *Partially accepted*

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment *2266* comment by: *Mike Grierson*

This licence is complete nonsense. In the hours stated it is not possible to train a pilot to operate safely. Such a licence will lead to a marked reduction in Safety standards and infringement of controlled airspace with the possible consequence of a more serious accident.

response *Partially accepted*

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment	<p>2329 comment by: <i>Susana Nogueira</i></p> <p>Delete Section totally.</p> <p>Justification: Is not in ICAO Annex 1 and not in Basic Regulation</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.</p>
comment	<p>2721 comment by: <i>French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots</i></p> <p>The Basic LPL is of great importance for our current and future members, since hundreds of French pilots have already passed a quite similar national licence with a very good feedback from the French National Supervisory Authority.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion and the additional information about the French Brevet Base.</p> <p>All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders who are not in favor of introducing such a licence did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.</p> <p>The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.</p> <p>Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (french Brevet Base or US LSA and recreational licence). This was also mentioned in your comment.</p> <p>Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).</p> <p>The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the</p>

conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment **3149** comment by: *AECA helicopteros.*

DELETE ALL THIS PART.

JUSTIFICATION. IS NOT IN TEH ANNEX 1 AND IN THE BASIC REGULATION.

response *Partially accepted*

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment **3905** comment by: *DCA Malta*

Basic LPL is to be deleted completely.

Requirements are too low.

response *Partially accepted*

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment **4289** comment by: *Baden-Württembergischer Luftfahrtverband*

Section 2

Our proposal

We Support the modular licensing beginning with the Basic LPL.

Rationale

This supports the goals of the „An Agenda for Sustainable Future in General and Business Aviation COM(2007) 869“ to a good extent. There are still some issues which we have pointed out in our comments.

response *Noted*

Thank you for your opinion and the positive feedback on the Basic LPL and the modular approach proposed.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders who are not in favor of introducing such a licence did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further

training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence). This was also mentioned in your comment.

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

5074

comment by: *Icelandic CAA*

The concept of the Basic LPL is not supported by the Icelandic CAA. The amount of flight instruction is not considered sufficient and should be no less than specified in ICAO Annex 1 para. 2.3.3.1.1

response

Partially accepted

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment

6141

comment by: *EUROCOPTER*

Regulation 216 foresees a leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less and which do not meet any of the criteria referred to in Article 3(j). In the case of helicopters below 2000 kg, the difference between piston and turbine power has little impact on the complexity and performance. In fact, it could be argued that handling of turbine engine is easier for the pilot. Therefore, we propose to delete the word piston:

FCL.105.BA/H Basic LPL Privileges

(b) Helicopters. The privileges of the holder of a Basic LPL for helicopters are to fly single engine ~~piston~~ helicopters with a maximum certificated takeoffmass of 2000 kg or less,...

response

Partially accepted

Thank you for providing your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders who are not in favor of introducing such a licence did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence). This was also mentioned in your comment.

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

However, taking your proposal into account the Agency agrees that the handling of a single-engine turbine helicopter should not exclude this types from the LPL. Please see the responses and the resulting text for the full LPL(H). "Turbine helicopters" will be included.

The text will be changed accordingly.

comment

6468

comment by: *Royal Swedish Aeroclub*

KSAK support Basic LPL. Perhaps generally this is not the ideal level to aim for. However, we are concerned with general aviation facing a yielding market. We need to find new ways to attract a broader spectrum of people interested in flying. Basic LPL might more attractive time- and moneywise. For those who, for different reasons are to continue a training towards PPL or LPL, could stay with Basic LPL. Forcing them to make a pause could easily lead to us losing them.

response

Noted

Thank you for your opinion and the positive feedback on the Basic PL.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders who are not in favor of introducing such a licence did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence). This was also mentioned in your comment.

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

7030

comment by: *Tim Wuehrmann*

A Basic LPL in addition to the LPL is not useful, because it complicates the licensing system and primarily enlarges the administration effort for the authorities. The improvements are more than enough. A cheap entry into flying is assured by LPL, glider/balloon licences and by using the TMG for the PPL(A). Please delete the part Basic LPL from this regulation.

response

Partially accepted

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment

7644

comment by: *Cristian Olinescu*

SECTION 2 - Basic LPL IS TO BE DELETED ENTIRELY.

We do not see any need and value for the Basic LPL. There are many restrictions for safety reasons which show that this is not a safe way. The requirements for Basic LPL are more suitable for Micro Lights. Normal LPL licence should be enough.

response

Partially accepted

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment

8231

comment by: *AOPA Sweden*

When it comes to the Basic LPL, AOPA Sweden is very positive to the introduction of the LPL. This is a great step in the right direction.

response

Noted

Thank you for your opinion and the positive feedback on the Basic LPL.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders who are not in favor of introducing such a licence did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence). This was also mentioned in your comment.

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

8250

comment by: *Linköping Flying Club*

FTO LFK does not support the introduction of Basic LPL as proposed. We find the training requirements for this license rather thin, and containing too little supervised solo flights.

The resulting limitations in pilot privileges may be contradictory to flights safety goals, especially the restriction for the pilot to land at the home field only.

response *Noted*

Thank you for providing your opinion.

Please see the response for comment No. 283 (CAA Belgium) in this segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 2:
Specific requirements for the Basic LPL - aeroplane and helicopter
categories - FCL.105.BA/H Basic LPL - Privileges**

p. 12

comment 15

comment by: *Sport Pilot Group (Malta)*

The restriction of 50kms to the Basic LPL is seriously detrimental to all leisure pilots based on the island republic of Malta - one of the 27 countries forming the EU. The Maltese islands are at least 100kms from the nearest European mainland mass - Pozzallo in Sicily (Italy). This limitation should be increased to at least 120kms to allow Malta based leisure pilots to reach the new airport at Comiso in Sicily or one of the smaller airstrips in the region. If this 50km limitation is not increased as suggested the Malta based leisure pilot will be effectively trapped by a stupid administrative decision!

response *Noted*

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (french Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders are in favor with the Basic LPL in general but do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. Some general emergency landing or navigational exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H) but only for emergency cases. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should cause any disadvantage for pilots flying in Malta.

If a pilot is interested in cross country flights he/she should do the "upgrade"

module for the full LPL.

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The text will be changed accordingly.

comment

81

comment by: *Aero Club Malta*

Re: Aeroplanes - Aero Club Malta is insisting that FCL105BA is amended to specifically include ultralight/microlight aircraft as defined in Annex II of the Basic Regulation. It must be remembered that there is a difference between regulating the aircraft themselves as machines and regulating the licences of pilot who fly them. This is a crucial distinction that seems to be escaping most of the stakeholders.

In support of this argument we must remember that although ultralights are Annex II aircraft, they still bore the brunt of EU Regulation EC 785/04 to the full without exception and hence we now expect that the licences of pilots wanting to fly microlights should be included in the new LPL.

We also propose that the limit for the Basic LPL should be brought down to 600kgs and that the 50km limitation is totally excluded (with corresponding increase in navigation training equal to LPL) while the carriage of 1 passenger is retained. With this proposed amendment, the Basic LPL should cater for all microlight aircraft in existent plus the proposed future LSA as well proposed by the Czech Republic. The limitation should be by MTOM and not by the distance flown! There are many national licences/navigation who do not bother about limitation by distance flown and there are no know repercussions on this. On the other hand distance limitations such as that with the UK CAA NPPL (M) causes unnecessary and often frustrating and costly burdens on pilots wanting to 'unrestrict' themselves. Furthermore for a small island country like Malta which is 100 kms away from mainland Europe, a useless 50km restriction would trap Maltese pilots on the island precluding them from the possibility to venture into Europe mainland.

EASA should amend FCL105 as suggested above to allow recreational pilots who do not have the opportunity to get a national licence for the flying of microlight/ultralights the right to have a true pan-European licence. In doing so, EASA will give the opportunity to pilots holding territorially limited national licences to convert onto an EU licence. Those who are happy with their national licences should be allowed to opt out and stay as they are.

response

Not accepted

Thank you for giving us your opinion.

As already mentioned in the comment the EU Regulation 216/2008 provides some clarification on the issue of future requirements for Annex II aircraft.

Article 4 of this Basic Regulation (BR) defines the basic principles and applicability of the BR. Paragraph 5 of this article clearly states that the requirements of this regulation regarding pilot licensing do not apply to Annex II aircraft (exception: when used for commercial air transport). Annex II itself defines further the different categories of Annex II aircraft and mentions under item (c)(v) land planes below 472,5 kg MTOM (or 315 kg MTOM if single seater). This is clearly the aircraft category of microlights the comment is referring to.

The Agency has to develop Implementing Rules which reflect the basic principles of the Basic Regulation, therefore no specific LPL category for microlights has been developed. The Member States will have to implement a national licensing system for Annex II aircraft. As long as microlights are categorised as Annex II aircraft the future licensing requirements will not apply.

However, it has to be highlighted that the requirement FCL.105.BA/H is dealing only with the privileges of the Basic LPL and not with the acceptance of or the crediting for a specific aircraft category. The crediting of flight experience on other aircraft categories like microlights will be addressed in FCL.110.A. A certain amount of previous flight time will be credited on the basis of a pre-entry test within an ATO. This should allow pilots with a national microlight licence to start the training for the LPL (which will allow the holder to fly aircraft with an MTOM up to 2 t).

Another comment is provided on the weight limit for the Basic LPL and a change of the 50 KM restriction is proposed. As the reduced amount of flying hours for the basic training can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. Some general emergency landing or navigational exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H) but only for emergency cases. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should cause any disadvantage for pilots flying in Malta.

The text will be amended accordingly.

comment

109

comment by: *Nick Wilcock*

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, Section 2 should be deleted in its entirety.

The Basic LPL is an utterly flawed concept; not only would such inexperienced pilots be likely to put their passengers lives at risk but their licence privileges would lead to clustering of activity within confined areas in those Member States without large areas of open airspace. This would lead to environmental noise nuisance in such areas and a higher risk of collision probability than would otherwise be the case.

Delete FCL.105.BA/H, FCL.110.BA/H, FCL.135.BA/H and FCL.140.BA/H.

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree. All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). Furthermore the Agency cannot agree to the statement that this kind of licence would lead to a higher risk of collision or environmental problems. No justification was given for this argument.

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

133

comment by: *Bernhard Blasen*

the 50km limit does not make sense at all. 50 km at Frankfurt area requires much more skills than 50km at Bayreuth. The 50km limit should be taken away. Flight instructions and skill tests should ensure that the pilot is able to fly at all areas.

response

Noted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

However, it seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should be dangerous if pilots fly within the given limits of their privileges (responsibility and airmanship).

If a pilot is interested in cross country flights and in intermediate landings at different airports he/she should do the "upgrade" module for the full LPL.

comment

134

comment by: *Bernhard Blasen*

The rule "without intermediate landing" should be avoided.

In case of doubtful conditions (weather, engine...) the pilot could come to stress because he's not allowed to land at a foreign airport and therefore he could be trying to return to his home airport even if it would be safer to land at a different airport.

A pilot who is trained to land at different airports will fly much safer than one only landing at the same airport all the times.

There is no reason at all for the rule "without intermediate landing".

response

Noted

Thank you for providing this additional comment on FCL.105.BA/H.

See the response on your comment No 133.

The reason for not allowing intermediate landings is that the concept for this basic licence (as the name already indicates) is based on local flights only. The necessary advanced cross country training (which would be needed also for flying to another airfield) is excluded. If you want to fly to another airfield you must hold the full LPL.

comment

231

comment by: *Heinz LANG*

Take-off mass of 2000kg seems too high for a light aeroplane as well as for a light helicopter. We suggest to limit it e.g. to 1000 kg.

Local flights of 50 km only makes sense for gliders, not for motorised aircraft.

response

Noted

Thank you for providing these comments.

Regarding your first issue the Agency has discussed the MTOM during the

drafting phase of this licence already. The experts came to the conclusion that the range provided by the Basic Regulation should be kept for the LPL and no further differentiation should be introduced in order not to make the new system too complicated. No safety related reason or justification was given that the proposed privilege to fly an aircraft with a MTOM up to 2 t would be too high.

Regarding your second issue the following should be clarified.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the mentioned case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should be dangerous if pilots fly within the given limits of their privileges (responsibility and airmanship).

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL.

comment

239

comment by: *Irish Aviation Authority*

FCL.105.BA/H

(a) This Authority is generally not in favour of the LAPL as previous experience suggests that pilots with such a low hours would not be fully prepared for the safe carriage of passengers, particularly in aircraft which are in excess of 4000 lbs.

Also the low hourly requirement suggested for examiners of LAPL may allow the licensing of pilots to carry passengers before all the necessary knowledge is gained.

In Ireland, even with cavok forecast, a pilot must always have the option to make a landing away from base due changes in weather/wind or the possibility of a blocked runway.

It must also be considered that a pilot who exceeds the 50 km distance from base, is acting outside the privileges of his licence and thus would be acting illegally - any aircraft insurance may be void. (nfc 25-08-08)

response

Noted

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). Furthermore the Agency cannot agree to the statement that this kind of licence would lead to a higher risk of collision or environmental problems. No justification was given for this argument.

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

252

comment by: *Rod Wood*

FCL.105.BA/H (b)

This helicopter element of this paragraph and all reference to helicopters should be removed. The idea of a helicopter pilot staying within 50km of the aerodrome and not landing away detracts from the value of the helicopter. It would seem this licence has been applied to helicopters because the aeroplane community has it. The syllabus re-numbers later exercises because some of the exercises are omitted. viz. Sloping Ground - essential for helicopter flying even when landing on flat ground, Steep turns - again essential. By omitting these and others, the student is in real danger of getting himself into situations that he does not have the teaching or knowledge to get out of.

If there is a mechanical problem with the helicopter, unlike the aeroplane, it can make a precautionary landing rather than have to fly back to the aerodrome. But there is no teaching for this! Off airfield landing techniques are omitted.

Even if the licence is retained against this proposal, the exercise numbers must be retained as they are on the current helicopter syllabus as to change them for just one, (unwanted), rating would be leading to confusion .

response

Accepted

Thank you for providing your opinion.

The Agency discussed the proposal for the Basic LPL(H) and the comments

received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category. The full LPL(H) will be kept.

comment 284 comment by: CAA Belgium

SECTION 2 - Basic LPL **IS TO BE DELETED ENTIRELY.**
because it will create a sure hazard to flight safety in the complex and crowded airspace we have.

response *Partially accepted*

Thank you for providing your opinion.

Please see the response for your comment No. 283 in the other segment. The Basic LPL for helicopters will be deleted from the proposal. The Basic LPL for aeroplanes will be kept.

comment 484 comment by: FOCA Switzerland

B/Section 2
FCL.105.BA/H, FCL 110.BA/H, FCL.135.BA/H and FCL.140.BA/H

Proposal:

General

Switzerland is strongly opposed to the introduction of LPL in Europe. Such solutions may be adequate for the situation in the US or in Canada. However, they are not at all suitable within the highly complex and integrated air traffic systems in most parts of Europe. The proposed lower standards of LPL would lead to an unacceptable higher risk for other airspace users in this extremely dense areas, especially in Switzerland. Switzerland would not be in a position to accept any license standards below the ICAO SARPS and would therefore not be able to implement the LPL in the proposed form due to binding constraints of international law (Chicago Convention).

On the principle that aviation must be founded on a safe basis, the above mentioned categories do not comply with such a policy and must therefore be deleted as a whole.

response *Noted*

Thank you for providing your opinion.

It is unclear if the comment is focusing only at the Basic LPL (as mentioned in the headline) or at the LPL concept in general.

However, the Agency would like to highlight that the creation of the LPL was agreed by the European legislator in the Basic Regulation. Provisions for the issuance of the LPL are specifically required by article 7(5) of the Basic Regulation. As a consequence the Agency will keep the requirements for a leisure pilot licence.

The comment mentions that "the proposed lower standards of LPL would lead

to unacceptable higher risk for other airspace users". The Agency does not agree with this statement (no justification was provided) and would like to explain the concept of the LPL further.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least").

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training. Similar concepts are already in place without causing any known safety hazards or higher risks for other airspace users in these countries.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

However, during the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low.

Taking into account the feedback received the Agency has decided to keep the Basic LPL(A) as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques.

The text will be changed accordingly.

comment

1455

comment by: *Anja Barfuß*

FCL105BH/H a) '...within no more than 50km from aerodrome of departure...'

1) Sailplane and balloons are not affected because they are neither Aeroplanes according FCL010 nor Helicopter. So LPL(S) and SPL do not differ.

2) Why you need navigation training, if you do not be allowed to leave the airfield?

3) For me it do not generate more safety if the pilot is restricted to the place of approach. For safe flight operation a pilot needs as much experience as possible for landing on different fields under different conditions. Only if a pilot is fit to do so, he is able to do a safe landing due to every kind of urgency or emergency. If you want to relax flight complexity of this lower level pilot there are better ways. One possibility could be to restrict to good weather conditions . For example according GAFOR to O and C. Reason: Flight in bad weather is one of the major reasons for accidents. Or to restrict to less complex airspace conditions. For example uncontrolled airspace. Reason: Less experienced pilots could generate trouble in high frequented airspace if they cannot cover the higher workload.

response

Noted

Thank you for providing your comment on the restriction for local flights (within 50 KM) with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence). Your assumption that this paragraph contains only requirements for aeroplanes and helicopters is right.

However, it seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL(A) pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should be dangerous if pilots fly within the given limits of their privileges (responsibility and airmanship). The Agency does not intend to limit this licence to the use of a certain airspace category as the airspace structure in Europe is still so diverse that such a limitation would not work.

If a pilot is interested in cross country flights and in intermediate landings at

different airports he/she should do the "upgrade" module for the full LPL.

comment

1517

comment by: *Regierung von Oberbayern-Luftamt Südbayern*

Die Begrenzung der Ausübung der Privilegien aus einem Basic-LPL auf das Mitführen von höchstens einem Passagier kann von uns nicht nachvollzogen werden.

Offenbar unterstellt man dem "frischgebackenen" Piloten ein noch nicht ausgereiftes praktisches Können und damit eine deutlich erhöhte Unfallträchtigkeit.

Dem begegnet die EASA mit der Begrenzung auf die Mitnahme nur eines Passagiers (neben dem Piloten). Dies ist nach unserer Auffassung der falsche Ansatzpunkt.

Wenn man der Auffassung ist, der Pilot ist (nach gegebenenfalls nur 20 Stunden praktischen Flugunterrichts) noch nicht in der Lage, ein Flugzeug mit bis zu vier Insassen sicher zu fliegen, darf er auch nicht als Pilot tätig werden. Ist man der Auffassung, nach mindestens 20 Flugstunden und einer bestandenen praktischen Prüfung ist der Pilot in der Lage, ein Luftfahrzeug unter Beachtung aller einschlägigen luftrechtlichen Normen fachgerecht zu steuern, sollte er auch so viele Passagiere mitnehmen dürfen, wie für das jeweilige Luftfahrzeug zugelassen sind.

In dem jetzt vorliegenden Entwurf scheint die EASA jedoch anzudeuten, ein Unfall mit "nur" zwei verunglückten Luftfahrern sei nicht so schlimm wie ein Unfall mit z. B. vier Luftfahrern. Eine derartig abwägende Quantifizierung menschlichen Lebens sollte rechtlichen Normen jedoch grundsätzlich fremd sein. Die Regelung stellt offenbar einen (äußerst unbefriedigenden) Kompromiss einer Arbeitsgruppe der EASA dar. Hier gilt es jedoch Farbe zu bekennen: entweder man traut dem Piloten zu, nach 20 Flugstunden und bestandener Prüfung ein Flugzeug zu steuern, dann darf er auch mehrere Passagiere mitnehmen. Oder man kommt zum Ergebnis, 20 Flugstunden in der Ausbildung reichen grundsätzlich nicht aus, den Piloten "auf die Menschheit loszulassen". Dann muss eine höhere Mindestausbildungsstundenzahl vorgegeben werden.

Darüber hinaus geben wir zu bedenken, dass bei einem etwaigen Unfall eines Luftfahrzeugs nicht nur die Insassen in Mitleidenschaft gezogen werden können, sondern auch "unbeteiligte" Dritte.

Dem Fahrerlaubnisrecht etwa ist eine vergleichbare Personenbegrenzung nach unserer Kenntnis fremd.

Folgende Alternativen einer Regelung des Basic-LPL werden daher von uns vorgeschlagen:

a) Aus fachlicher Sicht halten wir es nicht für angebracht, dass ein Pilot ein Flugzeug mit einem Gewicht von bis zu 2000 kg nach (mindestens) nur 20 Flugstunden sicher führen kann. Die Bedienung eines Flugzeugs in dieser Größenordnung ist zu komplex (z. B. Einstellmöglichkeiten des Propellers), so dass wir eine erhöhte Gefahr der Überforderung des unerfahrenen Piloten sehen. Sollte an dieser Gewichtsklasse für den Basic-LPL festgehalten werden, halten wir mindestens 35 Flugstunden für erforderlich.

b) Alternativ könnte die "maximum-take-off-mass" auf 750 kg bzw. TMG begrenzt werden. Flugzeuge dieser Größenordnung sind weit weniger komplex in der Bedienung. Dann würde sich auch die Frage der maximalen

	<p>Passagieranzahl nicht mehr stellen, da in diesen Flugzeugen für höchstens einen Passagier neben dem Piloten Platz ist. Die Mindestflugausbildung von 20 Flugstunden könnte dann beibehalten werden.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for your opinion.</p> <p>All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)</p> <p>The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.</p> <p>Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).</p> <p>Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers, to fly another variant of aeroplane as the one used for the skill test further training will be required and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).</p> <p>The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.</p> <p>The text will be changed accordingly.</p>
comment	<p>1645 comment by: <i>Dr. Jürgen Hendricks, Bamberg</i></p> <p>Grundsätzlich annehmbar.</p>
response	<p><i>Noted</i></p> <p>Thank you for your positive feedback.</p>
comment	<p>1683 comment by: <i>Sven Koch</i></p> <p>SEP oder TMG bis 2,0 to; max 1 Passagier an Bord; lokale Flüge bis 50 km ohne Landung auf anderem Platz; Flugbedingungen, dass Pilot immer zum</p>

response	<p>Startflugplatz zurückkehren kann.</p> <p><i>Noted</i></p> <p>Thank you for providing this comment but the Agency does not understand the meaning behind.</p> <p>The German translation of the requirement mentions the most important items.</p>
comment	<p>1795 comment by: <i>Matthias SIEBER</i></p> <p>LPL als Möglichkeit zum Erwerb eines "preisgünstigen" Pilotenscheins erscheint mir im ersten Schritt durchaus Sinnvoll, auch im Hinblick auf die zahlreichen Vereine die von seinen Mitgliedern leben und darauf angewiesen sind einen "Minimumbestand" an Mitgliedern (Piloten) zu haben.</p> <p>Die Frage die sich aufwirft, ist zum einen die Qualifizierung von solchen LPL in Hinsicht auf die Flugsicherheit und zum anderen die Frage, was ist mit Startplatz gemeint. Der 50km Radius sollte sich auf den Flugplatz beziehen, auf dem er ausgebildet wurde bzw. mit dem er genügend Erfahrung hat. Die Einschränkung auf den Startplatz hat als Grundlage die weniger gute Orientierung auf fremden Plätzen. Wenn die Ausbildung in Norddeutschland erfolgte und der LPL einen Flug von Kempten aus durchführt, käme er sogar in die Alpen, mit diesen Flugbedingungen hat der LPL sicherlich keine Erfahrung. Also die Einschränkung des Ausbildungsplatzes als Startplatz ist aus meiner Sicht durchaus sinnvoll.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)</p> <p>The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.</p> <p>Taking into account the feedback received the Agency has decided to keep the Basic LPL(A) as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers, to fly another variant of aeroplane as the one used for the skill test further training will be required and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).</p>

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment **1888** comment by: *Regierung von Oberbayern-Luftamt Südbayern*

Die Begrenzung auf einen Umkreis von 50 km vom Ausgangs-Landeplatz sind in der Praxis nicht nachprüfbar. Faktisch wird man dem Piloten nur einen Verstoß gegen diese Vorschrift nachweisen können, wenn es außerhalb der 50-km-Zone zu einem Zwischenfall kommt.

response **Noted**

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed.

Taking into account the feedback received the Agency has decided to keep the Basic LPL(A) as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL(A) pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The comment is right when stating that the local flights requirement will be difficult to check from the regulator side. This was also a reason to change the proposed distance and to make clear that this licence only allows local flights.

The Basic LPL for helicopters will be deleted based on the feedback received.

The text will be changed accordingly.

comment **2043** comment by: *Thomas SIEWERT*

FCL.105.BA/H Basic-LPL - Privileges

Der Sinn einer solchen "abgespeckten" Lizenz erschliesst sich uns nicht.

Die vorgesehene Ausbildung ist sehr rudimentär, und die Beschränkung auf Lokalflüge ist sehr relativ. Ein Pilot der seine Ausbildung zum Basic-LPL z.B. in Mecklenburg-Vorpommern absolviert hat und die Rechte seiner Lizenz nun z. B. ab dem Flugplatz Kempten wahrnehmen möchte befindet sich auch bei Beachtung des 50-km-Radius im Alpenraum!

Kann dies gewollt sein?

Wenn dann müsste die Beschränkung erfolgen auf einen Bereich mit dem der Pilot ausreichend vertraut ist - ggf. im Rahmen einer Einweisung vertraut gemacht werden muss.

Auch bietet die Luftraumstruktur in Deutschland mit vielen ED-Rs und Lufträumen C und D vielfach auch in einem Umkreis von 50 km um den „Heimatflugplatz“ die Möglichkeit Luftraumverletzungen zu begehen.

Alternativvorschlag:
Auf den Basic-LPL sollte verzichtet werden.

response

Partially accepted

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL(A) as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

2164

comment by: *D J Akerman*

50 KM is excessively restricted. Recommend change to 200KM and crossing from one country / state to another not permitted. Return to aerodrome of departure excessively restrictive. Recommend change to any aerodrome within 200KM and same country / state.

response

Not accepted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was

finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

However, it seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL(A) (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL(A) pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should be dangerous if pilots fly within the given limits of their privileges (responsibility and airmanship).

If a pilot is interested in cross country flights and in intermediate landings at different airports he/she should do the "upgrade" module for the full LPL.

comment

2302

comment by: *Matthias Dangel*

Hier ist nur der Startflugplatz beschrieben der einen Flug von jedem beliebigen Startplatz in 50 km Umgebung zulässt.

Als Einstiegslizenz ist dies absolut sinnvoll.

Im Sinne der Verkehrssicherheit und der Sicherheit der Besatzung kann es aber bei Flügen ausserhalb des Ausbildungsflugplatzes zu Problemen kommen. Beispiel: Die Ausbildung hat im Flachland wie der Küstenregion der Nordsee stattgefunden und nun startet der Pilot in Schongau (Alpenregion) zum Lokalflug mit Bergen über 2000 Meter Höhe.

Hier kann es zur Gefährdungen der Besatzung durch mangelnde Erfahrung im Streckenflug durch unübersichtliches Terrain und für die Besatzung anderer Flugzeuge kommen.

Hier sollte eine lokale Flugplatzbindung vorgeschrieben werden mit der Möglichkeit bei Zusatzqualifikation zur PPL entsprechend unbegrenzt fliegen zu dürfen.

response

Noted

Thank you for providing this positive feedback on the Basic LPL and the general limitation to 50 km. However, it should be mentioned that this requirement will be changed to only 30 km based on the input received.

The comment is mentioning the problem of pilots being trained in a certain region and flying later on in a different region (e.g. flat country and later on in mountainous regions). This is right in a certain way but it was and is already the case for the PPL. The option of an additional rating for flying in mountainous regions was discussed with the review group but the mountain rating for specific airfields was agreed as to be sufficient. It will be up to the responsibility of each pilot to ask for further training or a voluntary introduction flight when taking of the first time in such a region.

comment	<p>2435 comment by: <i>Dr. Horst Schomann</i></p> <p>Problem: The denomination "aeroplane" is used in two levels which create doubts in the FCL.135.BA/H and elsewhere in this document.</p> <p>Proposed solution: Use ... single-engine piston aircraft or touring motor glider</p> <p>Justification: Definitions are to be used consistently throughout a document (see my comment on FCL.010).</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency agrees that the touring motor glider (TMG) and the definition causes some problems.</p> <p>As this aircraft is defined according to its certification basis to be a powered sailplane and should be used for the flight training of a sailplane pilot the TMG is a specific type/class of powered sailplane.</p> <p>As the TMG class rating was also introduced by JAR FCL as a class rating for the PPL (aeroplanes) and EASA is willing to transfer this requirement the TMG was mentioned in the LPL(A) section specifically to make sure that not only aeroplanes but also TMGs can be used for the training. A different extension for the class of TMG was created (see FCL.135.A).</p> <p>The Agency will check if within the subpart for the LPL this wording (aeroplanes and touring motor glider) is used correctly and consistently.</p>
comment	<p>2459 comment by: <i>Irv Lee (Higherplane Aviation Training Ltd)</i></p> <p>The immediate privilege upon obtaining a Basic LPL (Aeroplanes) to roam up with a passenger to a radius of 50 kilometres from home base unsupervised, is a safety threat to the pilot, passenger, and other flights, commercial flights and private, taking off and landing within that radius. The proposal to allow Basic LPL privileges in low visibility which does not technically preclude returning to the base airfield is a safety threat to the same groups as it will undoubtedly lead to problems for the Basic LPL holder.</p> <p>Two licences which already exist which give early (low hours) qualifications are:</p> <ol style="list-style-type: none"> 1- The French Brevet de Base which has 'further sign off' to carry a passenger rather than immediate privileges. 2 - The UK restricted microlight rating within the NPPL allows a maximum radius of 12.5 km but requires a minimum visibility of 10 km. This means that the lack of navigation experience in the syllabus is compensated by the idea that, at all times, the pilot merely has to execute a 180 degree turn and fly for less than one minute to have the airfield in sight. <p>As the intention of the Basic LPL is to allow simple early privileges as a step to further licences, there cannot be a viable case for allowing such a wide radius of flight with so little navigation training or experience. With such a small number of hours to obtain the licence, it is unlikely that the licence holder will have much experience of seasonal weather conditions at the home base.</p>

For safety of the pilot, passenger and occupants of any flight nearby the proposal should include:

- a) For the first year or the first 25 post licence flights, whichever is later, the preflight planning including weather and notam checking, flight calculation plans and flight intentions must be examined and approved by a Flight Instructor prior to flight.
- b) Meteorological conditions within the legal range of the Basic LPL holder, actual and forecast, throughout the duration of the flight plus one hour to be a visibility of 10 km or more, with a lowest cloudbase height of 1500' or higher and no significant weather or cumulonimbus or towering cumulus.
- c) Initial privileges should be limited to a radius of 10km from the home airfield, with further privilege bands of a further 10 km requiring further sign off by a Flight Instructor.
- d) Initial privileges should not include carriage of a passenger until the licence holder has received further sign off by a Flight Instructor
- e) Due to the dearth of navigation training in the Basic LPL syllabus, and the low hours associated with the Basic LPL, such licences should not be permitted for use at airfields when there is a Control Zone (CTR) within legal range of the Basic LPL.
- f) Basic LPL privileges should be limited to aircraft with normal operation cruise Indicated Air Speeds of 140 knots or slower due to the lack of experience.

response *Partially accepted*

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). The Agency discussed also the proposal to limit this licence to a certain airspace category. As the airspace structure all over Europe is so diverse the Agency cannot see how this should be implemented.

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

2656

comment by: *Prutech Innovation Services Ltd.*

FCL.105.BA/H(a): This is a realistic sub-section, apart from the limit of 50km. A figure of 50 miles from the aerodrome would be very safe and therefore we propose that the limit be raised to 75km. This would provide more scope for a basic LP to build a wider variety of experience and confidence before progressing further.

response

Not accepted

Thank you for providing your comment on the 50 km restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (french Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should be dangerous if pilots fly within the given limits of their privileges (responsibility and airmanship).

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL.

comment

2670

comment by: *Luftamt Nordbayern*

Nicht nachvollziehbar ist, warum ein Basic-LPL auf die Beförderung eines Passagiers beschränkt sein soll, obwohl er zum Führen von Luftfahrzeugen berechtigt, die für bis zu 4 Personen ausgelegt sind. Beherrscht der Pilot das Luftfahrzeug entsprechend den Anforderungen des Basic-LPL (nähere Fluplatzumgebung), dann ist es unbedenklich, wenn er bis zu 3 Passagiere befördert. Der wesentliche Unterschied zum LPL besteht lediglich im beschränkten "Aktionsradius" des Basic-LPL.

Sofern die Beschränkung des Basic-LPL auf die Mitnahme nur eines Passagiers auf der Überlegung beruht, für die Passagiere eines Basic-LPL Inhabers bestehe aufgrund der eingeschränkten Ausbildung eine erhöhte Gefahr, so ist der Beschränkung der Passagierzahl der falsche Ansatzpunkt. Eine Abwägung

dahingehend, ein Unfall mit 2 Toten sei nicht so schlimm wie ein Unfall mit 4 Toten sollte sich von selbst verbieten. Eine solche Überlegung übersieht im Übrigen, dass ein Absturz über bewohntem Gebiet weit mehr Menschen gefährdet als nur die Flugzeuginsassen.

Wenn man der Auffassung ist, der Pilot sei nach nur mind. 20 Stunden praktischen Flugunterrichts noch nicht in der Lage, ein Flugzeug mit bis zu vier Insassen sicher zu fliegen, darf er auch nicht als Pilot tätig werden.

Ist man der Auffassung, nach mindestens 20 Flugstunden und einer bestandenen praktischen Prüfung sei der Pilot in der Lage, ein Luftfahrzeug unter Beachtung aller einschlägigen luftrechtlichen Normen fachgerecht zu steuern, sollte er auch so viele Passagiere mitnehmen dürfen, wie für das jeweilige Luftfahrzeug zugelassen sind.

Die Begrenzung der Ausübung der Privilegien aus einem Basic-LPL auf die Mitnahme von höchstens einem Passagier kann von uns daher nicht nachvollzogen werden.

Hier sollte stattdessen der Ausbildungsumfang für Basic-LPL auf ein Niveau angehoben werden, das es erlaubt ihm ohne Bedenken die Verantwortung für Passagiere anzuvertrauen. Wir schlagen daher vor, den Ausbildungsumfang auf mindestens 35-40 Stunden praktische Flugausbildung zu erhöhen.

response *Not accepted*

Thank you for providing your opinion.
Please see the response to comment No 1517 (Regierung von Oberbayern)

comment

2714

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

The concept of a basic LPL is far from mature and too controversial to be included into the new set of regulations at this stage. The risks involved should be studied at greater detail and weighed against the potential benefits, if any. It should be considered at a later stage in the course of an amendment, if the study concludes that a Basic LPL does not increase risks and provides benefits. For most applicants the Basic LPL will constitute a transitional licence on their way to the LPL and therefore of short duration. At the same time it will create unnecessary bureaucracy and costs.

In Central Europe there are a number of airports open to general aviation which are surrounded by very complex airspace structures and procedures. The idea to have holders of Basis LPL with a mere 20 hours of total flight time to operate around e.g. Frankfurt airport is a nightmare. The criteria to operate no more than 50 km from the airport of departure is completely arbitrary and inappropriate to achieve the necessary risk mitigation. In terms of risk aspects, such as complexity of the aircraft, airspace and traffic scenarios around a particular airport are much more relevant than the distance from the point of departure. Familiarity and confidence on the part of the pilot will end abruptly even within the circle of 50km, if the pilot is confronted with a situation he is not sufficiently trained for.

By the same token, it appears rather odd that the lack of training shall apparently be compensated by a restriction of passengers on such flights to one person only. Either the pilot is competent and mature to fly the respective airplane, or he is not.

response

Noted

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). The Agency discussed also the proposal to limit this licence to a certain airspace category. As the airspace structure all over Europe is so diverse the Agency cannot see how this should be implemented.

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

2741 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

Within a radius of 50 km from his home base, the Basic LPL holder should be allowed to land and take off on all other aerodromes located in this area, at least to face the sudden unavailability of the aerodrome where he is based. For instance, in the occurrence of a thunderstorm overhead the aerodrome, or the increase of the crosswind component, or the runway being blocked.

In that respect, those aerodromes would be used as possible alternate aerodromes.

Consequently, all accessible aerodromes included in the 50 km radius area should be recognised during the flight training.

response

Not accepted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training (and the landings on different airfields as well) was one of the main items which were significantly reduced for the Basic LPL. For the mentioned case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights.

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL.

To make even more clear that this basic licence is limited to local flights only the Agency has decided to reduce the privileges to only 30 km distance. The text will be changed accordingly.

comment

2744

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

A maximum of POB of 2 is acceptable for FFA as the rule is formulated, provided it should be allowed to carry two persons on a three or four seated aeroplane.

response

Noted

Thank you for providing your comment.

Yes, this is the way the paragraph was foreseen.

However, based on the comments received stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point.

comment

2812

comment by: *Clare GRANGE*

The UK has two particular problems:

- 1) A great deal of complex airspace especially in the south east
- 2) The weather!

The Basic LPL, with its limited syllabus and training hours, will produce pilots who are inadequately trained to cope with the UK's demanding and challenging flying conditions. We already have a significant problem in relation to infringement of controlled airspace and we are also seeing pilots flying in conditions they are not qualified for. The Basic LPL will only make this situation worse and it will be open to abuse. Flights of 50 km will rapidly become 100 km and, since the VFR rules currently allow flight in visibility down to as little as 3000m, pilots will get lost and they will lose visual reference leading to a high probability of airspace infringement. Some airfields e.g. Damyns Hall are positioned uncomfortably close to the London LTMA. This licence is not appropriate at all and twenty hours are nowhere near enough to produce a competent pilot.

response *Noted*

Thank you for providing your opinion.

The Agency is aware that not only in the UK but also in a lot of European Member States the airspace structure is quite difficult. The Agency does not agree with the general statement that the Basic LPL will "produce pilot's who are inadequately trained" to cope with such conditions. No justification is given for this.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please check the level of training by reviewing these AMCs)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The Agency is of the opinion that these Implementing Rules cannot be drafted in such a way that any abuse (like explained in the comment) can be prevented. The pilot's are asked to show airmanship and responsibility by not acting beyond their privilege. As this privilege given with this licence is clearly limited to local flights only the Agency cannot see the risk described in the comment.

comment	<p>3049 comment by: <i>PAL-V Europe</i></p> <p>FCL.105.BA/H Basic LPL - Privileges</p> <p>Text in (a) or (b) is the same, apart from the differentiation between aeroplanes and helicopters. We propose to add the text for "gyroplanes" to (a).</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment. However, the Agency will not add specific licensing requirements for pilots of gyroplanes because so far this class of aircraft falls clearly under the Annex II definition of the Basic Regulation.</p> <p>It might be a future rulemaking task to develop licensing requirements for this class of aircraft.</p>
comment	<p>3175 comment by: <i>Derek Maltby</i></p> <p>We think that the capacity of balloons pax permitted in the balloon should be in a 105,000 cu. ft. pilot PLUS four pax.</p> <p>In a 120 cu. ft. balloon, this should be pilot plus five pax.</p> <p>In a 140 size envelope, this should cater for pilot plus 6 pax.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>It seems that this comment should be assigned to another segment of the document. This requirement is dealing only with the privileges for the Basic LPL for aeroplanes and helicopters.</p> <p>The maximum passenger capacity and the envelope size for balloons has been reviewed. Please check the responses in the appropriate section. For the LPL a maximum amount of 3 passengers will be kept because the Agency cannot see a need for a pure leisure or recreational flight to carry more than 3 passengers. The maximum envelope size will be changed accordingly.</p>
comment	<p>3432 comment by: <i>Royal Danish Aeroclub</i></p> <p>We do support the idea of a basic liccense with some limitations. This is supporting the idea of having a more modular training and education for pilot and will have a positive impact on the development of the general aviation and air sports.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this positive feedback.</p>
comment	<p>3700 comment by: <i>Axel Mitzscherlich</i></p> <p>(a) why is carrying of passengers restricted to 1 passenger ? The limitation should consider the possible number of carrying passengers of an a/c a LPL is privileged to fly.</p>

response

Noted

Thank you for providing your comment and raising the question.

As a lot of comments questioned the privileges based on the flight experience a Basic LPL holder will have, the Agency decided that the limitation for the Basic LPL(A) will be changed. The carriage of passengers will be forbidden to make clear that this licence is a basic entry licence module with limited privileges only.

comment

3927

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

Nicht nachvollziehbar ist, warum ein Basic-LPL auf die Beförderung eines Passagiers beschränkt sein soll, obwohl er zum Führen von Luftfahrzeugen berechtigt, die für bis zu 4 Personen ausgelegt sind. Beherrscht der Pilot das Luftfahrzeug entsprechend den Anforderungen des Basic-LPL (nähere Fluplatzumgebung), dann ist es unbedenklich, wenn er bis zu 3 Passagiere befördert. Der wesentliche Unterschied zum LPL besteht lediglich im beschränkten "Aktionsradius" des Basic-LPL.

Sofern die Beschränkung des Basic-LPL auf die Mitnahme nur eines Passagiers auf der Überlegung beruht, für die Passagiere eines Basic-LPL Inhabers bestehe aufgrund der eingeschränkten Ausbildung eine erhöhte Gefahr, so ist der Beschränkung der Passagierzahl der falsche Ansatzpunkt. Eine Abwägung dahingehend, ein Unfall mit 2 Toten sei nicht so schlimm wie ein Unfall mit 4 Toten sollte sich von selbst verbieten. Eine solche Überlegung übersieht im Übrigen, dass ein Absturz über bewohntem Gebiet weit mehr Menschen gefährdet als nur die Flugzeuginsassen.

Wenn man der Auffassung ist, der Pilot sei nach nur mind. 20 Stunden praktischen Flugunterrichts noch nicht in der Lage, ein Flugzeug mit bis zu vier Insassen sicher zu fliegen, darf er auch nicht als Pilot tätig werden.

Ist man der Auffassung, nach mindestens 20 Flugstunden und einer bestandenen praktischen Prüfung sei der Pilot in der Lage, ein Luftfahrzeug unter Beachtung aller einschlägigen luftrechtlichen Normen fachgerecht zu steuern, sollte er auch so viele Passagiere mitnehmen dürfen, wie für das jeweilige Luftfahrzeug zugelassen sind. Die Begrenzung der Ausübung der Privilegien aus einem Basic-LPL auf die Mitnahme von höchstens einem Passagier kann daher nicht nachvollzogen werden.

Hier sollte stattdessen der Ausbildungsumfang für Basic-LPL auf ein Niveau angehoben werden, das es erlaubt ihm ohne Bedenken die Verantwortung für Passagiere anzuvertrauen.

Vorschlag zur Regelung des Basic-LPL:

1. Aus fachlicher Sicht ist es kaum möglich, dass ein Pilot ein Flugzeug mit einem Gewicht von bis zu 2000 kg nach (mindestens) nur 20 Flugstunden sicher führen kann. Die Bedienung eines Flugzeugs in dieser Größenordnung ist zu komplex (z. B. Einstellmöglichkeiten des Propellers), so dass eine erhöhte Gefahr der Überforderung des unerfahrenen Piloten vorliegt. Sollte an dieser Gewichtsklasse für den Basic-LPL festgehalten werden, wird eine Erhöhung des Ausbildungsumfangs auf mindestens 35-40 Stunden praktische Flugausbildung

für erforderlich gehalten.

2. Alternativ könnte die "maximum-take-off-mass" auf 750 kg bzw. TMG begrenzt werden. Flugzeuge dieser Größenordnung sind weit weniger komplex in der Bedienung. Dann würde sich auch die Frage der maximalen Passagieranzahl nicht mehr stellen, da in diesen Flugzeugen für höchstens einen Passagier neben dem Piloten Platz ist. Die Mindestflugausbildung von 20 Flugstunden könnte dann beibehalten werden.

response *Not accepted*

Thank you for providing your opinion.
Please see the responses to comments No. 1517 (Regierung von Oberbayern) and No. 2670 (Luftamt Nordbayern).

comment

3929

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

Die Begrenzung auf einen Umkreis von 50 km vom Ausgangs-Landeplatz sind in der Praxis nicht nachprüfbar. Faktisch wird man dem Piloten nur einen Verstoß gegen diese Vorschrift nachweisen können, wenn es außerhalb der 50-km-Zone zu einem Zwischenfall kommt.

response *Noted*

Thank you for providing your comment.
See response to comment 1888.

comment

4079

comment by: *Bernd Hein*

Hier muß ein Landen auf den Plätzen im Umkreis von 100km möglich sein, da eine vorangegangene Ausbildung mit Fluglehrer erfolgt ist und dabei die Plätze an-geflogen wurden.Es müssen Start und Landungen auf anderen Plätzen aus Sicherheitsüberlegungen gemacht werden.Insgesamt mehr Wert auf Starts und Landungen legen.Nach Training mit Fluglehrer mit max. Fluggewicht müssen auch Flüge mit 4 Personen möglich sein.

response *Noted*

Thank you for providing your comment on the restriction for local flights and no intermediate landings with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (french Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training (and the landings on other airfields) was one of the main items which were significantly reduced for the Basic LPL. For the mentioned case of an emergency landing or the situation of sudden closure of the

departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights.

Regarding the comment that the training should be more focusing on take-offs and landings it must be highlighted that the instructor is the one who decides how many take-offs and landings a student pilot has to do. Why should this be regulated by the Implementing Rules?

If a pilot is interested in cross country flights (100 km) he/she should do the "upgrade" module for the full LPL. In order to make this more clear the Agency has decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

comment

4370

comment by: DC-AL

I foresee that many organisations will be unable to offer this licence, because they operate close to, under, or inside Controlled Airspace where allowing a pilot with such a minimum qualification to fly would be unsafe to others. It would seem appropriate that even when the base aerodrome is a long way from controlled airspace that a supervising instructor should be present when the holder is carrying a passenger, for the passenger's sake if not for the pilot's.

response

Noted

Thank you for providing your comment.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges.

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training (and the landings on other airfields) was one of the main items which were significantly reduced for the Basic LPL. This does not mean that the general issues like airspace structure or the procedures for entering certain airspace categories should be excluded from the training. If the training airfield is located close to, under or inside a control zone (controlled airspace E will not be a huge problem in most of the Member States), the pilot must be trained on this. The Agency cannot see a problem why this cannot be done. If the pilot needs some more training hours the instructor will adapt the training

to this.

The airspace issue was discussed with the experts but due to the huge differences regarding airspace structure in the different Member States it was decided not to exclude certain airspace categories from this licence.

If a pilot is interested in cross country flights (100 km) he/she should do the "upgrade" module for the full LPL. In order to make this more clear the Agency has decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

comment

4563

comment by: *Klaus Schneider-Zapp*

The prohibition of intermediate landings will force pilots to return to their native airfields even when landing on foreign airfields would be safer, e.g. when weather is getting worse. This will be a severe security risk. We propose to drop this prohibition, or at least add an additional phrase to explicitly allow landings on foreign airfields under particular circumstances.

response

Noted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received quite a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training (and the landings on other airfields) was one of the main items which were significantly reduced for the Basic LPL. For the mentioned case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights.

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL.

comment

5098

comment by: *Bristow Academy*

I strongly suggest deletion of the Basic LPL for helicopters.

Most accidents to light helicopters are due to pilot error, which is actually lack of pilot training and experience. If any employee of EASA or representative reading these comments would take a helicopter ride with a newly qualified BLPL(H) pilot with a total time of 35 hours, especially if something goes wrong, then leave the proposal for the introduction for the BLPL(H) as it is. Otherwise remove it.

Let's remember it is the European Aviation ***SAFETY*** Agency, and what may be perceived as acceptable for aeroplanes does not automatically carry over into helicopters. I suggest this is another example of the working group simply crossing out aeroplane and substituting helicopter.

response *Accepted*

Thank you for providing your opinion.

The Agency has reviewed the comments received on the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete this new licence or to change it completely (adding further limitations or additional training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.

The full LPL with 40 hours training (changed because of the missing instrument training item) which is quite close to the PPL(H) training syllabus and skill test (see AMC material) but with reduced medical standards will be kept.

comment *5605*

comment by: *David Trowse*

Basic LPL.

Pilots with such low experience levels should only be allowed to operate within the confines and supervision of a FTO or Flying Club.

response *Not accepted*

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC. The Agency can therefore see no need to limit the flying of such a Basic LPL pilots to fly under supervision of an ATO only.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The text will be changed accordingly.

comment

5647

comment by: Klaus Melchinger

This 50km limit does not make sense at all!
50 km at Frankfurt area requires much more skills than 50km at Bayreuth.
The 50km limit should be taken away.
Flight instructions and skill tests should ensure that the pilot is able to fly at all areas.

response

Not accepted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the mentioned case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights.

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL which will include the necessary training for cross country flights.

comment

5841

comment by: EFLEVA

EFLEVA understands that the expression "taking into account the conditions of flight" is probably intended to cover weather and technical matters including closure of the base airfield. With the present wording there could be some safety implications.

response

Noted

Thank you for providing your opinion.

The expression mentioned in FCL.105.BA/H was used to make clear that the pilot always has to check if all the different criteria such as weather conditions, fuel supply, and other factors guarantee that he/she will be always able to return to the aerodrome of departure. The Agency cannot see which kind of safety implication could be created by this wording.

comment

5862

comment by: *Peter Holland*

FCL.105.BA/H Basic LPL requirements

The whole concept of allowing a Basic LPL is "unwise". Particularly for helicopters.

1) It raises unrealistic expectations in potential students that a satisfactory standard can be reached in 20 hours (for aeroplanes) or 35 hours (for helicopters). Whilst the syllabus covers most major points for safe flying (notable exceptions listed below), the time allowed is grossly inadequate for it to be achievable on aeroplanes and I would say impossible for helicopters. This then has a negative effect on potential students and will not serve to increase applicant numbers as is presumably its purpose.

Notable exceptions from the syllabus are no training for; understanding and avoidance of controlled airspace, danger and prohibited areas (essential in UK, see below) and Steep Turns, for both aeroplanes and helicopters, plus for helicopters only, Sloping Ground - essential for any helicopter landing, particularly a solo one!

More importantly.....

2) It is courting danger!! It will certainly result in greatly increased numbers of "incidents" because of the low experience level and the allowance of a passenger. All authorities concur that the highest rate of incident is among recently qualified, low hour pilots carrying a friend as passenger, usually because they conduct advanced manoeuvres too slow and too low - i.e. showing off! This is particularly evident in the USA where they already have a similar lower level of pilot licence as the LPL being proposed in this NPA, but even they do not have a Basic LPL..

3) The 50km limitation is impossible to police, as is the no landaway. Holders can and will go where they like and land, particularly at private sites - the most dangerous! For helicopters this will likely involve confined areas, not something they will have been trained to do nor tested on!!

I would add that while 50km may seem nothing in the open areas of mainland Europe, here in the UK it is a significant distance. Within a 50km radius of London there are 3 of the busiest airports in Europe, Gatwick, Luton & Stanstead, several busy Business-Flight Airports notably Farnborough and Biggin Hill, plus the busiest airport in the world - Heathrow!!

The potential for incursions into controlled airspace, which is most of UK airspace, is hugely increased at the very least, but the risk of real incidents is unacceptably high.

	<p>I do not agree with the proposal for a "Basic LPL" but repeat my basic comment to FCL.105.A (LPL) and FCL.105.H (LPL) regarding passengers - at LPL level, if passengers are to be carried there should be a qualified PPL in the second pilot's seat (with controls) able to act as PIC if required. Explained in more detail against FCL.105.A & H.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for your opinion.</p> <p>All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)</p> <p>The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.</p> <p>Taking into account the feedback received the Agency has decided to keep the Basic LPL as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.</p> <p>The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).</p> <p>The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.</p> <p>The text will be changed accordingly.</p>
comment	<p>5923 comment by: <i>Christoph Talle</i></p> <p>In my view, there is no need for a Basic LPL. It is very complicate for pilots to differ between the licences. In Germany we have today a lot of problems with 3 Licences. (JAR, ICAO, national PPL). The LPL is absolut sufficient to get the entry into motorfying. Maybe the crediting can be higher for pilots holding another category of aircraft.</p> <p>If the Basic LPL is absolut necessary, the sens escapes me, why it is allowed to fly up to 2000 kg, but only with one passenger. The most aircraft have 4 places !?</p> <p>Consequently would be, that the only aircraft with max 2 seats are allowed.</p>
response	<p><i>Noted</i></p>

Thank you for providing your comment on the Basic LPL.

The Agency has reviewed all the comments received on the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence without limiting it to a certain lower MTOM. Examples of existing national systems show that similar licences are in place without causing any safety problem (french Brevet Base or US LSA and recreational licence). The administrative problems with three different licencing levels for aeroplanes in the private pilot sector should be manageable.

Based on the input received the Agency will further limit the privileges and will exclude the carriage of passengers.

comment

6251

comment by: *Axel Schwarz*

Since the privileges are restricted to flights within a radius of 50km from the aerodrome of departure there is no necessity to prohibit intermediate landings or permit only local flights, if another aerodrome is located within this radius.

response

Noted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training (and landings on different other airfields) was one of the main items which were significantly reduced for the Basic LPL. For the case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights.

If a pilot is interested in cross country flights or in landings on other airfields he/she should do the "upgrade" module for the full LPL.

comment

6350

comment by: *Johann Friedrich*

SECTION 3
Specific requirements for the LPL for aeroplanes LPL(A)
FCL.105.A LPL(A) Privileges

The privileges of the holder of a LPL for aeroplanes are to fly singleengine piston aeroplanes or TMG with a maximum certificated takeoff mass of 2000 kg or less, ~~carrying a maximum of 3 passengers, such that there are never more than 4 persons on board of the aircraft.~~

Comment: Delete last part of FCL.105.A LPL(A) Privileges

Reason: Restriction of passengers is inadequate. Take-off mass is decisive for flight safety, not the number of passengers.

response

Noted

Thank you for providing your comment.
However, the Agency does not agree with the proposal.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

comment

6489

comment by: *Austro Control GmbH*

Comment:

Basic LPL is not needed. As it is stated in FCL.105. BA/H the granted privileges have no flight level limitation and we consider it therefore to be unsafe to grant those privileges with less training than for the LPL.

Proposed Text:

Delete Section 2

response

Partially accepted

Thank you for your opinion.

However, the Agency does not agree. All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence with the main aim to

revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). Furthermore the Agency cannot agree to the statement that this kind of licence will be unsafe. No justification was given for this argument.

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

6540

comment by: *Light Aircraft Association UK*

Within a radius of 50 km from the departure airfield, the Basic LPL holder should be allowed to land and take-off at another airfield as the result of the potential unavailability of the 'base' airfield, due to weather or sudden closure. As the amendment reads at present, we consider this restriction raises some far reaching safety issues.

response

Noted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the mentioned case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should be dangerous if pilots fly within the given limits

of their privileges (responsibility and airmanship).

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL.

comment

6559

comment by: *Luftfahrtbehörde Schleswig-Holstein Landesbetrieb
Straßenbau und Verkehr*

Die LPL-Basic ist abzulehnen. Es ist bedenklich, dass ein Pilot ein Flugzeug mit einem Gewicht von bis zu 2000 kg nach nur 20 Flugstunden sicher führen kann.

Die Begrenzung auf einen Umkreis von 50 km vom Ausgangslandeplatz ist wirkungslos, da sie in der Praxis nicht nachprüfbar ist.

response

Noted

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). The Agency discussed also the proposal to limit this licence to a certain airspace category. As the airspace structure all over Europe is so diverse the Agency cannot see how this should be implemented.

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

6635

comment by: *Direction de l'Aviation Civile Luxembourg*

response

Section 2 should be deleted.
Luxembourg does not see the benefit of having a Basic Leisure Pilot Licence.

Noted

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not allow to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). The Agency discussed also the proposal to limit this licence to a certain airspace category. As the airspace structure all over Europe is so diverse the Agency cannot see how this should be implemented.

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

6752

comment by: *Viehmänn, Regierungspräsidium Kassel*

Die Einführung eines Basic- LPL –aeroplane and helicopter wird kritisch gesehen. Aus unserer Sicht wird diese Lizenz nicht für erforderlich gehalten. Die Regelungen zum LPL reichen vollkommen aus, um Interessenten unter relativ einfachen Bedingungen an den Flugsport heranzuführen.

Der Ausbildungsumfang zu dieser Lizenzart wird auch fachlich als zu gering eingestuft.

Eine sichere Führung des Flugzeuges nach Absolvierung von 20 Flugstunden kann nicht realistisch sein. Nach hiesigen Erfahrungen sind mindestens 30 Stunden Flugausbildungszeit anzusetzen.

Allein aus diesem Gesichtspunkt ist ein Basic- LPL entbehrlich, da seine Einführung keinen Sinn ergeben würde.

Auch die geplanten Einschränkungen der Rechte dieser Lizenz (Begrenzung auf 50 km- Radius und Mitnahme nur eines Fluggastes), die im Übrigen nur schwer kontrollierbar wären, machen doch deutlich, dass die Qualifizierung als Pilot noch mit Defiziten behaftet sein muss.

response

Noted

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC. If the applicant needs more than the minimum amount of 20 hours mentioned he/she will have to do some more training hours to reach the required level.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). This is not seen as a deficiency because it was proposed as a local flight licence only and this will be the main difference to the full LPL.

The text will be changed accordingly.

comment

6755

comment by: UK CAA

Paragraph:

FCL.105.BA/H

Page No*:

12

Comment:

Consideration should be given to limiting initial issue of a Basic LPL(A) to a simpler aeroplane, ie non-retractable gear, non-pressurised, fixed pitch propeller.

Justification:

There seem to be no limitations on sophistication so, on the face of it, a Basic LPL(A) pilot can fly, say, a PA32 with VP prop retractable u/c after a course of 14 hours on that type.

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees with the proposal to limit the initial privilege of a Basic LPL only to a simpler aeroplane. The Agency will add a requirement which asks the pilot to undertake difference or familiarisation training in order to extend the privileges from the one used in the skill test to another variant of aircraft within the class of single-engine piston aircraft.

The text will be changed accordingly.

comment

6831

comment by: *Joachim J. Janezic (Institute for Aviation law)*

A holder of a Basic LPL should neither be allowed to take passengers with him (1.) nor to fly within controlled airspace (2.).

Ad 1.: It is not safer to have only 1 pax aboard than 3. Seen from an extreme (legal) point of view: one life is not "cheaper" than three.

Ad 2.: The 50km (ignoring the environment) is questionable. These might be 50km in the desert or 50km over congested areas.

response

Partially accepted

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC. If the applicant needs more than the minimum amount of 20 hours mentioned he/she will have to do some more training hours to reach the required level.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers (as proposed in your comment), further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). This is not seen as a deficiency because it was proposed as a local flight licence only and this will be the main difference to the full LPL.

The text will be changed accordingly.

comment

7359

comment by: *Irish Aviation Authority*

If the Basic LPL (A/H) must be introduced, then this Authority would suggest that the privileges should be framed as being subject to the following conditions:-

(1) Flights shall be in Visual Meteorological Conditions (VMC) under Visual Flight Rules (VFR) by day only;

(Note: There does not appear to be anything in the current draft prohibiting Basic LPL privileges from being exercised at night (for those Member States which allow Special VFR at night).

(2) Flights shall be in Class "G" airspace only. A flight or any part thereof shall not be conducted in Controlled airspace.

(3) A flight shall not commence unless the following weather conditions are reasonably expected to prevail for the entire period of the flight:-

(i) Windspeed of 12 Kts or less;

(ii) Cloud base not less than 1000 ft above aerodrome level;

(iii) Visibility not less than 3Km.

(Note: The UK NPPL(M) - a 15 hour restricted licence- used weather restrictions to mitigate risk.)

(4) No passenger may be carried.

(Note: We believe that it is indefensible to entrust even one passenger's life to a 20-hour pilot.)

(5) Flights may not be made more than 3 Km from the point of take-off;

(6) The flight track may not pass above any open air assembly of people or any congested area or any area of essentially residential, recreational, commercial or industrial use at any height whatsoever, including such parts of the flight which are immediately after take-off or which are on the approach to landing;

(7) The holder of the Basic LPL shall act without remuneration as PIC of aircraft engaged in non-commercial operations **only**.

(Note: While the privileges of the PPL are quite clearly stated to be "without remuneration as PIC of aircraft engaged in non-commercial operations **only**" , this restriction appears to have been omitted from the Basic LPL and the full LPL privileges. If it is not stated that it is prohibited, then it must be permissible.)

response

Partially accepted

Thank you for sending your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC. If the applicant needs more than the minimum amount of 20 hours mentioned he/she will have to do some more training hours to reach the required level.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers (as proposed in your comment), further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

Regarding your additional proposals the following should be clarified:

- the LPL holder is only allowed to fly at night with an additional rating
- no Instrument rating can be added to the LPL
- there will be no link to a certain airspace category because of the diverse airspace structure in the different Member States (why should the LPL holder be excluded from controlled airspace E?)
- it seems to be difficult to define a certain weather limit. The Basic LPL holder should be trained to cope with such a weather.
- the LPL holder will be allowed only to perform non-commercial flight without remuneration. If the word "only" has to be added will be checked.

The text will be changed accordingly.

comment

7732

comment by: *Europe Air Sports, VP*

In both the aeroplane and the helicopter privilege a more or less editorial amendment needs be inserted in the second last line to read as follows: no intermediate landing except in case of an emergency.

Engine, blocked airfield or Wx are unpredictable. It is absolutely necessary to apply good airmanship and prepare an alternate during flight planning.

response

Partially accepted

Thank you for providing your comment on the restriction to local flights only with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges or would like to have emergency landings excluded (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for

the Basic LPL. For the mentioned case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. There is no need to mention this in the Implementing Rules.

comment

7897

comment by: RSA

Basis LPL Privileges

The privileges of that licence are very restrictive.

It should be possible to extend the privileges to navigation flight with a length higher than 50 NM and to be able to land in place different from the departure aerodrome after additional training and not being obliged to go to LPL(A)

response

Noted

Thank you for providing your comment on the restriction for local flights with the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights. The Agency cannot see why this limitation to local flights should be dangerous if pilots fly within the given limits of their privileges (responsibility and airmanship).

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL.

comment

7978

comment by: HeliAir Ltd

This license requires similar training to the OLD UK PPL - with which people could fly all over the world.

This is a feeble license which does not confere enough priveledges.

2000kg is sufficient limitation - no further limit required...

	<p>Helicopters: What has the engine got to do with it?? NOTHING! (the engine controls in a turbine R66 are <i>almost identical</i> to an piston R44)</p> <p>Why not make the restrictions HOURS LIMITED? Like the CPL 500hr restriction. ?</p>
response	<p><i>Partially accepted</i></p> <p>Thank your for providing this general positive feedback on the Basic LPL.</p> <p>However, the Agency has reviewed the comments received on the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete this new licence or to change it completely (adding further limitations or additional training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.</p> <p>The full LPL with 40 hours training (changed because the 5 hours instrument training are not part of the LPL training) which is quite close to the PPL(H) training syllabus and skill test (see AMC material) but with reduced medical standards will be kept.</p> <p>The turbine engine helicopters will be included in the privileges.</p>
comment	<p>8137 comment by: <i>Ursula Bodenheim</i></p> <p>Die Überprüfung der Piloten im Verein ist für Privatpilotena usreichend und sinnvoll, Überprüfung duch Prüfercheck ist zu teuer</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment.</p> <p>It seems that this comment should have been assigned to another segment dealing with the proposal for a LPL holder to pass a proficiency check every 6 years like in FCL.140.A.</p> <p>Please check the responses for the different segments dealing with this issue. Based on all the input received on this issue the Agency decided to introduce a mandatory training flight with an instructor every two years and to delete the proficiency check.</p>
comment	<p>8146 comment by: <i>William Treacy</i></p> <p>This should be renamed the '007 Licence', a licence to kill. It provides insufficient training for a pilot in the 21st Century. Good airmanship requires that a pilot must always be able to divert to another airfield, should the destination close, for example due to the runway being blocked by a disabled aircraft. So to train a pilot to only fly local flights of 50 km or less, is courting disaster. I suggest that this Licence should not be created.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>The Agency has spent quite some time discussing the idea of developing the future requirements for the LPL on a purely "competency based" approach. The Agency agrees on the principle that focusing on the competencies and skills of</p>

the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts could not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements. However, most of them are on a lower level than required by ICAO for the PPL, SPL and the BPL. As a result some of the proposed figures for the LPL instruction time seem to be rather low compared with the average student pilot but will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). Furthermore the Agency cannot agree to the statement that this kind of licence would lead to a higher risk of collision or environmental problems. No justification was given for this argument.

The Agency discussed the proposal for the Basic LPL(H) and the comments received on the helicopter issues with some helicopter experts and came to the conclusion that there is no need for a Basic LPL for this category.

The text will be changed accordingly.

comment

8233

comment by: *AOPA Sweden*

AOPA Sweden is positive to the introduction of Basic LPL. However we think that the limitation of 50km is too small to make the licence useful. The privileges should instead be increased in connection with a relevant adjustment of the syllabus(EASA may consult AOPA Sweden). For instance, with 5 hours more training the Basic LPL privileges could be extended to also landing and takeoffs on more than one airport. Also the radius of the area could be extended to 150km or another relevant value.

response

Noted

Thank you for providing your opinion and the positive feedback on the Basic LPL.

The Agency has received a lot of comments on the privileges and the minimum training for the Basic LPL. The different options were discussed and it was finally decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

It seems that some of the stakeholders do not agree with the proposed limited privileges (as mentioned also in your comment).

As the reduced amount of flying hours can only be proposed if certain elements of the training would be eliminated from the full LPL or PPL syllabus the cross country training was one of the main items which were significantly reduced for the Basic LPL. For the case of an emergency landing or the situation of sudden closure of the departure airfield some exercises are still part of the training syllabus for the Basic LPL (please study AMC to FCL.110.BA/H). But these are emergency situations and all pilots are allowed to do emergency landings in such a situation independently from the licence they hold. The Agency cannot see the need to extend the privileges for the Basic LPL and will lower the given maximum range for the Basic LPL pilot to make clear that this licence allows only to conduct local flights.

If a pilot is interested in cross country flights he/she should do the "upgrade" module for the full LPL or should go for the full LPL from the beginning on.

With the mentioned proposal of adding 5 hours more training to allow an extending of the privileges (intermediate landings allowed and extended range) there would only be a difference of 5 hours training between the Basic LPL and the LPL and nearly no difference in the privileges. The Agency cannot see a real need for this.

crediting	
comment	<p style="text-align: right;">comment by: <i>Aero Club Malta</i></p> <p>82</p> <p>To include reference to microlight aircraft as suggested in FCL105BA above.</p> <p>Re FCL110 BA (a) (1) increase from minimum of 10 hours to 12 hours</p> <p>Re FCL110 BA (a) (3) should be increased to have 6 hours of navigation training including 1 cross country flight of minimum 100kms including 1 landing at an airfield situated at least 25kms away from departure airfield.</p> <p>Furthermore a limitation should be included so that Basic LPL holders should not carry passengers before completing a further 10 hours as PIC earning an endorsement to his logbook in this respect.</p> <p>If the pilot intends to fly flexwing aircraft following training in fixed wing aircraft (or vice versa) he should carry out a further 5 hours of type conversion training before the necessary endorsement is recorded on his logbook by a LAFI.</p>
response	<p><i>Partially accepted</i></p> <p>The Agency acknowledges the opinion expressed.</p> <p>Regarding the issue of flight time in microlights please see the responses to your comments 80 and 81. The Agency will include an additional requirement on the crediting for previous flight experience on the basis of a pre-entry flight test in the ATO.</p> <p>Regarding the extension of privileges please see also the responses on your other comments. The Agency does not see a need to increase the training (here navigation training) and also the privileges because the full LPL will be exactly the licence with the mentioned privileges.</p> <p>Regarding the mentioned additional requirements on the carriage of passengers the Agency decided to change the limitation and to exclude the carriage of passengers completely.</p> <p>There are no microlight or "flex-wing" categories foreseen for the LPL because the Basic Regulation does clearly exclude Annex II aircraft.</p>
comment	<p style="text-align: right;">comment by: <i>Irish Aviation Authority</i></p> <p>229</p> <p>FCL.110 BA/H(b) Exercises 22 and 23 in the syllabus, on page 223, include Vertical Take-Off over Obstacles. This manoeuvre in a single engine helicopter contravenes National legislation since it is operating in a manner that does not guarantee a safe forced landing.</p> <p>Note same comments apply to LPL(H), FCL 110.H, and PPL(H), FCL 210.H, syllabus.</p> <p>JS 21 8 08</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the exercises mentioned are also part of the flight training for the PPL(H). This was already established under JAR-FCL and no specific safety problems or specific legal issues were discovered.</p>

The Agency will follow as close as possible the JAR-FCL standards for the PPL which leads to the conclusion that there is no need to exclude these exercises from the LPL syllabus.

It should be mentioned that the Basic LPL for helicopters will be deleted. Please see the other responses on this issue in the same segment.

comment 271 comment by: *Rod Wood*

If this licence is retained then (b) (3) should be increased to 6.

response *Noted*

The Agency has reviewed the comments received on the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete this new basic licence for helicopters or to change it completely (adding further limitations or additional training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.

The full LPL with 40 hours training (changed based on the fact that the 5 hours instrument training is not part of the training) which is quite close to the PPL(H) training syllabus and skill test (see AMC material) but with reduced medical standards will be kept.

comment 285 comment by: *CAA Belgium*

Basic LPL

TO BE DELETED

response *Partially accepted*

The Agency has reviewed the comments received on the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete this new basic licence for helicopters or to change it completely (adding further limitations or additional training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.

The full LPL with 40 hours training (changed based on the fact that the 5 hours instrument training is not part of the training) which is quite close to the PPL(H) training syllabus and skill test (see AMC material) but with reduced medical standards will be kept.

However, the Basic LPL for aeroplanes will be kept.
See also response for comment No 283.

comment 611 comment by: *British Microlight Aircraft Association*

(a) Comment. Although it is accepted that the minimum requirements are just that , "minimums" , and a Skill Test will be required to confirm the Pilot's actual ability before granting a licence, setting a minimum of 20 hours flight training will give the impression that this licence is achievable in this time and mislead student pilots into starting courses with a minimum budget that they cannot hope to complete within their financial constraints. Better to be realistic about the expected course period and not mislead student pilots and create a licence that everyone ridicules as being unachievable.

(b) Comment. It is more likely that student pilots will be able to achieve the 35 hour minimum required than the 20 hour minimum for the aeroplane BLPL and so a more realistic licence.

(C)The crediting allowance seems very minimal.

response

Noted

Thank you for providing your comment.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least").

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training. Similar concepts are already in place without causing any known safety hazards or higher risks for other airspace users in these countries.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

However, during the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL.

Taking into account the feedback received the Agency has decided to keep the

Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques.

The crediting for prior flight experience will be changed. A pre-entry flight test in an ATO will be the basis for it and the maximum amount of credit will be raised.

The text will be changed accordingly.

comment **1444** comment by: *Anja Barfuß*

Please clarify in case of practical requirements are provided for common Requirements how to deal with additional definition provided for extension of the license. Do the definition replace the common definition or is it needed to add? For example gliding or TMG: according FCL110BA/H a1 you need 10h dual flight instruction time. In FCL110S a1 8h are required. Is 8, 10 or 18 meant?

response *Noted*

Thank you for providing your comment and the related questions.

The Agency is not sure if the raised question is understood correctly. FCL.119.BA/H is only dealing with the experience requirements for aeroplanes and helicopters. There was an amount of 10 hours dual instruction time foreseen for aeroplanes and 20 hours for helicopters. For the LPL(S) 10 hours of dual instruction time on sailplanes, powered sailplanes and TMGs should be completed.

comment **1492** comment by: *Volker ENGELMANN*

The times for Dual Instruction should not be part of the Document since Flight Instructors need to have the right on variation on individual requirements of each student.

The flight safety will not be verifiable increased by the numbers of ours on dual instruction but on individual training programm for each student.

response *Noted*

Thank you for providing your comment.

The Agency agrees to the general statement that the instructors should have some space for their decision how much flying time will be solo under supervision and how much has to be dual training time.

However, regarding the 10 hours dual time mentioned in this paragraph the Agency does not see any practical problem with the given number and will keep it as it guarantees a certain minimum amount of solid basic training with the instructor on board.

comment **1635** comment by: *Nigel Roche*

Are we saying in (c) Crediting, that applicants holding LPL licence for another category of aircraft get a 10% flight time credit

or

that all licence holders ATPL (A), CPL (A) etc get a 10% credit of their total flight time.

I ask this because I can see senior captains who are 60 years old with thousands of hours who have lost their Class 1 medical but wish to continue to fly will be incredulous at such a decision.

If it was meant for only LPLs then I would suggest it is stated as such.

response *Noted*

Thank you for providing your opinion.

In (c) the wording used says: "holding a pilot licence for another category of aircraft". The meaning was (and it is the same wording used in JAR-FCL already) that a PPL(H) pilot would receive a credit for his/her flying experience when starting the training for the LPL(A). The same would apply when an ATPL(H) holder will start with the training for the LPL(A). Based on the comments received the requirements for the crediting were changed completely. Please check the new wording of (b).

For the crediting of previous experience in the same category of aircraft (ATPL(A) - LPL(A)) FCL.110 should be checked.

comment

1684

comment by: *Sven Koch*

Mindestens 20 Std Flugausbildung auf Flugzeugen oder Motorsegler, davon:
 10 Std am Doppelsteuer mit Lehrer
 4 Std überwachte Alleinflüge
 3 Std Navigationstraining

response

Noted

Thank you for providing this comment.

The Agency does not see the reason behind this comment as the comment provides only a German translation of paragraph (a) but no comment as such.

comment

1889

comment by: *Regierung von Oberbayern-Luftamt Südbayern*

Es ist unklar, ob in der Ausbildung nach Belieben des Schülers auf TMG oder SEP (bis 2 Tonnen !) ausgebildet werden kann und ob, egal auf welcher Klasse die praktische Ausbildung und der Prüfungsflug erfolgt sind, die Berechtigung zum Fliegen sowohl auf TMG als auch auf SEP erworben wird.

Nach JAR-FCL 1.215 handelt es sich bei SEP und TMG um unterschiedliche Klassenberechtigungen, die auch getrennt in den Luftfahrerschein eingetragen werden. Dies ist auch sinnvoll, da es sich bei TMG und SEP um Flugzeuge mit unterschiedlichen Bedienelementen und Flugeigenschaften (Leistung, Steuerung, Bremsklappen bzw. Landeklappen) handelt, die jeweils eine spezifische Ausbildung erfordern.

Es ist daher erforderlich, die praktische Prüfung auch in der Flugzeugklasse abzulegen, in der die Ausbildung erfolgt ist (vgl. Anhang 1 Nr. 6 zu JAR-FCL 1.130 und 1.135 deutsch). Will der Schüler gleich beide Klassenberechtigungen erwerben, muss eine Mindestanzahl von Flugstunden festgelegt werden, die er in jeder Klasse zu fliegen hat (z. B: 5 Stunden, vgl. § 3a Abs. 2 Nr. 1 LuftPersV).

Außerdem ist es erforderlich, für den Ersterwerb beider Klassenberechtigungen auch zwei getrennte Prüfungsflüge zu absolvieren.

response *Partially accepted*

Thank you for providing this comment.

The comment is aiming on the use of SEPs and/or TMGs for the training and the skill test. The Agency does not see a need to further elaborate on this issue in the requirements because FCL.135.BA/H defines that the privileges shall be limited to the class of aeroplane in which the skill test was taken. The two classes are single-engine piston aeroplanes and TMGs (see FCL.105.BLAPL - privileges).

FCL.135.BA/H already defines the additional training for the extension to the other class (3 hours) and requires an additional skill test. The Agency agrees to the proposal but this issue is already included in the proposal.

The Agency has agreed to another comment asking for a minimum amount of hours in the class in which the skill test will be taken. See the responses to other comments in this segment.

comment 2075

comment by: *Markus Hitter / JAR-Contra*

We appreciate to see low absolute requirements here. We see this is in full accordance with EASA's promise to put more emphasis on individual responsibility in private aviation.

response *Noted*

Thank you for providing this positive feedback.

However, reviewing the comments received the Agency realised that the major amount of comments clearly expressed that the proposed way forward would not be acceptable. Safety concerns were raised due to the relatively low amount of training hours. It seems that the Agency's idea to create with this concept an accessible first step for a pilot licence based on reduced training but also on reduced privileges could not convince the majority of stakeholders. The concept of relying mainly on the individual responsibility of the instructor and the examiner was not fully accepted.

Based on this the Agency has concluded to change some elements (increased limitations / further training for variants / a certain amount of training in the class used for the skill test) of the Basic LPL(A) and to delete the Basic LPL for helicopters. Please see the responses on other comments and check the resulting text.

comment 2606

comment by: *CAA Belgium*

(a)

	<p>Replace the words "flight instruction in aeroplanes or TMG" by "flight time in the class of aeroplane" in order:</p> <ol style="list-style-type: none"> 1) to be consistent with FCL 110 A and FCL 110 H where the words "flight time" instead of "flight instruction" are used; 2) to be consistent with FCL 110 BA/H (c) for the same reason 3) to be consistent with FCL 125 b <p>(b) Same remarks as for (a): replace the words "flight instruction on helicopters" by "flight time"</p>
response	<p><i>Partially accepted</i></p> <p>Thank for providing this comment.</p> <p>The comment is right in stating that a different wording was used. The wording in the PPL section is based on the JAR-FCL wording using the word flight time but adding that a certain amount of dual instruction and supervised solo flight time must be included. For the LPL the drafting group decided to use the term flight training because this defines more clear what kind of flight time it is.</p> <p>The issue was discussed during the review phase and the Agency decided to keep the wording for the LPL but align the wording in the PPL section. The term: "flight instruction" should be always used.</p>
comment	<p>2671 comment by: <i>Luftamt Nordbayern</i></p> <p>Die derzeitige Formulierung würde es theoretisch ermöglichen, die gesamte Ausbildung auf TMG zu absolvieren (FCL.110.BA/H) und die Prüfung auf "aeroplane" (SEP) zu fliegen um die Lizenz für "aeroplane" (SEP) zu erhalten (FCL.135.BA/H).</p> <p>Dies dürfte so wohl nicht beabsichtigt gewesen zu sein. Es ist weder im Interesse der Flugsicherheit, noch im Interesse der Piloten in einer Flugzeugklasse die Prüfung ablegen zu dürfen, in der während der Ausbildung noch keine Erfahrung gesammelt wurde. Eine gewisse Flugpraxis in der jeweiligen Flugzeugklasse ist notwendig, um die jeweiligen Besonderheiten von TMG und SEP sicher zu beherrschen,</p> <p>Hier könnte deshalb stattdessen formuliert werden: <i>Aeroplanes. Applicants for a Basic LPL for aeroplanes shall have completed at least 20 hours of flight instruction in aeroplanes or TMG, including at least:</i></p> <ol style="list-style-type: none"> <i>(1) 10 hours of dual instruction;</i> <i>in the class of aeroplane or TMG in which the skill test will be taken</i> <i>(2) 4 hours of supervised solo flight time</i> <i>in the class of aeroplane or TMG in which the skill test will be taken.</i> <i>(3) 3 hours of navigation training</i>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment.</p> <p>The comment mentions the example that all the training could be done on a TMG and the skill test on a SEP. There are several reasons why this example seems to be more a "theoretical" problem. First of all the ATO and the responsible instructors should be mentioned. Why should the responsible Head of Training send such a student pilot without any experience in a certain class</p>

with such an aircraft to the skill test? Secondly it must be questioned if somebody who has flown during all her/his training on a touring motor glider (e.g. SF 25 Falke) will be able to pass a skill test on a single-engine piston aeroplane (e.g. Piper PA 28).

By answering these questions the Agency would like to highlight also that the skill test (examined by a certified examiner) and the pre-assessment by the ATO should ensure that this will not happen.

However, realising that a lot of stakeholder already criticized the minimum amount of training required for the Basic LPL the Agency has decided to agree on the proposal presented in this comment in order to guarantee a certain amount of minimum training also in the class which will be used in the skill test.

comment

2831

comment by: *Dave Sawdon*

The level of minimum training and experience proposed for the LPL is frightening. As an Examiner I believe that allowing someone to carry a passenger after this level of training (even having passed a test) is highly inappropriate and will lead to death and injury. This LPL proposal MUST NOT SUCCEED.

There seems very little point in harmonising the requirements for a pilot who has to remain with 50km of the airfield of departure so all sub-ICAO licensing should be left to the National Authorities. The NA may then choose to delegate, as appropriate.

The UK NPPL is a very good example of this model.

response

Noted

Thank you for providing your opinion.

The Agency is aware that not only in the UK but also in a lot of European Member States the airspace structure is quite difficult. The Agency does not agree with the statement that the level of training for the Basic LPL concept "is frightening". No justification is given for this.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please check the level of training by reviewing these AMCs - see also the syllabus for the theoretical knowledge). The statements given were very often based only on the number of 20 hours.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet

Base or US LSA and recreational licence). It should be mentioned that the system proposed in the comment (keep national licencing systems for sub-ICAO licences) will not be a solution as it is not foreseen by the Basic Regulation. When these Implementing Rules are in force national licencing system will be kept. The UK NPPL might be kept but only for Annex II aircraft (e.g. microlight).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

comment

2904

comment by: *AECA(SPAIN)*

(a) Replace the words "flight instruction in aeroplanes or TMG" by "flight time in the class of aeroplane"

Justification:

- 1) to be consistent with FCL 110 A and FCL 110 H where the words "flight time" instead of "flight instruction" are used;
- 2) to be consistent with FCL 110 BA/H (c) for the same reason
- 3) to be consistent with FCL 125 b

(b) Same remarks as for (a): replace the words "flight instruction on helicopters" by "flight time"

response

Partially accepted

Thank for providing this comment.
See response to comment No 2606 (CAA Belgium).

comment

2985

comment by: *Tony White*

I write to comment on the EASA proposals for future training requirements. As a flying instructor in the UK I find that very few students succeed in gain their licence in the current JAR 45 hour syllabus. I find it difficult to accept that the proposed LPL basic licence could be safely achieved in 20 hours.

Can I suggest that a compromise might be to look at a 30 hour basic course in six months, This was the Uk PPL minimum as long ago as 1963 when I first started to fly and might be a way of encouraging students in the future under EASA.

response

Noted

Thank you for providing your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please check the level of training by reviewing these AMCs - see also the syllabus for the theoretical knowledge - airspace related issues). The statements given were very often based only on the number of 20 hours only.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The proposed 30 hours concept is already proposed but for the full LPL.

comment

3036

comment by: *Peter SCHMAUTZER*

There is no need to differentiate the hours at the experience requirements for the whole LPL section so that nobody can handle the law without having the law book at hand.

response

Noted

Thank you for providing this comment.

The comment seems to address the different number of training flights or hours throughout the whole section for the LPL.

The Agency is aware of the size of Part-FCL but the Agency disagrees with the idea to use a common figure for the amount of flight instruction in different aircraft categories. It is not wise to ask the balloon pilot for the same amount of training (flights, take-offs, hours) like the aeroplane pilot.

comment

3050

comment by: *PAL-V Europe*

FCL.110.BA/H Basic LPL – Experience requirements and crediting

We are of the opinion that the class of gyroplanes are more related in flying qualities to aeroplanes than helicopters, as they are not capable of hovering and there is no collective. In fact gyroplanes have more or less the same handling aspects as STOL aeroplanes.

Therefore we propose to add "gyroplanes" to the text in (a) as follows:

- (a) *Aeroplanes*. Applicants for a Basic LPL for aeroplanes shall have completed at least 20 hours of flight instruction in aeroplanes,

	gyroplanes or TMG, including at least:
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment. However, the Agency will not add specific licensing requirements for pilots of gyroplanes because so far this kind of aircraft falls clearly under the Annex II definition of the Basic Regulation.</p>
comment	<p>3099 comment by: <i>Deutscher Aero Club (DAeC)</i></p> <p>(c) Crediting. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot in command in such aircraft, up to a maximum of 3 hours, towards the requirements in (a) or (b) respectively 10 hours for glider pilots towards the requirements in (a).</p> <p>Justification As holder of a LPL(S) are already well trained, there is only marginal experience which has to be learned to gain the required skills, therefore a smaller crediting is illogical.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also for flight time on Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.</p>
comment	<p>3131 comment by: <i>Jim Ellis</i></p> <p>I do not favour a licence based upon only 20 flying hours. I do not think this is sufficient. I think the proposed 'Basic LPL' will be detrimental to flight safety. I would scrap this idea and stay with the full 30 hour requirement for the LPL(A).</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)</p> <p>The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will</p>

check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC. If the applicant needs more than the minimum amount of 20 hours mentioned he/she will have to do some more training hours to reach the required level.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). This is not seen as a deficiency because it was proposed as a local flight licence only and this will be the main difference to the full LPL.

The text will be changed accordingly.

comment

3160

comment by: *Susana Nogueira*

Replacement of words.

(a) Replace the words 'flight instruction in aeroplanes or TMG' by 'flight time in the class of aeroplane'.

Justification:

- 1) To be consistent with FCL 110 A and FCL 110 H.
- 2) To be consistent with FCL 110 BA/H(c)
- 3) To be consistent with FCL 125 (b)

response

Partially accepted

Thank for providing this comment.
See response to comment No. 2606 (CAA Belgium).

comment

3161

comment by: *Susana Nogueira*

Replacement of words.

(b) Replace the words 'flight instruction in helicopters' by 'flight time in helicopters'.

Justification:

- 1) To be consistent with FCL 110 A and FCL 110 H.
- 2) To be consistent with FCL 110 BA/H(c)
- 3) To be consistent with FCL 125 (b)

response

Partially accepted

Thank for providing this comment.
See response to comment No. 2606 (CAA Belgium).

In addition to this it should be mentioned that the Agency decided to delete the

Basic LPL for helicopter pilots. No text change is therefore needed any more.

comment **3347** comment by: *DGAC FRANCE*

FCL 110 BA/H (a)(3) (b)(3)

The requirement needs to be clarified.

What kind of training has to be given for the "3 hours of navigation training"
Is it dual instruction or solo flight?

response *Noted*

Thank you for providing your comment and the question related to FCL.110.BA/H (a)(3).

The wording used was chosen in order to allow the instructor to decide how to distribute this navigational training (dual flight time or solo flight time). As the AMC material defines the contents of these exercises it is clearly visible that a certain amount of dual navigation training will be necessary. Based on the progress of the student during these dual training flights additional solo cross country flights up to the defined limitation (maximum distance of 30 kilometers) could be performed also.

comment **3517** comment by: *Geschäftsführer Luftsportverband RP*

zu (c) es muss eine Einstiegsmöglichkeit vom Ultraleichtschein zum LPL geben oder auch vom Segelflieger zum Motorflieger. Bisher war in Deutschland dies mit 7 Stunden Flugzeit vom UL-Schein zum PPL A nat möglich. Oder beim Segelflieger wurden 15 Stunden anerkannt.

Deshalb sollte hier stehen:

(c) Crediting: Applicants aircraft, up to a maximum Of 10 hours, towards the requirements in (a) or up to a maximum of 5 hours, towards the requirements in (b).

response *Partially accepted*

Thank you for providing your comment.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment **3534** comment by: *Martyn Blunden*

I feel that the BLPL offers insufficient training for the requirements of modern airspace. In the UK the limited amount of navigation training for the BLPL is highly likely to result in an increase in controlled airspace infringements at the

very least. The result of which, would be at best delays caused to commercial operations or at worst reduced separation of traffic and an increased risk of mid-air collision. The close proximity of many major airfields to smaller training airfields means that this event is highly likely despite the limitation on the licence of distance from base and not landing away. Over recent years pilot training has strived to improve the standard of pilot skill and especially that of safety, reducing the requirements to this level has no place in modern aviation in Europe. Therefore, my objection to this licence is based largely on that of safety and it should be removed.

response **Noted**

Thank you for providing your opinion.

The Agency is aware that not only in the UK but also in a lot of European Member States the airspace structure is quite difficult. The Agency does not agree with the statement that the level of training for the Basic LPL "offers insufficient training for the requirements of modern airspace". No justification is given for this.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please check the level of training contained in these AMCs - see also the syllabus for the theoretical knowledge - airspace related issues). The statements given were very often based only on the number of 20 hours.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). The training received on airspace related issues should ensure that the problems mentioned in the comment do not occur.

comment

3931

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

Die derzeitige Formulierung würde es theoretisch ermöglichen, die gesamte Ausbildung auf TMG zu absolvieren (FCL.110.BA/H) und die Prüfung auf "aeroplane" (SEP) zu fliegen um die Lizenz für "aeroplane" (SEP) zu erhalten (FCL.135.BA/H).

Dies dürfte so wohl nicht beabsichtigt gewesen zu sein. Es ist weder im Interesse der Flugsicherheit, noch im Interesse der Piloten in einer

Flugzeugklasse die Prüfung ablegen zu dürfen, in der während der Ausbildung noch keine Erfahrung gesammelt wurde. Eine gewisse Flugpraxis in der jeweiligen Flugzeugklasse ist notwendig, um die jeweiligen Besonderheiten von TMG und SEP sicher zu beherrschen,

Hier könnte deshalb stattdessen formuliert werden:

Aeroplanes. Applicants for a Basic LPL for aeroplanes shall have completed at least 20 hours of flight instruction in aeroplanes or TMG, including at least:

(1) 10 hours of dual instruction; in the class of aeroplane or TMG in which the skill test will be taken (2) 4 hours of supervised solo flight time in the class of aeroplane or TMG in which the skill test will be taken.

(3) 3 hours of navigation training

response *Partially accepted*

Thank you for providing your comment.

See response for comment No 2671 (Luftamt Nordbayern).

comment **4080**

comment by: *Bernd Hein*

Es ist keine Anzahl von Starts und Stunden genannt. Mehr Wert auf Starts und Landungen legen.

response *Noted*

Thank you for providing your comment asking for additional numbers for the amount of take-offs and landings.

However, the Agency does not see a real need to also define a certain amount of take-offs or landings here. It is the responsibility of an instructor or an ATO to decide if a student pilot needs further training for take-off and landing. A minimum figure will not change this issue.

comment **4172**

comment by: *Noel WHITE*

This licence will reduce safety and cause more airspace infringements. There are many UK airfields with adjacent large airfields within 50Km having class A airspace above and to the surface. Many existing PPL students only achieve their first solo flight in approximately 16 to 20 hours and are only consolidating their circuit training at 20hrs. I feel that safety will be compromised if pilots with little or no navigational training are legally allowed to fly up to 50Km from the base airfield with a Basic LPL. I can imagine numerous cases of Class A airspace infringements causing untold cost and potential danger to heavy transport aircraft caused by Basic LPL pilots with little or no navigational training or experience. Given the ever increasing geographical complexity of airspace in the UK I think at least 10 hrs of navigational training is required (5 hours dual and 5 hours supervised solo).

response *Noted*

Thank you for providing your opinion.

Please see the response for comment No. 3543.

comment **4290**

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.110.BA/H(c)

Wording in the NPA

(c) *Crediting*. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot in command in such aircraft, up to a maximum of 3 hours, towards the requirements in (a) or (b).

Our proposal

Add:

Applicants for Aeroplanes holding a license for Sailplanes or 3 axis controlled micro lights shall be credited with a maximum of 10 hours against the requirements of (a). The remaining training shall then include a minimum of 5 hours dual instruction, 2 hours supervised solo flight time and 2 hours navigation training.

Issue with current wording

The skills of holders of sailplane licenses or 3 axis controlled micro light licenses are under rated

Rationale

The required skill sets for aeroplanes. Sailplanes and 3 axis micro lights are very similar. Crediting must be proportionate to the skill gap. See detailed rationale in our **general comment 3250 Nr. 2 and 3**

response *Partially accepted*

Thank you for providing your opinion.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment 4731

comment by: *CAA Belgium*

FCL.110.BA/H(a)

Probably editorial: The experience requirements for the Basic LPL asks for at least 20 hours of flight instruction. This is different from the other experience requirements in FCL.110.A(a) and FCL.110.H(a), where the requirement is for hours flight time, not instruction.

response *Accepted*

Thank you for providing this comment.

See also the response to your comment No. 2606.

The wording in the PPL and the LPL section has to be aligned and will be changed accordingly. The term "flight instruction" will be used.

comment 4760

comment by: *ECA- European Cockpit Association*

<![endif]-->

Comment:

(a) *Aeroplanes.* <![endif]-->

Applicants for a Basic LPL for aeroplanes shall have completed at least 20 hours of

flight instruction in aeroplanes or TMG, including at least:

(1) ~~10 hours of dual instruction;~~ 20 hours of dual instruction, if one passenger on board is allowed.

Justification:

Due to the possibility of flying complex aircraft (e.g. variable pitch prop., retractable gear) even with the LPL licence with a passenger ECA recommends min. 20-hour dual instruction to increase safety. Especially when carrying a passenger, 20 hours of dual instruction should be minimum. Special consideration should be given to flying complex aircraft with this low amount of training. This should be done in a basic simple aircraft. This is not acceptable.

response

Partially accepted

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC. If the applicant needs more than the minimum amount of 20 hours mentioned he/she will have to do some more training hours to reach the required level.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). This is not seen as a deficiency because it was proposed as a local flight licence only and this will be the main difference to the full LPL.

The text will be changed accordingly.

comment

5077

comment by: UK CAA

Paragraph:

FCL.110.BA/H – Basic LPL-Experience requirements and crediting

Page No:

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Comment:

Does the basic LPL for aeroplanes/TMG include sailplanes?

The LAPL(S) requires 40 launches and landings yet for the basic LPL there is none.

JAR-FCL 2 was quite specific that the 35 hours for a JAR-PPL(H) was conducted on one helicopter type. Does this also apply to the LPL(H)?

Justification:

Clarification.

response

Noted

Thank you for providing your comment and the question regarding the privileges of a Basic LPL holder.

The Agency would like to highlight the privileges of the Basic LPL holder which are defined in FCL.105.BA/H:

"..are to fly single-engine piston aeroplanes or touring motor gliders (TMG)"

As sailplanes are not included the LPL(A) holder will not be allowed to fly a sailplane with this licence.

The required 40 hours flight training (changed based on the input received) for the LPL(H) are not limited to one specific type only but the privilege will be limited to the type used in the skill test. Furthermore it was decided to add a requirement which will ask for at least 35 hours on the type used for the skill test.

comment

5183

comment by: *Klaus Melchinger*

I appreciate to see low absolute requirements here.

I see this is in full accordance with EASA's promise to put more emphasis on individual responsibility in private aviation.

response

Noted

Thank you for providing this positive feedback.

See response for comment No 2075.

comment

5250

comment by: *CAA Belgium*

FCL 110 BA/H (a)(3) (b)(3)

The requirement needs to be clarified.

What kind of training has to be given for the "3 hours of navigation training"

Is it dual instruction or solo flight?

response

Noted

Thank you for providing your comment.

See the response for comment No 3347 for this segment.

comment

5484

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

This provision does not distinguish between aeroplane and TMG. It treats the two literally as one class with the effect that a licence for an aeroplane can be acquired with flight time solely on TMG and vice versa. Experience, shows however, that such assumption can not be safely made and that a minimum of training is necessary to make the pilot familiar with the peculiarities of the other class. The experience requirement in (a) (1) and (2) should therefore be linked to the class of aeroplane or TMG in which the skill test will be taken.

response *Accepted*

Thank you for providing your opinion.
Please see the response for comment No. 2671 (Luftamt Nordbayern)

comment *5607*

comment by: *David Trowse*

Basic LPL. 20 hours does not seem to be enough training for a pilot to safely exercise the proposed privileges unsupervised and should be increased.

response *Noted*

Thank you for your opinion.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please see also the appropriate AMC material containing the Basic LPL training syllabus)

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC. If the applicant needs more than the minimum amount of 20 hours mentioned he/she will have to do some more training hours to reach the required level.

Taking into account the feedback received the Agency has decided to keep the Basic LPL as an accessible "entry" licence with the main aim to revitalise General Aviation. Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly.

The Basic LPL pilot will not be allowed to carry passengers, further training will be required to fly another variant of aeroplane as the one used for the skill test and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). This is not seen as a deficiency because it was proposed as a local flight licence only and this will be the main difference to the full LPL.

The text will be changed accordingly.

comment *6150*

comment by: *CAA Finland*

FCL.110.BA/H(a)(3) and (b)(3):
It is unclear whether solo or dual training. Amended text proposal:

(3) 3 hours of ~~navigation training~~ dual instruction of navigation.

response *Not accepted*

Thank you for providing your comment.

The wording used was chosen in order to allow the instructor to decide how to distribute this navigational training (dual flight time or solo flight time). As the AMC material defines the contents of these exercises it is clearly visible that a certain amount of dual navigation training will be necessary. Based on the progress of the student during these dual training flights additional solo cross country flights up to the defined limitation (maximum distance of 30 kilometers) could also be done.

comment

6349

comment by: *Johann Friedrich*

FCL.110.BA/H Basic LPL – Experience requirements and crediting

~~(c) Crediting. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot-in-command in such aircraft, up to a maximum of 3 hours, towards the requirements in (a) or (b).~~

Comment: Delete FCL.110.BA/H Basic LPL (c) completely and amend as follows:

„Applicants holding a pilot licence for another category of aircraft, shall be credited with a percentage of their total flight time as pilot-in-command to be decided by the flight instructor.

Reason: Limitation of crediting to 10% respectively to 3 hours violates the principles of subsidiarity, adequacy, economy and ecology of the Commission.

response *Partially accepted*

Thank you for your comment.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment

6352

comment by: *Johann Friedrich*

FCL.110.A LPL(A) –Experience requirements and crediting

~~(a) Applicants for a LPL(A) shall have completed at least 30 hours flight time in aeroplanes or TMG, including at least:
(1) 15 hours of dual instruction;~~

~~(2) 6 hours of supervised solo flight time, including at least 3 hours of solo crosscountry flight time with at least 1 crosscountry flight of at least 150 km, during which 1 full stop landing at an aerodrome different from the aerodrome of departure shall be made.~~

~~(b) Specific requirements for applicants holding a basic LPL for aeroplanes. Applicants for a LPL(A) holding a Basic LPL for aeroplanes shall have completed 10 hours of flight instruction, including at least:~~

~~(1) 6 hours of dual instruction~~

~~(2) 3 hours of supervised solo flight time, including 1 crosscountry flight of at least 150 km, during which 1 full stop landing at an aerodrome different from the aerodrome of departure shall be made~~

~~(c) Specific requirements for applicants holding a LPL(S) with TMG extension. Applicants for a LPL(A) holding a LPL(S) with TMG extension shall have completed at least 24 hours of flight time on TMGs after the endorsement of the TMG extension, of which at least 3 shall be of dual instruction.~~

~~(d) Crediting. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot-in-command in such aircraft, up to a maximum of 6 hours, towards the requirement in (a).~~

Comment: Delete FCL.110.A (a, b, c, d) completely and amend as follows:

"Applicants for a LPL(A) shall have completed a number of hours flight time in aeroplanes or TMG to achieve the required skills. The number of flight hours to achieve the required skills is assessed by a competent flight instructor for every applicant on an individual basis."

Reason: FCL.110.A (a, b, c, d) violates the principles of subsidiarity, economy and ecology: There are student pilots who need only some hours of flight training due to their natural abilities or previous experience and there are pilots who need many more hours of training to develop the required flying skills.

The objectives of the Commission regarding subsidiarity, economy and ecology are better served by delegating more responsibility to flight instructors and abolishing rigid training regulations.

response

Not accepted

Thank you for the comment and the proposal to use a competency based approach for the LPL.

The Agency does agree with the general principle described but will not change the system for the LPL completely. It might be helpful to explain the concept of the LPL and the way how it was drafted further.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. The Agency is of the opinion that focusing on the

competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least").

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training. Similar concepts are already in place without causing any known safety hazards or higher risks for other airspace users in these countries.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

However, during the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not fully accepted as most stakeholders have criticised the Agency's proposals as being too low. This leads to the conclusion that a pure competency based approach would not be accepted in the European Member States.

comment

6471

comment by: *Royal Swedish Aeroclub*

A three hour cross-credit limit is unnecessary strict. A pilot who has flown several hundred hours in an other category of aircraft has a lot of experience and need only train the particular differences of the new aircraft. KSAK's view is that as much as 10% of aquired flying time could be cross-credited. It should be up to the flying school to decide what and how much additional training is required. Microlights are not mentioned. Our decided opinion is that microlight flying experience should be treated in the same manner as "experience from any other category aircraft" In Sweden the number of PPL holders are decreasing. Increasing costs play a big role. An increasing number of flying clubs are substituting normal category aeroplanes for microlight aeroplanes . Microlight pilots therefore form a very important recruiting entity. A high-time microlight pilot, will easily be turned into a very experienced Basic LPL pilot.

response *Partially accepted*

Thank you for providing your comment.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment 7014

comment by: CAA Norway

FCL.110.BA/H(a)

Probably editorial: The experience requirements for the Basic LPL asks for at least 20 hours of flight instruction. This is different from the other experience requirements in FCL.110.A(a) and FCL.110.H(a), where the requirement is for hours flight time, not instruction.

response *Partially accepted*

Thank you for providing this comment.

See also the response to the comments No. 2606 and 4731 (CAA Belgium). The wording in the PPL and the LPL section has to be aligned and will be changed accordingly. The term "flight instruction" will be used.

comment 7045

comment by: *Fédération Française de Planeurs Ultralégers motorisés*

FCL110.BA/H By not imposing a minimum flying hours in the rules and by giving to the instructor the liberty to determine what its student need to rich the level of competency required EASA will simplify all the process and Therefore young people who rich the level earlier and the old one that don't understand why they are required to make more flying hours than the minimum will be in a better pedagogic situation.

In this case the crediting mentioned in the (c) is not any more needed

response *Noted*

Thank you for the comment and the proposal to use a competency based approach for the LPL.

The Agency does agree with the general principle described but will not change the system for the LPL completely. It might be helpful to explain the concept of the LPL and the way how it was drafted further.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. As mentioned also in your comment the Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in connection with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic

Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least").

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge or experience) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training. Similar concepts are already in place without causing any known safety hazards or higher risks for other airspace users in these countries.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

However, during the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not fully accepted as most stakeholders have criticised the Agency's proposals as being too low. This leads to the conclusion that a pure competency based approach would not be accepted in the European Member States at this stage.

comment

7454

comment by: *Dorothy Pooley*

The experience level for the basic licence in both aeroplanes and helicopters gives rise to potential safety issues because it is so short. Since very few people manage to achieve the PPL within the existing minimum hours it seems improbable that anyone could achieve a satisfactory standard in so few hours. As airspace becomes busier and more complex especially in the UK, allowing such inexperienced pilots to fly solo will simply increase the number of airspace infringements and potentially endanger transport aircraft.

In view of the fact that the NPPL was introduced in to the UK for precisely the same reason - to encourage more and younger people in to aviation by offering a cheaper way and that has not led to a flood of new applicants, it does not make sense to add a further layer of regulation and complication. Why not simply use the model of the NPPL or leave sub-ICAO licence regulation to individual states as at present?

response

Noted

Thank you for providing your opinion.

The Agency is aware that not only in the UK but also in a lot of European Member States the airspace structure is quite difficult. The Agency does not agree with the statement that the Basic LPL concept "gives rise to potential safety issues". No justification is given for this.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please check the level of training by reviewing these AMCs - see also the syllabus for the theoretical knowledge - airspace related issues). The statements given were very often based only on the number of 20 hours only.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. Using the term "at least" it will be at the instructors and the ATOs discretion if the applicant needs further training to reach the required standard. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included). This pilot should be able in any case to avoid flying in airspace categories with a high amount of IFR traffic or to find back to his/her take-off airfield.

comment

7471

comment by: *Ravenair*

The Basic LPL is simply not feasible within the UK. To allow a pilot with potentially such little training, especially in navigation, to fly with a passenger up to 50km from base is asking for trouble. The UK airspace is such that you are, on the whole, never far from busy Controlled Airspace, not to mention a whole host of Danger, Restricted and Prohibited Areas. To have such an inexperienced pilot unsupervised in UK airspace is quite frankly madness.

Why are the minimums for the basic and full LPL less than ICAO requirements?

The IMC rating has been proven over the years to improve flight safety. It has on countless occasions saved lives when the unpredictable British weather has turned inclement, however, we may lose this rating altogether whilst having the basic LPL thrust upon us which, in my view, will reduce flight safety. How can this be progress?

response

Noted

Thank you for providing your opinion.

The Agency is aware that not only in the UK but also in a lot of European Member States the airspace structure is quite difficult. The Agency does not agree with the statement that the Basic LPL concept "is asking for trouble". No justification is given for this.

All the comments received on the proposal for a Basic LPL were analysed and carefully reviewed. It seems that most of the stakeholders did not check the AMC material containing the training syllabus and the skill test for the Basic LPL. (please check the level of training by reviewing these AMCs). The statements given were very often based only on the number of 20 hours only.

The Agency would like to highlight that the experience requirements in FCL.110.BA/H are a minimum requirement. By using the term "at least" it will be at the instructors and the ATOs discretion to decide whether the applicant needs further training to reach the required standard or not. Additionally the examiner will check the applicant's knowledge and skill against the criteria laid down in the above mentioned AMC.

Taking into account the feedback received the Agency has decided to keep the Basic LPL for aeroplanes as an accessible "entry" licence with the main aim to revitalise General Aviation. Examples of existing national systems show that similar licences are in place without causing any safety problem (French Brevet Base or US LSA and recreational licence).

Based on the comments stating that the privileges with this level of training are not appropriate for the level of training received the Agency decided to raise the proposed limitations slightly. The Basic LPL pilot will not be allowed to carry passengers and the maximum range will be lowered to only 30 km distance from the take-off point. This limitation to perform only local flights shall clarify that the Basic LPL training syllabus will contain all the necessary exercises required to be a safe pilot but will not include specific cross country techniques (training for emergency landings is included).

The minimum number given by ICAO is 40 hours which seems to be proven to be too high for such a licence. The experts involved in the drafting reviewed several existing national systems (e.g. the UK NPPL) and found out that some sub-ICAO systems already exist without any safety related concerns.

A different issue is the UK IMC rating. This comment should be addressed to another segment. The explanatory note explains that a new task FCL.008 is initiated already in order to deal with this issue and to develop European qualification for flying in IMC conditions. The results and proposals will be published in a separate NPA.

comment

7781

comment by: *European Microlight Federation*

(a) The EMF believes that the requirement to complete 20 hours or, indeed, any number of hours, is misleading and instead the skills test alone should be used to confirm student ability.

response

Noted

Thank you for providing your opinion.

See response to comment No. 6352. This comment is proposing a purely competency based approach.
The Agency is not able to change the proposed system and to delete any numbers based on all the comments asking already for higher numbers than the ones proposed.

comment

7789

comment by: *Tim FREEGARDE*

FCL110BA/H

The maximum of 3 hours cross-crediting seems rather mean, given that a pilot may have many hundreds of hours experience of airfield operations, circuits, navigation and manoeuvring in an aircraft with essentially similar behaviour and that the pilot must gain the instructor's approval before being sent solo and cannot obtain the licence without passing further tests.

However, this statement is also misleading, as the individual licences then specify different crediting arrangements.

This paragraph should therefore be deleted, and reference made to the subsequent, specific, definitions.

response

Partially accepted

Thank you for providing your comment.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment

7805

comment by: *MOTORFLUGUNION FTO A117*

Unserer Meinung nach ist es unmöglich Jemandem in derart kurzer Zeit alle für die Ausübung einer derartigen Lizenz notwendigen Inhalte zu vermitteln. Der "normale" PPL-Schüler hat weitaus mehr Stunden abzuleisten und es soll insbesondere kein "Rabatt" auf die PPL-Ausbildung zugunsten der Sicherheit gewährt werden. Ein LPL-Pilot nutzt genauso den selben Luftraum und ist keineswegs als "nur für sich selbst verantwortlich" zu betrachten. In unseren Augen ist dies kein sicherer Standard für die Ausbildung von Piloten. Würden Sie mit Jemandem mit dieser Erfahrung mitfliegen?

Die Begründung für diese "*kostengünstige Lizenz*", unter Beachtung der Vorteile der medizinischen Voraussetzung, wird durch die gängige Praxis der Luftfahrtbehörden, welche in manchen Ländern weit überhöhte Abzockgebühren verrechnen, zunichte gemacht!

Vorschlag: gleiche Standards wie bei PPL, jedoch unter Berücksichtigung verringerter medizinischer Erleichterungen. Einführung von europäischen Maximalgebühren für die General Aviation mit Augenmaß!

response

Not accepted

Thank you for providing this comment.

It seems that the comment is aiming not on this segment for the Basic LPL experience and crediting requirements but on the requirements for the LPL in general.

The Agency disagrees with the proposal to implement the same amount of training flight time as for the PPL. The Agency is of the opinion that the full LPL with the proposed skill test level, which has to be demonstrated in a flight with an examiner, will be a safe and accessible level of knowledge and experience.

However, the Agency would like to highlight that the creation of the LPL was agreed by the European legislator in the Basic Regulation. Provisions for the issuance of the LPL are specifically required by Article 7(5) of the Basic Regulation. As a consequence the Agency will keep the requirements for a leisure pilot licence.

The comment mentions that the standard proposed is not safe. The Agency does not agree with this statement and would like to explain the concept of the LPL further.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least").

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training. Similar concepts are already in place without causing any known safety hazards or higher risks for other airspace users in these countries.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

However, during the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low.

The Agency therefore decided to amend some of the the proposed limitations of the privileges in order to take into account the comments received.

comment **8205** comment by: *Klagenfurter Flugsport Club*

Es gibt keinen Bedarf, die Stunden-Erfordernisse an Flugerfahrung für den ganzen LPL Abschnitt so zu differenzieren, dass das Gesetz nur angewendet werden kann, wenn gleichzeitig das Gesetzbuch benützt wird.

response *Noted*

Thank you for providing this comment.
See response to comment No. 3036 on this segment.

comment **8309** comment by: *European Microlight Federation*

(a) The EMF believes that the requirement to complete 20 hours or, indeed, any number of hours, is misleading and instead the skills test alone should be used to confirm student ability.

response *Noted*

Thank you for providing your opinion.
However it seems to be only a duplicate of your comment No 7781.
See response for comment No 7781.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 2:
Specific requirements for the Basic LPL - aeroplane and helicopter
categories - FCL.135.BA/H Basic LPL - Extension of privileges to another
class or type**

p. 13

comment **177** comment by: *Aero-Club of Switzerland*

We propose 5 supervised solo take-offs and landings.

Justification: The 10 supervised solo take-offs and landings of FCL.135.BA/H (a) (2) are not necessary, as the psychologic barrier of the solo flights was passed earlier already. We think, this is also valid for (b) (2).

Please replace "type of helicopter" with "class of helicopter" it the term is introduced.

Justification: We think, the creation of "classes of helicopters" will be welcomed by many.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency is of the opinion that the proposed solo flights under supervision should be kept as one important element of the extension system used here for the LPL. The Agency believes that a minimum amount of 20 flights (in total) in an additional aircraft category including a certain amount of solo flights will guarantee a solid level of experience before taking the skill test.

Regarding the proposed change for helicopters from type into class the Agency does not accept this proposal. The proposed LPL concept for helicopters without specific type ratings is based on this extension concept and will not work without requiring it for each type.

comment 226 comment by: *Irish Aviation Authority*

FCL.135.BA/H (a)(2) and (b)(2) infer solo flight time is dual flight time. The ambiguity could be removed by moving all text after aeroplane in (a) and helicopter in (b) into subparagraphs (1) i.e for aeroplanes
(1) 3 hours of dual instruction flight time, including: 10 takeoffs and landings;
JS 21 8 08

response *Accepted*

Thank you for providing this comment.
The Agency agrees that the wording used is not correct as the solo flights are mentioned under the dual instruction flight time.

The text will be changed accordingly and the solo flight will be mentioned in a separate paragraph.

comment 272 comment by: *Rod Wood*

Remove sub para (b). If this comment is not accepted then:- (b) (2) What is a supervised solo. There has never been any solo during a type conversion. Should this read 15 un-assisted take-offs and landings?
Neverthe less, this comment should be viewed against comment 252 on FCL.105.BA/H.

response *Partially accepted*

Thank you for providing your comment.

The Agency has decided to delete the Basic LPL for helicopters (please see the comments on the appropriate segment for further explanations). All the helicopter related text will be deleted from section 2.

comment 286 comment by: *CAA Belgium*

Basic LPL

TO BE DELETED

response *Noted*

Thank you for providing this comment.
See response to comment No. 283.

comment	<p>683 comment by: <i>Union Française de l'Hélicoptère</i></p> <p>La LPL devrait être une option attractive capable d'offrir une vraie opportunité moins contraignante que la situation présente aux pilotes de loisir, et une première étape d'accès simplifiée et moins couteuse pour les futurs navigants. Au lieu de cela, la proposition de programme concernant les hélicoptères ne fait état que d'une différence de 5 heures de vol en instruction entre les deux licences, lesquelles risquent fort d'être réalisées à bord de machines équivalentes, donc à des tarifs comparables. Les différences entre les définitions proposées des cursus LPL (H) et PPL (H) apparaissent bien trop ténues pour remplir les objectifs du projet LPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment and the general positive feedback on the LPL(H).</p> <p>However, the Agency will not lower the minimum training requirements for the LPL(H) because the experts involved in the drafting expressed specifically the opinion that a lower amount of training cannot be accepted. The main difference between the LPL(H) and the PPL(H) will be the lower level of the medical.</p> <p>In addition to this the Basic LPL for helicopters will be deleted from the LPL concept based on the feedback received stating that this basic licence for helicopters does not result in a safe training standard.</p>
comment	<p>1443 comment by: <i>Anja Barfuß</i></p> <p>Please clarify in case of theoretical and practical requirements are provided for common Requirements how to deal with additional definition provided for extension of the license. Do the definition replace the common definition or is it needed to add? I assume that the knowledge here at c) is asked in detail for the AC class the extension is planned to complement the global knowledge defined in FCL120.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment and the questions.</p> <p>Yes, the required theoretical knowledge mentioned in (c) contains the additional items which have to be instructed for the extension to another class of type (in the case of helicopter) only. This means for example the extension from SEP to TMG.</p> <p>This is an "add-on" to the general theoretical knowledge requirements in FCL.120 (theoretical knowledge for the LPL skill test).</p>
comment	<p>1685 comment by: <i>Sven Koch</i></p> <p>Auf andere Klasse Flugzeuge: 3 Std Doppelsteuer mit Lehrer 10 Starts/Landungen mit Lehrer 10 Stars/Landung Alleinflüge Praktische Prüfung und mündliche Prüfung in:</p>

	<p>Flugzeugbedienung, Flugplanung und Leistung Flugzeugkunde</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment.</p> <p>The Agency confirms that this German translation contains the basic elements of the requirements for the extension to another aeroplane class listed in FCL.135.BA/H.</p>
comment	<p>1924 comment by: <i>Swiss Pilot School Asociation</i></p> <p>a) 2) 5 supervised take-offs and landings as a minimum ar enough</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency has discussed your proposal and similar ones with the review group and came to the conclusion that the proposed number of solo flights under supervision should be kept as one important element of the extension system used here for the LPL. The Agency believes that a minimum amount of 20 flights (in total) in an additional aircraft category including a certain amount of solo flights (here 10) will guarantee a minimum level of experience before taking the skill test.</p>
comment	<p>2436 comment by: <i>Dr. Horst Schomann</i></p> <p>Problem: The extension of Basic LPL with TMG is missing.</p> <p>Proposed solution: Change to ... to fly single-engine piston aircraft or touring motor glider</p> <p>Justification: The denomination "aeroplane" is used in two levels in this document which create doubts whether the TMG is included or not. If not, it should be included similarly to the other type of aeroplanes.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The meaning behind the wording used is that a pilot who has completed the skill test on an aeroplane will be allowed only to fly aeroplanes. Only when he/she has extended his/her privileges to the other class (in this case TMGs) by fulfilling these requirements he / she will be allowed to fly also the other class. If the skill test was taken on a TMG the privilege would be limited to TMG and could be extended to SEP when fulfilling these requirements on a SEP. As only these two classes are included in the privileges of the LPL (see FCL.105.BLAPL) the Agency does not see a need to specify this again in FCL.135.BLAPL.</p> <p>But in order to clarify this issue the term "class" will be used which will allow an extension from SEP to TMG and also the extension from TMG to SEP.</p>

comment

2675

comment by: *Luftamt Nordbayern*

Während in (FCL.110.BA/H) zwischen "aeroplane" und "TMG" unterschieden wird und diese auch in FCL.010 getrennt definiert sind, spricht FCL.135.BA/H nur noch von unterschiedlichen "class of aeroplane". Gemeint sind damit möglicherweise sowohl die in FCL.110.BA/H genannten "aeroplane" als auch die "TMG". Da in FCL.110.BA/H und FCL.010 die "TMG" jedoch als gesonderte Gruppe definiert sind und nicht als Unterfall der "aeroplane" sollte auch hier deutlicher formuliert werden.

Die jetzige Formulierung FCL.135.BA/H könnte so miss-(?)verstanden werden, dass nur ein Pilot der die Prüfung auf TMG abgelegt hat auf "aeroplanes" erweitern kann, wenn er die in FCL.135.BA/H lit. a) genannten Voraussetzungen erfüllt und umgekehrt ein Pilot der die Prüfung auf "aeroplanes" abgelegt hat auf TMG nicht gemäß FCL.135.BA/H vereinfacht erweitern kann.

Vorschlag:

The privileges of a Basic LPL shall be limited to the class of aeroplane or TMG or, in the case of helicopters, to the type of helicopters in which the skill test was taken. This limitation may be withdrawn when the pilot has completed in the other class of aeroplanes, TMG or in another type of helicopters:

(a) Aeroplanes.

3 hours of dual instruction flight time, including:

*(1) 10 takeoffs
and landings; and*

*(2) 10 supervised solo takeoffs
and landings.*

b) TMG

3 hours of dual instruction flight time, including:

*(1) 10 takeoffs
and landings; and*

*(2) 10 supervised solo takeoffs
and landings.*

response

Partially accepted

Thank you for providing your opinion.

The meaning behind the wording used is that a pilot who has completed the skill test on an aeroplane will be allowed only to fly aeroplanes. Only when he/she has extended his/her privileges to the other class (in this case TMGs) by fulfilling these requirements he / she will be allowed to fly also the other class. If the skill test was taken on a TMG the privilege would be limited to TMG and could be extended to SEP when fulfilling these requirements on a SEP. As only these two classes are included in the privileges of the LPL (see FCL.105.BLAPL) the Agency does not see a need to specify this again in FCL.135.BLAPL.

But in order to clarify this issue the term "class" will be used which will allow an extension from SEP to TMG and also the extension from TMG to SEP.

comment

3051

comment by: *PAL-V Europe*

FCL.135.BA/H Basic LPL – Extension of privileges to another class or type

Amend the text to read:

The privileges of a Basic LPL shall be limited to the class of aeroplane **or gyroplane** or, in the case of helicopters, to the type of helicopter in which the skill test was taken.

(a) *Aeroplanes and gyroplanes*. 3 hours of dual instruction flight time, including:

response *Not accepted*

Thank you for providing your comment. However, the Agency will not add specific licensing requirements for pilots of gyroplanes because so far this kind of aircraft falls clearly under the Annex II definition of the Basic Regulation.

comment

3313

comment by: *DGAC FRANCE*

FCL 135.BA/H

Justification:

- Consistency between the title of the paragraph which is : " extension of privileges" and the content of the text itself.

This problem appears in different paragraphs and might be change in the same way in these paragraphs (FCL 135.A, FCL 135.H, FCL 130 S (a), FCL 135.B (a), FCL 225.S, FCL 225.B)

There is a problem of wording, dual instruction doesn't include solo flights

Modification :

The privileges of a Basic LPL shall be limited to the class of aeroplane or , in case of helicopters, to the type of helicopters in which the skill test was taken .

The privileges may be extended to another class of aeroplane or type of helicopters when the pilot has completed in the other class or type :

(a) Aeroplanes

(1) 3 hours of dual instruction time, including 10 take-off and landings; and

(2) 10 supervised solo take offs and landings

(b) Helicopters

(1) 5 hours of dual instruction time, including 15 take-off and landings; and

(2) 15 supervised solo take offs and landings

response *Accepted*

Thank you for providing your opinion.

The Agency agrees that the proposed wording fits better with the header of this paragraph and describes better the meaning behind this extension of privileges.

The wording "limitation can be withdrawn" will be deleted and the proposed wording "privileges may be extended.." will be incorporated.

Additionally the supervised solo flights will be mentioned separately and not any longer under the dual instruction time.

comment 3467 comment by: *Deutscher Aero Club (DAeC)*

Considering the logic of the regulation, an extension of LPL(BA) also to TMG is intended. The wording using the word aeroplane does not allow an extension to TMG as this aircraft does not represent an aeroplane.
To avoid misunderstandings the wording should be changed by adding TMG.

response *Partially accepted*

Thank you for providing your opinion.

The meaning behind the wording used is that a pilot who has completed the skill test on an aeroplane will be allowed only to fly aeroplanes. Only when he/she has extended his/her privileges to the other class (in this case TMGs) by fulfilling these requirements he/she will be allowed to fly also the other class. If the skill test was taken on a TMG the privilege would be limited to TMG and could be extended to SEP when fulfilling these requirements on a SEP. As only these two classes are included in the privileges of the LPL (see FCL.105.BLAPL) the Agency does not see a need to specify this again in FCL.135.BLAPL.

But in order to clarify this issue the term "class" will be used which will allow an extension from SEP to TMG and also the extension from TMG to SEP.

comment 3540 comment by: *Swiss Power Flight Union*

Replace ... type of helicopter ..

with:
... class of helicopter ..

response *Not accepted*

Thank you for providing your opinion.
Please see the response to comment No. 177 (Aero Club of Switzerland).

comment 3541 comment by: *Swiss Power Flight Union*

We propose 5 supervised solo take-offs and landings.

Justification: The 10 supervised solo take-offs and landings of FCL.135.BA/H (a) (2) are not necessary, as the psychologic barrier of the solo flights was passed earlier already. We think, this is also valid for (b) (2).

response *Not accepted*

Thank you for providing your comment.
Please see the response to comments No. 177 (Aero Club Switzerland) and No. 1924 (Swiss Pilot School Association).

comment 3933 comment by: *Bayerisches Staatsministerium für Wirtschaft,*

Infrastruktur, Verkehr und Technologie

Während in (FCL.110.BA/H) zwischen "aeroplane" und "TMG" unterschieden wird und diese auch in FCL.010 getrennt definiert sind, spricht FCL.135.BA/H nur noch von unterschiedlichen "class of aeroplane". Gemeint sind damit möglicherweise sowohl die in FCL.110.BA/H genannten "aeroplane" als auch die "TMG". Da in FCL.110.BA/H und FCL.010 die "TMG" jedoch als gesonderte Gruppe definiert sind und nicht als Unterfall der "aeroplane" sollte auch hier deutlicher formuliert werden. Die jetzige Formulierung FCL.135.BA/H könnte so miss-(?)verstanden werden, dass nur ein Pilot der die Prüfung auf TMG abgelegt hat auf "aeroplanes" erweitern kann, wenn er die in FCL.135.BA/H lit. a) genannten Voraussetzungen erfüllt und umgekehrt ein Pilot der die Prüfung auf "aeroplanes" abgelegt hat auf TMG nicht gemäß FCL.135.BA/H vereinfacht erweitern kann.

Vorschlag für die Formulierung von FCL.135.BA/H FCL.135.BA/H:

The privileges of a Basic LPL shall be limited to the class of aeroplane or TMG or, in the case of helicopters, to the type of helicopters in which the skill test was taken. This limitation may be withdrawn when the pilot has completed in the other class of aeroplanes, TMG or in another type of helicopters:

(a) Aeroplanes.

3 hours of dual instruction flight time, including:

(1) 10 takeoffs and landings; and

(2) 10 supervised solo takeoffs and landings.

b) TMG

3 hours of dual instruction flight time, including:

(1) 10 takeoffs and landings; and

(2) 10 supervised solo takeoffs and landings.

response *Partially accepted*

Thank you for your comment.

See response to comment No 2675.

comment

4291

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.135.BA/H(a)

Wording in the NPA

The privileges of a Basic LPL shall be limited to the class of aeroplane or, in the case of helicopters, to the type of helicopters in which the skill test was taken. This limitation may be withdrawn when the pilot has completed in the other class of aeroplanes or in another type of helicopters:

(a) *Aeroplanes*. 3 hours of dual instruction flight time, including:

(1) 10 takeoffs and landings; and

(2) 10 supervised solo takeoffs and landings.

Our proposal

Change:

The privileges of a Basic LPL shall be limited to the class of aeroplane or, in the case of helicopters, to the type of helicopters in which the skill test was taken. This limitation may be withdrawn when the pilot has completed in the other class of aeroplanes or in another type of helicopters:

(a) *Aeroplanes or TMG*. 3 hours of dual instruction flight time, including:

(1) 10 takeoffs and landings; and

(2) 10 supervised solo takeoffs and landings.

Issue with current wording

It is not quite clear that Aeroplane here includes TMG.

Rationale

FCL.135.BA/H(a) should allow the extension of privileges from the aeroplane to TMG and vice versa. It is not clear if „class of aeroplanes“ in the first sentence includes TMG what it should in this context. In the paragraph before (FCL.110.BA/H(a)) TMG is explicitly mentioned „aeroplanes or TMG“. So to be crystal clear we recommend to add „or TMG“ as shown above in red. Please also refer to our **general comment 3250 Nr. 9**.

response *Partially accepted*

Thank you for providing your opinion.

The meaning behind the wording used is that a pilot who has completed the skill test on an aeroplane will be allowed only to fly aeroplanes. Only when he/she has extended his/her privileges to the other class (in this case TMGs) by fulfilling these requirements he / she will be allowed to fly also the other class. If the skill test was taken on a TMG the privilege would be limited to TMG and could be extended to SEP when fulfilling these requirements on a SEP. As only these two classes are included in the privileges of the LPL (see FCL.105.BLAPL) the Agency does not see a need to specify this again in FCL.135.BLAPL.

But in order to clarify this issue the term "class" will be used which will allow an extension from SEP to TMG and also the extension from TMG to SEP.

comment

5085

comment by: UK CAA

Paragraph:

FCL.135BA/H (b)

Page No:

13 of 647

Comment:

Take offs and landings is an inappropriate description for helicopters.

Justification:

(1) Unlike an aeroplane a take off & landing need not involve a circuit/approach.

(2) Inconsistent with wording used in paragraph FCL.060

Proposed Text:**(if applicable)**

15 take offs, **approaches** and landings

response

Accepted

Thank for providing this comment.

The Agency agrees that for experience requirements dealing with the category helicopter a consistent term for whole document should be used. The Agency will use for helicopter the wording: "take offs, approaches and landings".

As the Agency decided to delete the Basic LPL for the helicopter category this comment is not any longer valid for this requirement.

comment

6153

comment by: CAA Finland

	FCL.135.BA/H: Amended text proposal: in which the flight training and skill test was taken
response	<i>Partially accepted</i> Thank you for providing your opinion. The Agency partially agrees but will not add the term: "in which the flight training...was taken" here in FCL.135.BLAPL. To make sure that the training will be conducted on the class of aeroplane or the type of helicopter which will be used for the skill test, the Agency will add some elements in FCL.110.BA/H (now FCL.110.BLAPL).

comment	6163 comment by: <i>CAA Finland</i> FCL.135.BA/H, limitation to one type/class: It is unclear who gives the training. Amended text proposal, ref FCL.725: This limitation may be withdrawn when the pilot has completed within an approved training organisation in the other class of aeroplanes or in another type of helicopters:
response	<i>Accepted</i> Thank you for providing this comment. The Agency agrees and will add a requirement which makes clear that also the training for the extension has to be provided within an ATO.

comment	6224 comment by: <i>Peter Holland</i> FCL.135.BA/H Basic LPL - Extension of Privileges to another class or type Given that I believe the "Basic LPL" to be a dangerous nonsense (reasons repeated below) the idea of extending privileges to other types is irrelevant. Reasons against the Basic LPL: The whole concept of allowing a Basic LPL is "unwise". Particularly for helicopters. 1) It raises unrealistic expectations in potential students that a satisfactory standard can be reached in 20 hours (for aeroplanes) or 35 hours (for helicopters). Whilst the syllabus covers most major points for safe flying (notable exceptions listed below), the time allowed is grossly inadequate for it to be achievable on aeroplanes and I would say impossible for helicopters. This then has a negative effect on potential students and will not serve to increase applicant numbers as is presumably its purpose. Notable exceptions from the syllabus are no training for; understanding and avoidance of controlled airspace, danger and prohibited areas (essential in UK, see below) and Steep Turns, for both aeroplanes and helicopters, plus for helicopters only, Sloping Ground - essential for any helicopter landing, particularly a solo one!
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More importantly.....

2) It is courting danger!! It will certainly result in greatly increased numbers of "incidents" because of the low experience level and the allowance of a passenger. All authorities concur that the highest rate of incident is among recently qualified, low hour pilots carrying a friend as passenger, usually because they conduct advanced manoeuvres too slow and too low - i.e. showing off! This is particularly evident in the USA where they already have a similar lower level of pilot licence as the LPL being proposed in this NPA, but even they do not have a Basic LPL..

3) The 50km limitation is impossible to police, as is the no landaway. Holders can and will go where they like and land, particularly at private sites - the most dangerous! For helicopters this will likely involve confined areas, not something they will have been trained to do nor tested on!!

I would add that while 50km may seem nothing in the open areas of mainland Europe, here in the UK it is a significant distance. Within a 50km radius of London there are 3 of the busiest airports in Europe, Gatwick, Luton & Stanstead, several busy Business-Flight Airports notably Farnborough and Biggin Hill, plus the busiest airport in the world - Heathrow!!

The potential for incursions into controlled airspace, which is most of UK airspace, is hugely increased at the very least, but the risk of real incidents is unacceptably high.

I do not agree with the proposal for a "Basic LPL" but repeat my basic comment to FCL.105.A (LPL) and FCL.105.H (LPL) regarding passengers - at LPL level, if passengers are to be carried there should be a qualified PPL in the second pilot's seat (with controls) able to act as PIC if required. Explained in more detail against FCL.105.A & H.

response *Noted*

This comment seems to be only a duplicate of your comment No. 5862. See the response already given for this comment in a different segment.

comment **6474**

comment by: *Royal Swedish Aeroclub*

It is nowhere mentioned who is going to run this skill test. In our opinion the training flying school would be most suitable. The pilot has already done a skill test to achieve his Basic LPL

response *Not accepted*

Thank you for providing your opinion but the Agency disagrees with the proposal that a skill test for a licence or an extension to another class should be assessed by the training organisation itself.

The Agency has therefore foreseen that all the skill tests and proficiency checks have to be done with an examiner. After having completed the training the ATO should contact any certified examiner.

comment **6931**

comment by: *Austrian Aero Club*

FCL.110.BA/H

	<p>Es gibt keinen Bedarf, die Stunden-Erfordernisse an Flugerfahrung für den ganzen LPL Abschnitt so zu differenzieren, dass das Gesetz nur angewendet werden kann, wenn gleichzeitig das Gesetzbuch benützt wird.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment.</p> <p>The comment seems to adress the different number of training flights or hours throughout the whole section for the LPL.</p> <p>The Agency is aware of the size of Part-FCL but the Agency disagrees with the idea to use a common figure for the amount of flight instruction in different aircraft categories. It is not wise to require the same amount of training (flights, take-offs, hours) for the balloon pilot and the aeroplane pilot.</p>
comment	<p>8010 comment by: <i>Ingo Wiebelitz</i></p> <p>TMG is missing!</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that the wording used is not clear enough and could be misunderstood. The meaning behind is that a pilot who has completed the skill test on an aeroplane will be allowed only to fly aeroplanes. Only when he/she has extended his/her privileges to the other class (in this case TMGs) by fulfilling these requirements he / she will be allowed to fly also the other class. If the skill test was taken on a TMG the privilege would be limited to TMG and could be extended to SEP when fulfilling these requirements on a SEP.</p> <p>The wording will be changed slightly to avoid misunderstandings.</p>
comment	<p>8032 comment by: <i>European Sailplane Manufacturers</i></p> <p>What about the TMG mentioned in FCL.110 - heve they been forgotten here?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that the wording used is not clear enough and could be misunderstood. The meaning behind is that a pilot who has completed the skill test on an aeroplane will be allowed only to fly aeroplanes. Only when he/she has extended his/her privileges to the other class (in this case TMGs) by fulfilling these requirements he / she will be allowed to fly also the other class. If the skill test was taken on a TMG the privilege would be limited to TMG and could be extended to SEP when fulfilling these requirements on a SEP.</p> <p>The wording will be changed slightly in order to avoid misunderstandings.</p>

categories - FCL.140.BA/H Basic LPL - Recency requirements

comment	287	comment by: <i>CAA Belgium</i>
	Basic LPL	
	TO BE DELETED	

response	<i>Partially accepted</i>
	Thank you for providing this comment. See response to comment No. 283.
	The Basic LPL(H) will be deleted.

comment	1237	comment by: <i>Aeromega</i>
	See comments regarding LPL above but if it remains, a 6 year gap between LPC's is completely inappropriate. My examiner experience is that even pilots with 12 hours in the past 12 months struggle to pass an LPC as they do not practice emergency procedures. An annual LPC for helicopters must remain mandatory across the board.	

response	<i>Partially accepted</i>
	Thank you for providing this comment
	The issue of the proficiency check was discussed based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor.
	For the the full LPL(H) it was agreed to change the recency requirement and ask for a certain amount of training on each type within the last 12 months plus a training flight but not for a proficiency check with an examiner. The Basic LPL (H) will be deleted.
	See the resulting text.

comment	1686	comment by: <i>Sven Koch</i>
	Wie normaler LPL (A) FCL.140.A	

response	<i>Noted</i>
	Thank you for providing your comment.
	The Agency does not understand the meaning behind your comment but you are right: the recency requirements proposed here for the Basic LPL are the same as the ones explained in FCL.140.A or H.

comment	1762	comment by: <i>Klaus BLOMMEN</i>
	As Senior-Examiner, FIE, CRE, TRE for B767, SEP, TMG, Glider and VLA I have a lot of experience in training and checking pilots.	

A very good solution to improve knowledge and training of each pilot is the training-flight with an instructor. This idea by JAA was an excellent solution for the (private) and small aviation.

Even in airline-aviation a well organized trainings-mission has much more learning-effect than any check flight with an examiner.

The effect of check flights are much more organisational problems and more costs.

Because of this many pilots will quit the interest in small aviation.

All this because of a useless checkflights on small aircrafts.

I recommend to stop the adoption of this new regulation. I don't see any improvement of safety; just only more regulation. And this does not help in any way.

Regards!

Klaus Blommen

response *Accepted*

Thank you for providing your comment on the issue of the proposed proficiency check for LPL pilots.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

See the resulting text.

comment *1790*

comment by: *Sebastian Grill*

18 Flugstunden in 6 Jahren sind zu wenige Stunden um eine sichere Routine zur Steuerung eines Flugzeugs zu erhalten. So kann es vorkommen, daß jemand 5 Jahre überhaupt nicht fliegt, und dann nur um seine Lizenz zu erhalten schnell seine Stunden zu fliegen. Kürzere Überprüfungsintervalle durch Fluglehrer wäre sinnvoller.

response *Partially accepted*

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted.

See the resulting text.

comment *1800*

comment by: *Matthias SIEBER*

Zum Scheinerhalt sind insgesamt 18 Flugstunden innerhalb 6 Jahren ausreichend. Das sind nach meiner Einschätzung deutlich zu wenig.

Die Überprüfung durch einen Prüfer ist nach meiner Sicht nicht sinnvoll, vielmehr sollte die Überprüfung durch einen FI genügen.

Denn diese bilden Flugschüler aus und stellen deren Prüfungsreife fest. Warum sollten sie bei einem Scheininhaber dessen Fertigungsstand auf „Prüfungsniveau“ nicht auch feststellen können?

FIs sind vor Ort, dadurch gibt es einen geringeren Kostenaufwand, außerdem können sie bei erkannten Mängeln sofort/zeitnah und zielgerichtet nachschulen.

Alternativ zum proficiency check durch examiner könnte eine „standardisierte Überprüfung“ durch einen FI vorgenommen werden, der die erfolgreiche Durchführung der Behörde mitteilt.

response *Partially accepted*

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.

See the resulting text.

comment **1820**

comment by: *Bruha Oliver*

So nicht umsetzbar, da es auf die Masse bezogen zu teuer und zu zeitaufwendig wird. So viele Prüfer (Examiner) stehen nicht zur Verfügung. Nochdazu darf ein Fluglehrer einem Flugschüler das Freifliegen erlauben. Ein Scheininhaber muss dagegen von einem Prüfer überprüft werden?!

Diese Aufgabe sollte den örtlichen Fluglehrern überlassen werden. Ist billiger und nicht so zeitaufwendig

response *Partially accepted*

Thank you for providing your comment on the issue of the proposed mandatory check flight with an examiner every 6 years.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will

be kept.

See the resulting text.

comment **1846** comment by: *Reinhard Weihermueller*

- für eine Check nach 6 Jahren sollen 18 Flugstunden reichen
- Kein Check durch Prüfer, Fluglehrer soll den Check machen

response *Partially accepted*

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.

See the resulting text.

comment **1847** comment by: *Reinhard Weihermueller*

- für SPI soll 6h/10 Starts oder 3h / 5 Starts mit + 3 Flüge mit Fluglehrer genug sein

response *Not accepted*

Thank you for providing your comment on the issue of the proposed recency requirements.

However, the Agency does not understand the term "SPI" used in the comment. If the comment is aiming on the proposed Basic LPL the Agency understood that the proposed 12 hours flight time within the last 24 months is mentioned and the proposal is made to reduce this to only 6 hours and 10 flights within the given time frame. A second proposal is made for another option with only 3 hours flight time and 5 take-offs plus 3 flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

The option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept. The Agency cannot agree to the proposal given because a reduction of the required flying experience to only 6 hours flying time and 10 take-offs seems unacceptable

low.

As there are two other options for pilots not being able to fulfil this requirement (proficiency check / flying the missing hours or flights with or under supervision of an instructor) the Agency believes that the required experience will not cause any problem.

See the resulting text.

comment

1873

comment by: *Markus Malcharek*

Wie schon bei FCL.105 angemerkt, soll Jugendlichen nur aufgrund ihres Alters, die Fähigkeit ein Segelflugzeug sicher und verantwortungsbewusst zu führen, abgesprochen werden, trotz i.d.R. erheblicher Übung und praktischer Erfahrung und Flugstunden, die in kurzer Zeit gesammelt werden.

Dagegen sollen bei einem Erwachsenen 18 Flugstunden in 6 Jahren ausreichen, um seine Routine und praktische Erfahrung zu erhalten?

Dies ist als kritisch einzustufen, zumal hier kein Augenmerk auf regelmäßige, kontinuierliche Praxis und Flugerfahrung gelegt wird.

Ein proficiency check durch einen Examiner, statt wie bisher durch einen FI, ist mit hohen unnötigen Kosten und großem bürokratischen Aufwand verbunden.

Es ist hier also kein schlüssiges Konzept zu erkennen, daß auf Praktische Erfahrung, dem "in Übung bleiben" und damit der Flugsicherheit dient. Es sieht bislang nur nach reiner, langatmiger EU Bürokratie aus!

Gegenvorschlag: KEIN proficiency check durch einen Examiner! Sondern alle 2 Jahre ein Übungsflug mit dem FI, und davon alle 4 oder 6 Jahre diesen Übungsflug nach einem standardisierten Verfahren mit einer Checkliste, die dem FI von der Behörde gestellt wird und abgearbeitet werden muß.

Vorteil: In den Vereinen sind genug FI mit großer Erfahrung vorhanden, die auch die Schwächen der einzelnen Mitglieder/Piloten kennen. Damit ist der Trainingserfolg und die Effizienz einer Überprüfung hinsichtlich Flugsicherheit erheblich größer.

response

Partially accepted

Thank you for providing your comment and the proposal to introduce additional flights with an instructor.

The issue of the proficiency check was discussed during the review phase based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept. See the resulting text.

The Agency does not understand the remark on the minimum age for sailplane pilots. The proposed minimum age to fly solo in a sailplane is 14 years and the Agency considers this still as a practicable and widely acceptable proposal.

comment	<p>2303 comment by: <i>Matthias Dangel</i></p> <p>Hier sollte im Sinne der Kostenreduzierung, Entbürokratisierung und Verfügbarkeit von qualifiziertem Personal vor Ort ein Fluglehrer (FI) für die Durchführung und Abnahme der Überprüfungsflüge zugelassen sein, schließlich ist ein (FI) auch in der Lage einen unerfahrenen Flugschüler soweit auszubilden das er am Luftverkehrt teilnehmen kann.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your comment on the issue of additional flights with an instructor.</p> <p>The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.</p> <p>See the resulting text.</p>
comment	<p>2400 comment by: <i>Volkmar Kynast</i></p> <p>Ich setze voraus, dass gewisse Fähigkeiten und Fertigkeiten grundsätzlich zum Führen eines Luftfahrzeuges vorhanden sein sollten. – Warum aber soll eine erfahrener Pilot, der in Übung ist, alle 6 Jahre dafür eine Prüfung absolvieren? – Es müsste doch genügen, - wie bisher auch schon -, eine festgelegte Anzahl von Starts und /oder Stunden nachzuweisen.</p> <p>Im Falle der Verlängerung der Lizenz für TMG sollte die bisherige bewährte Regelung eines Übungsfluges alle 24 Monate mit einem Fluglehrer beibehalten werden.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the issue of additional flights with an instructor.</p> <p>The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.</p> <p>See the resulting text.</p>

comment

2461

comment by: *Irv Lee (Higherplane Aviation Training Ltd)*

FCL.140.A provides rules for 'recency' requirements for both the LPL(A), and for the Basic LPL(A) through earlier reference.

The use of a 'recency requirement' for validity rather than an expiring rating with an expiry date has been proven not to work. EASA should reject 'recency' validity and introduce expiring ratings with definite expiry dates for LPL and Basic LPL in the same way that the PPL has expiring ratings, and use a rating revalidation process based on the flying experience already proposed in FCL.140A .

These recency requirements proposed for the LPL and Basic LPL are based on those applying to a UK National PPL holder from July 2002 to early 2008 for pilots of simple single engine piston engine driven aircraft. The UK CAA has admitted that these recency requirements created in 2002 were established via clerical error and it never intended to establish this scheme. Worse, five years of practical experience with these 'recency' rules (2002 - 2007) showed that the rules were not working and the recency system was changed in early 2008 from the 'recency requirements' to a more normal system of having a rating with an actual expiry date for NPPL holders. Since early 2008, the recency requirement has been replaced by an expiry system. Existing NPPL pilots have been forced to move over from the 'recency requirement' to an 'expiry date' rating, and this task will be completed by June 2009. This change was made as five years of practical experience showed the 'recency' system was unfit for purpose.

In my personal and my company's experience, there were reasonably large numbers of NPPL holding pilots attempting to flying illegally and hence uninsured because there was no formal checkpoint date to work towards in the 'recency' system, with no check and balance to ensure the rules were being adhered to. These pilots were only exposed because they tried to rent and their logbooks were checked. Many pilots flying in their own or syndicated aircraft were never checked and often flew illegally.

The 'recency' system has been tried over a five year period in a real licensing environment and failed, and if allowed in EASA licences, will result in a huge increase in pilots ignoring the rules and flying out of 'recency' and hence uninsured flying, putting at risk other pilots and assets around airfields. To protect other pilots and assets, the LPL and the Basic LPL need an expiring rating rather than perpetuate what was originally a mistake in 2002 and was deemed to have failed and needed replacement by a real expiring rating system after 5 years of practical experience.

response

Not accepted

Thank you for providing your comment on the concept of unlimited validity for the LPL.

The comment explains that a similar system was used in the UK and comes to the conclusion that this system failed. It seems that the UK NPPL system was changed recently because of the fact that NPPL licence holders were not able (or not willing) to check if they had fulfilled the required recency requirements.

The Agency would like to highlight that not only the UK but also other European Member States are actually using such a system with unlimited licences and certain recency requirements. The reason to introduce such a

system is simply the fact that this systems will reduce the administrative burden and also the related costs.

The Agency does not understand why a licence holder should not be able to check his/her logbook whereas apparently some NPPL holders were checked for the purpose of hiring an aircraft and this was easily done. It will take only a few minutes to identify if a pilot has flown 12 hours within the last 24 months. The now introduced biennial checkflight will also be a certain moment at which the actual flight experience must be checked.

The Agency does see more advantages by using the proposed system of unlimited licences and will keep the requirements on the recency.

comment

2662

comment by: *barry birch*

The requirement for a proficiency check every 6 years will put a strain on certain sections of Sport General Aviation who have few Examiners available to make these checks. It would be prudent therefore to allow Flight Instructors carry out these checks. Barry Birch (member BBAC)

response

Partially accepted

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.

See the resulting text.

comment

2987

comment by: *Sue Rorstad*

A test every 6 years with an examiner is not possible there are insufficient examiners in the UK. A better solution would be for instructors to carry out these tests. Even then I dispute the necessity for private pilots to have tests every 6 years.

response

Partially accepted

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.

See the resulting text.

comment

3009

comment by: *Deutscher Aero Club (DAeC)*

Attachment [#13](#)

The Deutscher Aero Club disagrees with proficiency checks proposed by NPA 2008-17b. To comply with the essential requirements lead down in annex III of the Basic regulation, the European Air Sport movement proposes check flights with FIs. Such check flights shall be endorsed in the logbook and shall be repeated every 24 month. No communication with the licensing authority should be required.

A check flight is not a skill test therefore annex III 1.j.1 is not applicable as no skills are to be accessed. This means by performing check flights instead of proficiency checks the requirement pursuant to 1.c.2 and 1.e.2 of annex III can be fulfilled without involving Examiners but FIs.

Quote from JAR-FCL 1: "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."

Examiners shall conduct Skill tests (as defined in GM to FCL.010).

Provided all national licenses was converted to licenses pursuant Part FCL during a time period of 1.5 years (12 April 2012 minus publication date in official journal) the complete population of pilots would have to be checked within 1.5 years in 2018, 2024, 2030 ...

Justification by using the RIA tool:

Safety impact:

Proficiency checks are not very common in the European gliding movement so far. Statistics about gliding accidents like the European Gliding Unions (EGU) compilation of fatal accidents per 100,000 launches over the last 10 years do not show any positive or negative effect of proficiency checks. In fact the influence of geographic specifics like mountains may have a much higher influence on accident rates as proficiency checks.

Alternative proposal: same undefined impact.

Statistics see attachment: fatalities gliding

Social impact:

Voluntarily check flights with a clubs FI are very common in the gliding movement e.g. when a new member joins the club or when pilot didn't flew for a while. But all the time no authority is involved and there is no chance to fail the check. Exercises a simply repeated until the pilot is back on an appropriate level of competence. This system is well accepted by all pilots. Discussion with

members during the last month showed that involuntarily checks like the proposed proficiency checks are not accepted by the community at all. This may be caused by the fact that prof-checks have to be done with Examiner and not the FI of the club who the pilots trust in. Also the fact that the authority has to be informed once a check is not passed and that the pilot has to undergo a special training at an ATO in such a case. The Deutscher Aero Club suggests continuing with a system which is close to the voluntary system the pilots are used to.

Quote from JAR-FCL 1: "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."

Alternative proposal: No negative impact.

Economically impact:

Gliding sport is mainly performed from spring to autumn at weekends. Prof-checks at weekdays are nearly impossible due to the fact, that team is necessary to launch a sailplane. Therefore prof-checks are possible at 52 to 72 days per year for 40.000 glider pilots of which 6700 have to be checked per year. Under the provision that an FE has to keep his/her FI-Licence valid and he/she may wants to fly for his/her one a FE is available for prof-checks at 3 to 5 days per year and will may perform two checks per day. This ends up in a minimum demand of 830 FE out of 6000 FI for Germany of which may 3000 fulfil the requirements for a FE standardisation course. For the time being a maximum 100 FE exits in Germany. It is easily to see that it's impossible to train 730 FE within the transition period of less than two years (present planning of EASAs rulemaking provided), as according to AMC 1 to FCL.1015 2.2 c not more than 4 candidates can be trained per course (2 practical test profiles have to be performed for which aircrafts are necessary). A professional (paid) FE could perform according to AMC to FCL.1015 up to 4 checks per day, but only during summer time due to daylight time restrictions during spring and autumn. Therefore he/she may be able to perform 186 checks per year provided there is no bad weather. Based on an income of 70,000 each check would cost 376 plus VAT, which is 30% of the average amount of money a glider pilot, spends per year for his/her activity.

Alternative proposal: No negative impact.

Environmental

impact:

Due to the high demand of proficiency checks (6,700 per year German glider pilots only) and the low number of available FEs high travelling of applicants to the place of FEs can be expected. This will lead to an increase of resources consumption and carbon dioxide emission.

Alternative proposal: No negative impact.

response

Partially accepted

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input

received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.

See the resulting text.

comment

3037

comment by: *Peter SCHMAUTZER*

As I understood with the LPL-Licence there should be created a licence, which allows pilots to exercise flying at less costly conditions. The requirements therefore can deviate from the ICAO Requirements.

The Federal Aviation Regulations comply fully with ICAO standards and require only a "biannual flight review" with an instructor, which contains also an oral examination. The check flight with an examiner every six-year and the check flight with an examiner every two years are complicated and more expensive. I suggest for the LPL a biannual flight review with an FI, which should contain also an oral examination.

This biannual flight review can also be applied by the other LPL licenses.

response

Partially accepted

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.

See the resulting text.

comment

3053

comment by: *PAL-V Europe*

FCL.140.BA/H Basic LPL – Recency requirements

Holders of a Basic LPL shall only exercise the privileges of their license when they comply with the recency requirements established in FLL.140.A, in the case of aeroplanes **and gyroplanes**, or FCL.140.H, in the case of helicopters.

response

Not accepted

Thank you for providing your comment. However, the Agency will not add specific licensing requirements for pilots of gyroplanes because so far this kind of aircraft falls clearly under the Annex II definition of the Basic Regulation.

comment 3542 comment by: *Swiss Power Flight Union*

Please remove FCL.140.BA/H part Basic LPL for aeroplanes only.

Apply the same requirements as described in FCL.740.A (b), **except (2)**

(i) within the three month preceding the expiry date of the rating, pass a proficiency check in the relevant class in accordance with Appendix 9 to this Part with an examiner; or

(ii) within the 12 month preceding the expiry date of the rating, complete 12 hours of flight time in the relevant class, including:

6 hours as pilot-in-command;

12 take offs and 12 landings; and a training flight of at least one hour with a flight instructor (FI) or a class rating instructor (CRI).

Reason: The existing scheme with JAR FCL has proved itself. With FCL.140.A, the pilot would have a fly experience less than before. This would affect the flight safety.

response *Partially accepted*

Thank you for providing your comment on the recency requirements.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months). This is one of the items proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours and 12 take-offs within the last 24 months will be kept. This is also close to the JAR-FCL requirements and the proposal made in your comment.

As it was decided not to introduce a rating system with a definite validity the wording proposed (JAR based) cannot be transferred into the LPL subpart. No rating and no validity period will be given with this licence.

See the resulting text.

comment 5089 comment by: *UK CAA*

Paragraph:

FCL.140.BA/H – Basic LPL-Recency Requirements

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Comment:

A student who has just qualified for a basic LPL may not have met these recency hours requirements for the issue of the licence, and therefore may not be in a position to exercise the privilege of his/her licence.

Justification:

A student for the LPL may not have 6 hours PIC and will have completed a Skill Test, not a proficiency check.

**Proposed Text:
(if applicable)**

	...undertake a proficiency check or skill test ...
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>With the proposed wording in FCL.140.A (a)(1)(ii) the described problem should not happen as the minimum of 6 hours flight time and the training flight with an instructor should be fulfilled at the moment when doing the skill test.</p> <p>Based on the comments received proposing to delete the proficiency check and to introduce a mandatory training flight with an instructor paragraph (a)(1)(ii) cannot be kept and will be deleted. Only option (a)(1)(i) will be kept and a mandatory training flight with an instructor added. Additionally a new requirement allowing the licence holder to complete the requirements with or under the supervision of an instructor will be incorporated. With this new wording the student pilot when passing the skill test has fulfilled the recency requirement FCL.140.A (b)(2) automatically.</p> <p>Therefore the Agency does not see a need to follow your proposal.</p>

comment	<p>6397 comment by: <i>DSvU</i></p> <p>FCL.140.S LPL(S) Recency requirements</p> <p>Comment:</p> <p>(a) <i>Sailplanes and powered sailplanes</i>. Holders of a LPL(S) shall only exercise the privileges of their licence on sailplanes or powered sailplanes when they have:</p> <p>(1) completed on sailplanes, in the last 24 months, at least:</p> <p>(i) 6 hours of flight time as pilot in command, including 10 launches; or</p> <p>(ii) 3 hours of flight time as pilot in command, including 5 launches, and a minimum of 3 training flights with an instructor;</p> <p>(2) passed a proficiency check with an examiner on a sailplane at least once in every 6 years.</p> <p>(b) <i>TMG</i>. Holders of a LPL(S) shall only exercise the privileges of their licence on touring motor gliders when they have:</p> <p>(1) completed on touring motor gliders, in the last 24 months, at least:</p> <p>(i) 12 hours of flight time as pilot in command including 12 launches; or</p> <p>(ii) 6 hours of flight time as pilot in command or TMG, including 6 takeoffs and landings, and 1 training flight of at least one hour with an instructor;</p> <p>(2) passed a proficiency check with an examiner on a TMG at least once in every 6 years</p> <p>Proposal:</p> <p>(a) <i>Sailplanes and powered sailplanes</i>. Holders of a LPL(S) shall only exercise the privileges of their licence on sailplanes or powered sailplanes when they have:</p> <p>(1) completed on sailplanes, in the last 24 months, at least:</p> <p>(i) 6 hours of flight time as pilot in command, including 10 launches; or</p> <p>(ii) 3 hours of flight time as pilot in command, including 5 launches, and a minimum of 3 training flights with an instructor;</p>
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(2) passed a proficiency check with an *instructor* on a sailplane at least once in every 6 years.

(b) *TMG*. Holders of a LPL(S) shall only exercise the privileges of their licence on touring motor gliders when they have:

(1) completed on touring motor gliders, in the last 24 months, at least:

(i) 12 hours of flight time as pilot in command including 12 launches; or

(ii) 6 hours of flight time as pilot in command or TMG, including 6 takeoffs

and landings, and 1 training flight of at least one hour with an *instructor*;

(2) passed a proficiency check with an instructor on a TMG at least once in every 6 years

Justification:

It will be sufficient, that all proficiency checks should be done by an instructor, if necessary the instructor proficiency check could be every 2 years.

response *Partially accepted*

Thank you for providing your comment on the recency requirements.

However, it seems that the comment is aiming on the recency requirements for the LPL(S) and not for the LPL(A) or (H).

The issue of the proficiency check was discussed during the review phase based on the enormous amount of comments dealing with this issue and criticizing the proposal for a mandatory proficiency check. Based on the input received the Agency 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). This is also the main item proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text for the appropriate segment.

comment 6406

comment by: *Sam Sexton*

Reference FCL140.A (2)
the 6 yearly proficiency check..

Don't think this has been thought through properly by EASA. I.e. cost, this one rule alone will probably mean a considerably drop in pilot numbers as pilots give up fly altogether.

Reasons: -

Cost.

Examiners charge excessive fee for a proficiency check/General flight test(GFT).

-I was charged approx 200 euro just as a test fee.

- pilots would feel they would need to do several hours with an instructor prior to a test again additional cost.
-
- I fly microlights and annex 2 aircraft. To do this proficiency test I would

- have to join a flying club additional fees. Pay aero club rates for hire of their aircraft currently around 200 euros and hour with an instructor
- again the hire of the aircraft for the test itself. Which could take up to 2 hours with the additional costs.
 - this will therefore require a RIA.

Suggest that the current bi-annual flight with an instructor is now made a test flight with any instructor (not just an examiner). Where the instructor can refuse to sign of the pilots log books etc. if the instructor is unhappy with the pilots general flying.

Generally this flight is used by pilots to freshen up on certain areas of flying with an instructor. EFATO, Practice force landings. Stalls etc. etc. Additionally there is some queries amongst instructor whether this flight can be split i.e. if I we fly to another airfield have a brake and fly back as long as the total flight time is more than one hour. Seem certain NAA,s interrupt this different and require a flight of 1 hour with no brakes/stops.

response *Partially accepted*

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.

See the resulting text.

comment

6935

comment by: *Austrian Aero Club*

FCL.140 BA/HZ Basic LPL - Erfordernisse an fortlaufender Flugerfahrung

Zustimmung zu einer LPL-Lizenz, welche es Piloten erlaubt, das Fliegen zu weniger teuren Bedingungen auszuüben. Die Erfordernisse können daher von den ICAO-Erfordernissen abweichen.

Die Federal Aviation Regulations erfüllen voll die ICAO-Standards und verlangen nur eine „zweijährige Flugüberprüfung“ (*biannual flight review*), mit einem FI, welche auch eine mündliche Prüfung beinhaltet. Der Überprüfungsflug mit einem Prüfer alle sechs Jahre und der Überprüfungsflug mit einem Prüfer alle zwei Jahre, lehnt der Österreichische Aero Club als unnötig und zu teuer für den Flugsport ab.

Der Österreichische Aero Club schlägt daher für die LPL eine zweijährige Flugüberprüfung durch einen Fluglehrer vor, welche auch eine mündliche Prüfung beinhaltet.

Die zweijährige Flugüberprüfung kann auch bei den anderen LPL-Lizenzen angewendet werden.

response *Partially accepted*

Thank you for providing your comment on the issue of additional flights with an instructor.

The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.

See the resulting text.

comment

7198

comment by: *Aero-Club of Switzerland*

Please apply the same requirements as described under FCL.740A (b), **except (2)**

(i) within three month preceeding the expiry date of the rating, pass a proficiency check in the relevant class in accordance with Appendix 9 to this Part with an examiner or

(ii) within the 12 month preceding the expiry date of the rating, complete 12 hours of flight time in the relevant class, including:

6 hours as pilot-in-command;

12 take offs and 12 landings; and a training flight of at least one hour with a flight instructor (FI) or a class rating instructor (CRI).

Reason: The existing scheme with JAR FCL has proved itself. With FCL.140.A, the pilot would have a fly experience less than before. This would affect the flight safety.

response

Noted

Thank you for providing this comment.

However, it seems to be a duplicate of comment No 3542. See response for comment No 3542.

comment

7215

comment by: *Peter Holland*

FCL.140.BA/H Basic LPL - Recency requirements

Given that I believe the "Basic LPL" to be a dangerous nonsense (reasons repeated below) the idea of "recency requirements" flies in the face of sense - it is precisely the lack of experience and training that makes this level of licence too low!! Therefore, were it to exist recency requirements should be even more demanding than for a full PPL. Indeed they should at least meet current UK CAA helicopter requirements - a full LPC examination every year.

Reasons against the Basic LPL:

The whole concept of allowing a Basic LPL is "unwise". Particularly for helicopters.

1) It raises unrealistic expectations in potential students that a satisfactory standard can be reached in 20 hours (for aeroplanes) or 35 hours (for helicopters). Whilst the syllabus covers most major points for safe flying

(notable exceptions listed below), the time allowed is grossly inadequate for it to be achievable on aeroplanes and I would say impossible for helicopters. This then has a negative effect on potential students and will not serve to increase applicant numbers as is presumably its purpose.

Notable exceptions from the syllabus are no training for; understanding and avoidance of controlled airspace, danger and prohibited areas (essential in UK, see below) and Steep Turns, for both aeroplanes and helicopters, plus for helicopters only, Sloping Ground - essential for any helicopter landing, particularly a solo one!

More importantly.....

2) It is courting danger!! It will certainly result in greatly increased numbers of "incidents" because of the low experience level and the allowance of a passenger. All authorities concur that the highest rate of incident is among recently qualified, low hour pilots carrying a friend as passenger, usually because they conduct advanced manoeuvres too slow and too low - i.e. showing off! This is particularly evident in the USA where they already have a similar lower level of pilot licence as the LPL being proposed in this NPA, but even they do not have a Basic LPL..

3) The 50km limitation is impossible to police, as is the no landaway. Holders can and will go where they like and land, particularly at private sites - the most dangerous! For helicopters this will likely involve confined areas, not something they will have been trained to do nor tested on!!

I would add that while 50km may seem nothing in the open areas of mainland Europe, here in the UK it is a significant distance. Within a 50km radius of London there are 3 of the busiest airports in Europe, Gatwick, Luton & Stanstead, several busy Business-Flight Airports notably Farnborough and Biggin Hill, plus the busiest airport in the world - Heathrow!!

The potential for incursions into controlled airspace, which is most of UK airspace, is hugely increased at the very least, but the risk of real incidents is unacceptably high.

I do not agree with the proposal for a "Basic LPL" but repeat my basic comment to FCL.105.A (LPL) and FCL.105.H (LPL) regarding passengers - at LPL level, if passengers are to be carried there should be a qualified PPL in the second pilot's seat (with controls) able to act as PIC if required. Explained in more detail against FCL.105.A & H.

response

Noted

This comment seems to be only a duplicate of your comment No. 5862. See the response already given for this comment in a different segment.

comment

7296

comment by: *trevor sexton*

FCL.140.A LPL(A) recency requirements

(2) Disagree
There is no safety case to this.

Keep to the current JAA requirements.

	<p>or make the JAA requirement a pass or fail with an instructor.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the issue of additional flights with an instructor.</p> <p>The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.</p> <p>See the resulting text.</p>

comment	<p>8179 comment by: <i>Alouette Flying Club</i></p> <p>I do not deem this necessary – Under current JAA Rules, all PPL holders must have a 1 hour flight with an instructor in the final year of the 2 year rating validity period. This, together with the facility to renew the licence after 10 years, works well.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the issue of additional flights with an instructor.</p> <p>The issue of the proficiency check was discussed during the review based on the enormous amount of comments dealing with this issue. Based on the input received the Agency decided to delete the mandatory proficiency check but to revise the recency requirements for all categories and to introduce a mandatory training flight with an instructor every 24 months (for helicopters every 12 months).</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) with a required amount of 12 hours within the last 24 months will be kept.</p> <p>See the resulting text.</p>

comment	<p>8206 comment by: <i>Klagenfurter Flugsport Club</i></p> <p>Zustimmung zu einer LPL-Lizenz, welche es Piloten erlaubt, das Fliegen zu weniger teuren Bedingungen auszuüben. Die Erfordernisse können daher von den ICAO-Erfordernissen abweichen.</p> <p>Die Federal Aviation Regulations erfüllen voll die ICAO-Standards und verlangen nur eine „zweijährige Flugüberprüfung“ (biannual flight review), mit einem FI, welche auch eine mündliche Prüfung beinhaltet. Der Überprüfungsflug mit einem Prüfer alle sechs Jahre und der Überprüfungsflug</p>
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mit einem Prüfer alle zwei Jahre, lehnen wir als unnötig und zu teuer für den Flugsport ab.

Wir schlagen daher für die LPL eine zweijährige Flugüberprüfung durch einen Fluglehrer vor, welche auch eine mündliche Prüfung beinhaltet.

Die zweijährige Flugüberprüfung könnte auch bei den anderen LPL-Lizenzen angewendet werden.

response *Noted*

Thank you for providing your opinion.
See response for comment No 6935.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 3:
Specific requirements for the LPL for aeroplanes**

p. 13

comment

2165

comment by: *D J Akerman*

I see no point in having Basic LPL and LPL provided comments 2163 and 2164 are implemented. It seems perfectly adequate to have just PPL(A) or (H) and PPL-Restricted(A) or (H) etc as recommended in comment 2162. Why have 3 categories when two will do the job perfectly adequately and with less administrative complication and cost.

response

Noted

Thank you for providing your opinion.

The Agency cannot follow the logic behind this comment because in comment No. 2162 the proposal was made to rename the LPL into "something like PPL-Restricted" but to keep it.

If the comment is aiming on the deletion of the Basic LPL this should have been mentioned clearly. Please check the given comments and the Agency's responses for the comments No. 2162 / 2163 / 2164.

comment

2742

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

The LPL is also of great importance for our members, because this licence is directly related to the non complex and ELA aeroplanes, which represent more than 95% of our aero-club fleets.

The concept of non complex and ELA aeroplanes would be useless without the LPL.

response

Noted

Thank you for providing this positive feedback.

The Agency can follow the logic expressed with this comment.

comment

6543

comment by: *Light Aircraft Association UK*

The LAA feels that the introduction of the LPL is also of importance to our members as this licence is directly related to the non complex aeroplanes, which represents the majority of the aircraft operated by our members.

This section appears to restrict LPL holders with a LAFI certificate/rating to instruct without remuneration although FCL205A certainly permits PPL holders with an LAFI/FI rating to be remunerated. We would question the reasoning behind this proposal.

response *Noted*

Thank you for providing this positive feedback on the LPL.

As a second point the question was raised why the LAFI should not be remunerated (see proposal for the FI). The answer is quite simple as the privileges of this Leisure Pilot Licence are clearly defined in the Basic Regulation. Article 7(7) defines: "...and of a leisure pilot licence covering non-commercial activities". Taking into account the definition of commercial activities in Article 3 it can be followed easily that such an activity is forbidden by the Basic Regulation.

comment 8272

comment by: *Paul Mc G*

The Basic LPL is important as this licence is directly related to basic aeroplanes, which represents the majority of the aircraft operated by UK pilots! That sounds bad?

However, is there an inconsistency as here restrictions are placed on LPL holders with a LAFI certificate/rating for instructing without remuneration although FCL205A seems to permit PPL holders with an LAFI/FI rating to be paid. Is there a misprint here?

Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 3: Specific requirements for the LPL for aeroplanes - FCL.105.A LPL(A) - Privileges

A maximum number of 4 POB, as the proposed rule amendment is currently written will limit development of some newer designs of aeroplane as presently appearing in the US and South America and family flying. Once more markets are given to competitors. 10 POB would cover almost all non commercial eventualities and allow groups of friends and larger families to fly to some interesting places. Could this not be reconsidered? Also European legislation specifying minimum insurance requirements is not consistent with this section is it?

response *Noted*

Thank you for providing your opinion.

As a first issue the question was raised why the LAFI should not be remunerated (see proposal for the FI). The answer is quite simple as the privileges of this Leisure Pilot Licence are clearly defined in the Basic Regulation. Article 7(7) defines: "...and of a leisure pilot licence covering non-commercial activities". Taking into account the definition of commercial activities in article 3 it can be followed easily that such an activity is forbidden by the Basic Regulation.

The second issue mentioned with your comment is the limitation to 4 persons on board and the development of possible new designs of light aircraft with up

to 10 persons on board. The Agency cannot see that such a design will necessarily be a pure leisure aircraft. If such an aircraft will be developed a PPL should be the adequate licence to act as pilot-in-command on this aircraft. No need is seen at this stage to allow a pure leisure pilot to fly such an aircraft. To include this kind of aircraft types or categories would mean that the training requirements must be reviewed and reconsidered. Such a task is not foreseen neither wanted at this stage.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 3:
Specific requirements for the LPL for aeroplanes - FCL.105.A LPL(A) -
Privileges**

p. 13

comment 71 comment by: *Tassi Giannikopoulos*

Hallo,
and to this I would add, that Gyroplanes are similar to aeroplanes. I would change the FCL.105.A into "...The privileges of the holder of a LPL for aeroplanes and gyroplanes are to fly....".

Regards
Ota

response *Not accepted*

Thank you for providing your opinion.

However, the Agency has decided not to include gyroplanes at this stage as up to now all the gyroplanes which are certificated must be categorised as Annex II aircraft. As Annex II aircraft are clearly excluded from these requirements by the Basic Regulation the Agency does not agree with the proposal to include specific requirements for gyroplanes or add the term here.

comment 83 comment by: *Aero Club Malta*

Similar comments to FCL.105BA apply. Microlights should be included in this section as a sub-category of SEP aircraft.

response *Not accepted*

The Agency acknowledges the opinion provided.
See the responses to your comments No. 80 and 81.

comment 288 comment by: *CAA Belgium*

To be added in the privileges "Not for remuneration or hire".

response *Not accepted*

Thank you for providing your comment but the Agency does not agree in adding the additional limitation on the privilege because this would be only a repetition.

Please check the general requirement FCL.105 which is applicable for all the different LPL categories. It states: "The privileges of the holder of a LPL are

to act without remuneration as pilot-in-command in non-commercial operations". The Agency considers this as sufficient.

comment	<p>613 comment by: <i>British Microlight Aircraft Association</i></p> <p>Accepted except the privileges should include the privilege to be remunerated for acting as an instructor when holding an instructor rating.</p>
response	<p>Noted</p> <p>Thank you for providing this comment. See responses to your comments No. 606 and 616.</p>

comment	<p>1393 comment by: <i>Wilfried Müller</i></p> <p>The flying time as pilot-in-command (PIC) on an aerodynamically controlled Micro Light should become part of the minimal required PIC flying time for license endorsement.</p> <p>Bi annual flight checks with a FI should be kept in place of the planned proficiency check every 6 years.</p> <p>PS: Please keep in mind that the bi annual flight checks are mostly done by honorary FI`s in the clubs. A costly extension of the checking every 6 years through a FE would require an additional checking organisation. Since the budgets of our leisure pilots are stressed to the limit already, it would end up by less flying. That's not what we want!</p> <p>Wilfried Müller 11-27-2008</p>
response	<p>Noted</p> <p>Thank you for providing your comment.</p> <p>Regarding the statement about recognising flight time in microlights please check the Agency's response dealing with your comment No. 1391.</p> <p>The Agency has reconsidered the issue of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.</p> <p>The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (please see the appropriate segment and paragraph). For the recent experience the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs (LPL(A)) .</p> <p>As this comment is addressed to FCL.105.A which contains the privileges of the LPL(A) licence it seems that the second part of the comment should be addressed to another segment dealing with the proposed proficiency check to fulfil the recency requirements. Please check the responses given on comments for these segments (FCL.140.X). It has been decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Concerning the mentioned budget issue the Agency is questioning this argument because it believes that in most cases the 6-years proficiency check</p>

with an examiner would have been cheaper than the now proposed flight with an instructor which has to be done every 2 years.

comment **1687** comment by: *Sven Koch*

Flugzeug SEP oder TMG bis 2,0 to; maximal 3 Passagiere, nur max 4 Personen an Bord

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 the privileges contained in FCL.105.A.

comment **2044** comment by: *Thomas SIEWERT*

FCL.105.A LPL(A) Privileges

Die Einführung des LPL (A) in dieser Form kann begrüsst werden.

response **Noted**

Thank you for providing this positive feedback.

comment **2414** comment by: *Danish Powerflying Union*

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Page 22

Appendix 1 – explanatory memorandum to Part FCL

Subpart B, 16.

.....carrying a maximum of 3 persons.....

The wording "carrying a maximum of 3 persons" are to be changed in 17A to: **"carrying a maximum of 3 passengers, such that there are never more than 4 persons on board of the aircraft"**.

Justification:

Refer to the wording in NPA-2008-17B, page 13, Section 3, FCL.105.A

response **Partially accepted**

Thank you for providing this comment.

The Agency agrees that the number of persons on board mentioned in the explanatory memorandum is wrong and confirms the wording which is used in NPA 2008-17b.

Due to the fact that the explanatory memorandum will not be part of the future opinion on Part-FCL there is no need for further action.

comment **2743** comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

A maximum number of POB of 4 is acceptable for FFA, as the rule is

	<p>formulated. In other terms, it should be allowed four persons on board a five or six seated aeroplane.</p> <p>These limited privileges are consistently in balance with a limited responsibility (insurance).</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The aim of the chosen wording was to allow a LPL licence holder to fly an aircraft certificated for 5 persons when only 4 persons are on board.</p>
comment	<p>3434 comment by: <i>Royal Danish Aeroclub</i></p> <p>There could be one instructor, two passengers and one pilot/student pilot on board the aircraft.</p> <p>The text should read "maximum of four persones on board of the aircraft."</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency cannot see a major difference between the term used in the NPA ("...never more than 4 persons on board..") and the proposed wording in the comment ("..maximum of four persons in board..").</p> <p>The text will be kept unchanged.</p>
comment	<p>3638 comment by: <i>Peter van Harten</i></p> <p>I herewith comment on the 2000kg. For a balloon, with 4 POB such a max. allowed take-off weight is to much. In this cathegorie of balloons, balloons are allowed who can take up to 10 POB, and therefore it is unsafe to fly such a balloon with only 4 POB. My suggestion is that only for balloons the 2000kg. wil be replaced for 1000kg.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment but it seems that the requirement was misunderstood.</p> <p>FCL.105.A clearly defines the privileges only for aeroplane pilots. The privileges of the LPL balloon pilots are contained in FCL.105.B. The requirements for balloon pilots do not contain any reference to a Maximum Take Off Mass (MTOM).</p>
comment	<p>3701 comment by: <i>Axel Mitzscherlich</i></p> <p>Limitation of carrying passengers should be limited to the number of max. possible passengers of the a/c.</p>
response	<p><i>Not accepted</i></p> <p>The Agency achknowledges the opinion expressed but disagrees with the</p>

proposal to change the privilege.

The maximum amount of passengers defined in this paragraph seems to be sufficient for the purpose of pure "leisure" activity. The Agency cannot see the need to allow the LPL pilot to carry more than three additional persons.

The comment does not contain a justification which could explain the rationale behind this proposal.

comment 3738

comment by: ANPI

This paragraph may be misleading.

It is clear that there shall never be more than 4 persons on board of the aircraft, but it can be understood that any aircraft of less than 2000Kg (Cessna 206, Beech 36, Piper Cherokee 6) capable to carry more than 4 persons can be flown with a LPL license. Then the temptation is high that one day a LPL pilot used to fly the aircraft will accept a 5th or more persons.

Suggestion is to refer to the maximum capacity of the aircraft for the number of seats at done for maximum certified takeoff weight.

response *Not accepted*

The Agency acknowledges the opinion expressed but disagrees with the proposal to change the privilege.

The maximum amount of passengers defined in this paragraph seems to be sufficient for the purpose of pure "leisure" activity. The Agency cannot see the need to allow the LPL pilot to carry more than three additional persons.

The comment does not contain a justification which could explain the rationale behind this proposal.

comment 4513

comment by: FFK

It should include Microlight. We have the same theoretical knowledge. They just need to do a small difference training for microlight aircraft. (excluding trikes)

(a) Aeroplanes. 3 hours of dual instruction flight time, including:

- (1) 10 takeoffs and landings; and
- (2) 10 supervised solo takeoffs and landings.

response *Not accepted*

The Agency acknowledges the opinion expressed but it seems that the comment should be addressed to another segment (may be FCL.135.A).

However, it has to be reminded that the proposals contained in NPA 2008-17 are not meant to be applicable to microlights.

In fact, microlight aircraft are excluded from the applicability of the Basic Regulation, in accordance with Article 4/4 and paragraph (e) of Annex II thereof.

Therefore, the regulation of these aircraft (including the requirements for their operation and for the qualification of their pilots) remain within the competence of Member States, and are therefore subject to national rules.

The proposals included in the NPA 2008-17 regarding the Leisure Pilot Licence must then be understood as applying to aircraft with a MTOM between the lower limits referred to in paragraph (e) of Annex II and the upper limit of 2000 Kg referred to in Article 7/7 of the Basic Regulation (EC Reg. 216/2008).

However, the Agency has reconsidered the issue of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.

The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs.

comment **4535** comment by: *FFK*

We think this education should be held in Registered Facility (RF).

response *Noted*

Thank you for providing this comment.

However, it should be noted that the issue of the type of training organisation will be further addressed in NPA 2008-22 and cannot be further explained in these requirements.

It has to be highlighted that the EASA proposals for the approved training organisations (ATO) tried to establish proportionate requirements for ATOs only providing LPL, PPL, SPL and BPL training.

comment **5846** comment by: *EFLEVA*

EFLEVA considers the maximum number of 4 POB is acceptable, but the paragraph should be changed so that 2 children could be seated in the same seat under certain circumstances.

response *Not accepted*

Thank you for providing your opinion.

The Agency will not change the wording and will not add an alleviation if children are carried. This is clearly an operational requirement (NPA on Air Operations) and should not be incorporated in Part-FCL.

comment **5904** comment by: *Peter Holland*

FCL.105.A LPL(A) - Privileges

Regarding passengers - at LPL level, if passengers are to be carried there should be a qualified PPL in the second pilot's seat (with controls) able to act as PIC if required.

It has been shown by all aviation authorities, but particularly the FAA in the USA who already issue a similar licence to this proposal, that by far the

greatest proportion of incidents, especially fatalities, is among newly qualified, low hour pilots carrying passengers. It is usually a result of "buzzing" or orbiting a known property or location, or else encountering unfamiliar conditions - high traffic levels, ATC requests or weather issues - and mentally "overloading".

With a full PPL onboard there will be major benefits including - a greater level of experience and competence to draw on and a useful second opinion for the LPL, plus considerably less inclination for the LPL to "show off" to the passengers.

Then there is dealing with Controlled Airspace. In the LPL(A) syllabus there is no specific training for controlled airspace, nor danger and prohibited areas, of which we have a lot here in the UK, certainly in the south. Just in the immediate vicinity of London (where most training occurs due to population level) there are 3 of the busiest airports in Europe - Gatwick, Luton & Stanstead - several busy Business-Flight Airports notably Farnborough and Biggin Hill, plus the busiest airport in the world - Heathrow!!

A little further from London but still in the southern half of the UK, are a further 11 international airports.

With this omission from the syllabus, the potential for incursions into controlled airspace, which is most of UK airspace, is hugely increased at the very least, but the risk of real incidents is unacceptably high. It is too much to expect pilots with such little experience as the LPL(A) requires to safely deal with the crowded southern UK skies.

The benefits of flying with more experienced pilots but without the feeling of being a student, as when with an instructor, are well known and well proven and would greatly reduce the risks mentioned above.

response

Not accepted

Thank you for providing your opinion. However, some parts of this comment were also given in other segments. Please see therefore the response for your comment No. 5862.

The Agency has considered your proposal for an additional licence holder to be on board if passengers are to be carried but does not see the need for such an additional requirement. Such a solution (what would be the function and responsibility of this licence holder?) would cause further risks and uncertainties which should be avoided.

The Agency also does not agree with the statement given that the greatest proportion of accidents or incidents is caused by newly qualified, low hour pilots.

Regarding the issue of missing elements in the training for the LPL please check the AMC material and you will find out that the LPL holder has to have the same level of theoretical knowledge as the PPL holder and that several practical training exercises include airspace related training. Please compare the training syllabus of the PPL and the LPL and you will discover only a few differences (Radio Navigation on / 180° turn solely by reference to instruments).

The Agency concludes that this comment was given based on a

misunderstanding or misinterpretation of the AMC containing the main training elements.

comment 6544 comment by: *Light Aircraft Association UK*

A maximum number of 4 POB is endorsed by the LAA, as the proposed rule amendment is currently written.

Consistency needs to be checked with European legislation specifying minimum insurance requirements.

response *Noted*

Thank you for providing this positive feedback.

The Agency is not aware of any contravening EU regulation or requirement dealing with minimum insurance limits at this stage.

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 3: Specific requirements for the LPL for aeroplanes - FCL.110.A LPL(A) – Experience requirements and crediting p. 13-14

comment 120 comment by: *Aero-Club of Switzerland*

Within the Aero-Club of Switzerland we discussed the "hours" approach versus the "acquired skills" approach. We prefer the latter one. The indication of a minimum number of flights, eg cross-country flights, however, we welcome.

Proposal: For the whole NPA please define only the skills to be acquired, do not define exact minimum hours.

Justification: X hours flown are no guarantee for a reasonable progress made during these hours. The FI shall indicate that all the elements of the syllabus were performed correctly. This is more important than the minimum hours flown.

response *Not accepted*

Thank you for providing your opinion and the proposal to delete all the numbers for minimum hours or flights (throughout the entire NPA).

The Agency has spent quite some time discussing the idea of developing the future requirements for the LPL on a "competency based" approach. The Agency agrees that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence required by the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on a purely competency based approach but came to the conclusion that it would be better to define some minimum requirements. However, some of them are on a lower level than required by ICAO for the PPL. As a result

some of the proposed figures for the LPL instruction time seem to be rather low compared with the average student pilot but will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

For all the other licence categories contained in Part-FCL (PPL/CPL/ATPL) ICAO Annex I defines some minimum numbers for the flight hours and take-offs. To be ICAO compliant the Agency decided to keep these numbers.

The majority of comments is also in favor to keep some minimum numbers of flight hours, some of them are even proposing to raise these figures (see the other comments for this segments). Taking into account the above mentioned aspects and the feedback received the Agency decided to keep these minimum figures for the experience requirement.

comment

309

comment by: CAA Belgium

1) The flight experience requirement cannot be 30 hrs which is far too low ! At least the ICAO-Annex 1 minimum of 40 hrs should be imposed.

For your information: the average of total flight time at the issue of a PPL(A) calculated on basis of the 50 most recently issued PPL(A) in Belgium is 70 hours.

Dual flight instruction time average appears to be 52 hrs.

2) It is not clear in which category (whether aeroplane or TMG or both)
 1) the experience / instruction has to be done ?
 2) the privileges are situated ?

Proposal: replace "aeroplanes or TMG" by "in the class of aeroplane".
 (b) references to Basic LPL to be deleted

response

Not accepted

Thank you for providing your opinion and the proposal to raise the minimum number of flight hours.

The Agency has spent quite some time discussing the idea of developing the future requirements for the LPL on a "competency based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of

licence contained in the Basic Regulation (it was mentioned in the Explanatory Note that this European licence will not be ICAO compliant).

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements. However, some of them are on a lower level than required by ICAO for the PPL, SPL and the BPL. As a result some of the proposed figures for the LPL instruction time seem to be rather low compared with the average student pilot but will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

For all the other licence categories contained in Part-FCL (PPL/CPL/ATPL) ICAO Annex I defines some minimum numbers for the flight hours and take-offs. To be ICAO compliant the Agency decided to keep these numbers for the ICAO licences.

The majority of comments is also in favor to keep some minimum numbers of flight hours, some of them are even proposing to raise these figures (as mentioned in your comment). Taking into account the above mentioned aspects and the comments received the Agency decided to keep the proposed 30 hours requirement for the flight instruction.

Regarding your questions it should be clarified that a certain amount of hours must be flown in the class which will be used for the skill test. Not to exclude the use of the other class (TMG or SEP) a certain amount of hours can be flown in the other class. This will be clarified and the text changed accordingly.

The Agency does not consider the proposed wording "in the class of aeroplane" to be the right term as this could lead to the conclusion that training on a TMG is excluded. To make clear that SEP and TMG could be used the wording will be kept.

comment

485

comment by: *FOCA Switzerland*

B/Section 3
FCL.110.A (b)

Remark:

In case Section 2 is abolished then para (b) is obsolete.

response

Noted

Thank you for providing your comment.

However, as it was decided to keep the Basic LPL(A) para (b) will be kept and not changed. Please see the comments and the resulting text for section 2 on the Basic LPL.

comment 614

comment by: *British Microlight Aircraft Association*

(a) Accepted
 (b) Disagree. The holder of the BLPL should only be required to complete the elements of the training syllabus for the LPL that were not included in the BLPL and have completed at least the minimum total dual training and solo training required for the grant of a LPL, otherwise no credit is given to the holder of the BLPL for the experience gained when flying as a LPL holder.
 (c) Comment: Is this correct that there is no requirement for a LPL(S) with TMG to have completed any instruction in Aeroplanes? The 3 hours dual instruction does not specify Aeroplanes but does specify TMG.
 (d) The crediting allowance seems very minimal.

response *Partially accepted*

Thank you for providing your opinion.

Regarding the proposed requirements in (c) the Agency reviewed the comments and checked the contents of the training syllabus for the full LPL and the Basic LPL (see AMCs). As a matter of fact the Basic LPL contains only some very basic cross country and navigation elements. The now proposed 10 hours flight time for the "up-grade" to the full LPL will cover the full navigation syllabus, some take-offs and landings on different other airfields as the home airfield, a dual cross country flight, the solo cross country flight and the preparation for the additional skill test. The Agency does not agree that the proposed 10 hours are too high and will keep the requirement unchanged.

Regarding the requirement contained in (c) the Agency agrees that this issue has to be clarified. This paragraph was developed for the LPL(S) holder with TMG extension who will up-grade his/her licence in order to fly a single-engine piston aeroplane. Based on the principle that the LPL(S) holder should reach at least the same level as the LPL(A) licence holder the LPL(S) holder with TMG extension has to complete additional flying time (proposed 24 hours - will be lowered slightly), at least the three hours additional flight training on single engine-piston aeroplanes (according to FCL.135.BA/H (b) and the skill test on an aeroplane. The text will be changed accordingly.

As a last issue the crediting in (d) was mentioned. The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment 1255

comment by: *Günter End*

UL-Flugzeit sollte man anrechnen, weil technischer Fortschritt Gleichwertigkeit mit Motorflug gezeigt hat.

response

Partially accepted

The Agency acknowledges the opinion expressed.

However, it has to be reminded that the proposals contained in NPA 2008-17 are not meant to be applicable to microlights. In fact, microlight aircraft are excluded from the applicability of the Basic Regulation, in accordance with Article 4/4 and paragraph (e) of Annex II thereof.

Therefore, the regulation of these aircraft (including the requirements for their operation and for the qualification of the pilots) remain within the competence of Member States, and are therefore subject to national rules.

However, the Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment

1446

comment by: *Anja Barfuß*

Please clarify in case of practical requirements are provided for common Requirements (see FCL110BA/H) how to deal with additional definition provided for extension of the license. Do the definition replace the common definition or is it needed to add? For example how much dual instruction time is requested here: 10h from FCL105BAa1 + 15h=25 or 10+5=15?

response

Noted

Thank you for providing your questions.

The Agency does not understand what kind of clarification is needed. For the Basic LPL(A) a total amount of at least 10 hours dual instruction is required. If the Basic LPL(A) holder then decides to start the training for the full LPL all the requirements contained in FCL.110.A (b) will apply which means additional 5 hours dual instruction (slightly reduced).

comment

1636

comment by: *Nigel Roche*

Again

Are we saying in (d) Crediting, that applicants holding LPL licence for another category of aircraft get a 10% flight time credit

or

that all licence holders ATPL (A), CPL (A) etc get a 10% credit of their total flight time.

I ask this because I can see senior captains who are 60 years old with thousands of hours who have lost their Class 1 medical but wish to continue to

	fly will be incredulous at such a decision.
	If it was meant for only LPLs then I would suggest it is stated as such
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The crediting for flight experience in the same category of aircraft (e.g. PPL(A) flight time for the LPL(A)) is contained in FCL.110. Please see the responses and the resulting text for this segment. However, it should be mentioned that FCL.110 will be changed in order to make clear that an applicant holding or have held an ATPL(A) (or CPL(A) / PPL(A)) licence will be credited against FCL.115 and FCL.120 but has to take the skill test on an SEP or TMG.</p> <p>In (d) only the crediting for flight time in other aircraft classes (e.g. credit for flight time on sailplanes) is mentioned. Some changes are envisaged based on the comments received. Please see the responses and the resulting text for this segment.</p>
comment	<p>1688 comment by: <i>Sven Koch</i></p> <p>30 Std Flugausbildung mit Flugzeug oder TMG, davon: 15 Std Doppelsteuer mit Lehrer 6 Std überwachte Alleinflüge, davon 3 Std Allein-Überlandflug mit einem Überland mit mindestens 150 km mit einer Landung auf fremden Platz Bewerber mit einem BasicLPL Flugzeug benötigen 10 Std Flugausbildung, davon: 6 Std Doppelsteuer mit Lehrer 3 Std überwachte Alleinflüge incl 1 Überlandflug</p> <p>mit mindestens 150 km mit 1 Landung auf fremden Platz Bewerber mit einem LPL(S) mit TMG- Erweiterung: nach 24 Std Flugzeit TMG als PIC nur 3 Std mit Lehrer</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 the experience requirements contained in FCL.110.A.</p>
comment	<p>2075 ❖ comment by: <i>Markus Hitter / JAR-Contra</i></p> <p>We appreciate to see low absolute requirements here. We see this is in full accordance with EASA's promise to put more emphasis on individual responsibility in private aviation.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this positive feedback.</p> <p>The Agency has spent quite some time discussing the idea of developing the future requirements for the LPL on a purely "competency based" approach. The</p>

Agency agrees on the principle that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on a purely competency based approach but came to the conclusion that it would be better to define some minimum requirements. However, most of them are on a lower level than required by ICAO for the PPL, SPL and the BPL. As a result some of the proposed figures for the LPL instruction time seem to be rather low compared with the average student pilot but will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

comment

2905

comment by: *AECA(SPAIN)*

Proposal:

- (a) replace "aeroplanes or TMG" by "in the class of aeroplane".
- (b) references to Basic LPL to be deleted

response

Not accepted

Thank you for providing your opinion.

Please see the response provided to comment No. 309 (CAA Belgium) in this segment.

comment

3100

comment by: *Deutscher Aero Club (DAeC)*

(d) Crediting. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot in command in such aircraft, up to a maximum of 6 hours respectively 10 hours for glider pilots, towards the requirement in (a).

Justification:

Holders of a glider licenses should be credited more. There is only little more that a glider pilot needs to learn to gain the required skills.

Also it appears illogical that for B.FCL.110 BA/H (c) 3 hours should be credited and here 6 since the skills acquired on the glider are the same.

response

Partially accepted

Thank you for providing your opinion.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment

3518

comment by: *Geschäftsführer Luftsportverband RP*

siehe auch FCL.110 BA/H. Für 3-Achs gesteuerte UL oder auch Segelflieger muss es Erleichterungen für den LPL A geben, so wie bisher in Deutschland möglich und bewährt. Das Maximum muss deutlich erhöht werden auf etwa 50 % der geforderten Ausbildungszeit, denn der Scheininhaber (Ultraleicht oder Segelflieger) hat ja schon fast alle Ausbildungspunkte erledigt:

(d) Crediting. Applicants holding a pilot licence for sailplane or 3 axis microlight aircraft shall be credited with a maximum of 15 hours, towards the requirement in (a).

response

Partially accepted

Thank you for providing your opinion.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment

3739

comment by: *ANPI*

It is suggested to add (in red font)

(1) 15 hours of dual instruction; add :"**including at least 3 hours instrument dual instruction time**";

(2) 6 hours of supervised solo flight time, including at least 3 hours of solo cross-country flight time with at least 1 cross-country flight of at least 150 km, during which 1 full stop landing at an aerodrome different from the aerodrome of departure shall be made.

(b) *Specific requirements for applicants holding a basic LPL for aero planes.* Applicants for a LPL(A)

holding a Basic LPL for aero planes shall have completed 10 hours of flight instruction, including at least:

(1) **9** hours of dual instruction including **3 hours instrument dual instruction time**

(2) 3 hours of supervised solo flight time, including 1 crosscountry flight of at least 150 km, during which 1 fullstop landing at an aerodrome different from the aerodrome of departure

shall be made

Instrument training has been added. However the criteria "Numbers of instrument dual instruction time shall be replaced later by a pilot "skill level". For example (capability to perform maneuvers with accuracy criteria for Altitude, Speed, heading etc.°.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency would like to highlight that the concept of the leisure pilot licence is aiming on an easy accessible "entry" licence. Especially the 180° turns or training elements like the proposed 3 hours instrument training are excluded in order to fulfill the criteria mentioned above.

As such an additional training must be added to the proposed training syllabus and the minimum training requirements the result would be a licence on a similar level like the PPL(A).

The Agency will keep the text unchanged.

comment

3907

comment by: *DCA Malta*

The flight experience requirement should be increased to the ICAO-Annex 1 minimum of 40 hours.

response *Not accepted*

Thank you for providing your opinion.

During the process of developing the new rules for the LPL the experts discussed the idea of using a more competency based approach for this new licence but they came to the conclusion that it would be better to define some minimum requirements. However, some of them are on a lower level than required by ICAO for the PPL, SPL and the BPL. As a result some of the proposed figures for the LPL instruction time seem to be rather low compared with the average student pilot flight time needed nowadays for the PPL. However, these proposed number of hours will allow the instructor in specific cases (e.g. a student pilot with some previous aviation knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

For all the other licence categories contained in Part-FCL (PPL/CPL/ATPL) ICAO Annex I defines some minimum numbers for the flight hours and take-offs. To be ICAO compliant the Agency decided to keep these numbers.

To follow the proposal mentioned in your comment would lead to a similar level like the experience requirements for the PPL(A) and the aim to develop an easy accessible "entry" licence for the Member States would definitely not be reached.

comment

4081

comment by: *Bernd Hein*

Keinerlei Start- und Landungen-Anzahl vorgegeben. Es geht nur um "Stundenschrubben", also Geldausgeben. Mit fest definierten Starts und Landungen auf kurzen Plätzen, bei Steitenwind, simul. Motorausfall, Ziellandeübungen, Durchstartübungen auf kurzen Plätzen, Gefahreneinweisung unter Aufsicht und Anleitung eines F I sollten Stunden ersetzt werden können.

response

Not accepted

Thank you for providing your opinion and the proposal to delete all the numbers for minimum hours and to define more clearly the contents of the flights.

The Agency has spent quite some time discussing the idea of developing the future requirements for the LPL on a "competency based" approach. The Agency agrees that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements. However, some of them are on a lower level than required by ICAO for the PPL, SPL and the BPL. As a result some of the proposed figures for the LPL instruction time seem to be rather low compared with the average student pilot but will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that most of the mentioned contents are already developed and proposed. However, due to the structure of this NPA these details are contained in the AMC material.

comment

4089

comment by: *SFVHE*

Statt 3 Stunden Allein-Überlandflug sollten eher 300 km Überlandflug mit mind. 2 oder Landungen auf fremden Plätzen vorgesehen werden (Dreiecksflug). Dies übt mehr als als lange Flugzeiten mit schnellen Flugzeugen

response

Not accepted

Thank you for providing your opinion but the Agency believes that the

comment is based on a misunderstanding or misinterpretation of the proposed requirement.

The Agency has not proposed to perform one cross country flight of three hours but to have a total amount of three hours cross country solo flight time including at least 1 cross country flight of at least 150 km. This shows clearly that the student pilot is allowed to do more than just one solo cross country flight.

The Agency cannot see a need for a 300 km cross country flight. If the instructor wants to send someone on 300 km he/she is allowed to do this. Other instructors might prefer sending their students two or three times to another airfield but only 80 km away from the home base.

The Agency discussed your proposal during the review phase and came to the conclusion that a lot more (full-stop) landings on other airfields and some more dual cross country flights have to be performed anyway before the student will be send on his solo cross country flight. The instructor will send his/her student only if he/she is confident that the student will be able to manage this task. As a conclusion the Agency is of the opinion that one intermediate landing and a total distance of 150 kilometers (which are as mentioned minimum requirements) should be sufficient to give proof of the student pilots' solo cross country abilities.

However, the Agency decided to raise the training requirements for the LPL(A) holder doing the up-grade module for the PPL(A) in FCL.210.A and to introduce the 270 km distance and the 2 full stop landings here.

comment

4292

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.110.A(d)

Wording in the NPA

(d) *Crediting*. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilotincommand in such aircraft, up to a maximum of 6 hours, towards the requirement in (a).

Our proposal**Add:**

Applicants for Aeroplanes holding a license for Sailplanes or 3 axis micro lights shall be credited with a maximum of 15 hours against the requirements of (a). Dual instruction should be not less than 7 hours.

Issue with current wording

The skills of holders of sailplane licenses or 3 axis microlight licenses are under rated

Rationale

The required skill sets for aeroplanes, sailplanes and 3 axis micro lights are extremely similar. Crediting must be proportionate to the skill gap. See detailed rational in our general **comment 3250 Nr. 2 and 3**

response

Partially accepted

Thank you for providing your opinion.

The Agency has reviewed all the comments received on the issue of crediting

for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment

4506

comment by: FFK

I do not like Basic LPL.
Training is too short and I can't see why we should have this possibility.

In my Flightshool I won't use it.

response

Noted

Thank you for providing your opinion.

It seems that the comment is assigned to the wrong requirement because FCL.110.A clearly aims on the "full" LPL and not on the Basic LPL. Please check the responses given on the comments for section 2 which is the Basic LPL.

Please be aware that it will be the ATOs decision to provide training also for the Basic LPL(A) or only for the full LPL(A). If the ATO comes to the conclusion that the training elements for the cross country techniques and the solo cross country flight time should be included for a certain student pilot this will lead certainly to the skill test for the full LPL.

comment

4527

comment by: FFK

Should include microlight, aeroplanes and TMG

this is the correct level to start with 30 hours

If a holder of national microlight certificate wants to have a LPL (A)
5 hours of dual instruction
including 1 cross country flight of at least 150 km, during which 1 full stop landing at an aerodrome different from departed aerodrome.

response

Partially accepted

Thank you for providing your opinion and the general positive feedback on the proposed minimum training requirements for the full LPL.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before. The required supervised solo flight time has to be completed on a SEP

aeroplane or a TMG anyhow.

comment

5083

comment by: UK CAA

Paragraph:

FCL.110.A

Page No*:

13

Comment:

FCL.110.A (b) gives the upgrade requirements from Basic LPL to LPL(A). These do not result in equivalent training. The 6 hrs dual instruction is reasonable as this gives a total of one hr extra dual instruction over the normal LPL(A) course. However, only one cross country flight of 150 km is required in the upgrade as opposed to 3 hrs solo cross-country time in the normal course. As there is no solo cross-country requirement in the Basic LPL, the 3 hr solo requirement won't necessarily be met on upgrade.

**Proposed Text:
(if applicable)**

The upgrade requirement in FCL.110.A (b)(2) be increased to '4 hours of solo flight time to include 3 hours solo cross-country flights including one cross-country flight of at least 150 km, during which 1 full stop landing at an aerodrome different from the aerodrome of departure shall be made.'

response

Accepted

Thank you for providing this comment.

The Agency agrees that with the "upgrade" from the Basic LPL to the full LPL(A) the same level of experience must be reached as for the full LPL. The solo cross country flight time must be increased to an amount of at least 3 hours including the cross country flight.

As the instructor and the ATO should have a certain flexibility the minimum requirement for the dual flight time will be lowered to 5 hours. The total amount of 10 hours flight training will be kept.

The text will be changed accordingly.

comment

5931

comment by: Christoph Talle

For clearness it should be called. ...aeroplane and/or TMG. So it is clear that all hours can be accumulated in aeroplane and TMG.

response

Accepted

Thank you for providing your opinion.

The Agency agrees that mentioning the TMG will explain clearly that both categories (SEP and TMG) can be used for the flight training for the LPL(A).

The requirement will be changed to read "in single-engine piston aeroplanes land and / or TMGs". Based on several comments proposing a change an additional requirement will be added in (a)(1) and (2) to make sure that a certain amount of training has to be completed in the class which will be used for the skill test.

comment	<p>6476 comment by: <i>Royal Swedish Aeroclub</i></p>
	<p>For a pilot that has a long experience flying in the Basic LPL category, the demand for a complementary flying training to achieve a LDL license, should be reduced by 20% of his total flying time in the Basic LPL level. All parts of the training syllabus should of course be checked and validated. The value of flying time in a lower category must be recognised, when applying for a higher category license. A shortened practise syllabus should be possible for a Basic LPL pilot who has accumulated a significant flying experience.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>However, the Agency does not agree and will keep the required 10 hours additional training as it will contain the missing elements for the cross country flight like several dual landings on different airfields, a certain amount of solo cross country flight time including a 150 km cross country flight. The Agency cannot see how the Basic LPL holder with his/her privileges should gain these experience before starting the up-grade module for the full LPL.</p>
comment	<p>6479 comment by: <i>Royal Swedish Aeroclub</i></p> <p>A limit of 6 hour cross-credit is far to low. A pilot who has flown several hundred hours in an other category has an appreciable experience and would only need a check out flight on the new aircraft. In KSAK's view that 10% cross credit flying time, even though low could be the baseline. It should be up to the flying school that determine how extensive an additional training is needed. Microlights are not mentioned. Our decided opinion is that microlight flying experience should be treated in the same manner as "experience from any other category aircraft" In Sweden the number of PPL holders are decreasing. Increasing costs play a big role. An increasing number of flying clubs are substituting normal category aeroplanes for microlight aeroplanes . Microlight pilots therefore form a very important recruiting entity. A high-time microlight pilot, will easily be turned into a very experienced Basic LPL pilot.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.</p>
comment	<p>7029 comment by: <i>DGAC FRANCE</i></p> <p>FCL 110.A LPL(A)</p> <p>NPA FCL proposes a minimum of 30 flight training hours for issuing a LPL(A). Experience in France shows that the instructors authorise the candidates to the</p>

PPL skill test (on aeroplane SEP, about 800 kg MCTOM) with an average of 60 flight hours while the minimum is 45 hours.

a) Although the RIA states that "there is no evidence available today showing that the LPL is significantly less safe than the PPL "(RIA §2.6.3), DGAC isn't in favour of such a steep decrease (required minimum number of flight training hours from 45 to 30).

b) The authorities will have difficulties to approve LPL training programmes in regard to PPL training programmes and to find what part of training can be removed for LPL issue.

c) It could be envisaged to reduce the minimum flight training hours (starting from 45 hours) step by step with the method indicated in the RIA based particularly on indicators as proposed in RIA table 28 page 40.

response *Noted*

Thank you for providing your opinion and the proposal to raise the required flight time for the LPL.

The Agency has spent quite some time discussing the idea of developing the future requirements for the LPL on a "competency based" approach. The Agency agrees that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on a purely competency based approach but came to the conclusion that it would be better to define some minimum requirements. However, most of them are on a lower level than required by ICAO for the PPL, SPL and the BPL. As a result some of the proposed figures for the LPL instruction time seem to be rather low compared with the average student pilot but will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

For all the other licence categories contained in Part-FCL (PPL/CPL/ATPL) ICAO Annex I defines some minimum numbers for the flight hours and take-offs. To be ICAO compliant the Agency decided to keep these numbers.

The majority of comments is also in favor to keep some minimum numbers of

flight hours, some of them are even proposing to raise these figures (as proposed in your comment). Taking into account the above mentioned aspects and the feedback received the Agency decided to keep these minimum figures for the experience requirement.

Please see the AMC containing the training syllabus and the AMC containing the skill test and compare the required level with the appropriate AMC for the PPL.

comment 7032 comment by: *Peter Holland*

FCL.110.A LPL(A) - Experience requirements

Only one land away!?! Approaching, joining and landing at non home airfields is probably the most challenging, and potentially most dangerous thing a new pilot has to do. This requirement should be two land aways and where one is a full ATC airfield with full control of the airspace.

response *Not accepted*

Thank you for providing your opinion.

The Agency discussed your proposal during the review phase and came to the conclusion that a lot more (full-stop) landings on other airfields and some more dual cross country flights have to be performed anyway before the student will be send on his solo cross country flight. The instructor will send his/her student only if he/she is confident that the student will be able to manage this task. As a conclusion the Agency is of the opinion that one intermediate landing and a total distance of 150 kilometers (which are as mentioned minimum requirements) should be sufficient to proof the student pilots solo cross country abilities.

However, the Agency decided to raise the training requirements for the LPL(A) holder doing the up-grade module for the PPL(A) in FCL.210.A and to introduce the 270 km distance and the 2 full stop landings here.

comment 7645 comment by: *Cristian Olinescu*

The flight experience requirements of 30 hrs is much too low !
The ICAO-Annex 1 minimum of 40 hrs should be imposed.

response *Noted*

Thank you for providing this comment.
See response to comment No. 309 in this segment.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 3:
Specific requirements for the LPL for aeroplanes - FCL.135.A LPL(A) -
Extension of privileges to another class of aeroplane**

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comment 612 comment by: *British Microlight Aircraft Association*

Comment: Minimum requirements for addition of class or type are too great.
No minimum time should be included. Skill test will confirm ability.

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with the statement that the proposed training requirements for the extension of privileges are too difficult. The issue was discussed during the review of the comments and it seems that a majority of stakeholders are in favor with the proposed three hours dual training and the additional 10 supervised solo flights. The proposed training will be kept without change.

comment

1058

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Comment:

The requirement for withdrawal of the limitation for other classes of aeroplanes is not in accordance for the class sea rating. Therefore, the sea class rating should not be included in the general text.

Proposal:

FCL.135. A **LPL(A) - Extension of privileges to another class of aeroplane**

The privileges of a LPL(A) shall be limited to the class of aeroplanes in which the skill test was taken. This limitation may be withdrawn when the pilot complies with the requirements in FCL.135.BA/H or in FCL. 725.A for seaplane class or type-rating.

response

Accepted

Thank you for providing this comment.

The Agency agrees that the seaplane class rating is treated differently from the other ratings. With the system proposed for the LPL no class ratings are attached and no specific revalidation procedure is foreseen.

The Agency decided therefore not to allow an LPL holder to hold a seaplane class-rating (see FCL.725.A). The text will be amended and the privileges restricted to the class "SEP land" only.

comment

1759

comment by: *Joachim Werner*

Dear Sir or Madam,

this comment refers to PPL requirements, but I could not find the passage where the proficiency check is claimed for the PPL. Sorry, I spent a lot of time, probably it is written anywhere. But lastly, if it is difficult to find, it speaks for itself (!)

The proficiency check will have a strong impact on the PPL holders: Evidently, practice is only of minor importance! 12 hours of flight in two years is nothing. The "name of the game" is the proficiency check, which is costly, stressing, **sometimes unpredictable**. Please be not so unrealistic to believe that a private pilot will invest a remarkable amount of money in the license and perhaps in an own plane, to get one day the message "grounded" from a so-called examiner. I am professor of psychology and know what I am talking of: I can cite plenty of studies in all fields of educational psychology proving the problems inherent in exams! Please do not understand that I want to abolish the exams at the beginning of the pilot training. That is something different.

The recurrent exams are from a psychological point of view the absolutely wrong strategy. Some years ago I worked for the pilot selection of the Lufthansa and saw highly qualified commercial pilots failing because of this stressful kind of personal checking situation. Probably your justification will center around security considerations. But again, do you have **hard data** which makes this requirement necessary. The past delivers no hint for this restriction. **Your Basic Regulations say "The frequency of examinations, tests or checks must be proportionate to the level of risk associated with the activity". Personal risk judgements are of no help, where are the hard data which could prove this.**

And what about the car driving security, where we have thousands of avoidable fatalities because of bad expertise of the drivers. In EU there exists a far-reaching prejudice that flying is dangerous and car driving is safe. Or do we have a Safety Agency for car traffic?

In addition costs will be unnecessarily enhanced further. A proficiency check will trespass against the protection of vested rights, since PPL was acquired under totally different regulations.

I hope strongly, that the always cited opinion, that our administration want to bury the private aviation will not get further verification with the EASA amendments.

Proposal: Set the required minimum flight times as PIC to at least 20 hours a year which is reasonable and generally acceptable and leave the current Training Flight unchanged.

response

Partially accepted

Thank you for providing your opinion.

However, it seems that the comment should be addressed to a segment which deals with the proposed recency requirements (e.g. FCL.140.A) and in particular with the proposed proficiency check.

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 frame work 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment

3468

comment by: *Deutscher Aero Club (DAeC)*

Considering the logic of the regulation, an extension of LPL(A) also to TMG is intended. The wording using the word aeroplane does not allow an extension to TMG as this aircraft does not represent an aeroplane. To avoid misunderstandings the wording should be changed by adding TMG.

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees that with the current wording the extension from the Single-Engine Piston (SEP) category to the Touring Motorglider (TMG) category might be excluded.

The Agency will change this requirement accordingly to allow this as this was always the intention.

comment

4033

comment by: *phil mathews*

The way LPL SE rating is worded suggests that a turbine type can be added. Surely not?

response

Noted

Thank you for providing this comment.

In FCL.105.A the privileges of a LPL licence holder are clearly defined: "The privileges of the holder of a LPL for aeroplanes are to fly single-engine piston aeroplanes or TMG...".

comment

6178

comment by: *CAA Finland*

FCL.135.A

Amended text proposal:

in which the **flight training and** skill test was taken

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with the proposed wording as this would imply that all the flying training has to be done in one aircraft class (namely single-engine piston or TMG).

This issue was discussed again during the review phase and the Agency came to the conclusion to add a requirement in FCL.110.BA/H or in FCL.110.A that will define a certain minimum flight time in the class of aeroplane or TMG in which the skill test will be taken.

Nothing should prevent the ATO to provide a certain (minor) amount of flight training also in the other class (or in the case of an LPL(H) another type).

comment

8034

comment by: *European Sailplane Manufacturers*

Again: an aeroplane is no sailplane (and vice versa) - so TMG should be included in the text.

response

Accepted

Thank you for providing your opinion.

The Agency agrees that the requirement as it was written did not clearly

enough (using the term: "class of aeroplane") include the class of TMGs. The requirement will be changed accordingly.

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 3: Specific requirements for the LPL for aeroplanes - FCL.140.A LPL(A) - Recency requirements

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comment 110

comment by: Nick Wilcock

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, recency requirements for the LPL(A) and single pilot single engine class rating revalidations should be brought into line and it is *essential* that the LPL(A) has a clearly defined 24 month validity period for such requirements. However, for the single pilot single engine class rating, all **must** be achieved within the last 12 month period whereas for the LPL(A) all *could* be achieved within the first few days of the first 12 month period. Furthermore, a mere 7 hours in 24 months is insufficient to maintain acceptable standards - taken to the extreme this could mean, for example, 7 hours on 1 Jan 2010, then 7 hours on 31 Dec 2013 - clearly ludicrous.

It would be far better to spread the flight time requirement throughout the period and to require an accumulated total of at least 1 hour of flight training rather than mandating a single flight; hence FCL.140.A should be amended to read:

(a) Holders of a LPL(A) shall only exercise the privileges of their licence when they have:

(1) completed, in the 24 months of the validity period, as pilots of aeroplanes or TMG at least:

(i) 12 hours of flight time, including: 6 hours as pilot-in-command; 12 takeoffs and 12 landings; and at least 1 hour of flight training with a LAFI, FI or CRI.

(2) At least 6 of the 12 hours of flight time shall be completed within the last 12 months of the 24 month validity period.

(3) Holders of a LPL(A) may alternatively pass a proficiency check with an examiner within the last 3 months of the 24 month validity period.

response *Not accepted*

Thank you for providing your comment.
See also the response to your comment No. 111.

The issue of an unlimited licence without a fixed validity period was discussed already during the drafting phase of this licence. Finally the concept of a fixed validity period (which means in fact the introduction of a class rating and a revalidation process) was not introduced due to the fact that this LPL should be a licence with less administrative burden (and less costs) than the PPL. The Agency cannot see a real problem with the proposed system and would like to highlight that similar recency requirements (without a fixed validity date but a "rolling" system) for national licences are in place in different Member States.

The Agency will introduce a mandatory training flight with an instructor every 2 years. To fulfill this requirement for a training flight every 2 years the licence holder will check also his/her actual flying time. This will guarantee that the licence holder will be aware of the fact that he/she has to fulfill also the recency requirements mentioned in this paragraph.

The comment also proposes to spread the flight time requirement and to define additional periods in order to ensure that at least 6 hours of the flying time have been completed in the last 12 months of the 2 years period. The Agency does not agree with this proposal as it means that the licence holder would be allowed to fly all his/her flying time (12 hours) within the last days of his/her validity period. This would also lead to the result that no spreading of the flying time would be reached. The Agency is of the opinion that this should be left to the responsibility of the licence holder.

With the concept proposed by the Agency the pilot is allowed to complete the flying time within the given 24 months period without any specification. The now proposed flight with an instructor will help to identify possible training deficiencies and to identify further training needs in the case that the required 12 hours were flown in the first days of the 2-years period.

comment

111

comment by: *Nick Wilcock*

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, there would be no reason whatsoever to require a 6-yearly proficiency check. No safety data exists to support such a requirement; however, my comment #110 requiring at least 1 hour of flying training in every 24 months would ensure that sufficient operational safety standards were maintained.
FCL.140.A (2) should therefore be deleted.

response

Partially accepted

Thank you for providing your comment on the proposed proficiency check.

First of all it should be mentioned that the Basic Regulation 2126/2008 does not foresee national rulemaking competence for any category of pilot licence. If, like proposed in this comment, the LPL would be deleted from the Implementing Rules no sub ICAO licence could be maintained.

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. Based on the input received the Agency 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). This is also the main item proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment

121

comment by: *Aero-Club of Switzerland*

The Aero-Club of Switzerland is not convinced of the usefulness of this proficiency check every 6 years!

Question: How was this "6-years period" figured-out?

response

Noted

Thank you for providing your comment.

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment

135

comment by: *Bernhard Blasen*

The rule demanding a proficiency check with an examiner every 6 years should be taken away.

The flight with an instructor every 2 years ensures proficiency in an appropriate way and a mandatory check flight with an instructor every 6 years is clearly overdone!

ICAO rules should be the base for european rules.

Proficiency check with an examiner causes bureaucracy.

Proficiency check with an examiner causes extra costs reducing budget for flying. So safety is reduced because training levels are lowered!

response

Partially accepted

Thank you for providing your comment.

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added. See the resulting text.

Additionally the Agency would like to highlight that the LPL is clearly not an

ICAO based licence. The comment asks for this but the level of the medical and the required flight experience are clearly below the ICAO requirements for the PPL.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

136

comment by: *Bernhard Blasen*

FCL 140.A (a) (1) "as pilots of aeroplanes or TMG" should be changed to "pilots of aeroplanes, TMG, gliders or UL"

response

Not accepted

Thank you for providing your opinion.

However, the Agency has reconsidered the issue of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.

The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.

If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria.

comment

167

comment by: *Pete Morris*

In the UK the requirements for a biennial flight with an instructor have been introduced. There is no evidence that this has had any positive effect upon light aircraft safety. Indeed it could be said to have made maintaining proficiency more complicated and so discouraged pilots from remaining active. For there now to be a formal re-test requirement in addition to the biennial instructor flight is little more than an exercise in beauracy. In the UK there has been much adverse comment that the instructor flight has often been treated as a 'test'. This formal test requirement will have an impact in pilots no longer maintaining their licences. What evidence is there that this requirement will generate a safer light aircraft pilot environment?

Unless there is positive evidence then this is simply another cost which pilots in other jurisdictions do not have to bear.

response

Noted

Thank you for providing your comment.

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. The Agency reviewed the framework given by the Basic Regulation and developed a solution where the licence holder could keep his/her licence valid by fulfilling the recency requirement in (a)(1)(i) only (12 hours flight time without an biennial flight with instructor) but with an additional proficiency check every 6 years.

Based on the input received the Agency 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.

The Agency does not agree with your statement saying that such a training flight with an instructor will not have any positive effect upon flight safety or that such a requirement will make maintaining proficiency more complicated. No justification was provided for these assumptions.

comment

173

comment by: *Roger Dyke*

United Kingdom I have to say that I am disappointed that the European Licence is not optional. After the very latest UK NPPL AIC, I thought the NPPL had settled now down nicely and was what everyone wanted and was happy with.

Regarding the Basic LPL, I feel that the training gives no where near enough experience and is potentially dangerous.

Looking at the LPL(A) Recency requirements I see there has been a six year **Proficiency Check** with an **Examiner** added. I am very puzzled at this and feel it is totally unnecessary, as the one hour bi-annual flight with an Instructor is very popular for mopping up any bad habits, rusty patches, or trying something new to enhance your skills. Also in the UK the number of Flight Examiners we have currently, just about cope with their duties to the existing Pilot population. If every Pilot in the UK has to have a routine Proficiency Check with an Examiner, I'm puzzled as to where all the extra Examiners are going to come from, considering availability and our UK weather (sounds like nightmare). I would like to think that we are trying to encourage more new potential Pilots into the hobby/career, not to deter them from starting.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

Regarding the Basic LPL it was decided to keep the licence as an easy accessible entry licence but to further limit the privileges. Please see the responses and the resulting text in the appropriate segment.

comment 178

comment by: *Aero-Club of Switzerland*

Please delete this Proficiency Check!

Justification: This is an unnecessary new burden on our pilots which will not contribute to a higher safety level.

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment 241

comment by: *Joe Sullivan*

The requirement in FCL 140A section (a) subpart 2 "passed a proficiency check on an aeroplane or a touring motor glider with an examiner, at least once in every 6 years." Creates an unnecessary burden on the pilot due to the requirement to do this proficiency check **with an examiner**.

- 1) While it may be prudent to do a more rigorous review of skills on a six yearly basis this could and should be performed by an FI or a CFI.
- 2) Currently examiners are managed through the competent authority, this measure will create a huge administrative burden on the CA.
- 3) There are too few Examiners to support this system and the requirement that an examiner hold a CPL for PPL revalidations will prevent more FE from being appointed at this level.
- 4) It will create a significant cost to the pilot.
- 5) It will defacto be a mini flight test.
- 6) It will create a barrier to revalidation too great for many pilots to overcome.
- 7) The exemption for Examiners for this licence type, to hold a CPL is

	<p>welcome and should be extended to examiners for the PPL as well</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.</p> <p>See the resulting text.</p> <p>Please see the responses on the examiner pre-requisites in the appropriate segment.</p>
comment	<p>255 comment by: <i>Heinz LANG</i></p> <p>we do not agree with the proficiency check every 6 years. Before the introduction of JAR-FCL, the recency requirement was defined in numbers of hours and landings.</p> <p>After that, the 1 hour training flight with a FI, TRI, CRI was introduced. We think, this has proven to be as well useful as practicabel.</p> <p>The proficiency check every 6 years is not necessary and problematic as far as there is a lack of examiners today already. I t would generate additional costs for pilots, whereas there is already a problem with cost increase especially for young people who therefore restrain from the aviation.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be</p>

added. See the resulting text.

Regarding the mentioned additional costs for pilots the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment **310** comment by: *CAA Belgium*

(a)(1) insert "and/" between "aeroplanes" and "or TMG".

response *Accepted*

Thank you for providing this comment.

The Agency agrees as it is envisaged to allow the LPL licence holder with the privilege to fly both classes to fulfill this recency requirement in TMGs or SEPs (or a mix of both). The wording "and/or" will clarify this.

comment **384** comment by: *Peter Kelleher*

A proficiency check with an examiner every six years is unjustified. The recency requirements are in line with international practice and have worked well for many years. The LPL(A) holder will have to complete a training flight with an instructor to fulfil the recency requirements. If the instructor has any concerns about the competence of the holder, he can refuse to sign the holders licence until the holder reaches a satisfactory level of competence. There is no evidence that a proficiency check by an examiner will enhance safety. Such a measure will introduce a financial, organisational and administrative burden and will achieve nothing.

response *Noted*

Thank you for providing your comment.

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 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added. See the resulting text.

Regarding the mentioned additional costs ("financial burden") the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment **387** comment by: *Limerick Flying Club*

The proficiency check mentioned here should be done with a Flight instructor

or CFI of an approved Training Facility. It is not necessary and is too prescriptive to have to do this with an examiner. A Proficiency check is not an General Flight Test. This measure will defacto, make it one.
It is uncertain if there will ever be enough examiners to perform this function for all pilots every six years.

response *Noted*

Thank you for providing your comment.

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 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment

412

comment by: *Geschäftsführer Luftsportverband RP*

Bei Flugstunden müssen auch die dokumentierten Ultraleicht-Flugstunden angerechnet werden können. (siehe Bemerkung unter FCL.010)

In der EG-Verordnung 216/2008 wird in der Einleitung unter (8) gefordert: "Für den nichtgewerblichen Bereich sollten die Betriebs- und Lizenzierungsvorschriften auf die Komplexität des Luftfahrzeugs zugeschnitten sein ..." In allen Bereiche des LPL, PPL, SPL kommen einfache Luftfahrzeuge zum Einsatz, die keinen proficiency check, wie im gewerblichen Bereich, erforderlich machen.

Der alle 6 Jahre geforderte proficiency-check muss entfallen. Die bisherigen Scheininhaber werden zur Durchsetzung ihrer Altrechte gegen die EASA klagen.

Den Satz (a), (2) ändern. Dieser Check ist eine unnötig verteuernde Maßnahme für die Fliegerei.

Im Anhang III der Verordnung 216/2008 wird ausgeführt: Die Häufigkeit von Prüfungen, Test oder Kontrollen muss dem mit der Tätigkeit verbundenen Risiko angemessen sein. **Im Freizeit-Bereich ist die Scheinerwerb-Prüfung mit einem Prüfer ausreichend als Nachweis.**

(2) passed 1 training flight on an aeroplane or a touring motor glider of at least one hour with an instructor in every 6 years.

Im LPL-Bereich ist es ausreichend, wenn ein Fluglehrer spätestens alle 6 Jahre den Übungsflug mit dem Scheininhaber durchführt, sofern er es nicht durch (a) (1) (ii) durchgeführt hat.

(b) Holders of a LPL(A) that do not comply with the requirements in (a) shall fulfill the requirements under (1), (ii) with or under supervision with an instructor **or** passed a proficiency check
 Es ist mehr Sicherheit, wenn der Kandidat die Flugzeiten nachholt, als einen Prüfungsflug zu absolvieren.

response

Partially accepted

Thank you for providing your comment.

Regarding the first issue the Agency has reconsidered the problem of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.

The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.

If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

The third issue mentioned is a proposal to add a requirement that introduces the option for the licence holder who does not comply with the requirements in (a) to fulfill the requirements under (1), (ii) with or under supervision of an instructor. The Agency agrees to this proposal and will change the text accordingly.

comment

456

comment by: *Peer Ketterle*

I'm a JAR_FCL_PPL(a) holder.

Part (a) (2) is a very unuseful and expensive and unnecessary deviation from our existing rules (basically a flight-lesson with a flight-instructor every two years). We don't have enough examiners, theres no need for using the time of examiners at all for this task.

This would become a severe hinderance to GA if it stays this way.

Please don't try to ease the problem by making it easier for Flight Instructors to become examiners. It is an unnecessary burden and, for what reason do we need a change from the current recency-requirements?

I want to suggest to change this part of the recency requirements to the way it is right now (basically a flight-lesson with a flight-instructor every two years). This is a time-tested way to achieve a certain proficiency that doesn't cost as much (we would need MANY more examiners).

Also, the timeframe of 6 years seems to be quite high. While I usually favor less regulatry, I think the proficiency-loss in 6 years can be very high. Maybe you can expand the flight-lesson with an instructor (our curretn rule) to maybe 3 or 4 four years. This way, there is a regular proficiency-check, but one which isn't disproportional.

This comment shall be considered also for all the other LPL-Licenses an, if applicable for the PPL(A), because there the same disproportionality is requested.

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment 555

comment by: *Daniel Komorowski*

The under FCL.140.A, a, 2 required proficiency check with an examiner will be very difficult in real world realisation. Based on the current situation, there are not enough examiner available.

The current rule,based on the 2year proficiceny check with an FI was very pratical and should be kept in future.

To require a regular check with an exsaminer will cause a serious impact on many private pilots, and will lead to the reduction and non-renewal of many pilots license.

This point should be reconsidered, and more adapted in a way like it is

response

practiced via the FAA biannual checking (which does not show any main disadvantages, and require much less organisational efforts)

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment

557

comment by: *Thomas Endriss*

Comment re proficiency check every 6 years:

This system will only be appreciated if there are enough examiners who are freely and readily available. The current situation in Germany, for example is that in several areas applicants have to wait weeks and sometimes months to get an appointment for checkrides. Whilst this might be acceptable for a student pilot earning his/her wings, it will prove to be a major hinderance for the mass of pilots who will have to renew their licenses on a regular basis.

There are several solutions to solve this problem:

- a) give experienced flight instructors a license for such recurrency checkrides
- b) create a syllabus for those checkrides covering the most basic facts of airmanship and/or those parts that tend to lead to incidents/accidents frequently. This means: no complete checkride like one for a first-time student pilot applicant, but a tailor made "abbreviated checkride" for recurrency, covering for instance emergency procedures.
- c) create a syllabus with different check ride requirements according to the experience of the applicant (taking into account hours PIC, ratings (aerobatic endorsement), etc.)
- d) create the opportunity that an additional rating being added to an individual pilot's license will suffice for a check-ride (i.e. if a VFR PPL adds an IR rating, the next 6-year checkride will be regarded as passed) - this would have the benefit to entice pilots to broaden their aeronautic knowledge and proficiency. (this is comparable to the US BFR requirements where such ratings automatically renew the BFR as well)

response

Noted

Thank you for providing your comment.

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 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

578

comment by: *trevor sexton*

reference FCL.140.A (A) (2)

nearly all pilots in europe are un happy with this requirment to have a proficiency check,(basically another skills test) every 6 years.

Due to excessive costs at a time when flying is getting very expensive. I can see thre number of pilots in europe decreasing because of this rule.

We are all happy with the change to the 12 hrs every 24 months but we would all be much happier to stick with the current JAR recency requirments.

As a pilot who did not have enough hours last year i had to do a what the examiner called a mini skill test. The cost was excessive.

I had to pay a **large test fee** to the club and also the rental of an club aeroplane.

So the only people gooing to gain from (2) would be examiners and flying clubs/FTOs.

Therefore suggest FCL.140.A (A) (2) be dropped and FCL140.A (1)

(i) be changed to 12 hours of flight time as pilot-in-command, including 12 take off and landing, and 1 training flight of at least one hour with an instructor.

(ii) will also need to be changed.

response

Partially accepted

Thank you for providing your comment.

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 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and

only (a)(1)(i) will be kept. The training flights with an instructor will be added.
See the resulting text.

comment **581** comment by: *trevor sexton*

response **Noted**

No comment provided under No 581.

comment **615** comment by: *British Microlight Aircraft Association*

(a) (1) Accepted
(2) Disagree. There is no safety case to that suggests that pilots benefit from a proficiency check every 6 years. This requirement should be removed.

(b) Accept other than the requirement in (a) (2) noted above.

response **Noted**

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment **829** comment by: *Siegfried Samson*

Ladies and Gentlemen,

as an experienced sailplane and commercial pilot
(10.000 hours on Jet airplanes and 3.500 in sailplanes)

I would appreciate if you could accept the experience on higher ratings as ATPL-Pilots or CPL Pilots as recency requirements for the LPL Licence.

In my opinion the requirements are fulfilled by these pilots as they do it professional. They have to deal with required things like communication with ATC, Navigation, Flight preparation and so on every day. That`s why I don`t see the necessity to ask for experience on Single Piston aircraft or TMG`s in addition.

	<p>Regards</p> <p>Siegfried Samson</p> <p>CP A 300 former air traffic controller</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 accept experience in other aircraft classes or on other types for fulfilling this recency requirement.</p> <p>A certain amount of experience on SEP or TMGs seems to be necessary to be a current and safe pilot. Therefore the requirement for the 12 hours flight time on SEP or TMG will be kept. The ATPL licence holder with only experience in another class of aeroplane still has the option to do the skill test on a SEP or TMG in order to fulfill the recency requirement.</p>
comment	<p>844 comment by: <i>Luftsportverband Rheinland Pfalz</i></p> <p>FCL 140 a</p> <p>Generell: Auf aerodynamisch, dreiachsgesteuerte Ultraleichtflugzeugen erbrachte Flugzeit sollte für die Verlängerung des LPL (A) angerechnet werden. Die Flugeigenschaften unterscheiden sich nur marginal.</p> <p>Formulierungsvorschlag:</p> <p>(1) ...as pilots of aeroplanes or TMG or UL (aerodynamisch, dreiachsgesteuert)...</p> <p>(2) Ist aus meiner Sicht eine unnötige Ausweitung durch weitere Prüferflüge. Seit 2003 ist in Deutschland der einstündige Flug mit einem Fluglehrer etabliert. Fluglehrer und Piloten berichten übereinstimmend sehr positiv über diesen Flug. Es stellt sich die Frage, warum eine weitergehende Prüfung alle 6 Jahre durch einen Examiner notwendig ist? Gibt es Erkenntnisse, die Zweifel an der Kompetenz der Fluglehrer berechtigen? Des weiteren stellt sich die Frage, woher die 6 Jahre abgeleitet werden. Wenn schon eine Überprüfung zwingend notwendig ist, dann muß das Intervall deutlich erweitert werden. Die Überprüfung kostet Geld, das besser in Flugstunden investiert würde. Hierdurch würde die fliegerische Erfahrung und damit die Sicherheit verbessert.</p> <p>(2) wird abgelehnt daher bitte streichen oder das Intervall erweitern alternativ: ...at least once in 10 years (or more)...</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>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.</p> <p>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</p>

months) instead. This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Regarding the first issue the Agency has reconsidered the problem of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.

The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.

If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

859

comment by: *Alexander Ciliox*

(1) stellt sicher, dass der Pilot die nötige Praxis hat. Dieses wird ebenfalls durch den Flug mit einem instructor sichergestellt. Hier durch ist die Grundlage für eine kostengemessene und praktikable Erhaltung der Sicherheit gegeben.

(2) Sichert die Überprüfung der Überprüfung und ist in diesem Sinne nicht mehr kostengemessen und nicht mehr praktikabel. Die zusätzliche Ausbildung von Exeminern stellt die heutige AL vor immense Probleme (Kosten, Anzahl der Kandidaten).

Der Absatz (2) gehört ersatzlos gestrichen. Er erhöht nicht die sicherheitsentscheidende Flugpraxis, bürdet den Piloten nur Zusatzkosten auf und wird die Anzahl der Piloten mit der Linzenz mindern.

response

Accepted

Thank you for providing your opinion.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Regarding the mentioned additional costs ("Zusatzkosten") the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

865

comment by: *Stefan Kramer*

Die Wiederholung der praktischen Prüfung alle 6 Jahre ist völlig unangemessen. Die zu dokumentierenden Checkflüge mit Fluglehrer alle 24 Monate sind hinreichend, zumal die Fluglehrer Ihrerseits einer erweiterten Kontrolle unterliegen. Ständige Flugpraxis vorausgesetzt, ist eine derartige Ausweitung des Prüfungsaufkommens unangemessen und administrativ kaum darstellbar.

response

Noted

Thank you for providing your opinion.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Please see the resulting text.

comment

875

comment by: *Björn Poga*

In the existing rules there are already flights to be performed together with a flight instructor. This very successful tool should be continued. Thus the examinations every 6 years are not necessary.

response

Noted

Thank you for providing your opinion.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will be added.

Please see the resulting text.

comment

912

comment by: *Herbert HERGET*

FCL. 140.A - (2)

I propose, that every 6 years, a Check/training-flight with an instructor is sufficient.

response

Noted

Thank you for providing your opinion.

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 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Please see the resulting text.

comment

941

comment by: *Sven*

The idea of proficiency check is good.

BUT the organisation is too complex, time and cost intensive for ELA1

The check flight with an Examiner doesn't create more security than a flight with a FI.

I suggest:

For Pilots check by a flight instructor.

For FI check by a simple examiner.

Topic:

- verbal theorie test

We have already gained good experience with the trainings flight on JAR-FCL.

response

Partially accepted

Thank you for providing your opinion and the general positive feedback on the proposed proficiency check as a tool to keep a certain standard.

However, 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 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Please see the resulting text.

Regarding the check for an instructor the Agency decided also to delete the proposed check.

comment

952

comment by: *Rüdiger Janß*

Agreed with (1), disagreeing with (2).

The regulation in Germany that every 2 years an flight with instructor for at least one hour gives the chance to practice special flight situations and to learn during this flight. This seems better to me than a flight (proficiency check) with examiner every 6 years where the only aim of this flight will be to pass and not to increase skills.

response

Noted

Thank you for providing your opinion.

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 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Please see the resulting text.

comment	<p>1066 comment by: <i>Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</i></p> <p>Comment: The recency requirements must be on the relevant class or type. It's an enormous difference to land and take off with a seaplane in comparison with a land version. The proposal could lead to serious flight safety problems.</p> <p>Proposal: (a) Holders of an LPL(A) shall only exercise the privileges of their licence when they have:</p> <p>(1) completed, in the last 24 months, as pilots of aeroplanes in the relevant class/type or TMG, at least:</p> <p>(i) 12 hours of flight time as pilot-in-command, including 12 takeoffs and landings; or</p> <p>(ii) 6 hours of flight time as pilot-in-command, including 6 takeoffs and landings, and 1 training flight of at least one hour with an instructor;</p> <p>(2) passed a proficiency check on an aeroplane in the relevant class/type or a touring motor glider with an examiner, at least once in every 6 years.</p> <p>(b) Holders of an LPL (A) that do not comply with the requirements in (a) shall undertake a proficiency check in the relevant class/type with an examiner before they can resume the exercise of the privileges of their licence.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment.</p> <p>The Agency agrees that there are quite some differences between the sea and land version and the appropriate techniques.</p> <p>The issue was discussed during the review of the comments. As the concept of the LPL does not foresee any specific class- or type ratings but only extensions of privileges the seaplane rating would be very difficult to incorporate.</p> <p>The Agency therefore decided to state specifically (in FCL.105.A) that the privileges of the holder of an LPL(A) are to fly single-engine piston land aeroplanes or TMGs only.</p>
comment	<p>1123 comment by: <i>KLSPublishing</i></p> <p>140A (a)(2) There is no need for a proficiency check, since the skills are properly checked by the training flights with an instructor every two years. This solution has proven to be ok in the past.</p> <p>This would further increase bureaucracy with no gain to achieve.</p> <p>Would be interesting to learn about the reasons for this amendment.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p>

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

1143

comment by: Schäfer

Zu den genannten Vorgaben sind die dokumentierten UL-Flugzeiten auf aerodynamisch gesteuerten Ultraleicht-Flugzeugen anzuerkennen
Der Prüfungsflug nach 6 Jahren muß gestrichen werden.
Hier hat sich in der Vergangenheit gezeigt, das der 1-Stundenflug mit Fluglehrer vollkommen ausreichend ist.
Zumal dadurch dem Fluglehrer die Möglichkeit gegeben wird die erforderlichen Ausbildungszeiten zu erfüllen.

response

Noted

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).

comment

1168

comment by: Thomas Reusch

Alle Flugstunden, auch UL-Flugzeit muß anerkannt werden. Keine weiteren Prüfungsflüge, die unnötig Geld kosten. Übungsflug mit Fluglehrer ist ausreichend

response

Noted

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

1178

comment by: Manfred Steiner

^FCL.140.A (a) (1)

	<p>Hier sollten, für Inhaber einer UL-Lizenz, die Stunden auf ULs für die Verlängerung der Lizenz angerechnet werden. Flugerfahrung sammelt man auf UL's, TMG und aeroplanes in gleicher Weise.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).</p>
comment	<p>1179 comment by: <i>Manfred Steiner</i></p> <p>FCL.140.A (a) (2)</p> <p>Mit diesem Absatz schießt man mit Kanonen auf Spatzen. Ein proficiency check mit einem examier ist zu viel des Guten. Die alte Regelung (Übungsflug mit Fluglehrer) ist vollkommen ausreichend.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).</p>
comment	<p>1183 comment by: <i>Wilfried Müller</i></p> <p>The flying time as pilot-in-command (PIC) on an aerodynamically controlled micro light should become part of the minimal required PIC flying time for license endorsement.</p> <p>Bi annual flight checks with a FI should be kept in place of the planned proficiency check every 6 years.</p> <p>PS: Please keep in mind that the bi annual flight checks are mostly done by honorary FI's in the clubs. A costly extension of the checking every 6 years through a FE would require an additional checking organisation. Since the budgets of our leisure pilots are stressed to the limit already, it would end up by less flying. That's not what we want!</p> <p>Wilfried Mueller 11-20-2008</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>Please see the Agency's response on your comments No 1391 and 1393 and check also the response given to comment No. 412 (Geschäftsführer Luftsportverband RP) which deals with the same two proposals.</p> <p>Regarding the mentioned additional costs (budget of leisure pilots was mentioned) the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.</p>
comment	<p>1194 comment by: <i>Karge</i></p>

	<p>Ein Überprüfungsflug von 1 Std mit Fluglehrer im Freizeitbereich ist völlig ausreichend. Hier werden nur wieder die Kosten hochgetrieben!</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.</p> <p>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 of the proficiency check (every 6 years). This was also proposed in your comment.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.</p> <p>Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.</p>
comment	<p><i>1257</i> comment by: <i>Günter End</i></p> <p>UI-Flugzeit sollte anrechenbar sein.</p> <p>Es gibt keinen Grund für eine erneute Prüfung alle 6 Jahre. Übungsflug alle 2 Jahre hat sich bewährt. Auch in den USA gibt es keine Wiederholung von Prüfungen, weshalb bei uns? Woher ergibt sich die Begründung sein?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).</p>
comment	<p><i>1367</i> comment by: <i>Jochen Schwab</i></p> <p>The requirement for an examiner to carry out the proficiency check every third revalidation is not adequate. The "training flights" with a FI(A) that are necessary since introduction of JAR-FCL actually have already the characteristics of a proficiency check. There is no flight safety benefit in the requirement for an examiner. Furthermore, the magnitude of examiners is not sufficient to satisfy the needs for proficiency flights. Even when more examiners will be accounted by the authorities there will not be sufficient people able to obtain the examiner licence because of the prerequisites for it.</p>

	<p>Recommendation for change: The "training flight" at every revalidation shall be carried out with a FI(A) or CRI (A) The "proficiency check" at every third revalidation shall be carried out with an Examiner or FI(A).</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.</p> <p>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 of the proficiency check (every 6 years). This was also proposed in your comment.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.</p> <p>Please see the resulting text.</p>
comment	<p><i>1502</i> comment by: <i>Klaus-Dieter Schoenborn</i></p> <p>FCL.140.A(a1(I)) states that 12 hours of flight time as pilot-in-command and 12 landings are requested.</p> <p>I assume that these flight hours have to be flown on airplanes that fall under EASA regulations.</p> <p>In Germany, a lot of airplanes (e.g. Ultralight airplanes and historic airplanes) will have to be operated under ICAO Annex 2 after 2012, because for these airplanes EASA will delegate authority to national institutions.</p> <p>The consequence is that these hours will not be accounted for to fulfill the Recency requirements.</p> <p>Proposed solution: Add a section that covers the hours flown with ICAO Annex 2 airplanes. Allow the national authorities to classify their ANNEX 2 airplanes to be equivalent to the EASA definitions of Sailplanes, powered Motorgliders or airplanes and that hours flown on that airplanes are valid to fulfill EASA recency requirements.</p>
response	<p><i>Noted</i></p> <p>Regarding the first issue the Agency has reconsidered the problem of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the</p>

Basic Regulation from the future licensing requirements.

The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights. (For an Annex II aeroplane this has to be clarified as this paragraph asks for flight time on aeroplanes not defining if Annex II or not.)

If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria because microlights are clearly not defined as being an SEP aeroplane or a TMG.

comment

1573

comment by: *Christoph Bleker*

Das Problem ist die 6 jährige Überprüfung durch einen Prüfer.

Zur Erhaltung der Sicherheit im Luftverkehr reicht meines Erachtens der 2 jährige Überprüfungsflug mit Fluglehrer vollkommen aus.

Da der Fluglehrer Prüflinge zur Prüfung anmeldet, hat dieser meines Erachtens auch die Kompetenz, auch Scheininhaber zu überprüfen.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

1647

comment by: *Dr. Jürgen Hendricks, Bamberg*

Insgesamt nicht schlüssiges Konzept: Trainingsflüge grundsätzlich sinnvoll,

	<p>Prüfung alle sechs Jahre schon von der Anzahl der verfügbaren Prüfer nicht durchführbar. Politische gewollte Verringerung der aktiven Piloten?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders. There is definitely not a political wish to reduce the amount of licenced LPL pilots as mentioned in the comment. The Agency cannot see that the proposed requirement for a proficiency check would lead to such a result.</p> <p>However, based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.</p> <p>Please see the resulting text.</p>
comment	<p>1689 comment by: <i>Sven Koch</i></p> <p>Innerhalb der letzten 24 Monaten auf Flugzeug oder TMG: 12 Std PIC incl 12 Starts/Landungen oder 6 Std PIC incl 6 Starts/Landungen und 1 Trainingsflug 1 Std mit Lehrer Nach max 6 Jahren ein Prüfung mit einem Prüfer Bei Flugstunden muss auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden. Unnötige kostenpflichtige Ausweitung eines Checkersystems im Freizeitbereich; es genügt der Flug 1 Std mit Fluglehrer</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).</p>
comment	<p>1743 comment by: <i>Stephan Johannes</i></p> <p>Sehr geehrte Damen und Herren,</p> <p>hier gilt letztlich das Gleiche, wie ich in meinem Kommentar zu FCL.140.S angegeben habe. Anmerken möchte ich nochmals, dass Flugzeiten, die auf dreiaxsgesteuerten UL´s durchgeführt werden, auf die</p>

Verlängerungsbedingungen mit angerechnet werden sollten.

Außerdem halte ich den 6 jährigen Prüfungsflug zum Erhalt der Berechtigung überzogen, wenn ein Überprüfungsflug mit Lehrer im Abstand von 2 (?) Jahren die gleiche Sicherheit bietet.

Dieser Flug kann durch ehrenamtliche Fluglehrer durchgeführt und bestätigt werden, ohne dadurch die Kosten unangemessen zu steigern.

Mit freundlichem Gruß

Stephan Johannes

response *Noted*

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

1781

comment by: *Rudolf Goebel*

Für die Verlängerung und den Erhalt einer LPL-Lizenz wird eine Überprüfung durch einen JAR-FIE nach spätestens 6 Jahren gefordert.

Grundsätzlich ist eine Überprüfung der Lizenzinhaber gerechtfertigt. Aber auf dem Sektor der Privatpiloten ist die Überprüfung durch einen JAR-FI vollkommen ausreichend. Lediglich für Berufspiloten ist die Überprüfung durch einen JAR-FIE angemessen.

Im übrigen halte ich die Durchführung von Übungsflügen im 2-Jares-Turnus, wie sie für Privatpiloten zur Zeit gefordert wird, vollkommen ausreichend, wie ich aus meiner Praxis JAR-FI erfahren habe.

Hinzu kommt, dass es kaum genug FCL-FIE geben wird, da hierfür die Anforderungen viel zu hoch sind. Die Überprüfung aller Privatpiloten alle 6 Jahre ist so überhaupt nicht machbar.

Rudolf Goebel, JAR-FCL 6731000155 FI

response *Noted*

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also

proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

1794

comment by: *Sebastian Grill*

Das gesamte Überprüfungsprocedere ist in sich nicht stimmig, da man mit so wenig Stunden in so langer Zeit keine Chance auf eine erfolgreiche Überprüfung mit einem Examiner hat. Besser kurzfristige Überprüfungen durch Fluglehrer wie gehabt.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

1808

comment by: *Dr. Gerhard Herbst*

Die Überprüfung alle 6 Jahre durch einen "Examiner" für eine LPL-Piloten oder TMG-Piloten ist überzogen.

Bei entsprechender Flugerfahrung (Vielflieger) im letzten Verlängerungszeitraum ist die zusätzliche Überprüfung durch einen Examiner überflüssig. Der Vielflieger übt schließlich und wird immer besser in seinem Tun. Für einen Piloten mit geringer Flugerfahrung im letzten Verlängerungszeitraum scheint die Überprüfung durch einen Fluglehrer ausreichend. Es scheint fraglich ob Examiner in ausreichender Anzahl (hohe Anforderungen für Examiner) zur Verfügung stehen.

Examiner sollten den ATPL-Piloten vorbehalten bleiben.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

*1811*comment by: *Matthias SIEBER*

Die Überprüfung durch einen Prüfer ist nach meiner Sicht nicht sinnvoll, vielmehr sollte die Überprüfung durch einen FI genügen.

Denn diese bilden Flugschüler aus und stellen deren Prüfungsreife fest. Warum sollten sie bei einem Scheininhaber dessen Fertigungsstand auf „Prüfungsniveau“ nicht auch feststellen können?

FIs sind vor Ort, dadurch gibt es einen geringeren Kostenaufwand, außerdem können sie bei erkannten Mängeln sofort/zeitnah und zielgerichtet nachschulen.

Alternativ zum proficiency check durch examiner könnte eine „standardisierte Überprüfung“ durch einen FI vorgenommen werden, der die erfolgreiche Durchführung der Behörde mitteilt.

Siehe auch den Kommentar zu FCL.140.BA/H

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also

proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

1827

comment by: *Bruha Oliver*

Diese Neuregelung ist ebenso wie die vorhergehende nicht sonnvoll. Es reicht aus, wenn die Überprüfung durch einen Fluglehrer vor Ort vorgenommen wird. diese Methode hat sich bewährt und sollte weiter beibehalten werden. Es spart Zeit und Kosten. Eine evtl. Nachschulung kann sofort durch einen Fluglehere eingeleitet werden.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

1840

comment by: *Georg Schott*

Für den gesamten Bereich PPL sollte als Examiner in jeden Fall ein FI (Fluglehrer) tätig werden können. Es dürfte kaum möglich sein, genügend Examiner (Voraussetzung 1000 Flugstunden, CPL-Inhaber etc.) bereitzustellen, um den Bedarf zu decken. Fluglehrer sind normalerweise in den Vereinen ausreichend vorhanden und somit ohne größeren Aufwand jederzeit erreichbar. Überprüfungen können unbürokratisch innerhalb des Vereines terminlich abgesprochen und entsprechend absolviert werden. Das ist dann alles nicht nur verfahrenstechnisch wesentlich einfacher und spart erhebliche Kosten und

Verwaltungsaufwand ein.
Für bestimmte Überprüfungen könnte man entsprechende Prüfungs-Checklisten für die Fluglehrer erstellen damit Prüfungen nach einem standardisierten Verfahren durchgeführt werden können.

response *Noted*

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

The Agency agrees that an AMC with a standardised training program should be developed. But this will be done at a later stage.

comment *1853*

comment by: *Dr. Schreck*

FL140.A

Auch hier gilt das gleiche, wie für FCL14.S: Alle 2 Jahre findet eine Scheinverlängerung statt. Die Anforderungen hierfür sind für AP/TMG 12h/12Starts oder für TMG 6h/6Landungen, wobei 1h Übungsflug mit einem FI stattfindet. Auch hier soll alle 6 Jahre ein Überprüfungsflug mit einem Examiner durchgeführt werden. Auch im Motorflug ist das mit umständlicher Bürokratie und zusätzlichen Kosten verbunden. Eine Überprüfung könnte genauso durch FI abgenommen werden. Dies könnte nach einem standardisiertem Verfahren durchgeführt werden.

response *Noted*

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

1925

comment by: *Swiss Pilot School Asociation*

Please remove FCL.140.A compleetly
It ist not consequent to merge Licence and Rating requirements
Rating requirements are described in FCL.740A (b)

or

apply the same requirements as described in FCL.740A (b)

(i) within the three months preceding the expiry date of the rating, pass a proficiency

check in the relevant class in accordance with Appendix 9 to this Part with an examiner; or

(ii) within the 12 months preceding the expiry date of the rating, complete 12 hours of

flight time in the relevant class, including:

6 hours as pilotincommand;

12 takeoffs and 12 landings; and a training flight of at least one hour with a flight instructor (FI) or a class rating instructor (CRI).

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree and will keep the system of recency requirements and an unlimited licence in order to fulfill the task to create a licence with less administrative burden.

This is also the reason for not putting any class- or type-rating on the LPL. Subpart H does not apply for the LPL. (See FCL.700)

comment

1938

comment by: *Juergen WILKEN*

(2) proficiency check

Durch eine Überprüfung mit einem Fluglehrer ist ein genau so hohes Niveau der Sicherheit gewährleistet.

Die Prüfungsreife von Schülern wird von Fluglehrern festgestellt, deswegen können sie auch die Fähigkeiten von Lizenzinhabern beurteilen. Durch die Befähigungsüberprüfung der Piloten durch Prüfer wird die Bürokratie im Freizeitbereich unnötig und kostenpflichtig ausgeweitet. Die Vereine, die häufig Halter der Flugzeuge und des Fluggeländes sind, und in deren Auftrag die Fluglehrer achten ohnehin genau auf die Fähigkeiten der Scheininhaber. Mangelnde Kenntnisse und Fähigkeiten werden dadurch erkannt und automatisch beseitigt. So erfolgt z. B. nach einer längeren Flugpause eine Überprüfung durch Fluglehrer. Der Übungsflug mit dem Fluglehrer zum Zwecke des Erhaltes der Berechtigung ist völlig ausreichend. Dieser Übungsflug sollte

nur anders definiert werden. So soll er an einem Tage stattfinden, doch Unterbrechungen sollten zugelassen sein.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

1994

comment by: *Felix.Reichl*

For SPL, TMG and SEP it should be possible to performe the proficency check with a flight instructor (FI) instead of an examiner. Clubs and flight schools do not have enough examiners available to perform the proficency check, furthermore this would cause extra cost for the pilots and additional administrative work.

Extra cost is always a reason why especially private pilots need to reduce their yearly flight hours and this would have a negative impact on safety.

On my opinion the JAR-FCL rule with the check flight every 2 years was a good solution.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

2034

comment by: *Martin Vollmer*

In FCL.140.A LPL(A) the formulation

passed a proficiency check on an aeroplane or a touring motor glider with an examiner, at least once every six years.

should be changed to (or left off)

passed a proficiency check on an aeroplane or a touring motor glider with an flight instructor, at least once every six years.

because it is an logistic problem for the small number of examiners to do all the necessary proficiency checks.

response

Partially accepted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

2045

comment by: *Thomas SIEWERT*

FCL.140.A Recency Requirements

Das Konzept zur Verlängerung dieser Berechtigung erscheint nicht schlüssig. Gem. (1) (ii) würde eine Gesamtflugzeit von 18 Stunden zur dreimaligen Verlängerung der Berechtigung ausreichen. Wie soll bei dieser Gesamtflugzeit ein Lizenzinhaber den „proficiency check“ mit einem Prüfer bestehen?

Darüber hinaus erscheint das gesamte Verfahren hinsichtlich der Verlängerung der Berechtigung durch einen „Examiner“ fragwürdig.

Ich möchte hier folgenden Punkt der BR 2008_216 zitieren:

1.e.2.:

„Die praktischen Fertigkeiten müssen in angemessenem Umfang aufrechterhalten werden. Die Erfüllung dieser Anforderung ist durch regelmäßige Bewertungen, Prüfungen, Tests oder Kontrollen nachzuweisen. Die Häufigkeit von Prüfungen, Tests oder Kontrollen muss dem mit der Tätigkeit verbundenen Risiko angemessen sein.“

Damit ist zwar festgelegt, dass sich Piloten regelm. Bewertungen oder Kontrollen unterziehen müssen, aber die Erfordernis eines „Examiners“ kann ich hieraus nicht ableiten!

Wir Fluglehrer stellen fest ob ein Flugschüler in der Lage ist, die Anforderungen einer praktischen Prüfung, die ja mit dem proficiency check vergleichbar ist, zu erfüllen.

Warum sollten Fluglehrer daher nicht in der Lage sein, eben diese Fähigkeiten bzw. das „Prüfungsniveau“ auch bei einem Lizenzinhaber festzustellen?

Alle Punkte der Überprüfung bei einem proficiency check können durch einen FI mindestens ebenso gut erledigt werden.

Darüber hinaus sind FIs (noch) in ausreichender Zahl vor Ort, bei geringem Kostenaufwand und der Möglichkeit bei erkannten Mängeln sofort/zeitnah zielgerichtet nachzuschulen.

Weiterhin nennt o. g. Punkt der BR 2008-216, dass die Tests usw. „dem mit der Tätigkeit verbundenem Risiko angemessen sein MÜSSEN“.

Ein „Examiner“ ist für einen ATPL-Inhaber sicherlich die erste Wahl, für die fliegerische Tätigkeit eines LPL- bzw. PPL-Piloten aber bestimmt nicht erforderlich. Diesbezüglich vermisste ich die vorgeschriebene Differenzierung!

Darüber hinaus sei anzumerken, dass (zumindest bei unserer zuständen Behörde) gar nicht das Examiner-Personal mit der vorgeschriebenen Qualifikation (insbes. Inhaber eines CPL) vorhanden ist, um diese Überprüfungen vornehmen zu können.

Der Rückgriff auf „examiner“, die nicht Angehörige einer Behörde sind und mit ihrer Dienstleistung in erster Linie finanzielle Interessen verfolgen, kann wohl nicht im Sinne dieser Vorschrift sein.

Das Personal der Behörden mit dem Einsatz von viel Steuergeldern auf den o. g. Stand zu bringen, erscheint nicht wirtschaftlich und bestimmt nicht im Sinne der Steuerzahler zumal durch die bisherigen Lizenzverlängerungen ohne „Examiner“ keine erkennbaren Sicherheitsdefizite aufgetreten sind.

Als Alternativvorschlag zum proficiency check durch examiner könnte eine „standardisierte Überprüfung“ durch einen FI vorgenommen werden, der die erfolgreiche Durchführung der Behörde mitteilt.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

2055

comment by: *Verein für Luftfahrt Mönchengladbach e.V.*

In Germany it was never necessary for a private pilot to do a check with an examiner after the pilot once passed the initial test for his license. We do not see any special accumulation of accidents in Germany so there is no necessity for such a test. On the other hand this test boosts the costs for our hobby. We expect many people are no more able to pay for their hobby.

The same level of security can easily be reached with the training flight with an instructor. An instructor is able to train a student up to the level that he is able to pass the test with the flight examiner. He is able to evaluate whether a pilot is able to handle an airplane securely.

If there was the right for an instructor to refuse to confirm whether a pilot has correctly accomplished the training flight every two years there would be a higher level of security than if an examiner flew with a pilot every six years.

In the case someone gets no confirmation because of FCL.140.A (b) he has to fly with an examiner anyway.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be

added. Please see the resulting text.

comment

2070

comment by: Markus Hitter / JAR-Contra

Regarding (a)(1):

A period of 24 month is in stark contrast to the 90 day period proposed in FCL.060. Also, our experience shows, a "hand full" (= 5) of starts is sufficient to keep skills sufficiently current, but two years of pausing is long enough to make some of the needed details of skills forgotten. To adjust for those practical experiences and for simplifications of matters we propose to shorten this 24 month period to 12 months. Accordingly, the numbers of flight time and landings should be reduced by 50% as well. In exchange, the 90 day period proposed in FCL.060 should go away for non-commercial aviation, as commented there.

The text of the proposed FCL.140(A) (a)(1) would be:

(a) Holders of a LPL(A) shall only exercise the privileges of their license when they have:

(1) completed, in the last 12 months, as pilots of aeroplanes or TMG at least:

(i) 6 hours of flight time as pilot-in-command, including 6 take-offs and landings; or

(ii) 3 hours of flight time as pilot-in-command, including 3 take offs and landings, and 1 training flight of at least one hour with an instructor.

The text of the proposed FCL.140(H) (a)(1) would be:

(a) Holders of a LPL(H) shall only exercise the privileges of their license on a specific type when they have:

(1) completed on helicopters of that type in the last 12 months at least:

(i) 6 hours of flight time as pilot-in-command; or

(ii) 3 hours of flight time as pilot-in-command, and 1 training flight of at least one hour with an instructor.

The text of the proposed FCL.140(A) (a)(1) would be:

(a) Sailplanes and powered sailplanes. Holders of a LPL(S) shall only exercise the privileges of their license on sailplanes or powered sailplanes when they have:

(1) completed on sailplanes, in the last 12 months, at least:

(i) 3 hours of flight time as pilot-in-command, including 5 launches; or

(ii) 1.5 hours of flight time as pilot-in-command, including 3 launches, and a minimum of 3 training flights with an instructor;

(b) TMG. Holders of a LPL(S) shall only exercise the privileges of their license on touring motor gliders when they have:

(1) completed on touring motor gliders, in the last 12 months, at least:

(i) 6 hours of flight time as pilot-in-command, including 6 launches; or

(ii) 3 hours of flight time as pilot-in-command on TMG, including 3 take offs and landings, and 1 training flight of at least one hour with an instructor.

response

Not accepted

Thank you for providing your opinion.

The proposal given was discussed during the review of the comments but it seems that most of the stakeholders would like to keep the proposed 24 months period as this will be also introduced for the PPL.

The now introduced training flight will help to identify possible deficiencies if the licence holder has not flown for a certain amount of time.

comment

2071

comment by: Markus Hitter / JAR-Contra

**Regarding (a)(2) and (b) in FCL.140(A, H),
regarding (a)(2), (b)(2) and (c) in FCL.140(S):**

As each pilot affected by (a)(2) shows his sufficient skills year by year by flying successfully and free of accidents, enhancements reached by a six-yearly proficiency check can be minor at best.

Requiring an examiner for recurring check flights would put an extraordinary burden on currently available personnel. Currently in Germany, we have less than one examiner per thousand license holders. Requiring a check flight each six years would ask them to do about 200 additional check flights yearly. The costs of these check flights alone, and the costs of travel for each pilot to meet his examiner would be in no relation to the safety advantages achievable by this rule.

Extending the number of available examiner personnel is difficult, as only very aged pilots typically reach the high experience requirements for examiners in private aviation. Accordingly, pilots would be required to hire professional examiners, increasing costs even more.

On the other side, a Flight Instructor is perfectly capable to judge on a pilot's skills, as he does such judgements almost daily as part of his instruction flights.

Considering all this, **we propose** to not require an examiner, but to require a Flight Instructor for proficiency checks instead. Additionally, six-yearly repetitions of skill tests should be dropped. The text of FCL.140(A), FCL.140(H) would be:

(a) [...]

(1) [...]

(i) [...]

(ii) [...]

(b) Holders of a LPL(A, H) that do not comply with the requirements in (a) shall pass a proficiency check with a Flight Instructor before they can resume the exercise of the privileges of their license.

The text of FCL.140(S) would be:

(a) [...]

(1) [...]

(i) [...]

(ii) [...]

(b) [...]

(1) [...]

(i) [...]

(ii) [...]

(3) [...]

(c) Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall pass a proficiency check with a Flight Instructor before they can resume

the exercise of the privileges of their license.

response

Partially accepted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment (but it will not a proficiency check because this must be done by definition with an examiner).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

2078

comment by: *Bernd SIEWERT*

Dieser Kommentar bezieht sich nicht nur auf die Verlängerung der Berechtigungen von LPL(A)-Lizenzen sondern auch auf die Verlängerung von Berechtigungen von PPL(A)-Lizenzen.

Leider läßt die Benutzerfreundlichkeit der Bedienungs Oberfläche dieses Kommentierungsinstruments etwas stark zu wünschen übrig!

Dennoch, allein die Tatsache, in einen Dialog treten zu können begrüße ich außerordentlich!

Zur eigentlichen Kommentierung:

Buchstabe (a) Absatz (1): i.O.

Buchstabe (b): i.O.

Buchstabe (a) Absatz (2): n.i.O.

Ich bitte dringend um Änderung des Vorschlags von Prüfer (examiner) zu Fluglehrer (instructor).

Die Beibehaltung eines als 'proficiency check' ausgewiesenen Überprüfungsflug ist zu begrüßen. Somit muß jeder Pilot nach sechs Jahren die volle fliegerische Fähigkeit unter Beweis stellen.

Dieser 'proficiency check' sollte durch ein standardisiertes Muster von der zuständigen Behörde (EASA bzw. jetzt noch LBA) ausgearbeitet werden, ein klares Prüfungsprogramm darstellen und durch einen/zwei autorisierte Flight Instructors ausgefertigt werden.

Somit stellt ein auf hoher Ebene erarbeitetes Programm ein einheitlich hohes Qualitätsniveau der Privatpiloten sicher.

Diese durch Examiner abtesten zu lassen birgt mehrere Schwierigkeiten:

- a) Anzahl der dann notwendigen Prüfungsflüge mit Examiner;
- b) kapazitative Verfügbarkeit der Examiner (Luftamt-Stellen, Stellenplanung, Eingruppierung BAT usw.) - die vorhandenen Examiner wären nicht in der Lage alle Privatpiloten alle sechs Jahre abzu-prüfen;
- c) zusätzliche markante Bürokratisierung (Prüfungsvorbereitung, -anmeldung, -durchführung, ggf. Zweitprüfung alles auf Ebene der Luftämter);
- d) markant ansteigende Kosten (Prüfungsflüge mit Examiner ziehen deutlich höhere Kosten für den Privatpiloten nach sich; Privatpiloten sind flugsportbegeisterte Mitbürger - die Mär vom Privatpilot = reicher Mensch trifft seit den Anfangsjahren der Fliegerei wohl nicht mehr zu);
- e) Instructors obliegt die Aufgabe Flugschüler zur Prüfungsreife zu befähigen, d.h. basierend auf ihrer Erfahrung werden Flugschüler zur Prüfung und zur anschließenden verantwortungsvollen Nutzung ihrer Lizenz herangeführt.

Mit der Bitte um Verifikation, wieviele Flugprüfungen aufgrund fliegerischen Defiziten (versuchen Sie die Fälle von Nervosität bzw. Prüfungsproblemen auszuklammern) zum Nicht-Bestehen führen, wird meiner Erfahrung nach zeigen, daß Instructors sehr gut beurteilen können, ob eine fliegerische Fähigkeit vorliegt oder nicht.

Aufgrund der stetig wachsenden Anforderungen an Instructors ist daher die zwingende Überprüfung durch einen Examiner nicht zielführend und untergräbt die sehr hohe Qualifikation der Instructors;

f) ein etwaiger Sicherheitsgewinn kann durch die vorgeschlagene Regelung dadurch in Frage gestellt werden, indem jederzeit die Regelung des Buchstaben (b) durch den Instructor eingeleitet werden kann und bei Bedenken der Flugtauglichkeit ein proficiency check durch einen Examiner vorgeschrieben wird.

Kein Verein, keine Flugschule kann es sich leisten aus Gefälligkeit Piloten mit Tauglichkeitsdefiziten fliegen zu lassen und wird daher nicht scheuen, die notwendigen Schritte einzuleiten.

Ich bitte, die bisherigen guten Erfahrungen mit verantwortungsvollen Privatpiloten und Instructors bei der Beurteilung der Notwendigkeit von Überprüfungsflügen im 6-jährigen Turnus mit Examiner zu überdenken, und die ohnehin sehr strengen Regularien in der Privatluftfahrt nicht erneut zu verschärfen.

response

Noted

Thank you for the general positive feedback on the possibility to participate in the rulemaking process.

The criticism on the CRT tool is acknowledged but no further indication or information is given what kind of problems were discovered. Please use the CRT-feedback function to report possible deficiencies.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment (but it will not a proficiency check because this must be done by definition with an examiner).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

2113

comment by: *Reinhard Heineking*

It is not necessary, that a proficiency check with an examiner has to be passed every 6 years. The current practice of the 1 hour training flight every two years shows good results and is definitely enough check for leisure pilots. Possibly there should be a guideline or checklist of items to be trained during the 1 hour training flight.

FCL140A.(a) (2) should be removed.

Reinhard Heineking FI JAR_FCL PPL(A), TMG, GPL

response

Accepted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

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It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

The Agency agrees that an AMC with a standardised training program should be developed. But this will be done at a later stage.

comment

2171

comment by: *Oelschlaeger, Harald*

Bei den Flugstunden muss auch die dokumentierten UL-Flugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden.

Unnötige kostenpflichtige Auseitung eines Checkersystems im Freizeitbereich;

	es genügt der Flug 1 Std. mit Fluglehrer.
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response to comment No. 412 (Geschäftsführer Luftsportverband RP).</p>
comment	<p>2306 comment by: <i>Matthias Dangel</i></p> <p>Hier sollte im Sinne der Kostenreduzierung, Entbürokratisierung und Verfügbarkeit von qualifiziertem Personal vor Ort ein Fluglehrer (FI) für die Durchführung und Abnahme der Überprüfungsflüge zugelassen sein, schließlich ist ein (FI) auch in der Lage einen unerfahrenen Flugschüler soweit auszubilden das er am Luftverkehrt teilnehmen kann.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.</p> <p>Based on the input received the Agency decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.</p>
comment	<p>2378 comment by: <i>Arnold Klapp</i></p> <p>Der Zusammenschluss von mehreren örtlichen Ausbildungsbetrieben(Vereine) in einer gemeinsamen Organisation, z.B. in einem Landesverband (Globale Ausbildung) muss erlaubt werden. Dies wird in mehreren Bundesländern der BRD seit Jahrzehnten erfolgreich praktiziert.</p> <p>Bei den Fugstunden muss auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerten UL` s anerkannt werden. Die vorgesehene Prüfung mit Prüfer alle 6 Jahre muss entfallen. Der Befähigungsnachweis durch den 2-jährigen Check-Flug von einer Stunde mit Fluglehrer genügt und hat sich bewährt. PS: Die zusätzliche Prüfung mit einem Prüfer bedeutet Aufbau einer zusätzlichen Organisation und zusätzliche Kosten für den Luftsport.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p>

The first part of the comment is mentioning an issue which cannot be solved and clarified with these Implementing Rules as it is connected with the organisational requirements for an approved training organisation. Please see also the responses and the resulting text for NPA 22/2008 which will deal with this issue. The term "approved training organisation" does not prevent a specific structure for an ATO or some kind of combined ATO.

As the second part of the comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).

comment

2428

comment by: *Carsten Brandt / FSV Cumulus Uelzen*

FIs are authorised to decide whether a student pilot may perform solo flights.
 FIs are authorised to confirm that a student pilot has completed his/her training and is ready to take the tests.
 FIs are authorised to extend the validity of a license after a training flight of 1 hour (JAR-regulations).
 For these reasons we do not think it is necessary to implant a proficiency-check with an examiner.
 We think the existing regulations/the FIs set a sufficient safety-standard which could not be improved by an additional flight with an FE.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

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It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

2429

comment by: *Carsten Brandt / FSV Cumulus Uelzen*

According to the number of private pilots only in Germany, a great number of additional examiners will be needed there, which results in costs for the authorities which have to license and supervise the examiners and for the pilot himself.

response

Noted

Thank you for providing this additional comment.

See the response to your comment No. 2428. As the proposal for a mandatory proficiency check was deleted no further response is needed.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

2437

comment by: *Dr. Horst Schomann*

Problem: Proficiency check with examiner every 6 years.

Proposed solution: Require 12 hours and 12 take-offs and landings generally in the last 24 month and 1 training flight with at least one hour with an instructor in the last 12 month. Missing hours or take-offs and landings are to be performed under supervision of an instructor.

Justification: Being an instructor for PPL(A, TMG) and Glider Pilot License for more than 30 / 40 years, my proposed solution appears to be sufficient to gain the necessary safety. In all this time there was no accident with the involved personnel in my ambulance. The introduction of a proficiency check with an examiner increases the effort on both sides and cost for the pilot with anticipated little improvement.

response

Accepted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

Regarding your proposal to allow the licence holder to perform the missing flights and/or hours with or under the supervision of an instructor the Agency agrees and will add this requirement.

comment

2475

comment by: *mfb-bb***Proficiency Check (PPL / FI)**

Regelmäßiges Ablegen von Prüfungen im Bereich der Segelflugpiloten PPL-S, PPL-A etc.

In der Basic Regulation wurden regelmäßige Kontrollen zum Erreichen eines einheitlichen Sicherheitsniveaus vereinbart.

Sicherheitsstandards sind als sinnvoll zu bewerten, da sich im Bereich der täglichen Praxis gewisse „Eigenarten“ einschleifen könnten.

Allerdings muss im Rahmen der EU in diesem Zusammenhang der Vergleich mit dem Verkehr auf der Strasse und auf dem Wasser erlaubt sein.

Im Straßenverkehr sind auch im gewerblichen Bereich in Deutschland lediglich Untersuchungen in medizinischer Hinsicht – vergleichbar dem Medical – vorgesehen.

Im Schiffsverkehr gibt es Prüfungen wohl ansatzweise im gewerblichen Bereich. Der Private Verkehr ist sowohl auf dem Wasser wie auch auf der Strasse nach Erwerb der Lizenzen von solchen Prüfungen komplett ausgenommen.

Demzufolge ist nicht nach zu vollziehen, warum der **private** Luftverkehr solchen Überprüfungen unterworfen werden soll.

Um die Sicherheit auf hohem Niveau sicherzustellen haben sich in Deutschland im Rahmen von JAR FCL im privaten Bereich und bei einigen Berechtigungen die Übungsflüge mit Fluglehrer bewährt. Bei diesen Übungsflügen werden die in der basic regulation geforderten Kontrollen sichergestellt.

Sie haben aber den Vorteil, dass der Fluglehrer **im Einzelfall** bestimmen kann, welche für den Piloten sinnvollen Inhalte geübt werden und bei auffälligen Defiziten eventuell nachgeschult werden müssen.

Das hat den Vorteil, dass 1.) die Menge dieser Kontroll- (Übungsflüge) durch viele Fluglehrer und nicht einige wenige Prüfer durchgeführt werden und es beim Durchführen dieser Flüge nicht zu Engpässen kommt.

Ebenso ist die Gleichbehandlung der Bürger der EU bei der Ausübung des privaten Verkehrs (Land / Wasser / Luft) sichergestellt.

Vorschlag : Regelmäßig stattfindende Übungsflüge mit Fluglehrern, die dann als Voraussetzung zur Ausübung der Rechte der Lizenz gelten sollen.

Die Inhalte der Übungsflüge sollten zum Großteil frei wählbar sein, lediglich im Bereich der kommerziellen / gewerblichen Fliegerei sollten die Inhalte definiert sein und von Prüfern als Checkflüge durchgeführt werden.

Der Fluglehrer sollte ebenfalls – vergleichbar mit den FI der FAA – berechtigt sein, die Ergebnisse des Übungsfluges mit weiteren Auflagen / Nachschulung zu versehen.

Proficiency Check (PPL / FI)

Holders of private pilot licences shall only exercise the privileges of their licence when they passed a proficiency check with an FE. The target is to guarantee a high level of safety for aviation.

Standards for attaining a high safety make sense.

But with reference to the EU we have to compare every kind of traffic – aviation, shipping and at least road traffic.

Aviation:

In Germany we have check flights and a medical class I for commercial pilots.

At present time we have training flights and a medical class II for private pilots.

Shipping:

In Germany we have checks and a medical examination for commercial transport.

But nothing comparable for private activities.

Road transport

In Germany the commercial drivers need a medical examination but after getting their drivers licence they do not have to pass a check. Private drivers do not need a medical and after passing the driving test there are no more checks prescribed.

Therefore it is not understandable why private pilots have to pass proficiency checks regularly. (Ungleichbehandlung / discrimination of private aviation)

To guarantee the safety of aviation it is necessary to define standards.

In Germany we have good experience with the prescribed training flights with flight instructors. These flights can be conducted by all flight instructors and concerning to each individual case special procedures can be practiced by the pilots.

Advantage : the number of flight instructors guarantee that the flights can be conducted when necessary, there is no staff shortage. Pilots can practice their special needs

Proposal : for private pilots licences proficiency checks shall be replaced by training flights with a flight instructor.

These training flights shall be conducted by flight instructors and not by flight examiners.

The pilot and the flight instructor shall be able to choose the contents of these training flights.

For commercial pilots proficiency checks / check flights shall be conducted with prescribed contents (like before)

response *Noted*

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment 2499

comment by: *A. Mertz*

For LPL(A), as with the German PPL-N, flight time and take offs made with 3-axis-microlights should be credited equally to those with SEP and TMG. In this decision ICAO conformity can be disregarded, because LPL will not be

	<p>ICAO conform anyway. If national microlight regulations are differing to much across the member states, a national responsibility for crediting may be used. The formulation may be similar to this one that allows issuing a medical by a family doctor.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency has reconsidered the issue of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements. (This has nothing to do with ICAO requirements as mentioned in the comment)</p> <p>The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.</p> <p>If the LPL licence holder has only flown on microlights (which are clearly not an aeroplane) in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria.</p>
comment	<p>2556 comment by: <i>Marc Launer</i></p> <p>I would like the committee to respond to the reasons (scientific proof or statistical proof) to increase the requirements on recency of a lizenz based on the currently existing rules and regulations. Any increase in requirments needs a valid reason for introduction.</p> <p>By introducing an examiner test every 6 years, the committee is adding a level of complexity, cost and severity that is in no relation to the executed rights.</p> <p>Major logistic and cost problems will get recreational aviation to its knees. e.g Availability of FEs and FIEs, tracking of licence requirements (got only more complex over the last 10 years rather than easier), keeping recreational flying attractive.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.</p> <p>Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and to revise the recency requirements for all categories and to introduce mandatory</p>

training flights with an instructor every 24 months (for helicopters every 12 months) instead of the proficiency check (every 6 years).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment **2613** comment by: *CAA Belgium*

Provide for recency experience requirement : 90-days rule

response **Noted**

Thank you for providing your comment.
Please see FCL.060 Recent Experience. You will find the "90-days rule" there.

comment **2703** comment by: *Claudia Steinbach*

Dear Sir or Madam,
this comment pertains to the PPL, but I did not manage to find it there:

why is the EU interested in eliminating the general aviation? It is an important economic sector and the foundation of the commercial aviation. All really interested PPL-people have to go to the US, where the populace is proud of flying. In the EU flying has a bad reputation (driving noisy bikes with excessive speed is accepted). And, the absurd drama is that EASA supports the prejudice concerning flying. Proficiency Checks are the end of GA. One has to be very masochistic to pay a lot of money and to undergo in the leisure time proficiency checks, which have nothing to do with leisure or recreation!!! For commercial pilots checks are something different, because this is their job. Private pilots have enough stress in their business and won't like to have that in their hobby either. The last decades proved that GA had very low accident rates. Why must the EU change that? The Training Flight with instructor every 2 years works well and has wide commitment in the meantime. Never change a working system!

Proposal: Maintain what was successful in the past. To enhance performance of PPL holders release incentives to promote the training of pilots. Pilots should be motivated to enhance their flying skills by their own and not by dictating rules. That would be real progress, and should be coupled with a special tailored IFR for PPL, which is long overdue.

response **Noted**

Thank you for providing your opinion.

The comment mentions that it should be assigned to the PPL section but as the issues discussed are also valid for the LPL it should be answered here.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders. It should be mentioned

at this stage that the future European system does not aim on "eliminating General Aviation" as stated in the comment. The proficiency check was seen as a suitable tool to ensure a standardised level of safety all over Europe. (The Agency does not accept the financial arguments - see explanation below)

However, based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years). This was also proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

The third item, a tailored Instrument Rating for the PPL, will be part of a new task FCL.008. Please read the Explanatory Note and you will receive more information about this task.

comment

2746 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FCL 140 A (a) (2) :

For LPL and Basic LPL, FFA proposes to replace the proficiency check with a FE in every six years by a one hour training flight with a LAFI or a FI once in every two years.

On one hand, this proposed rule would surely favour safety in the sense the pilot would be with a LAFI or a FI more frequently. On the other hand, it would be applicable despite the foreseeable shortage of FEs.

FFA points out the ten year excellent experience return on this recency requirement applicable for the current JAR SEP class rating.

FFA considers that its proposal is in compliance with the Basic Regulation n°216/2008 Annex 3 provision 1.e.2.

response

Accepted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given

by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

2821

comment by: *Karsten Pollmann*

Gewünscht wird die Durchführung der Befähigungsüberprüfung durch einen Fluglehrer(Instructor).

Begründung:

1. Nicht genügend Prüfpersonal im Deutschen Aeroclub vorhanden.
2. Fluglehrer wären in ausreichender Zahl in den Luftsportvereinen vorhanden.
3. Die Eignung der Fluglehrer für diese Funktion ist durch die erfolgreiche Ausbildungstätigkeit in den Vereinen seit vielen Jahren nachgewiesen. Fluglehrer entscheiden, wer alleine fliegt und wer für Prüfungen angemeldet wird.
4. Die hohen Kosten von professionellem Prüfpersonal würden den Luftsport sehr belasten und damit den Nachwuchs an aktiven Piloten gefährden.
5. Eine Verringerung der Flugsicherheit durch vom Fluglehrer vorgenommene Befähigungsüberprüfung ist nicht gegeben.

response

Partially accepted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

2898

comment by: *Herbert Sigloch*

To (a)(2):

I can't see any need for a periodical proficiency check with an examiner. It's only expensive.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

2978

comment by: *Willi LUDWIG*

Flugstunden von UL Stunden müssen anerkannt werden. Ist doch völlig logisch. FCL.140.S Eine Wiederholungsprüfung lehnen ich generell ab. Im besonderen Massen dann wenn ausreichend, ähnlich Ihres Vorschlages und älterer Handhabung Flugstunden und stattgefunden haben . An die "Nadel hängen " ist mit mir nicht zumachen. Ich habe unter dieser Primisse meinen Flugschein nicht gemacht .das stellt eine Entwertung da. Das Durchsetzen dieser Vorstellung wäre eine Sache für meinen Anwalt. Würden Sie Ihren Autoführerschein bestehen?

response

Noted

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).

comment

2982

comment by: *Jochen KNOBLOCH*

The EASA plans the introduction of a new examination for PPL-A Holder of every 6 years.

I am against this plan. The safety of aeronautics is not increased. But the costs increase. The statistics point: Significant violations of the aeronautics order and accidents do not point to lacking pilot knowledge. In Germany, the PPL-A Holder must go through a checking flight with a flying instructor every two years. The flying instructor immediately recognizes defects with the pilot and he will immediately improve these.

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

comment

3229

comment by: *Egon Schmaus*

FCL.140.A

(a) (2) passed "a check flight with a senior flight instructor or" a proficiency check.....

Reason: checkflights according to Annex 3 1 e.2 need not exclusively be done by examiners, only assessments demand an examiner

response

Partially accepted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment

3372

comment by: *Richard DUMAS, PPL(A)***Retirer l'exigence (b) (2)**

1. Cette exigence n'est pas logique :

- si l'EASA juge trop légères les conditions actuelles de prorogations, qu'elle propose alors de les renforcer, par exemple en ajoutant au vol d'entraînement avec un FI un briefing - façon BFR FAA - ou en permettant au FI de prescrire un ré-entraînement ;
- sinon, pourquoi et comment un pilote jugé alors apte pendant 6 ans - via 2 revalidations selon l'exigence (b) (1) (ii) – deviendrait-il au-delà de la 6^{ème} année subitement inapte en remplissant cette seule exigence ?

2. Cette exigence va être très pénalisante à mettre en œuvre :

- Elle va coûter cher, d'autant que l'offre ne va pas suivre la demande (cf. infra)
- Sa mise en œuvre est difficile : par exemple, pour ~ 30.000 PPL(A) actifs en France, cela fait ~5.000 tests à faire passer par an. Or, la DGAC faisait état de 2.200 à 2.300 PPL(A) délivrés par an vers 2002-2003. Pour avoir la même (faible) flexibilité qu'aujourd'hui, il faudra donc **augmenter de 150% le nombre de FE**. En plus, il aura une vague de 30.000 tests à faire passer entre 2014 et 2015 (= 2009 + 5 ou 6 ans)

3. Si le nouveau théorique PPL(A) - inutilement plus fouillé que sa version JAR.FCL - était entériné par L'EASA, l'exigence (b) (2) permettra alors de fait de ne pas revalider le PPL(A) de n'importe quel pilote qui - au plan théorique - aura uniquement fait l'effort de se tenir correctement au courant des évolutions techniques et réglementaires.

Hors le 3), ce commentaire s'applique à l'ensemble des licences privées et de loisir

response

Noted

Thank you for providing your opinion.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.

comment	<p>3383 comment by: <i>Christian Körner</i></p> <p>Section (2) is not really practical. Let's switch to the US system of the biennial flight review. I suggest to remove section (2) and change the following sentence to: "Holders of a LPL(A) that do not comply with the requirements in (a) shall undertake a proficiency check with a flight instructor (!) before they can resume the exercise of the privileges of their licence.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.</p> <p>Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).</p> <p>It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. Please see the resulting text.</p>
comment	<p>3543 comment by: <i>Swiss Power Flight Union</i></p> <p>Please remove FCL.140.A.</p> <p>It is not consequent to merge License and Rating requirements. Rating requirements are described in FCL.740 A (b)</p> <p>Apply the same requirements as described in FCL.740.A (b), <u>except (2)</u> (i) within the three month preceding the expiry date of the rating, pass a proficiency check in the relevant class in accordance with Appendix 9 to this Part with an examiner; or (ii) within the 12 month preceding the expiry date of the rating, complete 12 hours of flight time in the relevant class, including: 6 hours as pilot-in-command; 12 take offs and 12 landings; and a training flight of at least one hour with a flight instructor (FI) or a class rating instructor (CRI).</p> <p>Reason: The existing scheme with JAR FCL has proved itself.</p> <p>With FCL.140.A, the pilot would have a fly experience less than before. This would affect the flight safety.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p>

However, the Agency does not agree and will keep the system of recency requirements and an unlimited licence in order to fulfill the task to create a licence with less administrative burden.

This is also the reason for not putting any class- or type-rating on the LPL. Subpart H does not apply for the LPL. (See FCL.700)

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added. This means that finally the same amount of hours have to be flown in the recent 24 months to keep the LPL or the PPL current.

Please see the resulting text.

comment 3565 comment by: *Francesca WORSMAN*

response *Noted*

No text provided with this comment.

comment 3979 comment by: *Helmut PRANG*

It would be sufficient to carry out a proficiency check (2) by a flight instructor instead of an examiner.

The often voluntary FI's ingrated into club organisations can cut cost and stress levels when the pilot is confronted with an exam situation.

Proficiency check referrals to an examiner should remain optional.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree and will keep the system of recency requirements and an unlimited licence in order to fulfill the task to create a licence with less administrative burden.

This is also the reason for not putting any class- or type-rating on the LPL. Subpart H does not apply for the LPL. (See FCL.700)

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

comment **4088** comment by: *Bernd Hein*

Ultraleichtflugstunden / Starts-und Landungen müssen einbezogen werden. Checkerflug/Prüfungsflug ist kostentreibend. Wenn der F I die Verantwortung für die gesamte Ausbildung hat, kann er auch mit einem Übungsflug (mit den erwähnten definierten Übungsteilen) die Verantwortung und Kompetenz für eine Verlängerung haben.

response *Noted*

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).

comment **4090** comment by: *SFVHE*

Dokumentierte UL-Flugzeiten müssen endlich voll auch für die 2000kg Klasse anerkannt werden. Flugzeit ist Flugzeit.

Der nach 6 Jahren durchzuführende Prüfungsflug ist nur ein Kostentreiber, der viele Freizeitpiloten bewegen wird, ihr Hobby einzustellen. Der bisherige Checkflug mit Fluglehrer ist völlig ausreichend.

response *Noted*

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).

comment **4135** comment by: *Elmar KUEMMEL*

Eine 6-jährige Überprüfung mit einem Prüfer erzeugt massiv hohe Kosten und sonst nichts!

Wo sollen die Prüfer herkommen, woher sollen diese Personen ihre Berechtigung hernehmen. Wer will diesen Personen warum diese Verantwortung aufbürden.

Für das kurzfristige Erkennen fliegerischer Mängel hat sich die 24 Monatige Fluggstunde mit einem Fluglehrer doch bewährt, ist noch einigermaßen Kostenerträglich und im Sinn verständlich.

Der Passus (2) ist unnütz und zu ersetzen bzw. zu streichen.

Da es in meiner Tätigkeit immer wieder zu Problemen des Verständnisses zu Punkt (ii) des Passus (1), wäre hier auch einmal die Gelegenheit zur Änderung gegeben.

Gibt es denn im Bereich des LPL überhaupt Flugzeuge mit 2 Mann - Cockpit, bei denen Zeiten als Co-Pilot anzurechnen wären?

response *Partially accepted*

Thank you for providing your opinion.

However, the Agency does not agree and will keep the system of recency requirements and an unlimited licence in order to fulfill the task to create a licence with less administrative burden.

This is also the reason for not putting any class- or type-rating on the LPL. Subpart H does not apply for the LPL. (See FCL.700)

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check and 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 of the proficiency check (every 6 years).

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years.

The second part of the comment is mentioning some kind of possible misunderstanding with the wording used. The comment mentions flight time as co-pilot but the proposal does not contain any flight time as co-pilot. The wording used only provides instructors an option to "count" flight time for the recency requirement without being the PIC during a specific training flight.

comment 4192

comment by: *SFG-Mendig*

Flugzeiten auf aerodynamisch gesteuerten Luftsportgeräten müssen angerechnet werden.

Proficiency Check wird in dieser Art nicht mitgetragen, da durch diesen Test nach 6 Jahren kein wirklicher Zugewinn an Sicherheit zu erwarten ist. Die Übungsflüge mit Fluglehrer haben sich sehr bewährt, warum ein zusätzlicher Test bei nachgewiesener currency erforderlich wird, ist nicht nachvollziehbar. Sollte aus übergeordneten Gründen an einem Test festgehalten werden müssen, so sind zwingend die Voraussetzungen für die examiner so zu überarbeiten, dass im üblichen Vereinsflugbetrieb die Ausbildungsleiter und stv. Ausbildungsleiter sowie die erfahrenen Fluglehrer die Berechtigung zur Abnahme dieser Tests als Examiner erwerben und insbesondere auch erhalten können.

response *Noted*

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP).

comment

4293

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.140.A(a)(1)

Wording in the NPA

(a) Holders of a LPL(A) shall only exercise the privileges of their licence when they have:

(1) completed, in the last 24 months, as pilots of aeroplanes or TMG at least:

(i) 12 hours of flight time as pilotincommand,

including 12 takeoffs

and landings; or

(ii) 6 hours of flight time as pilotincommand,

including 6 takes offs and landings, and 1

training flight of at least one hour with an instructor;

Our proposal**Add:**

(b) holders of ratings for sailplanes or 3 axis controlled micro lights are credited with up to 6 hours flight time against the requirements in (a)(1)(i) and up to 3 hours in case of (a)(1)(ii)

Issue with current wording

Pilots flying other fixed wing aircraft should be credited.

Rationale

As explained in **comment 3250 Nr. 3** flight experience in fixed wing aircraft is very similar and therefore should be credited across these similar categories. It is not justifiable that pilots must fulfill the requirements in each category independently.

response

Not accepted

Thank you for providing your proposal.

The Agency has reconsidered the problem of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.

The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.

If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria.

comment

4294

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.140.A(a)(2)

Wording in the NPA

(2) passed a proficiency check on an aeroplane or a touring motor glider with an examiner, at least once in every 6 years

Our proposal**Change:**

(2) passed a **check flight with an instructor or a proficiency check with an examiner** on an aeroplane or a touring motor glider, at least once in every 6 years

Issue with current wording

It is neither proportionate nor feasible to require examiners to conduct the regular checks required by the basic regulation.

Rationale

Many more examiners would be required and costs would increase as the required number of examiners could not be recruited from the non commercial flying community and costly commercial examiners would have to be hired. As discussed in **comment 3250 Nr. 5** it is not mandatory by the basic regulation that these checks are conducted by examiners. Risk is sufficiently mitigated if the check flight is conducted with an instructor as implemented in the US.

response

Partially accepted

Thank you for providing your comment.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

4295

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.140.A(b)

Wording in the NPA

(b) Holders of a LPL(A) that do not comply with the requirements in (a) shall undertake a proficiency check with an examiner before they can resume the exercise of the privileges of their license.

Our proposal**Change:**

(b) Holders of a LPL(A) that do not comply with the requirements in (a) shall undertake a proficiency check with an examiner before they can resume the exercise of the privileges of their license. **As long as only the 1 hour training flight is missing for compliance exercise of the privileges may be resumed as soon as the training flight has been completed.**

Issue with current wording

A planned flight with an instructor can easily become overdue for many reasons that are not under control of the pilot.

Rationale

Due to weather conditions, unplanned personal unavailability, aircraft or airfield issues a planned training flight with an instructor may easily become delayed for several weeks and then fall out of the 24 month window. If all other requirements are met there is no difference in risk if the training flight is then conducted after more than 24 months. Of course no solo flights are allowed until the requirements are met again. The recency scheme as defined in this NPA does not have a true 24 month frequency and forces the pilots to schedule the next training flight after significantly less than 24 months to have a safe margin so that at some point in time it shifts into more unpredictable weather conditions. Pilots can also not stick to a more or less fixed date for their training flight e.g. first flight after the winter period. Allowing the training flights to be conducted after more than 24 months is an easy solution to this problem. The training flight option will be typically taken by pilots that exercise more flying in another category. With our proposed change the scheme more closely follows the US scheme which has now proven its practicability for a long time. Also the in Germany where a very similar scheme currently is implemented pilots no longer in compliance can resume exercise of their privileges as soon as the requirements are fulfilled again with or under observation of an instructor. The current scheme proposed in the NPA is unnecessarily rigid. It is always quite an effort to get hold of an examiner and costly. This should be avoided where not necessary.

response

Not accepted

Thank you for your comment.

However, the Agency does not see a need for this additional sentence. The training flight can be conducted at any time but the licence holder must have completed such a flight within the last 24 months before flying an aircraft.

To clarify this problem and in order to address a certain amount of comments asking for such an addition the Agency agrees in adding a requirement which will allow to complete the missing flying time or flight with or under supervision of an instructor.

comment

4604

comment by: *Patrick Diewald*

Eine Überprüfung alle 6 Jahre halte ich für überzogen. Der 1stündige Überprüfungsflug mit Fluglehrer sollte im Luftsportbereich vollkommen ausreichen.

response

Noted

Thank you for providing your comment.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

4770

comment by: *ECA- European Cockpit Association*

Comment:

(ii) 6 hours of flight time as pilot in command, including 6 takes offs and landings, and 1 training flight of at least one hour with an instructor; and

Justification:

To make it clear that it does not mean "or", it needs to be added at the end of (ii) the "and".

response

Noted

Thank you for providing your comment.

Initially the proficiency check proposed in (2) should be a requirement in addition to the items mentioned under (1). Therefore the use of the word "and" would clarify this.

However, 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 originally based on Annex III of the Basic Regulation where a mandatory assessment, check, test or examination is required and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proposed proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be

added. No additional "and" is needed as item (2) will be deleted.

Please see the resulting text.

comment

4933

comment by: *Erwin LAMMERS*

Sinds 10 jaar heb ik mn brevet ,telkens worden we geconfronteerd met nieuwe ideeën die het vliegen zg veiliger moeten maken -mijn inziens het idee om elke 6 jaar een examen te doen kan volgen mij gelijk in de prullenmand ,veilig vliegen doe je door de mensen te laten vliegen ,en geen maatregelen bedenken wie de piloten er van weerhouden om te gaan vliegen ik hoop dat dit idee dus snel verdwijnt.

response

Noted

Thank you for providing your comment.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

4939

comment by: *Prof. Dr. Alexander Bubenik*

FCL.140.A (a) (2) performed a training flight on an aeroplane or a TMG with an flight instructor, at least every other year. An sufficient skill level has to be an endorsed in the holders flight log.

I support the general idea of "skill reviews". But examiner check rides tend to be a bureaucratic and cumbersome method. Most LPL - Pilots operate within the realm of an aero club. Experience shows that aero clubs generate an atmosphere of self assessment (at least to protect the club's properties eg. club aircraft). If a pilot fails to meet the standards, he will feel compelled to brush up his skills and undergo training provided by his club's flight school. Our aero club (AC Nastätten/Germany) has established such a system, that obligates any pilot with less than 30 h flight time within the last 6 month to perform a flight review with a club instructor.

response

Partially accepted

Thank you for providing your comment.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years). This idea of a flight review with an instructor was also proposed in your comment and seems to be already in place in several aeroclubs.

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

5100

comment by: UK CAA

Paragraph:

FCL.140.A/H

Page No*: 14**Comment:**

Revalidation by "Rolling Revalidation/Continuous Experience" causes confusion and leads to pilots flying without a valid rating. This should be changed to require an entry in the Certificate of Revalidation page of a LPL.

Justification:

Proposed method of revalidation will cause confusion.

Proposed Text:**(if applicable)**

New FCL.140.A/H:

Holders of LPL(A)(H) shall only exercise the privileges of their licence when they have a valid entry for the aircraft category engaged in the Certificate of Revalidation page in their licence. An authorised flight examiner may make such an entry in the Certificate of Revalidation page of the holder's licence when he (or she) is satisfied that the holder has within the previous 24 months completed:

response

Noted

Thank you for providing your opinion.

During the drafting phase of the LPL concept the Pro's and Con's for a "rolling" system and for a "fixed system" with revalidation dates were discussed. Based on the experience in some Member States using such a system and having in mind the request for a licence with less administrative burden the group proposed a "rolling" system with a recency requirement instead of a revalidation system with the need to ask for an examiner or the NAAs to revalidate this licence (or a specific rating).

The Agency is of the opinion that the licence holder must check his

actual logbook entries anyway in order to plan the biennial training flight with the instructor. In parallel he/she should be able to check his recent flying time. It cannot be seen that this will create confusion.

As also the majority of stakeholders is clearly in favor with the proposed system and do not see the risk for the mentioned problem the Agency will keep the proposed system.

comment

5101

comment by: UK CAA

Paragraph:

FCL.140.A/H

Page No*: 14**Comment:**

The requirement to pass a proficiency check with an examiner every six years would not be consistent with a standard validity period of the licence, if that is intended (see comment on FCL.040).

If standard expiry after 5 years is intended a pilot could be issued a licence and have it expire after 5 years without requiring a proficiency check with an examiner. In this case, the requirement to pass a proficiency check should be once every 5 years. This requirement could then be checked on renewal of the licence – no proficiency check within the preceding 5 years precludes renewal.

Justification:

Inconsistency between (possible) validity of licence and proficiency check requirement.

Proposed Text:**(if applicable)**

Depending on intention: New FCL.140.A/H(a)(2):

Passed a proficiency check on the category of aircraft engaged with an examiner authorised to conduct examinations on the aircraft category at least once every 5 years.

response

Noted

Thank you for providing your comment on harmonising the different validity periods. The issue was discussed during the review and the Agency agrees in general that the different periods given should be aligned.

However, the issue of the proficiency check was in general 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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years).

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

5104

comment by: UK CAA

Paragraph:

FCL.140.S(a)/(b)(2)

Page No*: 14**Comment:**

See uK CAA comment on FCL. 140.A/H and on FCL.040

Justification:

Inconsistency between (possible) validity of licence and proficiency check requirement.

Proposed Text:**(if applicable)**

Depending on intention New FCL.140.S(a)(2):

Passed a proficiency check on the category of aircraft engaged with an examiner authorised to conduct examinations on the aircraft category at least once every 5 years.

New FCL.140.S(b)(2):

Passed a proficiency check on the category of aircraft engaged with an examiner authorised to conduct examinations on the aircraft category at least once every 5 years.

response

Noted

Thank you for providing your opinion,
Should be addressed to LPL(S) recency but it is the same proposal as for the LPL(A) recency.

Please see response for your comment No. 5101.

comment

5137

comment by: Dieter Zimmermann

Zu FCL.140.A:

Der Text ist wie folgt zu formulieren:

Inhaber eines LPL(A) dürfen die darin eingetragenen Rechte nur dann ausüben, wenn Sie eine der drei Bedingungen erfüllen:

(i) Innerhalb der letzten 24 Monate vor dem Flug eine Flugzeit von 12 Stunden sowie 12 Starts und Landungen auf Flugzeugen mit einer höchstzulässigen Abflugmasse von höchstens 2000kg, Touringmotorseglern, Segelflugzeugen oder aerodynamisch gesteuerten Ultraleichtflugzeugen als verantwortlicher Luftfahrzeugführer.

(ii) 6 Stunden Flugzeit und 6 Starts und Landungen auf Flugzeugen mit einer höchstzulässigen Abflugmasse von höchstens 2000kg, Touringmotorseglern, Segelflugzeugen oder aerodynamisch gesteuerten Ultraleichtflugzeugen als verantwortlicher Luftfahrzeugführer, ein mindestens einstündiger Flug in Begleitung eines Fluglehrers. Hierbei können fehlende Flugzeiten, Starts und Landungen durch Flugzeit, Starts und Landungen im Alleinflug unter Aufsicht eines Fluglehrers ergänzt werden.

(iii) Eine Befähigungsüberprüfung durch einen Prüfer mit Befähigung für LPL(A).

Begründung:

Es dürfte bekannt sein, dass Flugerfahrung auf grossen Flugzeugen ungeeignet

ist, für die Führung von kleinen Flugzeugen. Deshalb sind nur Erfahrungen auf Flugzeuge bis 2000 kg in Betracht zu ziehen. Bis 2003 wurden Flugerfahrung bei der Verlängerung von Luftfahrerscheinen Flugzeugführer anerkannt. Es zeigten sich keine negativen Erfahrungen, so dass es keinen Grund gibt Zeiten und Starts auf Segelflugzeugen nicht in Betracht zu ziehen. Es gibt keinen vernünftigen Grund Flugzeiten und Starts auf aerodynamisch gesteuerten Ultraleichtflugzeugen nicht mit einzubeziehen, zumal es viele Ultraleichtflugzeuge gibt, die baugleich als Flugzeug zugelassen sind. Wie schon in der Einführung dargelegt ist Absatz (a)(2) ersatzlos zu streichen. Aus Gründen der Rechtssicherheit ist die Möglichkeit, Zeiten, Starts und Landungen unter Aufsicht eines Fluglehrers zu fliegen, explizit darzulegen.

response *Partially accepted*

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412 (Geschäftsführer Luftsportverband RP) on crediting for microlight flying experience and the proficiency check.

Flying time in pure sailplanes (not TMGs) is not seen as an adequate flying experience to fulfill the recency requirements for the aeroplane licence. To make it a bit more clear: The Agency is of the opinion that flying time in for example a Bergfalke or ASK 13 is certainly slightly different from flying a PA 28 or a Cessna 172. As a result the Agency will not add the term "sailplane" here.

However, a sentence will be added clarifying that missing flying time or flights can be completed with or under the supervision of an instructor.

comment *5156*

comment by: *Werner LADNER*

refer to FCL.140.A (a)(1)(2)

Lots of pilots have two or three licences of aeroplane, TMG, 3-axis control microlight or sailplane. The planes and skill sets are similar. Therefore the flight time can be credited.

The proficiency check every six years creates too much bureaucracy. This rule is against the main intention not to create more bureaucratic obstacles. In Germany there are not enough examiners to check all the pilots. Extending the number of available examiner personnel is difficult and increases costs.

Besides, a proficiency check with an examiner will not give more safety.

Instead of examiners, flight instructors are perfectly capable to check the pilot's skills. Flight instructors are in clubs or flight schools. Consequently they are always available and have the pilot's flight experience under control.

I suggest to change FCL.140.A

(a)(1): completed, in the last 24 months, as pilot of aeroplanes, TMG or **3-axis control microlights** at least:

(i) 12 hours

(a)(2): *passed a training flight with a **flight instructor or examiner** on an aeroplane or a touring motor glider at least once in every 6 years.*

response *Partially accepted*

Thank you for providing your opinion. As this comment is mentioning the same two items as comment No. 412 please see the response for comment No. 412

(Geschäftsführer Luftsportverband RP).

comment

5184

comment by: *Carsten Fuchs*

Der Prüfungsflug alle 6 Jahre sollte komplett gestrichen werden.

Begründung:

Vor JAR-FCL haben die Piloten in Deutschland ihre Berechtigungen im wesentlichen nur auf der Basis von Flugzeiten verlängert, d.h. sie mussten nach ihrem Prüfungsflug unter günstigen Umständen nie mehr einen Fluglehrer sehen.

Ob gut oder schlecht - es hat funktioniert.

Mit JAR-FCL 1 haben sich die nachzuweisenden Mindest-Flugzeiten verändert und es kam der einstündige Übungsflug mit Fluglehrer hinzu.

Nach meiner Erfahrung hat sich das bestens bewährt!

Fast jedes Mal sagt mir der Pilot nach dem Flug: "*Gut das wir das und das mal gemacht haben, das habe ich schon lange nicht mehr gemacht!*"

Der Vorteil beim Übungsflug ist, dass man gezielt Schwächen suchen **und beheben** kann!

Die Piloten haben da auch das Vertrauen zu sagen "Übung XY mache ich nicht gern", "neulich ging mir das und das daneben usw."

Bei einem Prüfungsflug dagegen ist jeder froh wenn er ruhig sein kann und "durchkommt".

Alternativ-Vorschlag:

Streichen Sie den Prüfungsflug alle 6 Jahre.

Stattdessen z.B. (ausnahmsweise ;-) **höhere Flugstunden plus den Übungsflug mit Fluglehrer** verlangen.

Teil (a) könnte also lauten:

(a) Holders of a LPL(A) shall only exercise the privileges of their licence when they have completed, in the last 24 months, as pilots of aeroplanes or TMG at least:

***20** hours of flight time as pilot in command, including **20** takes offs and landings, **and 1** training flight of at least one hour with an instructor.*

response

Partially accepted

Thank you for providing your comment.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years). This idea of a flight review with an instructor was also proposed in your comment.

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

The proposed increasing of the required flight time was discussed but as the level reached now is at the same level as for the PPL the experts agreed to keep the proposed requirement for a minimum of 12 flying hours.

Please see the resulting text.

comment

5186

comment by: Klaus Melchinger

Regarding

(a)(1):

A period of 24 month is in strong contrast to the 90 day period proposed in FCL.060. Also, experience shows, a "hand full" (= 5) of starts is sufficient to keep skills sufficiently current, but two years of pausing is long enough to make some of the needed details of skills forgotten.

To adjust for those practical experiences and for simplifications of matters it's proposed to shorten this 24 month period to 12 months. Accordingly, the numbers of flight time and landings should be reduced by 50% as well.

In exchange, the 90 day period proposed in FCL.060 should go away for non-commercial aviation, as commented there.

The text of the proposed FCL.140(A) (a)(1) would be:

(a) Holders of a LPL(A) shall only exercise the privileges of their license when they have:

(1) completed, in the last 12 months, as pilots of aeroplanes, TMGs, gliders or Ultralights at least:

(i) 6 hours of flight time as pilot-in-command, including 6 take-offs and landings; or

(ii) 3 hours of flight time as pilot-in-command, including 3 take offs and landings, and 1 training flight of at least one hour with an instructor.

The text of the proposed FCL.140(H) (a)(1) would be:

(a) Holders of a LPL(H) shall only exercise the privileges of their license on a specific type when they have:

(1) completed on helicopters of that type in the last 12 months at least:

(i) 6 hours of flight time as pilot-in-command; or

(ii) 3 hours of flight time as pilot-in-command, and 1 training flight of at least one hour with an instructor.

The text of the proposed FCL.140(A) (a)(1) would be:

(a) Sailplanes and powered sailplanes.

Holders of a LPL(S) shall only exercise the privileges of their license on sailplanes or powered sailplanes when they have:

(1) completed on sailplanes, in the last 12 months, at least:

(i) 3 hours of flight time as pilot-in-command, including 5 launches; or

(ii) 1.5 hours of flight time as pilot-in-command, including 3 launches, and a minimum of 3 training flights with an instructor;

(b) TMG.

Holders of a LPL(S) shall only exercise the privileges of their license on touring

motor gliders when they have:

- (1) completed on touring motor gliders, in the last 12 months, at least:
 - (i) 6 hours of flight time as pilot-in-command, including 6 launches; or
 - (ii) 3 hours of flight time as pilot-in-command on TMG, including 3 take offs and landings, and 1 training flight of at least one hour with an instructor.

**Regarding (a)(2) and (b) in FCL.140(A, H),
regarding (a)(2), (b)(2) and (c) in FCL.140(S):**

As each pilot affected by (a)(2) shows his sufficient skills year by year by flying successfully and free of accidents, enhancements reached by a six-yearly proficiency check can be minor at best.

Requiring an examiner for recurring check flights would put an extraordinary burden on currently available personnel.

Currently in Germany, we have less than one examiner per thousand license holders. Requiring a check flight each six years would ask them to do about 200 additional check flights yearly.

The costs of these check flights alone, and the costs of travel for each pilot to meet his examiner would be in no relation to the safety advantages achievable by this rule.

Extending the number of available examiner personnel is difficult, as only very aged pilots typically reach the high experience requirements for examiners in private aviation.

Accordingly, pilots would be required to hire professional examiners, increasing costs even more.

On the other side, a Flight Instructor is perfectly capable to judge on a pilot's skills, as he does such judgements almost daily as part of his instruction flights.

Considering all this, it's proposed to not require an examiner, but to require a Flight Instructor for proficiency checks instead.

Additionally, six-yearly repetitions of skill tests should be dropped.

The text of FCL.140(A), FCL.140(H) would be:

- (a) [...]
- (1) [...]
- (i) [...]
- (ii) [...]
- (b) Holders of a LPL(A, H) that do not comply with the requirements in (a) shall pass a proficiency check with a Flight Instructor before they can resume the exercise of the privileges of their license.

The text of FCL.140(S) would be:

- (a) [...]
- (1) [...]
- (i) [...]
- (ii) [...]
- (b) [...]
- (1) [...]
- (i) [...]
- (ii) [...]
- (3) [...]
- (c) Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall pass a proficiency check with a Flight Instructor before they can resume the exercise of the privileges of their license.

response *Noted*

Thank you for providing this comment but as it seems to be only a copy of the comments No. 2070 and No. 2071 see responses provided already to comments No. 2070 and No. 2071 (M. Hitter).

comment

5358

comment by: *CAA Belgium***Comment:**

The recency requirements must be on the relevant class or type. It's an enormous difference to land and take off with a seaplane in comparison with a land version. The proposal could lead to serious flight safety problems.

Proposal:

(a) Holders of an LPL(A) shall only exercise the privileges of their licence when they have:

(1) completed, in the last 24 months, as pilots of aeroplanes in the relevant class/type or TMG, at least:

(i) 12 hours of flight time as pilot-in-command, including 12 takeoffs and landings; or

(ii) 6 hours of flight time as pilot-in-command, including 6 takeoffs and landings, and 1 training flight of at least one hour with an instructor;

(2) passed a proficiency check on an aeroplane in the relevant class/type or a touring motor glider with an examiner, at least once in every 6 years.

(b) Holders of an LPL (A) that do not comply with the requirements in (a) shall undertake a proficiency check in the relevant class/type with an examiner before they can resume the exercise of the privileges of their licence.

response

Accepted

Thank you for providing your opinion. As this comment is only a duplicate of comment No. 1066 please check response given to comment No. 1066 (Swedish CAA).

comment

5611

comment by: *David Trowse*

FCL140A.

Delete (a)(1)(ii).

Add a requirement for a 1 hour training flight with an instructor to (a)(1)(i).

In order to bring more into line with the requirements for more highly trained and experienced pilots with PPLs CPLs etc.

response

Accepted

Thank you for providing your comment.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years). This idea of a training flight with an instructor was also proposed in your comment.

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

5770

comment by: *Royal Danish Aeroclub*

FCL.140.A (b)

there is no reason to have proficiency check with an examiner, at least once in every 6 years.

The text should be changed to:

"passed a proficiency check on an aeroplane or a touring motor glider with an flight instructor or examiner, at least once in every 6 years."

See also Cmt# 3435.

response

Partially accepted

Thank you for providing your comment.

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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.

Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years). It should be mentioned that by definition a proficiency check (please see "FCL.010 Definitions") cannot be done with an instructor.

It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.

Please see the resulting text.

comment

5849

comment by: *EFLEVA*

EFLEVA request confirmation that hours flown on aircraft of types listed in

	Annex II shall count towards the recency requirements for EASA LPL.
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency has reconsidered the problem of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.</p> <p>The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.</p> <p>If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria.</p> <p>If flight time on Annex II aeroplanes could be counted towards this recency requirement has to be clarified on a later stage. The text is asking only for flight time on single-engine piston aeroplanes but does not exclude certain Annex II aeroplanes.</p>
comment	<p>5851 comment by: <i>EFLEVA</i></p> <p>EFLEVA suggests a revision to remove the "proficiency check with a FE in every 6 years" and replace this with a one hour training flight with a LAFI or FI every two years.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your comment.</p> <p>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 and was initially seen as a suitable tool to guarantee a certain standard for LPL licence holders.</p> <p>Based on the input received the Agency further evaluated the framework given by the Basic Regulation and decided to delete the proficiency check, 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 of the proficiency check (every 6 years). This idea of a flight review with an instructor was also proposed in your comment.</p> <p>It should be highlighted that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept (this option was already proposed but without a flight with an instructor). The training flights with an instructor will now be added.</p>

comment	<p>5938 comment by: <i>Christoph Talle</i></p> <p>see my comment FCL.110.A. Also here all times flown with aeroplane or TMG should be accumulated. (see JAR FCL 1.245) In Germany we have very good experience accumulating times of "fixed" wing aircraft.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment on this segment.</p> <p>The Agency does not know if the comment was understood completely. The comment asks for an accumulation of flying time on SEPs and TMGs.</p> <p>As this is already allowed and mentioned in FCL.140.A with the wording "as pilot of aeroplanes or TMG" the Agency cannot see a need to change the proposal. To clarify the issue even more the wording "and/or" will be added.</p>
comment	<p>5940 comment by: <i>Luftsport-Verband Bayern</i></p> <p>Die Bedingungen zur Ausübung der Rechte aus der Lizenz sind u.a. an eine Befähigungsüberprüfung mit einem Prüfer (alle 6 Jahre) geknüpft. Die Basic-Regulation 216/2008 formuliert in Anhang III, 1.e.2: "Die praktischen Fertigkeiten müssen in angemessenem Umfang aufrechterhalten werden. Die Erfüllung dieser Anforderung ist durch regelmäßige Bewertungen, Prüfungen, Tests oder Kontrollen nachzuweisen. Die Häufigkeit von Prüfungen, Tests oder Kontrollen muss dem mit der Tätigkeit verbundenen Risiko angemessen sein." Aus dieser Formulierung lässt sich die Notwendigkeit einer zusätzlichen Überprüfung durch einen Prüfer nicht ableiten. Die alle zwei Jahre durchzuführenden Flüge mit Fluglehrer sind ausreichend im Sinne o.g. Vorgabe. Eine ausreichende Anzahl von Prüfern würde eh nicht zur Verfügung stehen oder kurzfristig berufen werden können.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.</p> <p>See the resulting text.</p>

comment	<p>6170 comment by: <i>CAA Finland</i></p> <p>FCL.140.A(a)(1): Comment: Is it clear that 24 month is a sliding time frame; counted from the present day?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>During the drafting phase of the LPL concept the Pro's and Con's for a "rolling" system and for a "fixed system" with revalidation dates were discussed. Based on the experience in some Member States using such a system and having in mind the request for a licence with less administrative burden the group proposed a "rolling" system with a recency requirement instead of a revalidation system with the need to ask for an examiner or the NAAs to revalidate this licence.</p> <p>The Agency is of the opinion that the licence holder must check his actual logbook entries anyway in order to plan the biennial training flight with the instructor. In parallel he/she should be able to check his recent flying time. It cannot be seen that this will create confusion.</p> <p>As also the majority of stakeholders is clearly in favor with the proposed system and do not see the risk for the mentioned problem the Agency will keep the proposed system with a "sliding time frame".</p>
comment	<p>6233 comment by: <i>Danish Ultralight Flying Association</i></p> <p>Many Annex II aircrafts are as complicated as simple smaller aircraft and do generate a substantial flying experience, despite the airworthiness is not covered by the basic regulation.</p> <p>We therefore suggest FCL.140.A (a) (1) extended as follows:</p> <p>"completed, in the last 24 months, as pilots of aeroplacnes, TMG or 3-axis ultralight aircraft at least: ...</p>
response	<p><i>Not accepted</i></p> <p>The Agency has reconsidered the problem of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.</p> <p>The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.</p> <p>If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in</p>

order to fulfill the criteria.

comment

6405

comment by: *Sam Sexton*

Reference FCL140.A (2)
the 6 yearly proficiency check..

Don't think this has been thought through properly by EASA. I.e. cost, this one rule alone will probably mean a considerably drop in pilot numbers as pilots give up fly altogether.

Reasons: -
Cost.

Examiners charge excessive fee for a proficiency check/General flight test(GFT).

-I was charged approx 200 euro just as a test fee.

- pilots would feel they would need to do several hours with an instructor prior to a test again additional cost.
-
- I fly microlights and annex 2 aircraft. To do this proficiency test I would have to join a flying club additional fees. Pay aero club rates for hire of their aircraft currently around 200 euros and hour with an instructor
- again the hire of the aircraft for the test itself. Which could take up to 2 hours with the additional costs.
- this will therefore require a RIA.
-

Suggest that the current bi-annual flight with an instructor is now made a test flight with any instructor (not just an examiner). Where the instructor can refuse to sign of the pilots log books etc. if the instructor is unhappy with the pilots general flying.

Generally this flight is used by pilots to freshen up on certain areas of flying with an instructor. EFATO, Practice force landings. Stalls etc. etc.

Additionally there is some queries amongst instructor whether this flight can be split i.e. if I we fly to another airfield have a brake and fly back as long as the total flight time is more than one hour.

Seem certain NAA,s interrupt this different and require a flight of 1 hour with no brakes/stops.

response

Partially accepted

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Regarding the mentioned additional costs the Agency is questioning that a flight with an examiner every 6 years would have been more expensive than a flight with an instructor every 2 years. Additionally it should be mentioned that for pilots flying only Annex II aeroplanes or microlights the requirements do not apply.

As a last item the comment mentions the question if such a training flight can be split. The Agency agrees with the opinion that the required training flight should have a total flight time of at least one hour but can have several landings in between.

comment

6486

comment by: *IAOPA Europe*

The requirement that a pilot must pass a proficiency check with an EXAMINER every 6 years should not apply for the LPL and PPL and for the class rating for a SEP. The option to do a training flight with an instructor is preferable for the non-professional pilot, since it actually gives the pilot training and upgrades or helps maintain his skills.

The normal atmosphere in a checkride situation does nothing to improve the pilots flying skills or knowledge. On the contrary, the pilot will typically refrain from asking questions and touch subjects where he knows that he has weaknesses.

If a check is regarded as necessary in order to satisfy the basic regulation, it is proposed to combine it with a training flight, that may be conducted by the FI or LAFI, and where the instructor by the end of the flight will pass or fail the pilot based on the same objective criteria as the proficiency check.

Training flights with instructors as introduced under JAR-FCL are fully sufficient for fulfilling the requirements of the Basic Regulation.

The Basic Regulation in its respective Annex III 1.c.2. and 1.e.2. doesn't require Proficiency checks from Examiners, but regular "assessments, examinations, tests or checks". Assessments or checks can of course be conducted by Flight Instructors. Considering that a flight instructor is authorised to send a student solo, it should be obvious that s Flight Instructor is able to assess the if a pilot operates safely.

If the Agency believes that training flights with flight instructors were to an unacceptable degree not conducted as intended by the authorities, appropriate measures have to be taken to assure the desired quality of future training flights. Flight Instructors could be required to follow an official checklist of required exercises and to sign that all exercises were performed by the applicant in an acceptable way. Such a checklist could also be used for checking the theoretical knowledge of the applicant.

If a proficiency check with an examiner is maintained IAOPA fears that this will create a mental barrier for a number of non-professional pilots and push people out of General Aviation. Feedback from IAOPA members shows that many pilots regard the introduction of Proficiency Checks as a signal of severe mistrust and that they are rather willing to give up flying than to undergo these proficiency checks.

It is also unclear where the high number of required Examiners could come from, a new dangerous bottleneck would be created.

response

Partially accepted

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added (as proposed also in your comment).

comment

6493

comment by: *Austro Control GmbH*

Comment:

Six years are a too long lasting period.

Proposed Text:

(a) (2) passed a proficiency check on an aeroplane or a touring motor glider with an examiner, at least once in every **2** years.

response

Partially accepted

Thank you for providing your opinion.

However, the issue of the proficiency check was discussed during the review phase based on the enormous amount of comments dealing with this issue. An overwhelming majority was criticising the proposal for a mandatory proficiency check. The EASA 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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

6527

comment by: *Luftfahrtbehörde Schleswig-Holstein Landesbetrieb
Straßenbau und Verkehr*

Die Befähigungsüberprüfung im sechs Jahresrhythmus ist abzulehnen. Sie ist nicht erforderlich, da unter der Voraussetzung des FCL.140.A (a) (1) und im Rahmen der Verlängerung / Erneuerung einer Klassenberechtigung eine ausreichende Überprüfung gewährleistet ist. Die geforderte Befähigungsüberprüfung führt zu unnötigem Bürokratismus und birgt die Gefahr, dass zahlreiche Privatpiloten keine Verlängerung ihrer Lizenz

beantragen werden.

Nach FCL.140.A (a) (1) (ii) wird u. A. „*a training flight of at least one hour with an instructor*“ gefordert.

Um sicherzustellen, dass der Fluglehrer auch die Kompetenz hat festzustellen, dass der Bewerber den Flugaanforderungen genügt/nicht genügt, sollte (sprachlich) formuliert werden, dass der Übungsflug nicht nur „mit“, sondern „unter Aufsicht“ des Fluglehrers erfolgt.

Vorschlag:

(a) (1) (ii) 3. Spiegelstrich

„*a training flight of at least one hour **under the survey of a flight instructor** [...]*“

Streichung von (a) (2)

response

Partially accepted

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 wording used in 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. (as proposed also by you)

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

6554

comment by: *Light Aircraft Association UK*

Paragraph a)1). Confirmation is requested that hours and flight cycles flown on Annex II aircraft count towards the recency requirements given here.

Paragraph a)2). A suggested alteration here would be perhaps to replace the proficiency check with a FE in every 6 years by a one hour training flight with a LAFI or a FI once in every two years. We feel that the removal of the 'one hour' requirement is a retrograde step.

On one hand, this proposed rule would favour safety in the sense the pilot would fly with a FI more frequently. On the other hand, the relative shortage of FEs is a serious consideration.

response

Partially accepted

Thank you for providing your comment.

The Agency has reconsidered the problem of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.

The Agency decided to give credit for a certain amount of previous flight

experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.

If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria.

If flight time on Annex II aeroplanes could be counted towards this recency requirement has to be clarified on a later stage. The text is asking only for flight time on single-engine piston aeroplanes but does not exclude certain Annex II aeroplanes.

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

6909

comment by: *Austrian Aero Club*

FCL.140.A – (2) Verlängerungsbedingungen

Der Österreichische Aero Club lehnt die regelmäßigen Befähigungsüberprüfungen für die im Luftsport relevanten Lizenzen grundsätzlich ab.

Sollten folglich alle Sport-Lizenzen 2012 in EU-Lizenzen umgewandelt werden, so würden bei den 6-jährigen Intervallen die Befähigungsüberprüfungen erstmals 2018 anfallen.

Der Österreichische Aero Club sieht z. B. aus den Erfahrungen des über 80 Jahre in Österreich betriebenen Segelflugsports keine Begründung für eine derartige Verschärfung und Belastung für eine Flugsportdisziplin.

Wenn diese Verschärfungen des Lizenzerhaltes – die viele Piloten in Österreich als Schikane betrachten – jedoch nicht abzuwenden sind, dann eben nur für solche Lizenzen, die nach 2012 ausgestellt worden sind.

response

Noted

Thank you for providing your comment.

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment 7109 comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

FCL.140.A (a)(2)

Requirement set for proficiency check every 6 years with an examiner is a strongly oversized requirement for the purpose. Furthermore, it would require a strong need to get volunteer sport aviators to be interested to be examiners and take care of the work of hundreds of proficiency check flights according to the proposed system.

Justification:

In the sports flying area in Finland there are no safety based signs that an additional controlling system by proficiency checks with qualified examiners needs to be created. If a flight for checking pilots general skills is needed, it shall be able to be made by an instructor. This should well fulfil the Essential Requirements.

Proposed text:

Change to read: Has passed a training flight for skills refreshment with an instructor on an aeroplane or TMG at least once every 6 years

response *Partially accepted*

Thank you for providing your comment.

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 wording used in 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 (as proposed also in your comment).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment 7256 comment by: *Peter Holland*

FCL.140.A LPL(A) - Recency requirements

Given this licence is granted at a lower training and experience level to the full

PPL, surely the recency requirements should be increased from that of a PPL(A), whereas these requirements are somewhat short of current UK CAA PPL(A) requirements.

Surely a low experience licence such as this should require an annual checkflight with an examiner preferably, instructor maybe. In the UK on helicopters, we are required even as PPLs to undergo a full LPC every year.

response *Noted*

Thank you for providing your comment.

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 wording used in 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. (as partly also proposed in your comment)

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added. The Agency is not of the opinion that the recency requirements should be on a higher level than the ones for the PPL revalidation.

comment 7417

comment by: *Anja Barfuß*

It is good to define regularly checks. But is it need that a examiner has to do it? For my understanding the same effect of safety could be reached if a FI do a regularly refresher with the holder. Referring to the high requirements for examiner defined in other part of this document, I would expect a lack of examiner and problems to organise this high number of tests.

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 maybe for the instruction certificate. Please review if a simplification for pilots with more than 1 licence could be found.

response *Accepted*

Thank you for providing your comment.

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

As a second issue the simplification for pilots holding more than one licence was requested. The Agency reviewed this issue and came to the conclusion that there should be a certain minimum flight time in each class of aircraft to be current and that no crediting for flight time in other aircraft categories should be given. No text change is envisaged.

comment

7582

comment by: *Leiter LTB LSVRP*

Die Bedingungen für die Verlängerung werden akzeptiert, der bisher eingeführte Stundenflug mit Fluglehrer ist ein geeignetes Mittel, Schwächen beim Piloten zu erkennen und hier entgegenzuwirken. Damit ist die angestrebte Einführung eines Proficiency-Checks alle 6 Jahre mehr als überflüssig, zumal die bisherigen Erkenntnisse dieses nicht erforderlich gemacht haben. Es entstehen nur unnötige Kosten, die dem Luftsport abträglich sind.

FCL.140.A(b) Da der LPL ein Luftsportschein unterhalb des PPL(A) ist, sollte eine abgelaufene Berechtigung nach Erfüllen der Verlängerungsbedingen mit oder unter Aufsicht eines Fluglehrers erneut aktiviert werden können.

response

Partially accepted

Thank you for providing your comment.

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

The Agency will also add a requirement which will specify that the missing hours or flights can be performed with or under supervision of an FI/LAFI.

comment

7751

comment by: *Europe Air Sports, VP*

As already strongly objected in NPA 2008 17 a EAS repeats that for all LPL licenses and PPL A, SPL and BPL, the requirement for a prof check every six years is not necessary and not acceptable. The second issue being not manageable is the requirement for the check flown by an examiner. While this might be possible in a Member State with a very small sports pilot population this system will not work in the countries with many sports pilots. Up to now, revalidation was granted by the pure evidence of experience, except for FCL where the 1 hour training flight with a flight instructor was introduced prior to the expiry date of the rating.

This system has been accepted.
We propose this system for licenses with the privilege to operate aeroplanes. Ballons and sailplanes licenses should be revalidated the old fashion way.

The argument used from the Basic regulation that only Examiners can assess performance is not a real argument. Every FI permanently assesses the performance of his student and adjusts the remaining training accordingly before he lets the student fly solo. This responsibility requires more assessment ability than the one time prof check of an examiner.

Please take this comment as master for all recency requirements where the six year prof check is required for further exercising the repective privilege.

response *Noted*

Thank you for providing your opinion.

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 provided 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 for the LPL(A) .

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

7783

comment by: *European Microlight Federation*

(a) (2) Disagree. The requirement for a proficiency check every 6 years is unnecessary.

response

Noted

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 provided 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

7905

comment by: *RSA*

Even if the Proficiency check every 6 years is part of the essential requirements , that request should be challenged and review at the occasion of an amendment of ER 216.

RSA considers that a proficiency check should only be requested for CPL or higher rank of license.

For the other categories of licenses , the flight with an instructor has proved to fulfill the need

response *Noted*

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 provided 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment 7920

comment by: *Wolfgang Lamminger*

According to today's applicable regulations JAR-FCL 1.245 (c) (1) (ii), the renewal of the rating should also in future be carried out only by a training flight or "flight review" with a flight instructor."

The in the NPA mentioned proficiency-check every 6 years

- brings up a needless bureaucracy for the holder
- brings up a needless raise of cost for renewal of the rating
- brings a needless delay fort he renewal of the rating, because the current organisation of the local aviation authorities is not almost able to represent the necessary number of Flight-Examiners (FE) and it will not be able to do so in future, because of the relation of the number License holders and Flight examiners. The way, private aviation is nowadays organized in Germany and adjacent countries, is oriented in a considerable extent in voluntary and unsalaried staff.
- does not at all raise safety by carrying out a checkflight every 6 years. In fact, security only can be achieved by practise and training. A checkflight with an "authorized" examiner will never reach the quality of a training within a trustfully "trainer-trainee" relation.
- it is in question, if in areas where today already periodical checkflights for rating prolongation take place, a significant raise of safety is achieved. (e. g. instrument ratings, type ratings), or if not practise and training are exclusive crucial for today's standard.

It is suggested to replace the regulation as follows:

"passed a training-flight of a minimum of 1 hour with a FI(A) or CRI(A) within the last 24 month"

A reduction of the period to the last 12 month would not be suggestiv, because the general validity of the rating is 24 month and different time ranges would be in dissent to the general validity of the rating/license.

Alternatively it could be suggestive to include the requirement of theory training into the regulation as follows:

„passed a training-flight of a minimum of 1 hour and 1 hour ground training with a FI (A) or CRI (A) [...]“

According to the regulations fort he renewal of ratings/licenses it has to be referred to the for decades proven praxis of "flight reviews" according FAR-AIM § 61.56.

It can be assumed, that currently rated and trained flight instructors have the necessary sense of responsibility, to conduct the renewal of ratings/licenses. If EASA couldn't decide to lapse the periodical proficiency checks, the qualification of flight instructors should anyway be expanded to the privilege of an "examiner", according to the mentioned rule.

response *Accepted*

Thank you for providing your opinion.

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 provided 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

7969

comment by: *Ingo Wiebelitz*

FCL.140.A

(1) Volle Zustimmung!

(2) Ablehnung in dieser Form! Ein Checkflug mit einem Fluglehrer soll ausreichend sein! Fluglehrer können in der Regel einen guten Übungsstand nachweisen. Die große Anzahl an ehrenamtlich tätigen Fluglehrern ist Garant für geringe Kosten und hohe Effizienz bei hoher Sicherheit!

response *Noted*

Thank you for providing your opinion.

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 provided 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

8102

comment by: *EPFU is the European Union of national powered flying organisation from the 10 main European countries*

EPFU supports the general consensus to consider that, for LPL and PPL, a proficiency check **with a FE** every 6 years is unadapted to the activity. Regular training with a Flight Instructor seems more efficient and adapted to maintain proficiency and a good level of safety. In addition the number of FE needed for all those checks is completely unrealistic.

response

Accepted

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 provided 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

8185

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

Der zweijährige Checkflug mit einem "Fluglehrer" soll für uns Freizeitpiloten bestehen bleiben, da er völlig ausreichend ist. Die vorgesehene 6jährige Wiederholungsprüfung mit einem Prüfer ist eine unnötige kostenpflichtige Ausweitung (siehe meine Ausführungen und Begründungen am Anfang meines Kommentars).

Bei allen vorgesehenen Regelungsänderungen sollen die Altrechte erhalten bleiben (Grandfathers rights!).

response

Partially accepted

Thank you for providing your comment.

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 wording used in 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Regarding your second issue the mentioned "grandfather rights" it should be mentioned that the conversion of national licences and ratings will be regulated by the Cover Regulation. It is foreseen that the conversion will be done by the Member States. The Agency agrees that it should be possible to transfer most of the privileges into the future system.

comment

8258

comment by: *Klagenfurter Flugsport Club*

Wir lehnen die regelmäßigen Befähigungsüberprüfungen für die im Luftsport relevanten Lizenzen grundsätzlich ab.

Sollten folglich alle Sport-Lizenzen 2012 in EU-Lizenzen umgewandelt werden, so würden bei den 6-jährigen Intervallen die Befähigungsüberprüfungen erstmals 2018 anfallen.

Wir sehen z. B. aus den Erfahrungen des über 80 Jahre in Österreich betriebenen Segelflugsports keine Begründung für eine derartige Verschärfung und Belastung für eine Flugsportdisziplin und es soll auch für Lizenzen, die ab 2012 ausgestellt werden, keine Veränderungen geben.

response

Noted

Thank you for providing your comment.
See response for comment No 6906.

comment

8273

comment by: *Paul Mc G*

Para a1). Are hours and flights flown on Annex II aircraft counted towards the recency requirements?

Para a2). The proficiency check with a FE in every 6 years seems a retrograde step. Could a one hour training flight with a LAFI or a FI once every year not be better? Except for the shortage of FEs??

response

Noted

Thank you for providing your comment.

Regarding the first issue the Agency has reconsidered the problem of crediting

for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.

The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in this requirement the Agency will not allow to count also flight time on other aircraft categories than single-engine piston aeroplanes or TMGs. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories like sailplanes, helicopters or Annex II aircraft such as microlights.

If the LPL licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP or TMG in order to fulfill the criteria.

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.

As a second issue the comment is dealing with the proposed proficiency check. Based on the input received the Agency 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

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

Thank you for providing your comment.

The Agency agrees in general that it would be helpful to align the different given validity periods (licence, ratings, certificates). It should be mentioned that the Agency has decided to delete the 6-years proficiency check. This means that the 6-years interval will introduced. For the other periods please see the comments and the resulting text in the appropriate segments.

comment	<p>1930 comment by: <i>SHA Guido Brun</i></p> <p>delete section.</p> <p>Justification: Differences between Specific LPL licence and PPL(H) are minor. Not worth to introduce an additional licence.</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 the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete the Basic LPL for helicopters or to change the training requirements. The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.</p> <p>The full LPL with 40 hours training (slightly reduced based on the fact that no instrument training will be required) which is quite close to the PPL(H) training syllabus (as mentioned also in your comment) and skill test (see AMC material) but with reduced medical standards will be kept.</p>
comment	<p>2717 comment by: <i>BMVBS (German Ministry of Transport)</i></p> <p>A LPL for helicopters LPL(H) should in our view not exist. Germany has intentionally refrained to introduce a national PPL for helicopterpilots and considers the JAR-FCL level as appropriate to mitigate the risks. Furthermore, it adds to the proliferation of licences and potentially undermines aviation safety. Germany does not consider the mandate in Art 7 (7) of the basic regulation as an obligation to implement LPL licenses beyond non-complex fixed wing aeroplanes of up to 2000kg MTOW.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency has carefully reviewed the comments received on the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete the Basic LPL for helicopters or to change the training requirements. The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters.</p> <p>The full LPL with 40 hours training (slightly reduced based on the fact that no instrument training will be required) which is quite close to the PPL(H) training syllabus and skill test (see AMC material) but with reduced medical standards will be kept. The Agency cannot see the risk that this licence "potentially undermines aviation safety". No justification was provided for this statement.</p>
comment	<p>3657 comment by: <i>Helicopter Club of Great Britain</i></p> <p>LPL(H) FCL 105.H</p> <p>Privileges should NOT be restricted to piston helicopters only, but simply to any single engine helicopter under 2000kg and 4 Persons on Board maximum, regardless of the type of engine.</p>

Reason: The type of engine power driving the helicopter is irrelevant. In fact, a turbine engine is easier to operate than a piston engine, and is more reliable. It is the max weight and passenger number restrictions that is important for the LPL(H).

NPA 17A Page 22 Appendix 1 para 18 does not propose this restriction. It says:

"18. Section 4 follows with specific requirements for the LPL for helicopters. It describes the privileges granted by the licence (FCL.105.H – single engine piston or turbine helicopters with a maximum certificated takeoff mass of 2000 kg);.."

response **Noted**

Thank you for providing your opinion (see also the response to your comment on NPA 2008-17a).

The Agency agrees and will change the text in FCL.105.H accordingly in order to include also turbine driven helicopters.

comment

3696

comment by: *John Matchett*

Privileges should cover any single engine helicopter with upto 4 people on board and under 2000kg.

The type of engine power is not relevant.

response **Noted**

Thank you for providing your comment.
See response to comment No. 3657 above.

comment

4261

comment by: *Leisure and Retail Helicopters*

LPL(H) FCL 105.H

Privileges should NOT be restricted to piston helicopters only, but simply to any single engine helicopter under 2000kg and 4 Persons on Board maximum, regardless of the type of engine.

Reason: The type of engine power driving the helicopter is irrelevant. In fact, a turbine engine is easier to operate than a piston engine, and is more reliable. It is the max weight and passenger number restrictions that is important for the LPL(H).

NPA 17A Page 22 Appendix 1 para 18 does not propose this restriction. It says:

"18. Section 4 follows with specific requirements for the LPL for helicopters. It describes the privileges granted by the licence (FCL.105.H – single engine piston or turbine helicopters with a maximum certificated takeoff mass of 2000 kg);.."

response **Noted**

Thank you for providing this comment.
See the response to comment No. 3657.

comment	<p>4462 comment by: <i>Dragonfly Aviation</i></p>
	<p>Privileges should NOT be restricted to piston helicopters only, but simply to any single engine helicopter under 2000kg and 4 Persons on Board maximum, regardless of the type of engine.</p> <p>Reason: The type of engine power driving the helicopter is irrelevant. In fact, a turbine engine is easier to operate than a piston engine, and is more reliable. It is the max weight and passenger number restrictions that is important for the LPL(H).</p> <p>NPA 17A Page 22 Appendix 1 para 18 does not propose this restriction. It says: <i>"18. Section 4 follows with specific requirements for the LPL for helicopters. It describes the privileges granted by the licence (FCL.105.H – single engine piston or turbine helicopters with a maximum certificated takeoff mass of 2000 kg);.."</i></p>
response	<p><i>Noted</i></p>
	<p>Thank you for providing this comment. See response to comment No. 3657.</p>
comment	<p>4467 comment by: <i>Nigel Murphy</i></p>
	<p>LPL(H) FCL 105.H</p> <p>Privileges should NOT be restricted to piston helicopters only, but simply to any single engine helicopter under 2000kg and 4 Persons on Board maximum, regardless of the type of engine.</p> <p>Reason: The type of engine driving the helicopter is irrelevant. In fact, a turbine engine is easier to operate than a piston engine and is more reliable. It is the max weight and passenger number restrictions that is important for the LPL(H).</p>
response	<p><i>Noted</i></p>
	<p>Thank you for providing this comment. See response for comment No. 3657.</p>
comment	<p>5626 comment by: <i>Chris Fox</i></p>
	<p>This section restricts the LBL(H) to piston helicopters. This is overly restrictive and unnecessary, and in contradiction to NPA 17A Page 22 Appendix 1 Para 18.</p>
response	<p><i>Noted</i></p>
	<p>Thank you for providing your comment. See response to comment No. 3657 above.</p>
comment	<p>7957 comment by: <i>Barrie Christie</i></p>
	<p>LPL(H) FCL 105.H</p> <p>The pilot privileges should not be restricted to piston helicopters only, but simply to any single engine helicopter under 2000kg and 4 Persons on Board</p>

maximum, regardless of the type of engine, as per NPA 17A Page 22 Appendix 1 para 18.

Reason: The type of engine power driving the helicopter is irrelevant. In fact, a turbine engine is easier to operate than a piston engine, and is more reliable. It is the max weight and passenger number restrictions that is important for the LPL(H).

response *Noted*

Thank you for providing this comment.
See response for comment No. 3657.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 4:
Specific requirements for the LPL for helicopters - FCL.105.H LPL(H) -
Privileges**

p. 14

comment 274

comment by: *Rod Wood*

This should become the PPL(H). The introduction of instrument flying has done nothing to improve flight safety and may even have detracted from it and the statistics of those inadvertently entering IMC tell their own tale.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not fully understand the meaning behind this comment. This paragraph, FCL.105.H contains the privileges for the LPL(H) holder. No privilege connected to instrument flying is foreseen (or even mentioned) with this licence.

It seems that this comment should be addressed to FCL.210.H which is based on JAR-FCL and requires the PPL(H) licence holder to receive 5 hours of instrument instruction.

comment 616

comment by: *British Microlight Aircraft Association*

Accepted except the privileges should include the privilege to be remunerated for acting as an instructor when holding an instructor rating.

response *Not accepted*

Thank you for your comment.

However, the Agency does not agree in adding this privilege to be remunerated for acting as instructor. This decision is based on the framework given by the EU Regulation 216/2008 for this kind of licence. Article 7 of this Basic Regulation mentions a leisure pilot licence "covering non-commercial activities" only. In Article 3 of this Regulation you will find a definition for commercial operation. This article states clearly: "commercial operation shall mean any operation of an aircraft, in return for remuneration or other valuable consideration".

comment 3314

comment by: *DGAC FRANCE*

FCL 105.H

Justification :

The number of hours required to obtain the licence doesn't allow to acquire the skills for performing safely landings and take off on and from confined areas.

These areas can be near metropolitan area, the regulations must also preserve people on the ground.

After an accident with several victims, our accident investigation inspector recommended to create a specific authorisation.

This authorisation is given when the applicant has gained flight experience (70 h) to be considered as mature enough and completed an additional training (theoretical training and 5 dual flight instruction hours).

Modification :

FCL.105.H LPL(H)- Privileges

The privileges of the holder of a LPL for helicopters are to fly, single-engine piston helicopters with a maximum certificated take-off mass of 2000 kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board, **using aerodromes only for take off and landing.**

response

Not accepted

Thank you for providing your opinion.

Regarding the first issue mentioned the Agency does not agree with the statement that "the number of hours required to obtain the licence doesn't allow to acquire the skills for performing safe landings and take offs on and from confined areas". The required amount of training in FCL.110.H is a total of 40 hours (slightly reduced based on the fact that no instrument training will be required) which is very close to the amount of training required for the PPL(H). The only difference is the missing instrument flight time.

Regarding the second issue of introducing a limitation excluding operations from and to confined areas the Agency has discussed and reviewed the issue together with the experts and came to the conclusion not to introduce a specific authorisation or rating based on the fact that the confined area training will be part of the training and the skill test.

comment

4021

comment by: *Jonathan Schenck*

I see no reason to limit privileges to only piston-engine helicopters. The type of engine seems immaterial. Larger helicopters are nowadays generally turbine-engine, however the proposed (sensible) restriction on size is provided for by specifying 2000 kg max. and 4 persons max.

Turbine engines are usually easier to handle than piston engines, so why eliminate them.

response

Noted

Thank you for providing your opinion.

The Agency has carefully reviewed the comments received on this issue and agrees with the proposal to include also turbine driven helicopters. The text in FCL.105.H will be changed accordingly.

comment 4042

comment by: Paul Arditti

Although piston helicopters are more reliable a turbine engine is not significantly less reliable. Privileges should include any single engine helicopter of up to 2000kgs and maximum 4 Persons on board.

response *Noted*

Thank you for providing your opinion.

The Agency has carefully reviewed the comments received on this issue and agrees with the proposal to include also turbine driven helicopters. The text in FCL.105.H will be changed accordingly.

comment 4064

comment by: Q Aviation Ltd

LPL(H) FCL 105.H

Privileges should NOT be restricted to piston helicopters only, but simply to any single engine helicopter under 2000kg and 4 Persons on Board maximum, regardless of the type of engine.

Reason: The type of engine power driving the helicopter is irrelevant. In fact, a turbine engine is easier to operate than a piston engine, and is more reliable. It is the max weight and passenger number restrictions that is important for the LPL(H).

NPA 17A Page 22 Appendix 1 para 18 does not propose this restriction. It says:

"18. Section 4 follows with specific requirements for the LPL for helicopters. It describes the privileges granted by the licence (FCL.105.H – single engine piston or turbine helicopters with a maximum certificated takeoff mass of 2000 kg);.."

response *Noted*

Thank you for providing your comment.

See the EASA response to comments No. 4021 and No. 4042 above.

comment 4177

comment by: jara aviation ltd

Privileges should not be restricted to piston helicopters only.

Turbine engined helicopters and piston engined helicopters should be treated the same. i.e. below 2000 kg and max 4 persons on board.

One is now less safe than the other.

It is the max takeoff weight and number of seats that is important for the LPL(h)

response *Noted*

Thank you for providing your comment.
See the EASA response to comment No. 4021 and No. 4042 above.

comment **4204** comment by: *Kevin Cinnamond*

LPL(H) FCL 105.H

Pilot privileges should NOT be restricted to piston helicopters only, but applied to any single helicopter under 2000kg and FOUR(4) PASSENGERS on board maximum, regardless of type of engine.

Reason: The type of engine power driving the helicopter is NOT relevant. In actual fact, a turbine engine is much easier to operate than a piston engine, and is more reliable. It is the maximum operating weight of the helicopter and maximum of FOUR(4) PASSENGERS that is most important for the LPL(H).

NPA 17A Page 22 Appendix 1 paragraph 18 does not propose this restriction. It states:

"18 Section 4 follows with specific requirements for the LPL for helicopters. It describes the privileges granted by the licence (FCL.105.H - single engine piston or turbine helicopters with a maximum certified takeoff mass of 2000kg);.."

response *Noted*

Thank you for providing your comment.
See the EASA response to comment No. 4021.

comment **5251** comment by: *CAA Belgium*

The number of hours required to obtain the licence doesn't allow to acquire the skills for performing safely landings and take off on and from confined areas. These areas can be near metropolitan area, the regulations must also preserve people on the ground.

After an accident with several victims, our accident investigation inspector recommended to create a specific authorisation.

This authorisation is given when the applicant has gained flight experience (70 h) to be considered as mature enough and completed an additional training (theoretical training and 5 dual flight instruction hours)

response *Noted*

Thank you for providing your comment.
As it seems to be a copy of comment No. 3314 please see the EASA response to comment No. 3314 (DGAC France).

comment **5665** comment by: *Bristow Academy*

Subpart B Section 4 FCL.105H should read:

"are to fly single engine ~~piston~~ helicopters

The reason is that turbine engines are specifically mentioned in:

NPA 17A Page 22 Appendix 1 para 18 says:

"18. Section 4 follows with specific requirements for the LPL for helicopters. It

describes the privileges granted by the licence (FCL.105.H – single engine piston or turbine helicopters with a maximum certificated takeoff mass of 2000 kg);.."

response *Partially accepted*

Thank you for providing your comment.
Please see the EASA response to comment No 4021.

comment

6149

comment by: *EUROCOPTER*

Regulation 216 foresees a leisure pilot licence covering noncommercial activities involving aircraft with a maximum certificated take off mass of 2 000 kg or less and which do not meet any of the criteria referred to in Article 3(j). In the case of helicopters below 2000 kg, the difference between piston and turbine power has little impact on the complexity and performance. In fact, it could be argued that handling of turbine engine is easier for the pilot. Therefore, we propose to delete the word piston:

FCL.105.H LPL(H)- Privileges

The privileges of the holder of a LPL for helicopters are to fly single engine ~~piston~~ helicopters with a maximum certificated take-offmass of 2000 kg or less,...

response

Accepted

Thank you for providing your comment.
See the EASA response to comment No 4021 and No. 4042 above.

comment

6206

comment by: *Peter Holland*

FCL.105.A LPL(H) - Privileges

I am struggling to see the benefit of holding a PPL(H) over an LPL(H). Very few private pilots will fly aircraft of over 2000kg, nor carry more than 3 passengers. So really it will only be the turbine/multi engine pilots that pursue a PPL. But in FCL.720.H you make the multi-engine rating very difficult to achieve thus both the above will encourage the use of the less safe single engine piston machines on an LPL.

Maybe there should not be an LPL for helicopters. There is no question they are more difficult to learn, are intrinsically unstable and require a far greater technical knowledge, experience level and currency level than aeroplanes.

Regarding passengers - at LPL level, if passengers are to be carried there should be a qualified PPL in the second pilot's seat (with controls) able to act as PIC if required.

It has been shown by all aviation authorities, but particularly the FAA in the USA who already issue a similar licence to this proposal, that by far the greatest proportion of incidents, especially fatalities, is among newly qualified, low hour pilots carrying passengers. It is usually a result of "buzzing" or orbiting a known property or location, or else encountering unfamiliar conditions - high traffic levels, ATC requests or weather issues - and mentally "overloading".

With a full PPL onboard there will be major benefits including - a greater level of experience and competence to draw on and a useful second opinion for the LPL, plus considerably less inclination for the LPL to "show off" to the passengers.

At least the syllabus for LPL(H) includes dealing with Controlled Airspace, danger and prohibited areas. In the LPL(A) syllabus there is no specific training for controlled airspace, nor danger and prohibited areas, of which we have a lot here in the UK, certainly in the south. Just in the immediate vicinity of London (where most training occurs due to population level) there are 3 of the busiest airports in Europe - Gatwick, Luton & Stanstead - several busy Business-Flight Airports notably Farnborough and Biggin Hill, plus the busiest airport in the world - Heathrow!!

A little further from London but still in the southern half of the UK, are a further 11 international airports.

The potential for incursions into controlled airspace, which is most of UK airspace, by inexperienced LPLs is hugely increased at the very least, at worst the risk of real incidents would be unacceptably high.

The benefits of flying with more experienced pilots but without the feeling of being a student, as when with an instructor, are well known and well proven and would greatly reduce the risks mentioned above.

response

Noted

Thank you for your opinion.

Regarding the mentioned airspace issues and the proposal to ask the LPL holder to take a licenced pilot with him/her the same items were already mentioned in your comment No. 5904. Please see the response for this comment in the appropriate segment.

comment

7837

comment by: *William Harford*

There is no logic in restricting the LPL(H) to piston engined helicopters. Turbine engines have demonstrated their superior reliability and are generally easier to operate in helicopters. Restricting maximum take off mas and number of persons on board does have a logical basis.

response

Noted

Thank you for providing your comment.
See the EASA response to comment No. 4021 and No. 4042 above.

<p>B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 4: Specific requirements for the LPL for helicopters - FCL.110.H LPL(H) - Experience requirements and crediting</p>	<p>p. 14-15</p>
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comment

486

comment by: *FOCA Switzerland*

B/Section 4
FCL.110.H (b)

	Remark: In case Section 2 is abolished then para (b) is obsolete
response	<i>Accepted</i> Thank you for providing your opinion. The Agency has reviewed the comments received on the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete the Basic LPL to change it completely (adding further limitations or additional training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters (as proposed in your comment).
comment	617 comment by: <i>British Microlight Aircraft Association</i> (a) Accepted (b) Disagree. The holder of the BLPL(H) should only be required to complete the elements of the training syllabus for the LPL(H) that were not included in the BLPL and have completed at least the minimum total dual training and solo training required for the grant of a LPL(H), otherwise no credit is given to the holder of the BLPL(H) for the experience gained when flying as a LPL(H) holder. (c) Accepted
response	<i>Noted</i> Thank you for providing your opinion. The Agency has reviewed the comments received on the Basic LPL and the LPL for helicopters. A huge amount of stakeholders is proposing to delete the Basic LPL to change it completely (adding further limitations or additional training). The concept was discussed again with the FCL experts and it was finally decided to delete the Basic LPL for helicopters. Taking this into account your proposal is not any longer valid.
comment	964 comment by: <i>CAA Belgium</i> (a) Why not comply with annex 1 ICAO: cross country flight of 180 km (instead of 150) with two full stop landings (instead of one) ? (b) delete all reference to basic LPL
response	<i>Partially accepted</i> Thank you for providing your opinion. The Agency discussed the proposal of aligning the given requirements for the cross country training with the ICAO or PPL(H) requirements but could not see a need for changing this. As several other cross country training flights with or under the supervision of the instructor are performed before the minimum distance and the number of landings must not be changed. Regarding your second issue the Agency agrees and will delete the references to the Basic LPL(H).
comment	1637 comment by: <i>Nigel Roche</i>

Are we saying in (c) Crediting, that applicants holding LPL licence for another category of aircraft get a 10% flight time credit

or

that all licence holders ATPL (H), CPL (H) etc get a 10% credit of their total flight time.

I ask this because I can see senior captains who are 60 years old with thousands of hours who have lost their Class 1 medical but wish to continue to fly will be incredulous at such a decision.

If it was meant for only LPLs then I would suggest it is stated as such

response **Noted**

Thank you for providing this comment and the question.

The text in FCL.110.H states clearly:

"applicants holding a pilot licence for another category of aircraft...." which means applicants not holding a helicopter licence (e.g. PPL(H) or CPL(H)). It is not meant for LPL holders only because the same credit will be also given to the PPL(A) holder. It should be mentioned that this requirement for the crediting will be changed. Please see the resulting text for this requirement.

The requirements for the group of pilots mentioned by you, former ATPL(H) or CPL(H) pilot who lost their medical class I and would like to have issued an LPL(H), are contained in FCL.110 (Crediting for the same aircraft category).

comment **2075** ❖

comment by: *Markus Hitter / JAR-Contra*

We appreciate to see low absolute requirements here. We see this is in full accordance with EASA's promise to put more emphasis on individual responsibility in private aviation.

response **Noted**

Thank you for your positive feedback.

comment **2842**

comment by: *PPL/IR Europe*

The maximum of 6hrs credit from Fixed wing experience towards the LPL(H) and PPL(H) seems needlessly small to us.

A larger credit would allow a greater degree of competence-based assessment of the extent to which experience in other categories of aircraft has enabled a candidate to reach the required standard.

It does not seem to make sense that an ab-initio candidate with no flight experience needs only 6 more hours than a candidate who may have an ATPL and 1000s of fixed wing hours.

We would propose, at the least, the maximum credit be 10hrs, as it is for credit from (H) experience towards (A) requirements.

However, ideally, both credits should be greater (eg. 15hrs) allowing for a more competence-based approach for training across aircraft categories.

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees in general and has reviewed the crediting requirements for prior flying experience in other aircraft categories. It was decided to introduce a system which allows the ATO to do a pre-assessment of the candidate and to decide on the credit based on this flight. A maximum of 50% of the required flight time can be given.

comment

3345

comment by: *DGAC FRANCE*

FCL . 110 (H) (a)

To be consistent and to keep a logic between LPL(H) and PPL(H), the proposal is to change the experience requirements as following, because the LPL(H) doesn't include the 5 hours instrument dual instruction time.

FCL. 110 (H)

(a) Applicants for a LPL(H) shall have completed at least ~~45~~ **40** hours of flight instruction in helicopters, including at least:

- (1) ~~25~~**20** hours of dual instruction; and
- (2) 10 hours ...

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees that the instrument dual instruction time is not part of the LPL(H) syllabus. The issue was discussed again during the review of the comments. Based on this the Agency further reviewed the issue and came to the conclusion to lower the requirements (as proposed in your comment) to 40 hours total training and 20 hours dual. The text will be changed accordingly.

The required instrument training for the PPL(H) will be kept.

comment

4468

comment by: *Nigel Murphy*

In FCL.210.H Helicopters (a) (1) There should NOT be 5 hours instrument instruction time for the PPL(H).

In its place should be 5 hours of training in the recognition of deteriorating weather conditions of cloudbase and visibility, and training in the necessary actions such as to turn around 180 degrees, divert or make a precautionary landing.

Reason: There are increasing numbers of light helicopter accidents, usually fatal, caused by visual flight into IMC. It may be that pilots think they can handle IMC because of their 5 hours training. IMC helicopter flight is ALWAYS avoidable if the pilot is trained in weather recognition and avoidance action as detailed above.

Training PPL(H) students in instrument flight is extremely dangerous as it gives them the impression that it is acceptable to enter IMC conditions. The strict training should be to avoid IMC helicopter flight at all costs.

This is different from fixed wing flight, because the helicopter can always stop and land.

response

Not accepted

Thank you for providing your opinion.

However, it seems that this comment should be addressed to another paragraph. This requirement FCL.110.H is dealing with the experience requirements for the LPL(H) and does not contain a training requirement for instrument instruction time.

Please see also the responses and the resulting text for FCL.210.H dealing with the issue of the instrument flight training for the PPL(H).

comment

5092

comment by: *UK CAA***Paragraph:**

FCL.110.H – LPL(H) Experience requirements and Crediting

Page No:

14 of 647

Comment:

JAR-FCL 2 was quite specific that the 35 hours for a JAR-PPL(H) was conducted on one helicopter type. Does this also apply to the LPL(H)?

Justification:

Clarification

response

Partially accepted

Thank you for providing your opinion.

The issue of using a second helicopter type for the training was discussed during the review of the comments. The text as it is written now does not prevent the ATO to use more than one type of helicopter for the training. The Agency is in favour to keep this and to leave it to the ATO if more than one helicopter type will be used for the training. To make clear that the majority of the training should be performed on the type of helicopter which will be used for the skill test a certain minimum amount of training on the specific type used for the skill test will be introduced.

A sentence will be added saying that an applicant for an LPL(H) shall have completed on the type of helicopter used for the skill test at least 35 hours flight instruction.

comment

7034

comment by: *Peter Holland*

FCL.110.H LPL(H) - Experience requirements

As for FCL.110.A - Only one land away!?! Approaching, joining and landing at non home airfields is probably the most challenging, and potentially most dangerous thing a new pilot has to do. This requirement should be two land aways and where one is a full ATC airfield with full control of the airspace.

response

Noted

Thank you for providing this comment.

See the response to your comment No. 7032.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 4:
Specific requirements for the LPL for helicopters - FCL.135.H LPL(H) -
Extension of privileges to another type of helicopter**

p. 15

comment	122	comment by: <i>Aero-Club of Switzerland</i>
	Replace "specific type of helicopter" with "class of helicopters"	
response	<i>Not accepted</i>	
	Thank you for providing your opinion.	
	However, the Agency does not agree and will keep the proposed limitation of the privileges. The privileges will be limited to the type on which the skill test was taken. If the pilot intends to fly another type the requirements in FCL.135.H have to be fulfilled.	
comment	618	comment by: <i>British Microlight Aircraft Association</i>
	Comment: Minimum requirements for addition of class or type are too great. No minimum time should be included. Skill test will confirm ability.	
response	<i>Noted</i>	
	Thank you for providing your opinion.	
	However, your proposal was discussed during the review phase but the experts clearly pointed out that a certain minimum amount of training as defined in FCL.135.BA/H should be kept.	
comment	3544	comment by: <i>Swiss Power Flight Union</i>
	Replace ... specific type of helicopter ...	
	with: ... class of helicopter ...	
response	<i>Not accepted</i>	
	Thank you for providing your comment.	
	Please see the EASA response to comment No. 122.	
comment	6179	comment by: <i>CAA Finland</i>
	FCL.135.H Amended text proposal:	
	in which the flight training and skill test was taken	
response	<i>Not accepted</i>	
	Thank you for providing your comment.	
	However, as the requirements in FCL.110.H will be changed slightly in order to make clear that a second type of helicopter can be used for the training the	

original wording should be kept here.

The addition proposed by you would exclude to use a second helicopter type for the training. This is not the intention of the requirement.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 4:
Specific requirements for the LPL for helicopters - FCL.140.H LPL(H) -
Recency requirements**

p. 15

comment

273

comment by: *Rod Wood*

FCL.140.H

(a) (1) completed on helicopters of that type in the last 12 months at least:
(i) 6 hours including 1 training flight of at least 1 hour with an instructor; or
(ii) 2 hours including a LPC with an examiner; and
(iii) A LPC at least every 24 months.

When will the helicopter fraternity stop blindly following the aeroplane fraternity. JAR FCL sensibly introduced annual LPC requirement for helicopters recognising the considerable instability of the helicopter requiring more control and supervision than the aeroplanes. This requirement must not be allowed to be dropped as it makes a major contribution to flight safety and improving pilot standards. To extend the requirement to 6 years is ineffective and meaningless.

See also FCL 740

response

Partially accepted

Thank you for providing your comment.

The issue of the proficiency check for all private licences 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. Your proposal for a mandatory LPC with an examiner every 24 months was discussed with the review group experts but it was decided not to introduce such a check only for the helicopter licence. In order to address the specific needs of a helicopter pilot some other changes were introduced.

As proposed in your comment the recency time period will be changed into 12 months. As mentioned before the LPL(H) holder will be asked to have completed at least 12 hours of flight time and one training flight with an instructor.

An additional requirement will be added which will allow the licence holder to complete missing flight time with or under the supervision of an instructor.

comment	<p>487 comment by: <i>FOCA Switzerland</i></p>
	<p>B/Section 4 FCL.140.H</p> <p>Remark</p> <p>With regard to the conditions for PPL/CPL/ATPL-holder, for same type of helicopter different revalidation requirements; less stringent for LPL(H) and the others. What happens with the recency requirements if the pilot holds more than one helicopter TR. Does he have to comply with (a) (1)?</p>
response	<p><i>Noted</i></p>
	<p>Thank you for providing your opinion.</p> <p>Regarding your first comment please be aware that the Agency has changed the recency requirements for the LPL(H). Based on the decision to delete the mandatory proficiency check a training flight which has to be conducted every 12 months was introduced. Furthermore the licence holder will be asked to complete 12 hours of flight time within the last 12 months.</p> <p>Concerning your second issue these recency requirements in (a) have to be fulfilled for each type separately.</p>
comment	<p>619 comment by: <i>British Microlight Aircraft Association</i></p>
	<p>(a) (1) Accepted (2) Disagree. There is no safety case to that suggests that pilots benefit from a proficiency check every 6 years. This requirement should be removed.</p> <p>(b) Accept other than the requirement in (a) (2) noted above.</p>
response	<p><i>Noted</i></p>
	<p>Thank you for providing your opinion.</p> <p>Please see the response to comment No. 273 above.</p>
comment	<p>830 comment by: <i>Wolfgang Bachmann</i></p>
	<p>Ich sehe keinen Vorteil in einem proficiency check alle 6 Jahre. Desweiteren - wie soll nach 6 Jahren jeder Pilot einen solchen check machen? es wird einen solchen "run" auf die wenigen examiner geben, dass das System zusammen brechen wird.</p> <p>Es wird versucht bei jedem Wetter zu fliegen - Hauptsache der Checkflug ist erledigt! Es wird die Unfallzahlen steil nach oben treiben!!</p> <p>Wo sollen die ganzen examiner herkommen, die das bewältigen sollen? Wo ist der Sicherheitsgewinn? Ich sehe mehr eine deutliche Verschlechterung.</p> <p>Mein Vorschlag :</p> <p>Ersatzlos streichen.</p>

response

Partially accepted

Thank you for providing your opinion.

Please see the response to comment No. 273 above.

comment

941 ❖

comment by: *Sven*

The idea of proficiency check is good.
 BUT the organisation is too complex, time and cost intensive for ELA1
 The check flight with an Examiner doesn't create more security than a flight with a FI.

I suggest:
 For Pilots check by a flight instructor.
 For FI check by a simple examiner.

Topic:
 - verbal theory test

We have already gained good experience with the training flight on JAR-FCL.

response

Partially accepted

Thank you for providing your opinion.

Please see the response to comment No. 273 above.

comment

963

comment by: *CAA Belgium*

Why not keep the 90-days recency rule of JAR-FCL ?

response

Noted

Thank you for providing this comment.

However, the Agency would like to highlight that the recency requirements are contained in FCL.060 (Recent Experience).

comment

1830

comment by: *Georg Schott*

Für den gesamten Bereich PPL sollte als Examiner in jeden Fall ein FI (Fluglehrer) tätig werden können. Es dürfte kaum möglich sein, genügend Examiner (Voraussetzung 1000 Flugstunden, CPL-Inhaber etc.) bereitzustellen, um den Bedarf zu decken. Fluglehrer sind normalerweise in den Vereinen ausreichend vorhanden und somit ohne größeren Aufwand jederzeit erreichbar. Überprüfungen können unbürokratisch innerhalb des Vereines terminlich abgesprochen und entsprechend absolviert werden. Das ist dann alles nicht nur verfahrenstechnisch wesentlich einfacher und spart erhebliche Kosten und Verwaltungsaufwand ein.

Für bestimmte Überprüfungen könnte man entsprechende Prüfungs-Checklisten für die Fluglehrer erstellen damit Prüfungen nach einem standardisierten Verfahren durchgeführt werden können.

response

Noted

Thank you for providing your opinion.

Please see the response to comment No. 273 above.

It must be highlighted that by definition a proficiency check must be conducted by an examiner only. The flight instructor usually provides training flights only.

comment 1926 comment by: *Swiss Pilot School Asociation*
a) (2) please remove, see 135.H

response *Partially accepted*

Thank you for providing your opinion.

Please see the response to comment No. 273 above.

comment 2070 ❖ comment by: *Markus Hitter / JAR-Contra*

Regarding (a)(1):

A period of 24 month is in stark contrast to the 90 day period proposed in FCL.060. Also, our experience shows, a "hand full" (= 5) of starts is sufficient to keep skills sufficiently current, but two years of pausing is long enough to make some of the needed details of skills forgotten. To adjust for those practical experiences and for simplifications of matters we propose to shorten this 24 month period to 12 months. Accordingly, the numbers of flight time and landings should be reduced by 50% as well. In exchange, the 90 day period proposed in FCL.060 should go away for non-commercial aviation, as commented there.

The text of the proposed FCL.140(A) (a)(1) would be:

(a) Holders of a LPL(A) shall only exercise the privileges of their license when they have:

(1) completed, in the last 12 months, as pilots of aeroplanes or TMG at least:

(i) 6 hours of flight time as pilot-in-command, including 6 take-offs and landings; or

(ii) 3 hours of flight time as pilot-in-command, including 3 take offs and landings, and 1 training flight of at least one hour with an instructor.

The text of the proposed FCL.140(H) (a)(1) would be:

(a) Holders of a LPL(H) shall only exercise the privileges of their license on a specific type when they have:

(1) completed on helicopters of that type in the last 12 months at least:

(i) 6 hours of flight time as pilot-in-command; or

(ii) 3 hours of flight time as pilot-in-command, and 1 training flight of at least one hour with an instructor.

The text of the proposed FCL.140(A) (a)(1) would be:

(a) Sailplanes and powered sailplanes. Holders of a LPL(S) shall only exercise the privileges of their license on sailplanes or powered sailplanes when they have:

(1) completed on sailplanes, in the last 12 months, at least:

(i) 3 hours of flight time as pilot-in-command, including 5 launches; or

(ii) 1.5 hours of flight time as pilot-in-command, including 3 launches, and a minimum of 3 training flights with an instructor;
 (b) TMG. Holders of a LPL(S) shall only exercise the privileges of their license on touring motor gliders when they have:
 (1) completed on touring motor gliders, in the last 12 months, at least:
 (i) 6 hours of flight time as pilot-in-command, including 6 launches; or
 (ii) 3 hours of flight time as pilot-in-command on TMG, including 3 take offs and landings, and 1 training flight of at least one hour with an instructor.

response

Partially accepted

Thank you for providing your comment.

The issue of the proficiency check for all private licences 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. In order to address the specific needs of a helicopter pilot some other changes were introduced.

As proposed in your comment the recency time period will be changed to 12 months. As mentioned before the LPL(H) holder will be asked to have completed at least 12 hours of flight time and one training flight with an instructor. The Agency does not agree with your proposal to reduce the total flight time as most of the comments address the specific training needs for helicopter pilots.

The Agency cannot see a need to change the "90-days" rule or "recent experience" requirement contained in FCL.060 as this is a commonly agreed standard for carrying passengers or commercial air transport. This additional paragraph will be kept to ensure a certain level of training when carrying passengers.

comment

2071 ❖

comment by: Markus Hitter / JAR-Contra

**Regarding (a)(2) and (b) in FCL.140(A, H),
 regarding (a)(2), (b)(2) and (c) in FCL.140(S):**

As each pilot affected by (a)(2) shows his sufficient skills year by year by flying successfully and free of accidents, enhancements reached by a six-yearly proficiency check can be minor at best.

Requiring an examiner for recurring check flights would put an extraordinary burden on currently available personnel. Currently in Germany, we have less than one examiner per thousand license holders. Requiring a check flight each six years would ask them to do about 200 additional check flights yearly. The costs of these check flights alone, and the costs of travel for each pilot to meet his examiner would be in no relation to the safety advantages achievable by this rule.

Extending the number of available examiner personnel is difficult, as only very aged pilots typically reach the high experience requirements for examiners in private aviation. Accordingly, pilots would be required to hire professional examiners, increasing costs even more.

On the other side, a Flight Instructor is perfectly capable to judge on a pilot's skills, as he does such judgements almost daily as part of his instruction flights.

Considering all this, **we propose** to not require an examiner, but to require a Flight Instructor for proficiency checks instead. Additionally, six-yearly repetitions of skill tests should be dropped. The text of FCL.140(A), FCL.140(H) would be:

(a) [...]

(1) [...]

(i) [...]

(ii) [...]

(b) *Holders of a LPL(A, H) that do not comply with the requirements in (a) shall pass a proficiency check with a Flight Instructor before they can resume the exercise of the privileges of their license.*

The text of FCL.140(S) would be:

(a) [...]

(1) [...]

(i) [...]

(ii) [...]

(b) [...]

(1) [...]

(i) [...]

(ii) [...]

(3) [...]

(c) *Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall pass a proficiency check with a Flight Instructor before they can resume the exercise of the privileges of their license.*

response *Partially accepted*

Thank you for providing your opinion.
Please see the response to comment No. 273 above.

It must be highlighted that by definition a proficiency check must be conducted by an examiner only. The flight instructor usually provides training flights only.

comment 2642

comment by: *Martin Rowlands*

A 6 yearly "Proficiency Check" for balloon pilots with an Examiner will be impractical to implement. There are very few Balloon Examiners available over a large geographical area. In 6 years time, there will be a large number of pilots seeking a proficiency check at the same time. Due to an ageing Examiner population and a future requirement for Examiners to undertake a minimum number of check outs, there are likely to be even less Examiners in the future.

Such an Proficiency Check could be carried out adequately by Balloon Pilot

response

Instructors who are much greater in number and geographically diverse.

Noted

Thank you for providing your opinion. However, it seems that this comment should be addressed to another segment (balloon requirements).

As the issue of the proficiency checks is the same for all LPL categories the Agency would like to respond in general.

The issue of the proficiency check for all private licences 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. By definition a proficiency check cannot be conducted by an instructor. Therefore this flight will be a training flight only.

An additional requirement will be added which will allow the licence holder to complete missing flight time with or under the supervision of an instructor.

comment

3372 ❖

comment by: *Richard DUMAS, PPL(A)*

Retirer l'exigence (b) (2)

1. Cette exigence n'est pas logique :

- si l'EASA juge trop légères les conditions actuelles de prorogations, qu'elle propose alors de les renforcer, par exemple en ajoutant au vol d'entraînement avec un FI un briefing - façon BFR FAA - ou en permettant au FI de prescrire un ré-entraînement ;
- sinon, pourquoi et comment un pilote jugé alors apte pendant 6 ans - via 2 revalidations selon l'exigence (b) (1) (ii) – deviendrait-il au-delà de la 6^{ème} année subitement inapte en remplissant cette seule exigence ?

2. Cette exigence va être très pénalisante à mettre en œuvre :

- Elle va coûter cher, d'autant que l'offre ne va pas suivre la demande (cf. infra)
- Sa mise en œuvre est difficile : par exemple, pour ~ 30.000 PPL(A) actifs en France, cela fait ~5.000 tests à faire passer par an. Or, la DGAC faisait état de 2.200 à 2.300 PPL(A) délivrés par an vers 2002-2003. Pour avoir la même (faible) flexibilité qu'aujourd'hui, il faudra donc **augmenter de 150% le nombre de FE**. En plus, il aura une vague de 30.000 tests à faire passer entre 2014 et 2015 (= 2009 + 5 ou 6 ans)

3. Si le nouveau théorique PPL(A) - inutilement plus fouillé que sa version JAR.FCL - était entériné par L'EASA, l'exigence (b) (2) permettra alors de fait de ne pas revalider le PPL(A) de n'importe quel pilote qui - au plan théorique - aura uniquement fait l'effort de se tenir correctement au courant des évolutions techniques et réglementaires.

	<i>Hors le 3), ce commentaire s'applique à l'ensemble des licences privées et de loisir</i>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 273 above.</p> <p>It must be highlighted that by definition a proficiency check must be conducted by an examiner only. The flight instructor usually provides training flights only.</p>

comment	<p>3545 comment by: <i>Swiss Power Flight Union</i></p> <p>Please remove FCL.140.H.</p> <p>It is not consequent to merge License and Rating requirements. Rating requirements are described in FCL.7xx.H</p> <p>Important message: Create a new "Helicopter class rating" and add:</p> <p>FCL.7XX.H Revalidation of class ratings - helicopters</p> <p><i>(a) Revalidation of single-pilot single engine class ratings.</i> (1) Single-engine piston helicopter class ratings. For revalidation of single-pilot single-engine piston helicopter class ratings the applicant shall: (i) within the three month preceding the expiry date of the rating, pass a proficiency check in the relevant class in accordance with Appendix 9 to this Part with an examiner; or (ii) within the 12 month preceding the expiry date of the rating, complete 12 hours of flight time in the relevant class, including: 6 hours as pilot-in-command; 50 take offs and 50 landings; and a training flight of at least one hour with a flight instructor (FI) or a class rating instructor (CRI).</p> <p>See also FCL.740.H</p>
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response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. However, the Agency will not introduce a specific helicopter type rating or class rating for the LPL.</p> <p>Following the principle for the Leisure Pilot Licence to create a licence with less administrative burden the Agency is following the proposals of the drafting group and will introduce an unlimited licence with some kind of a "rolling" validity / recency period. Such a system is actually for some national licences in different Member States in place and will save a lot of working time and costs.</p> <p>No justification or explanation is provided with your comment in order to show clarify why the proposed system will not work.</p>
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comment	<p>4193 comment by: <i>SFG-Mendig</i></p> <p>Das Checksystem muss in sich rund und durchhaltefähig sein, soll heißen,</p>
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wenn zusätzlich zu den Übungsflügen mit Fluglehrer auch die Checkflüge erforderlich sind, dann müssen sie so oft stattfinden, dass auch die examiner ihre Berechtigungen erhalten können. Der Blick muss hier im privaten Flugbetrieb liegen, Hubschrauberfliegen muss auch im Verein möglich sein.

response *Noted*

Thank you for providing your comment.

The issue of the proficiency check for all private licences 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. Your proposal for a mandatory LPC with an examiner every 24 months was discussed with the review group experts but it was decided not to introduce such a check only for the helicopter licence. In order to address the specific needs of a helicopter pilot some other changes were introduced.

comment 4593

comment by: *Patrick Diewald*

Eine Überprüfung alle 6 Jahre halte ich für überzogen. Der 1stündige Überprüfungsflug mit Fluglehrer sollte im Luftsportbereich vollkommen ausreichen.

response *Noted*

Thank you for providing your opinion.
Please see the response to comment No. 273 above.

It must be highlighted that by definition a proficiency check must be conducted by an examiner only. The flight instructor usually provides training flights only.

comment 4732

comment by: *CAA Belgium*

FCL.140.H(a)(1)(ii)
Probably editorial: Recency requirements for helicopters does not specify number of landings. In the corresponding aeroplane FCL.140.A(a)(1)(ii) we find "...including 6 take offs and landings..."

response *Partially accepted*

Thank you for providing your opinion.

The Agency did not introduce a required amount of circuits or take-offs / landings based on the fact that JAR-FCL did not ask for it so far.

Based on the comments received and some further discussions with the helicopter experts the Agency agrees and decided to introduce such a requirement asking for 6 circuits during the 12 months recency period.

comment	<p>5667 comment by: <i>Bristow Academy</i></p>
	<p>FCL140H has been copied directly from 140.A and there is an inconsistency in that, surely, recency requirements apply here to type ratings and not to the licence.</p> <p>There in no justification for requiring less stringent recency requirements for type ratings included in the LPL (H) than those that apply to type ratings included in the PPL(H), the CPL(H) or ATPL(H)</p> <p>The requirement of FCL.740.H applies to type ratings and should be unrelated to the licence type.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. However, the Agency will not instroduce a specific helicopter type rating or class rating for the LPL.</p> <p>Following the principle for the Leisure Pilot Licence to create a licence with less administrative burden the Agency has taken over the proposals of the drafting group and will introduce an unlimited licence with some kind of a "rolling" validity / recency period. Such a system is actually for some national licences in different Member States in place and will save a lot of working time and costs.</p> <p>No justification or explanation is provided with your comment in order to clarify why the proposed system will not work.</p> <p>Regarding your comment on less stringent requirements please be aware that the recency requirements for the LPL(H) have been changed. Within the last 12 months the helicopter pilot must have flown 12 hours and a training flight with an instructor. The proficiency check required before was deleted.</p>
comment	<p>5945 comment by: <i>Luftsport-Verband Bayern</i></p> <p>Die Bedingungen zur Ausübung der Rechte aus der Lizenz sind u.a. an eine Befähigungsüberprüfung mit einem Prüfer (alle 6 Jahre) geknüpft. Die Basic-Regulation 216/2008 formuliert in Anhang III, 1.e.2: "Die praktischen Fertigkeiten müssen in angemessenem Umfang aufrechterhalten werden. Die Erfüllung dieser Anforderung ist durch regelmäßige Bewertungen, Prüfungen, Tests oder Kontrollen nachzuweisen. Die Häufigkeit von Prüfungen, Tests oder Kontrollen muss dem mit der Tätigkeit verbundenen Risiko angemessen sein."</p> <p>Aus dieser Formulierung lässt sich die Notwendigkeit einer zusätzlichen Überprüfung durch einen Prüfer nicht ableiten. Die alle zwei Jahre durchzuführenden Flüge mit Fluglehrer sind ausreichend im Sinne o.g. Vorgabe.</p> <p>Eine ausreichende Anzahl von Prüfern würde eh nicht zur Verfügung stehen oder kurzfristig berufen werden können.</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges the opinion expressed.</p> <p>As this comment seems to be only a copy of your comment No. 5940 please check the response provided already to this comment.</p>
comment	<p>6281 comment by: <i>Axel Schwarz</i></p>

Holders of a LPL(H) are required to fly considerably more than holders of other helicopter licences when they operate more than one type of helicopter. As a remedy I suggest to revise FCL.140.H (a) to:
 "Holders of LPL(H) shall only exercise the privileges of their licence on a specific type when they have:
 (1) completed on helicopters in the last 24 months at least:
 (i) 12 hours of flight time as pilot-in-command;
 or
 (ii) 6 hours of flight time as pilot-in-command and 1 training flight of at least one hour with an instructor
 (iii) 3 hours of flight time on the type of helicopter;"

response

Not accepted

Thank you for providing your opinion.

Please see the response to comment No. 487 (FOCA Switzerland) in the same segment above.

comment

6407

comment by: *Sam Sexton*

Reference FCL140.A (2)
 the 6 yearly proficiency check..

Don't think this has been thought through properly by EASA. I.e. cost, this one rule alone will probably mean a considerably drop in pilot numbers as pilots give up fly altogether.

Reasons:-
 Cost.

Examiners charge excessive fee for a proficiency check/General flight test(GFT).

-I was charged approx 200 euro just as a test fee.

- pilots would feel they would need to do several hours with an instructor prior to a test again additional cost.
-
- I fly microlights and annex 2 aircraft. To do this proficiency test I would have to join a flying club additional fees. Pay aero club rates for hire of their aircraft currently around 200 euros and hour with an instructor
- again the hire of the aircraft for the test itself. Which could take up to 2 hours with the additional costs.
- this will therefore require a RIA.
-

Suggest that the current bi-annual flight with an instructor is now made a test flight with any instructor (not just an examiner). Where the instructor can refuse to sign of the pilots log books etc. if the instructor is unhappy with the pilots general flying.

Generally this flight is used by pilots to freshen up on certain areas of flying with an instructor. EFATO, Practice force landings. Stalls etc. etc.

Additionally there is some queries amongst instructor whether this flight can be split i.e. if I we fly to another airfield have a brake and fly back as long as the total flight time is more than one hour.

Seem certain NAA,s interrupt this different and require a flight of 1 hour with

	no brakes/stops.
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 273 above.</p> <p>It must be highlighted that by definition a proficiency check must be conducted by an examiner only. The flight instructor usually provides training flights only.</p> <p>The Agency is of the opinion that nothing prevents the instructor to split the training flight and to do "in between" landings. All together a total flight time of at least one hour must be reached.</p>

comment	<p>6486 ❖ comment by: <i>IAOPA Europe</i></p>
	<p>The requirement that a pilot must pass a proficiency check with an EXAMINER every 6 years should not apply for the LPL and PPL and for the class rating for a SEP. The option to do a training flight with an instructor is preferable for the non-professional pilot, since it actually gives the pilot training and upgrades or helps maintain his skills.</p> <p>The normal atmosphere in a checkride situation does nothing to improve the pilots flying skills or knowledge. On the contrary, the pilot will typically refrain from asking questions and touch subjects where he knows that he has weaknesses.</p> <p>If a check is regarded as necessary in order to satisfy the basic regulation, it is proposed to combine it with a training flight, that may be conducted by the FI or LAFI, and where the instructor by the end of the flight will pass or fail the pilot based on the same objective criteria as the proficiency check.</p> <p>Training flights with instructors as introduced under JAR-FCL are fully sufficient for fulfilling the requirements of the Basic Regulation. The Basic Regulation in its respective Annex III 1.c.2. and 1.e.2. doesn't require Proficiency checks from Examiners, but regular "assessments, examinations, tests or checks". Assessments or checks can of course be conducted by Flight Instructors. Considering that a flight instructor is authorised to send a student solo, it should be obvious that s Flight Instructor is able to assess the if a pilot operates safely.</p> <p>If the Agency believes that training flights with flight instructors were to an unacceptable degree not conducted as intended by the authorities, appropriate measures have to be taken to assure the desired quality of future training flights. Flight Instructors could be required to follow an official checklist of required exercises and to sign that all exercises were performed by the applicant in an acceptable way. Such a checklist could also be used for checking the theoretical knowledge of the applicant.</p> <p>If a proficiency check with an examiner is maintained IAOPA fears that this will create a mental barrier for a number of non-professional pilots and push people out of General Aviation. Feedback from IAOPA members shows that many pilots regard the introduction of Proficiency Checks as a signal of severe mistrust and that they are rather willing to give up flying than to undergo these proficiency checks.</p>

	<p>It is also unclear where the high number of required Examiners could come from, a new dangerous bottleneck would be created.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 273 above.</p>
comment	<p>6492 comment by: <i>Austro Control GmbH</i></p> <p>Comment: Number of takes offs and landings should be mentioned like in FCL.140.A.</p> <p>Proposed Text: (1) completed on helicopters of that type in the last 24 months at least: (i) 12 hours of flight time as pilot in command including 12 take-offs and landings or (ii) 6 hours of flight time as pilot in command including 6 take-offs and landings and 1 training flight of at least one hour with an instructor.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 4732 (CAA Belgium).</p>
comment	<p>6508 comment by: <i>Austro Control GmbH</i></p> <p>Comment: Six years are a too long lasting period.</p> <p>Proposed Text: (a) (2) passed a proficiency check on the type with an examiner, at least once in every 2 years.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>The issue of the proficiency check for all private licences 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.</p> <p>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. Your proposal for a mandatory LPC with an examiner every 24 months was discussed with the review group experts but it was decided not to introduce such a check only for the helicopter licence. In order to address the specific needs of a helicopter pilot some other changes were introduced.</p> <p>As proposed in several comments the recency time period will be changed into 12 months. As mentioned before the LPL(H) holder will be asked to have completed at least 12 hours of flight time and one training flight with an</p>

instructor.

An additional requirement will be added which will allow the licence holder to complete missing flight time with or under the supervision of an instructor.

comment

6529

comment by: *Luftfahrtbehörde Schleswig-Holstein Landesbetrieb Straßenbau und Verkehr*

Die Befähigungsüberprüfung im sechs Jahresrhythmus ist abzulehnen. Sie ist nicht erforderlich, da unter der Voraussetzung des FCL.140.H (a) (1) eine ausreichende Überprüfung gewährleistet ist. Die geforderte Befähigungsüberprüfung führt zu unnötigem Bürokratismus und birgt die Gefahr, dass zahlreiche Privatpiloten keine Verlängerung ihrer Lizenz beantragen werden.

Nach FCL.140.H (a) (1) (ii) wird u. A. „*a training flight of at least one hour with an instructor*“ gefordert.

Um sicherzustellen, dass der Fluglehrer auch die Kompetenz hat festzustellen, dass der Bewerber den Flugaanforderungen genügt/nicht genügt, sollte (sprachlich) formuliert werden, dass der Übungsflug nicht nur „mit“, sondern „unter Aufsicht“ des Fluglehrers erfolgt.

Vorschlag:

(a) (1) (ii) 3. Spiegelstrich

„*a training flight of at least one hour **under the survey of a flight instructor** [...]*“

Streichung von (a) (2)

response

Partially accepted

Thank you for providing your opinion.
Please see the response to comment No. 273 above.

A response for your proposal to add "under the survey" was already provided with another response.

comment

7015

comment by: *CAA Norway*

FCL.140.H(a)(1)(ii)

Probably editorial: Recency requirements for helicopters does not specify number of landings. In the corresponding aeroplane FCL.140.A(a)(1)(ii) we find "...including 6 take offs and landings..."

response

Noted

Thank you for providing this comment.

See the response to comment No. 4732 (CAA Belgium).

comment

7214

comment by: *Aero-Club of Switzerland*

Please remove FCL.140.A.

It is not consequent to merge License and Rating requirements.
Rating requirements are described in FCL.740 A (b)

Apply the same requirements as described in FCL.740.A (b), **except (2)**
 (i) within the three month preceding the expiry date of the rating, pass a proficiency check in the relevant class in accordance with Appendix 9 to this Part with an examiner; or
 (ii) within the 12 month preceding the expiry date of the rating, complete 12 hours of flight time in the relevant class, including:
 6 hours as pilot-in-command;
 12 take offs and 12 landings; and a training flight of at least one hour with a flight instructor (FI) or a class rating instructor (CRI).

Reason: The existing scheme with JAR FCL has proved itself.

With FCL.140.A, the pilot would have a fly experience less than before. This would affect the flight safety.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No. 3545.

comment

7264

comment by: *Peter Holland*

FCL.140.H LPL(H) - Recency requirements

This is nothing but a carry over from FCL.140.A. For helicopters it should be stricter still than this already inadequate requirement for fixed wing aircraft. I repeat my comments to FCL.140.A and stress, here in the UK, on helicopters we are rigorously tested every year on each type.

Given this licence is granted at a lower training and experience level to the full PPL, and we are addressing an intrinsically more unstable aircraft in the helicopter, surely the recency requirements should be increased from that of a PPL(A), whereas these requirements are somewhat short of current UK CAA PPL(A) requirements!

Surely a low experience licence such as this should require an annual checkflight with an examiner. In the UK on helicopters, we are required even as PPLs to undergo a full LPC every year.

response *Noted*

Thank you for providing your comment.

The issue of the proficiency check for all private licences 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. Your proposal for a mandatory LPC (check flight) with an examiner every 12 months was discussed with the review group experts but it

was decided not to introduce such a check only for the helicopter licence. In order to address the specific needs of a helicopter pilot some other changes were introduced.

As proposed in your comment the recency time period will be changed into 12 months. As mentioned before the LPL(H) holder will be asked to have completed at least 12 hours of flight time and one training flight with an instructor.

An additional requirement will be added which will allow the licence holder to complete missing flight time with or under the supervision of an instructor.

comment

7938

comment by: *Wolfgang Lamminger*

According to today's applicable regulations JAR-FCL 1.245 (c) (1) (ii), the renewal of the rating should also in future be carried out only by a training flight or "flight review" with a flight instructor."

The in the NPA mentioned proficiency-check every 6 years

- brings up a needless bureaucracy for the holder
- brings up a needless raise of cost for renewal of the rating
- brings a needless delay for the renewal of the rating, because the current organisation of the local aviation authorities is not almost able to represent the necessary number of Flight-Examiners (FE) and it will not be able to do so in future, because of the relation of the number License holders and Flight examiners. The way, private aviation is nowadays organized in Germany and adjacent countries, is oriented in a considerable extent in voluntary and unsalaried staff.
- does not at all raise safety by carrying out a checkflight every 6 years. In fact, security only can be achieved by practise and training. A checkflight with an "authorized" examiner will never reach the quality of a training within a trustfully "trainer-trainee" relation.
- it is in question, if in areas where today already periodical checkflights for rating prolongation take place, a significant raise of safety is achieved. (e. g. instrument ratings, type ratings), or if not practise and training are exclusive crucial for today's standard.

It is suggested to replace the regulation as follows:

"passed a training-flight of a minimum of 1 hour with a FI(A) or CRI(A) within the last 24 month"

A reduction of the period to the last 12 month would not be suggestiv, because the general validity of the rating is 24 month and different time ranges would be in dissent to the general validity of the rating/license.

Alternatively it could be suggestive to include the requirement of theory training into the regulation as follows:

„passed a training-flight of a minimum of 1 hour and 1 hour ground training with a FI (A) or CRI (A) [...]“

According to the regulations for the renewal of ratings/licenses it has to be referred to the for decades proven praxis of "flight reviews" according FAR-AIM § 61.56.

It can be assumed, that currently rated and trained flight instructors have the necessary sense of responsibility, to conduct the renewal of ratings/licenses. If EASA couldn't decide to lapse the periodical proficiency checks, the qualification of flight instructors should anyway be expanded to the privilege of an "examiner", according to the mentioned rule.

response *Noted*

The Agency acknowledges the opinion expressed.

However, the comment seems to be a duplicate of your comment No 7920. Please see the response already provided to your comment No. 7920.

comment 7996

comment by: *HeliAir Ltd*

It is **quite right that no minimum flight time** should be required if a flight test is performed.

In JAR there is a minimum of 2 hours - even when a flight test is undertaken - it is often a total waste of time and money.

(6 types, very experienced pilot (5000 hrs on type) still mandated to perform 2hrs training (by someone with 20hrs on type - pointless!!)

response *Noted*

Thank you for providing your opinion and the positive feedback.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 5:
Specific requirements for the LPL for sailplanes**

p. 15

comment 2471

comment by: *derekheaton*

There is a big difference between being pilot in command of a single seat sailplane and a 2 seat sailplane.

before carrying passengers the LPL(S) pilot should have completed: - a pilot in command of a 2 SEAT SAILPLANE, and have passed an appropriate proficiency check with an Instructor.

response *Not accepted*

Thank you for providing this comment.

However, the Agency does not agree with the proposal to add "on two-seater sailplanes" or to create a specific additional proficiency check for this purpose. The Agency is aware that there are some differences between single seater and double seater sailplanes but it is also true that there are a lot of differences between different types of double seaters (e.g. modern open class sailplanes compared with Bergfalke or K 7). The Agency's opinion is that the differentiation proposed or a proficiency check on only one type of double seater will not change a lot. Typically the student pilot has received quite an

extensive amount of double seater training time. Therefore the Agency cannot see the need to change this requirement and add a specific proficiency check for carrying passengers.

comment

2624

comment by: *Dieter Lenzkes*

General comment to subpart B, especially section 5

Ich unterstütze ausdrücklich die Einführung einer Freizeit-Pilotenlizenz (LPL), insbesondere für den Segelflug. Segelflug wird in der weitaus überwiegenden Mehrzahl als Freizeitsport in ehrenamtlich organisierten Vereinen betrieben. Damit konzentriert sich der Flugbetrieb dieser Piloten auf den Heimatflugplatz des eigenen Vereins, evtl. noch im Rahmen von Ferienlagern des Vereins auf wenige angrenzende Nachbarländer wie Österreich, Schweiz, Frankreich, Italien, um z.B. für „Flachlandpiloten“ Gebirgsflugerfahrungen zu vermitteln. Auf die hierfür erforderlichen Anforderungen sollte sich ein LPL konzentrieren. Alle zusätzlichen Anforderungen, die für eine kommerzielle Nutzung der Lizenz oder für eine Nutzung in ICAO-orientierten Nicht-EU-Ländern erforderlich sind, sind für die Masse der Europäischen Segelflieger ein überflüssiger Ballast, der zusätzliche Kosten ohne einen nutzbaren Mehrwert erzeugt. Dies behindert vor allem die Jugendarbeit in den Vereinen. Man kann den Einfluss dieser Heranführung der Jugendlichen an das Teamerlebnis Segelflug für die Persönlichkeitsbildung nicht hoch genug einschätzen.

Für die wenigen Segelflugpiloten, die die Möglichkeit (und das Geld) oder die Notwendigkeit haben Segelflug kommerziell und/oder im außereuropäischen Ausland zu betreiben, dürfte der nachträgliche Umstieg auf einen SPL keine unzumutbare Erschwernis sein.

response

Noted

Thank you for providing your opinion and the positive feedback on the LPL(S). However, the Agency does not understand the comment dealing with the commercial privilege. There is not such a privilege mentioned in FCL.105.S and the Agency does not envisage to extend the privileges as mentioned.

comment

2718

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

The need for introduction of a LPL for sailplanes LPL (S) is not seen. It merely duplicates the SPL. The main difference appears to rest with the different levels of medical requirements. Germany holds the opinion, however, that there should be only two medicals, namely equivalent to ICAO classes 1 and 2. The basic regulation does not justify or require a reduction of standards on medical fitness below ICAO level, neither in Art. 7 Nr. (7), nor anywhere else in the regulation. Germany considers the current JAR-FCL 3 medical requirements as the absolute acceptable minimum (see also Germany's comments on NPA 2008-17c). Hence, an additional LPL (S) as proposed here is superfluous and should not exist.

response

Noted

Thank you for providing your opinion.
The main part of the comment is dealing with medical issues. No clarification or direct answer can be provided with this document which is dealing with the Implementing Rules in Part-FCL.
However, the Agency would like to highlight that the EU Regulation 216/2008

explicitly asks the Agency to develop proposals for such a leisure pilot licence. Furthermore the BR contains some different criteria for the medical examination of a leisure pilot licence holder. The medical comments will be answered with the responses for NPA 2008-17c.

comment

3766

comment by: DGAC FRANCE

FCL Subpart B section 5

A good training to undertake cross country flights in a sailplane asks actually a certain amount of flight instruction because that kind of flight requires good skills and in addition good competencies related to decision making, situation awareness, and more generally TEM, especially in the mountains.

This extension would allow the pilot to acquire in a safe environment with an instructor these essential competencies.

Create a specific extension for cross-country flights, as it has been done to extend the privileges to different launch methods.

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees that cross country flights are an important element of sailplane activities. For all other aircraft categories a specific dual training and some specific solo cross country flights are proposed. This was missing in the current proposal for the sailplane licences.

The Agency has discussed and reviewed this issue again and came to the conclusion that limiting the LPL(S) only to local flights or introducing another additional extension or qualification would not be a practicable solution. Nevertheless a certain amount of cross country training should not mentioned only in the AMC material but also in the Implementing Rules.

The only option left was to introduce an additional cross country training flight in FCL.110.S. This additional cross country flight of at least 100 km should be done with an instructor. Please see the resulting text.

The text will be changed accordingly.

comment

3768

comment by: DGAC FRANCE

FCL Subpart C section 6

A good training to undertake cross country flights in a sailplane asks actually a certain amount of flight instruction because that kind of flight requires good skills and in addition good competencies related to decision making, situation awareness, and more generally TEM, especially in the mountains.

This extension would allow the pilot to acquire in a safe environment with an instructor these essential competencies.

Create a specific extension for cross-country flights, as it has been done to extend the privileges to different launch methods.

response

Noted

Thank you for providing this comment. However, it seems to be a copy of your comment No 3766. Please see the response already provided to comment No 3766.

comment

3947

comment by: *David Lisk*

Two licences appear to exist: the LPL(S) and SPL. It seems that the only difference is the medical requirements yet the criteria for each are identical. This does not make any sense and will cause confusion about which license to complete.

response

Noted

Thank you for providing your opinion.

You are right with the statement that the training and experience requirements for the LPL(S) and the SPL are very similar.

However, the Agency would like to highlight that the EU Regulation 216/2008 explicitly asks the Agency to develop proposals for such a leisure pilot licence and all the licences based on ICAO Annex 1. Furthermore the BR contains some different criteria for the medical examination of a leisure pilot licence holder.

Following the strong advice given by the sailplane experts two different licences were developed. The following differences were proposed:

- Class II medical with an AME for the SPL
- LPL medical with an GMP (sub ICAO standards and intervals)
- commercial privilege only for the SPL
- remuneration for the instructor only for the SPL

comment

4574

comment by: *Deutscher Aero Club*Attachment [#16](#)

General Comment:

The EGU would like the requirements for the LPL(S) and SPL licences to be the same (except for the medical requirements and the commercial privilege). Unfortunately, there are a number of inappropriate differences between LPL(S) and SPL which we believe simply to be drafting differences: highlighted on the attached file.

The EGU would like these discrepancies to be corrected

response

Partially accepted

Thank you providing your comment and the attached document identifying some editorial differences between the SPL and the LPL(S) and furthermore between the LAFI and the FI.

The two editorials identified for FCL.105.S and FCL.205.S will be corrected accordingly.

Two of the three other editorials mentioned regarding the LAFI and FI requirements in FCL.905.LAFI will be changed also accordingly.

comment

5218

comment by: *Needwood Forest Gliding Club*

FCL 105

The regulations should require that the pilot has the necessary experience on two seater aircraft and has passed a proficiency test for the carriage of passengers.

There should be regular checks to maintain standards

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with the proposal to create another proficiency check (which has to be done with an examiner) for carrying passengers. The Agency considers a licence holder having received already quite a lot of training on double seaters during his/her instruction flights, fulfilling the recent experience requirements defined in FCL.060 and having completed the recency requirements contained in FCL.140.S as sufficiently trained and experienced to carry passengers safely.

Be aware that this kind of proposed type specific proficiency check and regular re-assessments for carrying passengers are not foreseen for any other future licence category (PPL/SPL/BPL).

comment

5502

comment by: *Sally Woolrich*

I gather that the LPL(S) will be valid for VFR only and not intentional cloud flying without additional training, but cannot find any reference to this in the document.

I am in favour of additional training being required for deliberate cloud flying - the current BGA requirement of wearing a parachute strikes me as being minimalistic to say the least. I would also be in favour of part of the syllabus covering dealing with inadvertant cloud flying, which happens in gliding.

However, I gather that as currently framed an LPL(S) is restricted to VMC/VFR, which limits how close to clouds a glider can be flown. The reality of soaring is that it is usually necessary to follow thermals right up to cloudbase, especially in the UK where the base is low. Thermals don't usually work well low down, so this restriction could be removing accessing a substantial part of the useable thermal thus greatly limit XC performance - thermals would have to be closer together to facilitate XC soaring. A typical cloud base in the UK is 4,000' agl, and it is often necessary to be at 2,000' agl to be in the working zone. Since VFR requires us to be 1,000' vertically clear of cloud above 3,000' all of a sudden we now only have 1,000' of thermal to work instead of 2,000' - a 50% reduction. There is also the interesting question of how to establish where the cloud base actually is without flying up to it...

This also affects wave flying even more severely as VFR requires a minimum horizontal separation of 1500m above 3,000'. Most of the time that would require us to be so far from the wave bar that we would be outside the working zone...

CAA diagram of VFR rules:
<http://www.caa.co.uk/docs/64/ATS%20Airspace%20Classification.pdf>

I believe these need similar dispensations to those of paragraph 6.22 of the BGA Laws and Rules that allow gliders to go ridge soaring, that would make the rules below 3,000' apply up to FL190 for gliders. Given this exemption would only apply to gliders we would not be a risk to other traffic - indeed the tendency for gliders to flock below cumulus clouds and along wave bars might decrease the risk to other traffic by tempting us nearer the clouds.

See p20: <http://www.gliding.co.uk/forms/lawsandrules.pdf>

response *Noted*

Thank you for providing your opinion.

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.

comment 5530

comment by: *Nigel GREENWOOD*

I have carefully read the British Gliding Association's comments on licensing for glider pilots, as given on the BGA website, & fully endorse the BGA's position as the UK representative of my sport.

response *Noted*

Thank you for providing your opinion.

comment 5563

comment by: *Belgian Gliding Federation*

General Comment:

The BGF would like the requirements for the LPL(S) and SPL licences to be the same (except for the medical requirements and the commercial privilege). Unfortunately, there are a number of inappropriate differences between LPL(S) and SPL which we believe simply to be drafting differences

The BGF would like these discrepancies to be corrected

response *Partially accepted*

Thank you for providing this comment.

See the response provided to comment No. 4572 (EGU).

comment 5779

comment by: *Phil King*

Some of the differences between the requirements for the LPL for sailplanes and the SPL or inappropriate. These should be brought in line.

response *Noted*

Thank you for providing this comment.

However, the comment does not explain in detail which kind of differences are meant to be inappropriate. If this comment is based on the comment sent by EGU please see the response to comment No. 4574.

comment 5992 comment by: ENAC TLP

a lower licence for sailplane than SPL is useless, also considering the full credit of training (see FCL.210.S (b)).
therefore we propose to delete this section entirely.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree with the proposal to delete all the requirements for the LPL(S). The Agency would like to highlight that the EU Regulation 216/2008 explicitly asks the Agency to develop proposals for such a leisure pilot licence and additionally for all the licences based on ICAO Annex 1. Furthermore the BR contains some different criteria for the medical examination of a leisure pilot licence holder.

Following the strong advice given by the sailplane experts two different licences were developed. The following differences were proposed:

- Class II medical with an AME for the SPL
- LPL medical with an GMP (sub ICAO standards and intervals)
- commercial privilege only for the SPL
- remuneration for the instructor only for the SPL

comment 6462 comment by: DCAA

Use the ICAO term Glider. Why change the term to non-compliance with ICAO.

response *Not accepted*

Thank you for providing this comment.

However, in the EASA Certification Specifications the term sailplane (CS 22) is used already. For consistency reasons the term "sailplane" will be used also used for Part-FCL.

comment 6539 comment by: Michael GREINER

Dear Sirs and Madams,

I already have commented on the introduction of repetitious proficiency checks and language proficiency re-evaluations for glider pilots on the corresponding paragraphs FCL.055 and FCL.140.S.

If EASA has not the intention to mollify these paragraphs, then the following question arises:

If the license for glider pilots is split anyway, why must the below-ICAO license LPL(S) then require all the burdens? In the draft there is nearly no difference cognisable.

I envisage that these small complications will reduce the number of those glider pilots, who have no own glider but fly in a club. From the perspective of

people that have to divide their leisure time into parts for eg. family and for gliding related activities, these changed requirements will look like a near professional level of control and monitoring.

This will weaken the clubs, who supply the gliding community with infrastructure, relay safety information, and are the mainstay for a training level far above the recency requirements.

Glider manufacturers can already tell, that the number of orders from clubs is decreasing. Gliding clubs already have to compete with an increasing choice of leisure activities, which are not so demanding in long-time commitment and teamwork. It would be a pity to amplify this trend, because regulatory principles have to be executed without sense of proportion.

Therefore – if it is not possible to omit repetitious proficiency checks and language proficiency re-evaluations in the mother language for *both* LPL(S) and SPL – I propose to:

Introduce a subparagraph into FCL.055:

“Holders of LPL(S) may exercise the privileges of this licence, when they have *once* demonstrated language proficiency in their mother language at operational level and this language is used for air traffic control communications involved in the flight.”

Replace FCL.230.S with the wording of FCL.140.S as it is in the draft

Delete FCL.140.S (a)(2) without replacement.

Kind regards,
Michael Greiner

response *Partially accepted*

Thank you for providing your comment.

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.

See the resulting text.

Regarding the second issue of language proficiency and the proposed change of the wording in FCL.055 please see the responses and resulting text in the appropriate segment.

comment 7525

comment by: *Mike Armstrong*

Page 15 of 647 FCL105.5

The privilege of carrying passengers in sailplanes should only be permitted after familiarisation training in the particular seat of the two seater that will be

	used and also after some training on how to brief passenger before flight.
response	<p>Not accepted</p> <p>Thank you for providing this comment. However, the Agency does not agree with the proposal to add additional familiarisation flights on a specific two-seater sailplane.</p> <p>Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers but no additional check or training, this issue was discussed again with the review group and the all the input received was checked carefully.</p> <p>A huge amount of comments (mainly from one Member State) proposed some kind of a proficiency check and specific additional training before allowing the LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S., asked for additional training hours and agreed to the proposed 10 hours experience requirement.</p> <p>The Agency is aware that there are some differences between single seater and double seater sailplanes and it is also true that there are some differences between different types of double seaters. The Agency's opinion is that the differentiation proposed will not change a lot. Typically the student pilot has received quite an extensive amount of double seater training time (on the PIC seat) . Specific training on the double seater used for the passenger flight or specific training on how to brief a passenger should in the Agency's opinion be part of the pilot's responsibility and not regulated further by these Implementing Rules.</p> <p>Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours) the Agency has decided not to introduce an additional proficiency check or a specific training for LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".</p> <p>The text will be changed accordingly.</p>

comment	7755	comment by: <i>Europe Air Sports, VP</i>
	Please refer to the comments delivered by the European Gliding Union.	
response	<p>Noted</p> <p>Thank you for providing this comment. See the response to comment No. 4574.</p>	

comment	8099	comment by: <i>Robert CASSELS</i>
	<p>It is my opinion that the training and certification of sailplane pilots at club level in the UK controlled by the BGA worked extremely well. It produced safe and competent pilots. These new regulations are far too complex and will have a very detrimental effect on the sport of gliding in UK, especially on the smaller clubs. It will push up the cost of becoming a sailplane pilot by a massive</p>	

amount and result in the closure of the vast majority of smaller clubs and a huge reduction in the number of glider pilots. I believe only a very limited number of the larger clubs (maybe 3 or 4) will survive.

Fewer experienced pilots will be able to afford the costs which will be involved in moving on to instructor level. This combined with the new regulations will result in less supervision of relatively inexperienced pilots by experienced instructors during the day to day running of any smaller clubs that do survive.

The existing system works extremely well, it should not be tampered with in this way. Why change something that is so successful at producing safe sailplane pilots?

response *Noted*

Thank you for providing your opinion.

The Agency has understood the concerns raised but without detailed examples which of the requirements proposed for the LPL(S) will cause the problems mentioned this response cannot offer any change to the proposed regulation. The Agency has taken into account the existing national regulations when developing these requirements.

So far EASA cannot see why only a few experienced pilots "will be able to afford the costs" when "moving on to the instructor level". Please read the requirements contained in subpart J and study the pre-requisites for the LAFI(S) and the content of the training course.

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 5: Specific requirements for the LPL for sailplanes - FCL.105.S LPL(S) - Privileges and conditions

p. 15

comment 180

comment by: *Aero-Club of Switzerland*

(b) of FCL.105.S is to be deleted.

Justification: Nothing speaks against a carrying of a passenger in a sailplane or a TMG just after having passed the licence.

response *Not accepted*

Thank you for providing your opinion. However, the Agency does not agree and will keep some specific requirements for LPL(S) holders before taking passengers.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience

requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours) the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

The text will be changed accordingly.

comment 303

comment by: *Paweł Góra*

Taking into consideration fact that applicant for LPL(S) shall complete only 10 hours of flight time, the condition to carry passengers after as few as 10 hours as PIC seems to be to liberal. Having in mind the low number of hours, this condition to carry passengers should be at least 35 hours as PIC.

response *Not accepted*

Thank you for providing your opinion. However, the Agency does not agree and will not raise the specific requirements for LPL(S) holders before taking passengers.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours) the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

The text will be changed accordingly.

comment 569

comment by: *British Gliding Association*

Attachment [#17](#)

There are a number of inappropriate differences between LPL(S) and SPL which we believe simply to be drafting differences: highlighted on the attached file.

response *Partially accepted*

Thank you providing your comment and the attached document identifying two editorial differences between the SPL and the LPL(S) and furthermore three other editorials regarding the LAFI / FI requirements. The two editorials

identified for FCL.105.S and FCL.205.S will be corrected accordingly.

Two of the three other editorials mentioned regarding the LAFI and FI requirements in FCL.905.LAFI will be changed also accordingly.

comment

570

comment by: *British Gliding Association*

FCL.105.S (page 15)

&

FCL.205.S (page 21)

NPA Proposal

(b) The holder of a LPL(S) shall only carry passengers after s/he has completed 10 hours of flight time as pilot-in-command of sailplanes, powered sailplanes or TMG.

Comment

Neither:

The skill test for the issue of a LPL(S) and of an SPL (AMC No1 to FCL.125 and to FCL.235, page 204),

Nor

The specified flight instruction for the LPL(S) and SPL (AMC to FCL.110.S and FCL.210.S, page 241),

contain any mention of any aspect of passenger flying.

A pilot will not acquire the necessary skills while flying solo.

Further, most glider solo flying takes place in single seat aircraft.

It is thus essential that a further test or check is required before permitting passenger flying.

BGA Proposal

FCL.105.S (b) & FCL.205.S (b) (2)

Should both read:

..... shall only carry passengers after s/he has:

(1) completed 10 hours of flight time as pilot-in-command of two seat sailplanes, powered sailplanes or TMG.

and

(2) passed a proficiency check with an instructor, demonstrating appropriate passenger handling skills

response

Not accepted

Thank you for providing this comment. However, the Agency does not agree with the proposal to add "on two-seater sailplanes" or to create a specific additional proficiency check for this purpose.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments (mainly from one Member State) proposed some kind of a proficiency check and specific additional training before allowing the LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S., asked for additional training hours and agreed to the proposed 10

hours experience requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours) and on the evaluation of the national requirements actually in place in different Member States for carrying passengers in sailplanes the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

The text will be changed accordingly.

Additional information:

The Agency is aware that there are some differences between single seater and double seater sailplanes but it is also true that there are a lot of differences between different types of double-seaters (e.g. modern open class sailplanes compared with Bergfalke or K 7). The Agency's opinion is that the differentiation proposed or a additional proficiency check on only one type of double seater will not change the situation significantly. The Agency considers a licence holder having received already quite a lot of training on double-seaters during his/her instruction flights, having demonstrated his/her abilities through the completion of the skill test on a double-seater, fulfilling the recent experience requirements defined in FCL.060 and having completed the recency requirements contained in FCL.140.S as sufficiently trained and experienced for carrying passengers safely. Therefore the Agency cannot see the need to change this requirement completely and to introduce a specific proficiency check with an examiner. To make sure that the item "passenger handling" will specifically be covered during the flight training the Agency will add the item: "passenger handling" in AMC to FCL.110.S and to FCL.210.S (Flight Instruction for the LPL(S) and the SPL).

Please take also into account that this kind of proposed class specific proficiency check for carrying passengers is not foreseen for any other future licence (PPL/SPL/BPL). Checking the national requirements for carrying passengers by sailplane licence holders in the different Member States it is obvious that only a few Member States require additional checks or training for carrying passengers. The Agency is not aware of any safety case in the other Member States allowing a licence holder to carry passenger without any additional check or specific training.

comment

816

comment by: *Robert Corbin*

At present in this draft of the implementing rules there is no mention of the special requirement for gliders to be able to fly in clouds.

The flight characteristics of unpowered sailplanes are quite different to all the other categories of aircraft in that they can not maintain a level or direction as they use altitude (potential energy) as their fuel. They need it to get from one area of rising air to the next. If they have insufficient height then an out-landing not on an airfield may result. Such an event will significantly increase the risk of an accident due to the possibility of landing onto an unsuitable surface or hitting an unseen obstruction.

In the UK there tends to be much lower cloud bases than found on the continent of Europe and there are few suitable mountains and ridges to use hill soaring techniques to sustain flight so it is common to fly in IMC conditions

within 1000 feet of cloud base to maximise the available potential energy.

Statistics over the past 10 years have shown that there have been no mid air collisions near cloud between gliders and any other sort of aircraft whereas there are on average about 3 serious field landing accidents per year in the UK. (Glider Accidents in 2007, British Gliding Association)

A basic privilege for LPL(S) must therefore include:

(c) The holder of an LPL(S) is permitted to fly in IMC conditions but clear of cloud and in sight of the ground at any height unless the pilot holds an additional cloud flying rating.

response

Not accepted

Thank you for providing your opinion.

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.

The Agency does therefore not agree to add an additional privilege for cloud flying in FCL.105.S at this stage.

comment

845

comment by: *Luftsportverband Rheinland Pfalz*

FL 105 S.

Mit der Prüfung zur Erlangung der Lizenz erhält der Pilot die Bestätigung, dass er ein Segelflugzeug führen kann und mit allen einschlägigen Vorschriften vertraut ist. Welcher Erfahrungsgewinn wird durch 10 zusätzliche Flugstunden erwartet?

In der Regel hat ein Pilot eine ein bis vierjährige Ausbildung in einem Luftsportverein absolviert, in deren Rahmen er aktiv geflogen ist. Der Vereinsführung ist die Persönlichkeit des Piloten vertraut. Sie wird keinen unzuverlässigen oder ungeeigneten Piloten Passagiere fliegen lassen.

Eine gesetzliche Regelung, dass für Passagierflüge zusätzlichen Stunden nach dem Schein benötigt werden ist unnötig.

Durch diese Regelung werden die bestehenden deutschen Vorschriften verschärft.

(b) streichen

alternativ: der Inhaber einer Segelfluglizenz darf Passagierflugzeuge nur mit einer gültigen Lizenz durchführen und muß über die notwendige Zuverlässigkeit und persönliche Eignung verfügen. Er muß in den letzten drei Monaten 3 Starts auf einem Segelflugzeug durchgeführt haben.

response

Not accepted

Thank you for providing your opinion. However, the Agency does not agree and will keep some specific requirements for LPL(S) holders before taking passengers.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying

passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours) the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

The text will be changed accordingly.

comment

934

comment by: *Stefan JAUDAS*

FCL.105.S(b)

10 hours of flight time can be achieved one or two flights. This would appear to be insufficient for any level of proficiency.

Instead, in the interest of safety, flight time requirement should be dropped in favour of minimum number of flights and launch method.

"The holder of a LPL(S) shall only carry passengers after he/she has completed 30 flights as pilot-in-command of sailplanes, powered sailplanes or TMG. No less than 15 of such flights shall be made with the launch method used for the actual passenger flight."

response

Partially accepted

Thank you for providing your opinion. The Agency agrees to add a certain amount of launches and landings as an alternative requirement.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours) the Agency has decided not to introduce an

additional proficiency check or a specific rating for LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

The text will be changed accordingly.

Additional comment:

The Agency believes that there is no need to add a certain amount of launches using a specific launch method because the recency requirement defined in FCL.130.S (c) should already cover this.

comment

943

comment by: *Colin Field (UK Glider Pilot)*

Although it will be a very useful capability to certify solo pilots to take passengers, this should not be accomplished only through solo hours in single seat aircraft.

In order to acquire sufficient skill to be able to take passengers, pilots should undergo approved training and testing which are linked to the responsibility of flying with a member of the public who has had no flight training, including accuracy of aircraft handling, bailout procedures and care of the passenger before/during/after flight.

There should also be a requirement for the pilot to be fully familiar with the type of aircraft that is going to be used during passenger flying. I suggest 10 hours in a relevant, 2 seat aircraft, plus relevant training, before being certified to carry passengers.

response

Not accepted

Thank you for providing your opinion.
Please see the response already provided to comment No. 570 (BGA).

comment

965

comment by: *CAA Belgium*

(a) to be added : "NOT FOR REMUNERATION OR HIRE"

response

Not accepted

Thank you for providing this comment.
However, the term "without remuneration" is already used in FCL.105 which explains the privileges of the LPL in general. The Agency cannot see a need to repeat this in FCL.105.S.

comment

1010

comment by: *George Rowden*

Comment: the proposed training for a LPL(s) and SPL licence do not provide the necessary skills for introducing a passenger to flying sailplanes. In addition, most if not all solo flying will have been done in a single seat sailplane. Consequently, further checks and training is required before the LPL(S) or SPL licence holder should be allowed to carry passengers.

I therefore propose that passenger flying is only allowed after the P1 pilot has completed 10 hours of flight time as pilot-in-command of two seat sailplanes, powered sailplanes or TMG and passed a proficiency check with an instructor, demonstrating appropriate passenger handling skills

response

Not accepted

Thank you for providing your opinion.
Please see the response to comment No. 570 (BGA).

comment

1297

comment by: *George Knight*

(b) Passenger carrying after 10 hours solo in gliders.

This is an unsafe proposal. The 10 hours solo will have been carried out either in a single seat glider or from the front seat of a two-seater glider. The pilot will have never experienced flight from the rear seat of a two-seater glider. (The vast majority of 2-seater gliders in Europe are tandem.)

Propose that except for instructors who will have been trained in the rear seat the rule be changed to require training in the rear seat of the glider type to be used for passenger carrying by an instructor and passenger carrying be permitted only after the instructor has endorsed the pilot's log book for passenger carrying in the glider type.

response

Not accepted

Thank you for providing your comment.
Please see response to comment No. 570 (BGA).

Additional comment:

The pilot-in-command (PIC) during such a passenger flight has to be seated in the seat foreseen by the flight manual as the seat for the PIC. The Agency has so far no indication that this cannot be the front seat in a sailplane. If the flight manual allows to fly the sailplane from the right seat or the rear seat and if there is a certain reason for passengers to be seated in the front or left seat the pilot should be familiar with the differences when flying the sailplane from this seat. The additional training could be done with an instructor.

This is quite similar to the problem of the minimum experience on a specific double-seater type. It is obvious that experience on a "basic" sailplane like the ASK 13 does not automatically qualify the LPL(S) pilot to carry passengers in a modern fibre-glass two-seater like the Nimbus 4D or a similar type. Additional training is clearly required before carrying passengers on this type of sailplane but this cannot be solved by introducing additional proficiency checks on different double-seater sailplanes.

comment

1324

comment by: *George Knight*

The privileges section for all PPL/LPL type licences fail to state the flight conditions under which flights may be conducted. By default this is assumed to be Day VFR in VMC. For gliding - particularly where flight in IMC and in cloud has been permitted since the inception of gliding in the 1930s this will have major impacts.

If the assumptions above are correct then a glider pilot will not be able to fly within 1500 metres horizontally of cloud and within 1000 feet vertically when above 3000 feet.

Now most gliders when soaring and on cross-country flights fly in the top third of the height band between ground level and the cumulus cloud base. This is the area where the best conditions occur and is the safest since the chances of

land outs are reduced and the time to find a landing area if a land out is necessary is maximised. If the 1000 feet vertical separation above 3000 feet is implemented then with a typical UK cloud base altitude of 3500 to 4000 feet then gliders would be prohibited from climbing above 3000 '. This will have a disastrous negative impact on cross country glider flight feasibility and safety.

The other problem is the 1500 metres horizontal separation from cloud. This will impact two main situations. Mountain wave flight and sea breeze and other frontal clouds cases. Mountain wave flight is frequently undertaken in gaps in cloud or a short distance upwind of lenticular clouds (as little as a few tens of metres). A glider attempting to remain 1500 metres from such a cloud would not be in lift but most probably in strong sink. This would make much wave flight illegal.

Frontal situations may give lift up one side of a band of cloud. A sea breeze front will often have different cloud bases on each side since the two air masses have different characteristics. Long distance flight is possible today running under the higher cloud base - very close horizontally to the lower cloud in the wetter air. The loss of permission to fly in IMC, albeit clear of cloud is a huge disadvantage.

On some days where there are large gaps between areas of thermals the best way to cross it to perform a cloud climb before setting off to cross the gap. The proposed changes will make that impossible.

The gliding badges require gains of height of 3,000 feet for the Silver badge, nearly 10,000 feet for the Gold and over 16,000 for the Diamond. Only the silver is routinely gained over most of the UK while clear of cloud. The Gold height is achievable in cloud over most of the UK - but not in VFR. The Diamond is usually achieved in wave. Loss of access to cloud will be a significant disadvantage to glider pilots.

There are two cases that need to be considered separately.

1. Flight in cloud.
2. Flight in IMC but clear of cloud.

Flight in cloud.

I realise that this is a separate debate and that the UK IMC rating is not currently planned to exist after about 2012. For glider pilots there are three groups who wish to fly in cloud.

- a. Glider pilots with an instrument rating or IMC rating gained on aeroplanes. (Gliding is undertaken by many professional pilots.)
- b. Glider pilots who have been taught on gliders in the past and wish to continue to exercise this privilege in the future.
- c. Glider pilots who want to learn to fly in cloud.

I believe that for pilots who today have an Instrument or IMC rating on aeroplanes that they should be permitted grandfather rights to fly in cloud.

I believe that existing glider pilots with cloud flying skills should be given grandfather rights.

A glider cloud flying rating should be introduced to allow new pilots to undertake this activity.

Flight in IMC but clear of cloud.

Glider pilots should be permitted to fly in IMC outside controlled airspace as long as they remain clear of cloud. The rules to remain 1000' vertically and 1500 metres horizontally when above 3000 feet should not be applied. This has been the case for many years and should not be changed.

response *Noted*

Thank you for providing your opinion containing a proposal for a future Cloud Flying Rating for sailplane pilots.

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.

comment *1463*

comment by: *Andrew Sampson*

Usually, once solo, most flying will be in single seat aircraft - so a glider pilot with 10rs may have very limited experience as P1 of a dual-seat glider. I suggest a further proficiency check as is currently the practice.

response *Not accepted*

Thank you for providing your opinion.
Please see the response for comment No 570 (BGA).

comment *1646*

comment by: *colin sutton*

Is there any comment about cloud flying. Gliders often fly close top or in cloud to climb in thermals, close to cloud base when ridge and wave flying. There needs to be some exemption to allow gliders to continue to cloud fly in suitable areas and as such should there also be a cloud flying rating.

response *Noted*

Thank you for providing your opinion containing a proposal for a future 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.

comment *1690*

comment by: *Sven Koch*

Segelflugzeuge + motorgetriebene Sfl.
Passagierflug mit 10 Std als PIC

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 the privileges contained in FCL.105.S but the TMG is not mentioned specifically.

comment **1821** comment by: *Bruha Oliver*

ist soweit ok, wobei ein PKW-fahrer auch Personen befördern darf.
Entweder der Pilot kann fliegen oder nicht!

response **Noted**

Thank you for providing your opinion. However, the Agency does not agree with the comparison of driving a car and will keep some specific requirements for LPL(S) holders before taking passengers.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S., asked for additional training hours and agreed to the proposed 10 hours experience requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours) the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

The text will be changed accordingly.

comment **1850** comment by: *Dr. Schreck*

FCL.105.S:
Einen Passagier erst ab 10 Flugstunden nach Scheinerwerb mitnehmen zu dürfen ist vernünftig

response **Noted**

Thank you for providing this positive feedback.

comment **1874** comment by: *Markus Malcharek*

10 Flugstunden nach Scheinerwerb als Voraussetzung, Passagiere mitnehmen zu dürfen, wird als positiv empfunden, da es wirklich der Sicherheit dient. Erst nach einer gewissen Stundenzahl kann davon ausgegangen werden, daß "frische" Piloten keine Nervosität mehr zeigen, wenn sie von Laien "beobachtet" werden.

response	<i>Noted</i> Thank you for providing this positive feedback.
comment	2046 comment by: <i>Thomas SIEWERT</i> FCL.105.S: LPL(S)-Privileges and conditions Die Regelung, Passagiere erst 10h nach Lizenzerhalt mitnehmen zu dürfen scheint sinnvoll und ist daher positiv zu bewerten.
response	<i>Noted</i> Thank you for providing this positive feedback.
comment	2081 comment by: <i>Markus Hitter / JAR-Contra</i> We appreciate it to see there's no longer a weight limitation on sailplane licences. CS-22 is far better suited to limit regulate technological advances.
response	<i>Noted</i> Thank you for providing this positive feedback.
comment	2106 comment by: <i>Vincent EARL</i> Passenger carrying in gliders is a specific skill which is not something that a solo pilot will acquire on their own. Piloting a 2 seater from the rear seat is also something that requires practice and checking by a qualified instructor. There is no mention of any checks to verify a LPL(S) or SPL pilot's capability to perform either of these tasks. I propose that the requirements should be modified to include the following requirement: Before carrying a passenger (defined as someone that is not an LPL(S) or SPL qualified pilot in their own right) in a glider, the LPL(S) or SPL Applicant must pass a proficiency check with an instructor to demonstrate passenger handling and rear seat piloting capability. Successful assessment of the applicant shall be noted in the pilot's logbook and shall be reviewed annually to retain the privileges as a passenger carrying pilot.
response	<i>Not accepted</i> Thank you for providing this comment. Please see response to comment No. 570 (BGA). However, the Agency does not agree with the proposal to add a specific additional proficiency check for this purpose. The Agency is aware that there are some differences between single seater and double seater sailplanes but it is also true that there are a lot of differences between different types of double-seaters (e.g. modern open class sailplanes compared with Bergfalke or K 7). The Agency's opinion is that a proficiency check on only one type of double seater will not change a lot. The Agency considers a licence holder having received already quite a lot of training on double-seaters during his/her instruction flights, fulfilling the recent experience requirements defined in FCL.060 and having completed the recency requirements contained in

FCL.140.S as sufficiently trained and experienced for carrying passengers safely. Therefore the Agency cannot see the need to change this requirement.

Please be aware that this kind of proposed type specific proficiency check for carrying passengers is not foreseen for any future licence (PPL/SPL/BPL).

Additional comment:

The pilot-in-command (PIC) during such a passenger flight has to be seated in the seat foreseen by the flight manual as the seat for the PIC. The Agency has so far no indication that this cannot be the front seat in a sailplane. If the flight manual allows to fly the sailplane from the right seat or the rear seat and if there is a certain reason for passengers to be seated in the front or left seat the pilot should be familiar with the differences when flying the sailplane from this seat. The additional training could be done with another experienced pilot or with an instructor.

This is quite similar to the problem of the minimum experience on a specific double-seater type. It is obvious that experience on a "basic" sailplane like the ASK 13 does not automatically qualify the LPL(S) pilot to carry passengers in a modern fibre-glass two-seater like the Nimbus 4D or a similar type. Additional training is clearly required before carrying passengers on this type of sailplane but this cannot be solved by introducing additional proficiency checks on different double-seater sailplanes.

comment 2304 comment by: *Matthias Dangel*

Mitnahme von Passagieren im Segelflugzeug erst 10h nach Lizenzerteilung ist absolut sinnvoll.

response *Noted*

Thank you for providing this positive feedback.

comment 2883 comment by: *David Bowden*

FCL 105

The regulations should reflect the need for qualification on two seater aircraft and the need to pass a proficiency test for the carriage of passengers.

response *Not accepted*

Thank you for providing your opinion.
Please see the response to comment No. 570 (BGA).

comment 3269 comment by: *Matthias Heine*

Hier sollte eine Regelung aufgenommen werden, die es LPL (S) Piloten ermöglicht als Erfüllungsgehilfe für den Verein kommerzielle Gastflüge durchzuführen. Damit sollte eine Haftungsregelung über den Verein erfolgen.

Begründung: Die Vereine müssen Gastflüge durchführen, um ihren Nachwuchs zu sichern. Können diese Flüge nur von SPL Piloten durchgeführt werden, entsteht für diese eine hohe Belastung. Hinzu kommt die finanzielle Belastung durch die Forderung nach einem Fliegerarzt.

Da Gastflüge in der Regel nicht über die Umgebung des Platzes hinausführen, ist hier keine Verschlechterung der Flugsicherheit zu erwarten.

Die Entscheidung, ob der Pilot fähig ist einen Gast zu befördern sollte im

Ermessen des Vereins liegen, da nach den Anforderungen zu erwarten ist, dass der Pilot in seinem Können ungefähr den in Deutschland üblichen B-Prüfung entspricht.

response

Not accepted

Thank you for your comment.

However, the Agency does not agree in adding a specific privilege to allow the LPL pilot to be remunerated and to do commercial flights.

This decision is based on the framework given by the EU Regulation 216/2008 for this kind of licence. Article 7 of this Basic Regulation mentions a leisure pilot licence "covering non-commercial activities" only. In Article 3 of this Regulation you will find a definition for commercial operation. This article states clearly: "commercial operation shall mean any operation of an aircraft, in return for remuneration or other valuable consideration".

Holders of an SPL with the commercial privilege are allowed to perform a flight against remuneration.

The decision if a certain pilot is able to take passengers should not be left for the club or the aircraft owner. The Agency will keep the 10 hours requirement because this additional experience is seen to be necessary before carrying passengers.

comment

3529

comment by: *James Clarke*

As an instructor in sailplanes I do not believe the privilege to carry passengers should be granted in this way. At the very least an additional check with should be required before permitting passenger carrying.

response

Not accepted

Thank you for providing your opinion.

Please see the response provided to comment No. 570 (BGA).

comment

4062

comment by: *Graham Morris*

I regard the minimal flying experience required to fly passengers as in sailplanes as dangerously inadequate. More time and proof of ability to deal with launch failures and stall spins has been proven to be essential.

response

Not accepted

Thank you for providing your opinion.

Please see the response provided to comment No. 570 (BGA).

The Agency agrees on the importance of safety related emergency training but it would like to highlight that the training to recover from a stall or a spin and the ability to perform safe landings after a winch launch failure should be trained and checked on a sufficient level already during the training for the licence. If the gliding community considers the training defined for the licence as not sufficient for the safe carriage of passengers and "dangerously inadequate" as mentioned in the comment this must be also taken into account when drafting the training syllabus.

comment	<p>4141 comment by: <i>Claudia Buengen</i></p> <p>10 hours of solo flight are not sufficient to ensure safe handling of passengers and safe flying at the same time.</p> <p>suggestion: at least 10 hours of solo flight plus a proficiency check with a n instructor to ensure safe handling of passengers and safe flying while potentially being distracted by talking to passengers.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 570 (BGA).</p>
comment	<p>4394 comment by: <i>Paul SMITH</i></p> <p>The proposal is that passenger carrying is permitted after 10 hours of P1 flight. I believe that the pilot should have had some introduction to passenger handling before introducing members of the public to the sport of gliding.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 570 (BGA).</p>
comment	<p>4582 comment by: <i>Deutscher Aero Club</i></p> <p>FCL.105 S (a) LPL(S) Privileges and conditions FCL.110.S (a) LPL(S) Experience requirements and crediting</p> <p>Comment As this is written, TMG are not powered sailplanes. This is not consistent with the definition of the TMG in FCL.10, according to which, a TMG is a specific type of powered sailplane.</p> <p>EGU Proposal: FCL.105.S a) The privileges of the holder of an LPL(S) for sailplane are to fly sailplanes and powered sailplanes. FCL 110.S a) Applicants for an LPL(S) shall have completed at least 10 hours of flight time in sailplanes or powered sailplanes.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency agrees that the wording used in FCL.105.S and in FCL.205.S is misleading. The TMG is clearly a powered sailplane and must not be specifically mentioned in (a). However, as there is a separate extension for LPL(S) or SPL holders to exercise the privileges on a TMG this should be clarified and the text should be amended.</p> <p>The Agency is of the opinion that there is no need to mention specifically the different categories of powered sailplanes (like self launching sailplanes or self sustaining sailplanes).</p>

The text will be changed accordingly.

comment 4700 comment by: *Graham Morris*

I much approve of the ability to fly sailplanes, powered sailplanes and TMG on the LPL(S) and SPL.

response *Noted*

Thank you for providing this positive feedback.

However, please check FCL.135.S which contains the necessary training for the extension of privileges to TMG.

comment 5192 comment by: *Klaus Melchinger*

It's appreciated to see there's no longer a weight limitation on sailplane licences.

CS-22 is far better suited to regulate technological advances.

response *Noted*

Thank you for providing this positive feedback.

comment 5201 comment by: *Paul Morrison*

The proposal is that passenger carrying will be permitted after 10 hours of P1 flight. I believe that this will compromise flight safety as under the present arrangements, pilots are required to have received specific training in pilot handling and briefing before they are permitted to carry passengers or before introducing members of the public to gliding.

response *Noted*

Thank you for providing your opinion.
Please see the response to comment No. 570 (BGA).

comment 5565 comment by: *Belgian Gliding Federation*

FCL.105 S (a) LPL(S) Privileges and conditions

FCL.110.S (a) LPL(S) Experience requirements and crediting

Comment:

As it is written now, TMG's are not powered sailplanes. This is not consistent with the definition of the TMG in FCL.10, according to which, a TMG is a specific type of powered sailplane.

Proposal:

FCL.105.S

a) The privileges of the holder of an LPL(S) for sailplane are to fly sailplanes and powered sailplanes.

FCL 110.S

a) Applicants for an LPL(S) shall have completed at least 10 hours of flight time in sailplanes or powered sailplanes.

response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment. See response to comment No. 4582 (Deutscher Aero Club).</p>
comment	<p>6328 comment by: <i>peter Gray</i></p> <p>FCL.105.S "(b) The holder of a LPL(S) shall only carry passengers after he/she has completed 10 hours of flight time as pilot in command of sailplanes, powered sailplanes or TMG."</p> <p>In my experience (40years) a pilot with only 10 hrs as PIC is not fit to carry passengers unless they be also pilots. Where passenger carrying is seen as a stepping stone to instructing or the passenger may be a member of the public a PIC time of 100hrs is more appropriate.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No. 570 (BGA).</p>
comment	<p>6639 comment by: <i>David PYE</i></p> <p>There are a number of inappropriate differences between LPL(S) and SPL which I believe simply to be drafting differences: highlighted in the response from the BGA. Please refer to their attached file.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment and the reference to the BGA document identifying two editorial differences between the SPL and the LPL(S) and furthermore three other editorials regarding the LAFI and FI requirements.</p> <p>The two editorials identified for FCL.105.S and FCL.205.S will be corrected accordingly.</p> <p>Two of the three other editorials mentioned regarding the LAFI and FI requirements in FCL.905.LAFI will be changed also accordingly.</p>
comment	<p>6642 comment by: <i>David PYE</i></p> <p>FCL.105.S (b) & FCL.205.S (b) (2) Should both read: shall only carry passengers after s/he has: (1) completed 10 hours of flight time as pilot-in-command of two seat sailplanes, powered sailplanes or TMG. and (2) passed a proficiency check with an instructor, demonstrating appropriate passenger handling skills</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing this comment. See the response provided to comment No. 570 (BGA).</p>

comment	<p>6647 comment by: <i>Croft Brown</i></p> <p>Attachment #18</p> <p>There are a number of inappropriate differences between LPL(S) and SPL which we believe simply to be drafting differences: highlighted on the attached file.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment and the attached BGA/EGU document identifying two editorial differences between the SPL and the LPL(S) and furthermore three other editorials regarding the LAFI and FI requirements.</p> <p>The two editorials identified for FCL.105.S and FCL.205.S will be corrected accordingly.</p> <p>Two of the three other editorials mentioned regarding the LAFI and FI requirements in FCL.905.LAFI will be changed also accordingly.</p>
comment	<p>6723 comment by: <i>Croft Brown</i></p> <p>FCL.105.S (page 15) & FCL.205.S (page 21) NPA Proposal (b) The holder of a LPL(S) shall only carry passengers after s/he has completed 10 hours of flight time as pilot-in-command of sailplanes, powered sailplanes or TMG.</p> <p>Comment Neither: The skill test for the issue of a LPL(S) and of an SPL (AMC No1 to FCL.125 and to FCL.235, page 204), Nor The specified flight instruction for the LPL(S) and SPL (AMC to FCL.110.S and FCL.210.S, page 241), contain any mention of any aspect of passenger flying. A pilot will not acquire the necessary skills while flying solo. Further, most glider solo flying takes place in single seat aircraft. It is thus essential that a further test or check is required before permitting passenger flying.</p> <p>Croft Brown endorses the BGA Proposal FCL.105.S (b) & FCL.205.S (b) (2) Should both read: shall only carry passengers after s/he has: (1) completed 10 hours of flight time as pilot-in-command of two seat sailplanes, powered sailplanes or TMG. and (2) passed a proficiency check with an instructor, demonstrating appropriate passenger handling skills</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing this comment. the Please see response to comment No. 570 (BGA).</p> <p>Additional comment:</p>

Taking this comment into account the Agency will add the item: "passenger handling" in AMC to FCL.110.S and to FCL.210.S (Flight Instruction for the LPL(S) and the SPL).

comment 6741 comment by: *Oxford Gliding Club*

Since many prospective glider pilots experience gliding for the first time as a result of a 'trial flight', the management of the flight and the passenger handling becomes significant. As the pilots of the trial flights act as ambassadors for both the sport and the local club, such pilots should at the least have received some basic training in the conduct of such flights.

response *Noted*

Thank you for providing your opinion.
Please see the response to comment No. 570 (BGA).

Additional comment:

The Agency does not know the difference between a "normal passenger flight" which is done in any category of aircraft and the mentioned "trial flight". To carry a passenger safely in a sailplane no specific knowledge above the level of knowledge and experience reached by the completion of the skill test should be necessary. In addition the management of a flight with a passenger seems not to be more difficult than without such a passenger (except: briefing of the passenger for emergency situations / e.g. canopy jettison and use of the parachute). A trial flight in which the passenger has a different role as the usual passive one he/she has as a normal passenger (not being involved in the operation of the sailplane) should be done only with an instructor.

comment 7145 comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

(b)

We consider passenger carrying to an activity where skills of the LPL(S) pilot should be checked by a proficiency check with an instructor.

Justification:

When carrying of non-pilot passengers, the pilot should have skills and accuracy of flight including the launch method used, in appropriate level for taking responsibility of unexperienced persons.

Proposed text:

Modify item (b) to read:

"The holder of a LPL(S) shall only carry passengers after s/he has completed 10 hours of flight time as pilot-in-command of sailplanes or powered sailplanes and has passed a proficiency check with an instructor, demonstrating appropriate passenger flight handling skills".

response *Not accepted*

Thank you for providing this comment.
Please see the response to comment No. 570 (BGA).

comment 7383 comment by: *David Chapman*

To safely carry passengers in any plane the pilot must be competent to do so

in that plane. Total flying etc is important, but an instructional check flight to simulate a passenger flight is an absolute minimum.

response *Not accepted*

Thank you for providing this comment.
Please see the response to comment No. 570 (BGA).

comment

7566

comment by: *Andrew Sampson*

Regarding flying with passengers, note most solo flights will be in single-seat gliders and a proficiency test would be required to fly a dual-seat glider with a passenger.

response *Not accepted*

Thank you for providing this comment.
Please see the response to comment No. 570 (BGA).

comment

7796

comment by: *Tim FREEGARDE*

FCL105.S

The BGA has made sensible comments about the need for passenger-carrying pilots to have additional skills. British gliding has in recent years addressed this with the introduction of the Basic Instructor rating; in its absence, it makes great sense to allow passengers to be carried by holders of the LPL, but only after some additional training to demonstrate that the pilot is, as a minimum, prepared for the additional distractions and temptations of an accompanying passenger.

I therefore endorse the BGA's proposal that passengers should only be carried after appropriate experience and a proficiency check with an instructor.

response *Not accepted*

Thank you for providing this comment.
Please see the response to comment No. 570 (BGA).

comment

7811

comment by: *Dick Dixon*

In respect to the proposals for passenger carrying, I feel that it is a great mistake to deprive the BGA of it'd Basic Instructor Rating. This has been an excellent way of

a) Allowing potential Assistant Instructors to gain experience and confidence in the managing of flights with members of the public and

b) Enabling the more highly qualified instructors to concentrate on more advanced instructional activities.

response *Noted*

Thank you for providing your opinion.
Please see the response provided to comment No. 570 (BGA).

However, the Agency and the group experts do not see a need for a second

category of instructors. The Light Aircraft Flight Instructor (LAFI) is the one who will be able to provide basic and more advanced flight training.

The Agency is not aware of the privileges the UK "Basic Instructor Rating" actually has, but talking here in this paragraph about the necessary skills to carry a passenger safely the Agency is convinced that this requirement fulfils the needs.

comment

7819

comment by: *Graham Bishop*

FCL.105.S The skill test and specified flight instruction do not take account of flying passengers. The 10 hours flying time in charge of a two seater should also be accompanied by a proficiency flight as is practiced now

response

Not accepted

Thank you for providing this comment.
Please see the response to comment No. 570 (BGA).

comment

7998

comment by: *Andy Balkwill*

Flying experience required before flying passengers needs to reflect the skills necessary required to manage passengers. This will not be acquired flying solo in a single seat glider. The requirement needs to refer to the relevant skills and experience flying in a 2 seat glider - probably from the rear seat (which would be unfamiliar to most low hours solo pilots who would fly from the front seat of a 3 seat glider). Alternatively the rating should specify which seat the pilot in command must occupy (e.g. its a "front seat only rating" meaning that passengers can only be flown if seated in the rear seat.)

response

Not accepted

Thank you for providing this comment.

However, the Agency does not agree with the proposal to add a specific additional proficiency check for this purpose. The Agency is aware that there are some differences between single seater and double seater sailplanes but it is also true that there are a lot of differences between different types of double-seaters (e.g. modern open class sailplanes compared with Bergfalke or K 7). The Agency's opinion is that a proficiency check on only one type of double seater will not change a lot. The Agency considers a licence holder having received already quite a lot of training on double-seaters during his/her instruction flights, fulfilling the recent experience requirements defined in FCL.060 and having completed the recency requirements contained in FCL.140.S as sufficiently trained and experienced for carrying passengers safely. Therefore the Agency cannot see the need to change this requirement.

Please be aware that this kind of proposed type specific proficiency check for carrying passengers is not foreseen for any future licence (PPL/SPL/BPL).

Additionally, the Agency cannot see the need for specific training in the rear seat. The pilot-in-command (PIC) during such a passenger flight has to be seated in the seat foreseen by the flight manual as the seat for the PIC. The Agency has so far no indication that this cannot be the front seat in a sailplane.

comment	<p>8025 comment by: <i>Nick Hill</i></p> <p>The proposal suggests that having completed 10 hours of solo flying the pilot should be allowed to carry passengers. I believe that the skills obtained in achieving the LPS(S) rating and in completing 10 hours solo, most likely in single seat gliders, does not prepare the pilot for the requirements of flying and handling issue related to passengers. I would suggest that further checks and training should be required before being allowed to carry passengers.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing this comment. See the response to comment No. 570 (BGA).</p>

comment	<p>8043 comment by: <i>European Sailplane Manufacturers</i></p> <p>Again the definitions of the different sailplane categories is confusing.</p> <p>Sailplane is all fitting to CS-22 category.</p> <p>pure - no engine</p> <p>self sustainer - powered sailplane not able to take-off under own power</p> <p>self launcher - able to take off under own power (but not necessarily so) and has still the characteristic of a pure sailplane with engine switched off</p> <p>TMG - still able to be used as a sailplane but normally used as powered sailplane (but still not yet an airplane)</p> <p>ALL are sailplanes!!</p> <p>So what is not a sailplane but still has wings??</p> <p>If your engine quits:</p> <p>.... in a sailplane you smile and start the real good flying!!!!</p> <p>.... in another ...planes (read aeroplane, tiltrotor, helicopter) you have an emergency!!!!</p> <p>We hope this example makes it clear. ;-)</p> <p>But coming back to the problem of FCL...S: Best would be a re-writing which includes all 4 sub-categories of sailplanes as listed above to avoid misunderstandings or wrong interpretation.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency agrees that the wording used in FCL.105.S and in FCL.205.S is misleading. The TMG is clearly a powered sailplane and must not be specifically mentioned in (a). However, as there is a separate extension for LPL(S) or SPL holders to exercise the privileges on a TMG this should be clarified and the text should be amended.</p>

The Agency is of the opinion that there is no need to mention specifically the different categories of powered sailplanes (like self-launching powered sailplanes or self-sustaining powered sailplanes).

The text will be changed accordingly.

comment **8274** comment by: *Paul Mc G*

There are a number of strange differences between LPL(S) and SPL. Are these areas still in processing?

response *Noted*

Thank you for providing your opinion.

As the comment seems to be only a copy of other similar comments and does not contain any information about one of these "strange differences" EASA cannot provide a clear answer regarding this statement.

If the comment refers to the five minor editorials identified by EGU and BGA please check the response provided to these comments. (See response to comment No. 569)

comment **8275** comment by: *Paul Mc G*

(b) The holder of a LPL(S) shall only carry passengers after s/he has completed 10 hours of flight time as pilot-in-command of sailplanes, powered sailplanes or TMG.

I borrowed the responses here from several different locations as this is complex.

Neither the skill test for the issue of a LPL(S) and an SPL (AMC No1 to FCL.125 and to FCL.235, page 204), nor the specified flight instruction for the LPL(S) and SPL (AMC to FCL.110.S and FCL.210.S, page 241), contain any mention of any aspect of passenger flying. Should they?

A pilot will not acquire the necessary skills while flying solo and most glider flying takes place in single seat aircraft and so further tests and ratings or checks are needed before permitting passenger flying in gliders, although such will not be a limit elsewhere. Perhaps some additional ratings could be envisaged such as the UK Basic Instructor Rating being attained by acquiring additional part ratings including cloud flying and passenger carrying. This might be a way to upskill pilots and prepare many more instructors as these proposals will require many more instructors and examiners?

The BGA proposal is quite sensible as it says
FCL.105.S (b) & FCL.205.S (b) (2)

Leisure Pilot Licence -LPL - Section 5: Specific requirements for the LPL for sailplanes - FCL.105.S LPL(S) - Privileges and conditions

shall only carry passengers after completing 10 hours of flight time as pilot-in-command of two seat sailplanes,

BUT since it appears that powered sailplanes and TMG will be separately

licensed, their limitations cannot apply in that specific case. However all pilots should have passed a proficiency check demonstrating appropriate passenger handling skills as passengers can behave in non rational manners! This would fit with earlier comments.

response *Noted*

Thank you for providing this comment.
See the response to comment No. 570 (BGA).

Additional comment:

Taking this comment into account the Agency will add the item: "passenger handling" in AMC to FCL.110.S and to FCL.210.S (Flight Instruction for the LPL(S) and the SPL).

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 5:
Specific requirements for the LPL for sailplanes - FCL.110.S LPL(S) -
Experience requirements and crediting**

p. 15

comment 205

comment by: *Bernhard Blasen*

The term "dual instruction" should be replaced by "flight instructor" or some word describing the level of skills of the "second person" more precisely.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree to add an explanation for the term "dual instruction" in FCL.110.S. You will find a definition in FCL.010 Definitions. There is no need to repeat this explanation or definition in every requirement in which the term "dual instruction" is mentioned. In the European system (see EU Regulation 216/2008) flight instruction must be always provided by an instructor.

comment 311

comment by: *CAA Belgium*

(b) gives credit for "launches" as PIC of aeroplanes and helicopters.

response *Noted*

Thank you for providing this comment.

The Agency agrees that the wording must be changed. However, the Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed for the LPL with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment 346

comment by: *Paweł Góra*

If you compare minimum number of hours (10) given in FCL.110.S for a applicant, to the syllabus of flight instruction in AMC to FCL.110.S and FCL.210.S it is obvious that you will not manage to do all the exercises within 10 hours.

Maybe it would be better to raise the number of hours to 30, including at least 10 hours of supervised solo flight time. Only then it is possible to carry through all the exercises from AMC.

response

Partially accepted

Thank you for providing your opinion and the proposal to raise the number of hours and flights for the flight training.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least"). However, the LPL and the SPL are still on a higher level than foreseen by ICAO Annex 1.

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

However, during the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low. The Agency therefore decided to amend the proposed figures and to raise the numbers slightly (at least 15 hours flight training including 45 launches) and to add a mandatory cross country flight taking into account the concerns raised

and the proposals received.

comment **444** comment by: *Head of training and security of FFVV*

French regulations allow the use of power planes during glider pilot training (with a glider pilot instructor).

We would like to maintain this option. The transponders used in planes are very useful tools for the teaching of navigation and the use of radio in controlled airspace.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not see the need to add aeroplanes as an additional category of aircraft to be used during the flight training for the LPL(S) and SPL. The use of the transponder and the training of R/T techniques can be performed also in a sailplane or a TMG. For these flights the instructor has to hold a LPL(S) with TMG extension.

comment **928** comment by: *guy Corbett*

The requirements for both issue and currency for bungee launching are too strenuous, the method is simple for a pilot who has experience of other launch methods. This method is much more straightforward than aerotow or winch. If the pilot conforms to the requirement for issue or currency on aerotow or winch then requirement for issue should be 5 solo launches under the supervision of an instructor for currency it should be 1 solo launch under the supervision of an instructor or approval by an instructor following a dual flight.

response *Partially accepted*

Thank you for providing your opinion.

The comment should have been assigned to FCL.130.S Launch Methods. This paragraph is mentioning only the total amount of at least 40 launches without any further distinction.

However, the proposals regarding the initial training for the launch method "bungee launch" will be changed to a minimum of 3 launches for licence issue and for maintaining the privileges (recency in FCL.130.S (c)) to 2 launches.

comment **966** comment by: *CAA Belgium*

(b) how credit can be given for "launches" for holders of a pilot licence of another category (aeroplane or helicopter ?)

response *Accepted*

Thank you for providing your comment.

Please see the response to your comment No. 311.

comment **1448** comment by: *Anja Barfuß*

Please clarify in case of theoretical or practical requirements are provided for common Requirements (see FCL105BAa) how to deal with additional definition provided for extension of the license. Do the definition replace the common

definition or is it needed to add? For example TMG: according FCL110BA/H a1 you need 10h dual flight instruction time. In FCL110S a1 8h are required. Is 8, 10 or 18 meant?

response *Noted*

Thank you for providing your comment and the related questions. However, the Agency is not sure if the raised question is understood correctly.

FCL.110.S is only dealing with the experience requirements for sailplanes (including flight time also on powered sailplanes and TMGs). There was an amount of 8 hours dual instruction time foreseen (will be raised slightly). For the TMG extension (explained in FCL.135.S) 4 additional hours dual instruction on TMGs is needed.

comment

1691

comment by: *Sven Koch*

10 Std Ausbildung auf Segelflugzeugen, motorgetriebenen Segelflugzeugen und/oder Motorseglern davon mindestens:
 8 Std Doppelsteuer mit Fluglehrer
 2 Std überwachte Soloflugzeit
 Mindestens 40 Starts/Landungen
 Erleichterung für LPL(A):
 Anrechnung 10 % der Gesamtflugzeit und
 Starts/Landungen als PIC, jedoch maximal 6 Std und 20 Starts/Landungen

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 the experience requirements contained in FCL.110.S.

comment

1890

comment by: *Regierung von Oberbayern-Luftamt Südbayern*

Die Mindestanforderungen für die Ausbildung zum Segelflugzeugführer LPL(S) sind zu niedrig.
 Lediglich 40 Starts und Landungen reichen in der Regel gerade aus, um die Erfahrung und Reife für den ersten Alleinflug zu vermitteln. Hier sollten daher mindestens 60 "launches and landings" vorgeschrieben werden.

Auch sind lediglich 10 Stunden Mindestgesamtflugzeit zu wenig, um eine ausreichende Sicherheit und Routine zu erwerben. Hier halten wir mindestens 15 Stunden für erforderlich. Zu berücksichtigen ist hierbei auch, dass für den Inhaber eines LPL(S) nicht die 50-km-Begrenzung wie in FCL.105.BA/H gilt.

Unklar ist nach dem Wortlaut, ob die gesamte praktische Flugausbildung auch auf TGM erfolgen kann. Hier sollte klargestellt werden, dass maximal fünf Stunden der Segelflugausbildung auch auf TMG geflogen werden können.

response *Partially accepted*

Thank you for providing your opinion and the proposal to raise the required number of hours and flights (flight training).

The Agency has spent quite some time discussing the question of developing

the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least"). However, the LPL and the SPL are still on a higher level than foreseen by ICAO Annex 1.

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

However, during the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low. The Agency therefore decided to amend the proposed figures and to raise the numbers slightly (at least 15 hours flight training including 45 launches) and to add a mandatory cross country flight taking into account the concerns raised and the proposals received. The Agency therefore decided to amend the proposed figures and to raise the numbers slightly taking into account the concerns raised and the proposals received.

The comment has addressed also the flight time on TMGs. The Agency discussed this issue during the review phase and came to the conclusion that there a need to define a maximum amount of training to be completed in TMGs in order to ensure a certain minimum number of launches on sailplanes or powered sailplanes not being a TMG.

comment 2075 ❖

comment by: *Markus Hitter / JAR-Contra*

We appreciate to see low absolute requirements here. We see this is in full accordance with EASA's promise to put more emphasis on individual responsibility in private aviation.

response *Noted*

Thank you for your positive feedback.
See the other responses provided by the Agency to this comment number.

However, during the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low. The Agency therefore decided to amend the proposed figures and to raise the numbers slightly taking into account the concerns raised and the proposals received.

comment **3271** comment by: *Matthias Heine*

Generell ist zu überlegen, ob der Umfang der Ausbildung ausreichend ist. Es ist durchaus denkbar, dass die Schüler in der kurzen Ausbildung nicht ausreichend auf alle Situationen vorbereitet werden können auf die sie später treffen können.

response *Partially accepted*

Thank you for providing your opinion.
The Agency would like to stress that all the exercises contained in the Flight Instruction Syllabus in AMC to FCL.110.S have to be flown and performed successfully by the student pilot during the flight training. The amount of hours and launches is a minimum number (using always the term: "at least") and it will be still up to decision of the instructor when to send someone solo or to send him to the examination.

During the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low. The Agency therefore decided to amend the proposed figures and to raise the numbers slightly (at least 15 hours flight training including 45 launches) and to add a mandatory cross country flight taking into account the concerns raised and the proposals received.

Please see also the response to comment No. 1890.

comment **3935** comment by: *Bayerisches Staatsministerium für Wirtschaft, Infrastruktur, Verkehr und Technologie*

Die Mindestanforderungen für die Ausbildung zum Segelflugzeugführer LPL(S) sind zu niedrig. Lediglich 40 Starts und Landungen reichen in der Regel gerade aus, um die Erfahrung und Reife für den ersten Alleinflug zu vermitteln. Hier sollten daher mindestens 60 "launches and landings" vorgeschrieben werden.

Auch sind lediglich 10 Stunden Mindestgesamtflugzeit zu wenig, um eine ausreichende Sicherheit und Routine zu erwerben. Es werden mindestens 15 Stunden für erforderlich. Zu berücksichtigen ist hierbei auch, dass für den Inhaber eines LPL(S) nicht die 50-km-Begrenzung wie in FCL.105.BA/H gilt.

Unklar ist nach dem Wortlaut, ob die gesamte praktische Flugausbildung auch auf TGM erfolgen kann. Hier sollte klargestellt werden, dass maximal fünf Stunden der Segelflugausbildung auch auf TMG geflogen werden können.

response *Partially accepted*

Thank you for providing this comment.
Please see response to comment No. 1890 (Luftamt Südbayern).

comment

4086

comment by: *SFVHE*

UL-Flugzeiten sollten gleichberechtigt anerkannt werden. Flugzeit ist Flugzeit. Manche UL's sind fliegerisch anspruchsvoller als Maschinen 2000kg-Klasse.

response *Partially accepted*

Thank you for providing your comment.

The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment

4205

comment by: *Deutscher Aero Club (DAeC)*

Add:

(c) Specific requirements for applicants holding a rating for TMG in another license. The applicant shall have completed 2 hours dual instruction and completed the requirements for one of the launch methods according to FCL.130.S

Justification:

DAeC means that the above proposal for holder of a TMG rating ensures an appropriate level of safety and allows a transfer into LPL(S) or SPL.

Symmetrically to the requirement in FCL.110.A (c) a similar requirement is needed here for the vice versa situation. Since TMG is mentioned in FCL.110.S (a) the paragraph FCL.110.S (b) does not apply. But it also makes no sense to apply the requirements in FCL.110.S (a) if the applicant already has the rating for TMG.

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees with the general idea that specific requirements could be added for applicants holding a pilot licence with a TMG rating.

However, the Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the whole system for the LPL crediting proposed with the NPA.

The Agency has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

For the mentioned case of an LPL(A) pilot this would mean an additional training of 7,5 hours on sailplanes including at least 2 hours solo flight time, a cross country flight of at least 100 km and a certain amount of launches in at least one launch method.

Checking the Syllabus contained in AMC to FCL.110.S the Agency cannot see the need to further reduce the proposed numbers. A lot of exercises mentioned are not part of the LPL(A) or PPL(A) Syllabus. Most of these exercises should be flown on a sailplane to allow the TMG licence holder to gain further experience on the pure sailplanes.

The text will be changed accordingly.

comment

4297

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.110.S(a)

Wording in the NPA

(a) Applicants for a LPL(S) shall have completed at least 10 hours of flight time in sailplanes, powered sailplanes and/or TMG, including at least:

- (1) 8 hours dual instruction;
- (2) 2 hours of supervised solo flight time;
- (3) 40 launches and landings.

Our proposal

Add:

(c) *Specific requirements for applicants holding a rating for TMG in another license.* The applicant shall have completed 2 hours dual instruction and completed the requirements for one of the launch methods according to FCL.130.S

Issue with current wording

Although the FCL.110.S(a) mentions TMG it is not clear what the holder of a TMG rating actually has to fulfil.

Rationale

Symmetrically to the requirement in FCL.110.A (c) a similar requirement is needed here for the vice versa situation. Since TMG is mentioned in FCL.110.S (a) the paragraph FCL.110.S (b) does not apply. But it also makes no sense to apply the requirements in FCL.110.S (a) fully if the applicant already has the rating for TMG.

response

Partially accepted

Thank you for providing your proposal.
Please see the response given to comment No. 4205 (DAeC).

comment 4582 ❖ comment by: *Deutscher Aero Club*

FCL.105 S (a) LPL(S) Privileges and conditions
FCL.110.S (a) LPL(S) Experience requirements and crediting

Comment

As this is written, TMG are not powered sailplanes. This is not consistent with the definition of the TMG in FCL.10, according to which, a TMG is a specific type of powered sailplane.

EGU Proposal:

FCL.105.S

a) The privileges of the holder of an LPL(S) for sailplane are to fly sailplanes and powered sailplanes.

FCL 110.S

a) Applicants for an LPL(S) shall have completed at least 10 hours of flight time in sailplanes or powered sailplanes.

response *Partially accepted*

Thank you for providing your opinion.

The comment is right in stating that the status of the TMG must be clearly defined. As the definition is already given in FCL.010 the text of the implementing rules must reflect this clearly in order not to create any confusion. The Agency will add "or / and TMG" when it should be clarified that a TMG can be used for certain exercises or flights.

comment 4960 comment by: *Prof. Dr. Alexander Bubenik*

FCL.110.S (a) Applicants ... at least 25 hours of flight time

(1) 8 hours dual instruction

(2) 15 hours of supervised solo flight time

(3) 60 launches and landings (at least 20 solo)

Based on my experience as flight instructor (since 1984, roughly 4000 flights) I would like to stick to the requirements of the German LuftPersV §36 (3). A great deal of flying - at least from my point of view - has to do with practicing. The best single measure to educate new pilots and cultivate safety is exercising, exercising

response *Partially accepted*

Thank you for providing your opinion and the proposal to raise the number of hours and flights for the flight training.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. EASA is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which

has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least"). However, the LPL and the SPL are still on a higher level than foreseen by ICAO Annex 1.

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

During the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low. The Agency therefore decided to amend the proposed figures and to raise the numbers slightly (15 hours flight training and 45 launches) taking into account the concerns raised and the proposals received. An additional cross country flight will also be added.

comment

5119

comment by: *Allen A.*

10 Stunden Ausbildung sind zu wenig, da in dieser Zeit die Ausbildungsinhalte nicht vernünftig und vollständig vermittelt werden können.
Vorschlag: In 20 Flugstunden ist dies machbar.

response

Partially accepted

Thank you for providing your opinion and the proposal to raise the number of hours and flights for the flight training.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear

defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least"). However, the LPL and the SPL are still on a higher level than foreseen by ICAO Annex 1.

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

During the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low. The Agency therefore decided to amend the proposed figures and to raise the numbers slightly (15 hours flight training and 45 launches) taking into account the concerns raised and the proposals received. An additional cross country flight will also be added.

comment

5501

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

The minimum requirements for LPL(S) are way to low and not suitable to provide acceptable minimum safety levels. These regulations will put life of young people unnecessarily at risk. Provisions of minimum flight time and launches have traditionally served as a safeguard for both, instructors and students to ensure students are competent and mature before released into independence, and not as a benchmark for the 1% of the best.

Again LPL (S), as a "cheaper alternative" to SPL, should not even exist.

response

Noted

Thank you for providing your opinion and the proposal to raise the number of hours and flights for the flight training.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL using the well known system based on a defined relatively high amount of hours and flights or by using a "competency

based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least"). However, the LPL and the SPL are still on a higher level than foreseen by ICAO Annex 1.

As a result of the decision explained above some of the proposed figures for the LPL instruction time seem to be rather low compared with the average training time and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (sub ICAO and sub JAR-FCL) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

During the review of the comments received for NPA 2008-17b the Agency realised that the proposed way forward has created some misunderstanding and confusion. The idea of a more competency based approach and the use of the term "at least" defining the minimum training required for the LPL seems to be not the right way forward as most stakeholders have criticised the Agency's proposals as being too low. The Agency therefore decided to amend the proposed figures and to raise the numbers slightly (15 hours flight training and 45 launches) taking into account the concerns raised and the proposals received. An additional cross country flight will also be added.

comment

7148

comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

(b)

Maximum crediting up to 20 launches leaves still minimum of 20 launches left. Maximum crediting up to 30 launches should be allowed. Hours up to 6 is applicable maximum value.

Justification:

Experience on sailplane pilot training based on an another pilot license has shown that such amount (20) may not be necessarily needed for gaining safe ability of flying and operating with sailplanes. Noting that maximum is not a "must", but a possibility related to students basic skills.

Proposed text:

	Under item (b) of FCL.110.S replace maximum crediting value of launches (20) by 30.
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion on the crediting for the number of launches.</p> <p>The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories (especially Annex II) and came to the conclusion that there is a need to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for a certain LPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.</p> <p>Taking this into account a certain amount of launches have still to be done for a pilot with flight experience in other aircraft categories. However, does not agree with the comment stating that such an amount of launches might not be necessary.</p> <p>Checking the Syllabus contained in AMC to FCL.110.S the Agency cannot see the need to reduce this given numbers as proposed. A lot of exercises mentioned are not part of the LPL(A) or PPL(A) Syllabus. Most of these exercises should be flown on a sailplane to allow the TMG or SEP licence holder to gain further experience on sailplanes. In addition to that the minimum requirements for one of the launch methods have to be completed. In the case of the winch launch the minimum amount of launches required are 15.</p>

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 5: Specific requirements for the LPL for sailplanes - FCL.130.S LPL(S) - Launch methods	p. 15-16
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comment	<p>36 comment by: <i>British Gliding Association</i></p> <p>FCL.130.S LPL(S) Launch methods <u>NPA Proposal</u></p> <p>(a) (3) in the case of bungee launch, a minimum of 10 launches performed in dual instruction or solo under supervision.</p> <p>(c) In order to maintain their privileges in each launch method, pilots shall complete a minimum of 5 launches during the last 24 months.</p> <p><i>Comments:</i> <i>Bungee launching is a method which last for only a few seconds; there are no variations in technique or failure modes to be taught. The syllabus of training contained in this NPA has, of course, no section for teaching bungee launching. The sole UK club which practices bungee launching requires just a single launch to establish competence.</i> <i>The excessive number of launches proposed here add extra hazard to the volunteers who pull the rope. This activity entails a small risk of such injuries as cuts and sprains: the risk is willingly accepted by these volunteers, but the</i></p>
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Agency would be irresponsible to increase it without any flight safety justification.

The proposed number of launches to maintain the privileges are also excessive for bungee launching.

BGA Proposal

(3) in the case of bungee launch, 1 launch performed in dual instruction or solo under supervision.

(c) In order to maintain a minimum of 5 launches (for bungee launching 1 launch) during the past 24 months.

response *Partially accepted*

Thank you for providing your opinion and the proposal to change the proposed amount of bungee launches under supervision of an instructor.

The Agency agrees that the proposed number of bungee launches should be reduced but it would like to highlight that this decision to reduce the number is based only on the minimum skill required to safely perform such a take off method. The Agency does not agree that an certain number of launches will add an "extra hazard to the volunteers who pull the rope". The aim of flight training for a certain launch method cannot be to have it done once but not to exercise it when the training is completed. If this would be the case and if this launch method creates a hazard to the ground crew must the conclusion must be that this launch method would not be needed any more. The Agency cannot see a risk related difference between bungee launches under supervision of an instructor and bungee launches performed by a licenced pilot having completed the required training for the launch method already. Therefore the "risk-related" argument does not count.

In addition to this the Agency believes that only one take-off using a certain launch method is not adequate to gain the necessary experience for performing this launch method safely. Different weather situations (cross wind) require different techniques - this should be covered by the defined flight training. As a result the training requirements for the launch method "bungee launch" will be changed to a minimum of 3 launches for the issue and to a minimum of 2 launches within the last 24 months for maintaining the privileges. If the licence holder is not able to perform the required 2 launches (d) allows to complete the missing number of launches under the supervision of an instructor in order to renew the privileges.

The text will be changed accordingly.

comment

45

comment by: *Stefan JAUDAS*

FCL.130(S)

This is current German practice. It works well in the country which has approximately 50% of all glider pilots worldwide and should be kept as it is.

It should clarified that the additional training flights for further launch methods beyond that used for the skill test can also be made **before** the skill test, during the normal course of pilot training.

However, there should be an opening for new launch methods. For instance, Austria has a launch method called "rolling launch" ("Rollstart") which can only be made in specific locations in the mountains.

	<p>Where appropriate, hybrid launches should be included. A hybrid launch would be, for instance, the aero tow of a sustainer equipped sailplane with the sustainer engine in operation, as recently demonstrated and certified by DG Flugzeugbau with the DG-1000T.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency confirms that the training flights for further launch methods than the one included in the skill test will count towards the requirement in FCL.130.S (a). The completion of these additional training flights will be entered in the logbook and confirmed by the instructor.</p> <p>The other launch method "rolling launch" seems to be used only for the launch of microlight sailplanes (defined in Annex II of the Basic Regulation) which are excluded from these Implementing Rules. The Agency therefore does not agree to add an additional requirement for this method.</p> <p>The mentioned "hybrid launch" is unknown and was never proposed to add by the sailplane experts involved.</p>
comment	<p>312 comment by: <i>CAA Belgium</i></p> <p>(a)(2) and (3): definitions should be given to following items: aero tow self launch car launch bungee launch</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency believes that the terms used for the different launch methods are well known and that no additional definitions are necessary.</p>
comment	<p>911 comment by: <i>Helge aus Fallersleben</i></p> <p>Wozu dient die Unterscheidung so vieler Startarten, die sogar noch unvollständig ist? In meiner amerikanischen Lizenz komme ich mit zwei Startarten aus. Aero tow launch für alles was vor mir fliegt und ground launch für alles was am Boden liegt.</p> <p>Der Autostart ist hier z.B. nicht aufgeführt.</p> <p>Ist die Durchführung oder Entwicklung anderer Startarten wie z.B. der in Neuseeland praktizierte Hubschraubenschlepp überhaupt möglich?</p> <p>Zur Vereinfachung sollte nur das Startverfahren festgelegt werden wie in USA üblich. Was oder Wie auf der anderen Seite des Seils gezogen wird, hat einen untergeordneten Einfluss.</p>
response	<p><i>Not accepted</i></p>

Thank you for providing this comment.

However the Agency does not agree. With the proposed differentiation between "ground launch" and "aero tow launch" some basic differences like the specific training for the self launch or the bungee launch would not be adressed.

The car launch is not missing. You will find it in (a)(2).

The mentioned towing procedure by helicopters was never mentioned by the experts as being necessary for the European sailplane operations and will not be added at this stage.

comment

920

comment by: *Rory OCONOR*

car launching should be with winch launching.

the bungee launchign requirements are ridiculously excessive and unworkable

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees that the minimum training requirements for car launch should be the same requirements as for the winch launch. The text will be changed accordingly.

The Agency agrees also that the proposed number of bungee launches should be reduced. Taking into account the comments received the training requirements for the launch method "bungee launch" will be changed to a minimum of 3 launches for the issue and to a minimum of 2 launches within the last 24 months for maintaining the privileges.

If a licence holder is not able to fulfil this requirement the requirement under (d) allows to complete the missing launches with or under supervision of an instructor in order to renew the privileges.

The text will be changed accordingly.

comment

944

comment by: *Colin Field (UK Glider Pilot)*

I echo the BGA's response regarding minimum number of launches to be licensed:

10 winch launches dual plus 5 solo supervised, is not sufficient to certify pilots safely on this launch method. This should be adjusted to recommend 15 launches dual, of which 5 are launch failures, plus 5 solo supervised.

Car launches are much closer to winch launches, and should be included in the above.

Bungee launches have very little technique to be learnt, and should require only one launch to establish competency, as recommended by the sole UK club which still uses this method.

The final recommendation of 5 launches in 24 months to remain current should stand, with the exception of bungee, which should be 1.

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees that the minimum training requirements for car launch should be the same requirements as for the winch launch. The text will be changed accordingly.

The Agency agrees also that the proposed number of bungee launches should be reduced. Taking into account the comments received the training requirements for the launch method "bungee launch" will be changed to a minimum of 3 launches for the issue and to a minimum of 2 launches within the last 24 months for maintaining the privileges. The text will be changed accordingly. It should be mentioned that a licence holder who is not able to fulfil this requirement will be allowed to complete the missing launches with or under supervision of an instructor in order to renew the privileges (see (d)).

The comment proposes further to raise the minimum figures given for the winch launch (mentioning simulated launch failures). Your proposal was discussed during the review of the comments but the Agency is of the opinion that the proposed "minimum of 10 dual launches" should be kept. As it clearly says "minimum" the instructors are free to perform more dual training flights before sending a student pilot for a solo winch launch. As most of the students will start their training by using this launch method they will have anyway 30-80 winch launches before flying solo. If the student pilot has completed all his/her flight training by using other launch methods like aero tow the mentioned number of 10 dual training flights (including a certain amount of launch failures - see AMC material) plus 5 solo winch launches could be already enough to cover all the exercises needed. As it is finally always an instructor decision how many flights a certain student will have to conduct before he/she is able to perform solo launches the Agency cannot see a need to raise this figure.

The issue of launch failure training is addressed already in the AMC.

comment

954

comment by: *Robert Cronk*

re para (1), it is unlikely that 10 dual launches will be sufficient experience to demonstrate and exercise all scenarios competently, especially characteristics of different types of launch failures. I suggest the dual minimum is increased to 15 launches.

re para (2), the car launch is very similar to a winch launch, so should be grouped with para (1) winch launches.

re para (3), the only Club in the UK to routinely use bungee launches establishes competence with one launch; there are no significant variations in method or outcome.

re para (c), currency, again this should refer to a single bungee launch to maintain legal competence in this launch method over the 24 month period.

response

Partially accepted

Thank you for providing this comment.

See response to comment No. 944 (C. Field) in the same segment above.

comment

1014

comment by: George Rowden

Comments: The stated launch requirements make no mention of simulated launch failures while the number of launches required to consistently achieve a safe and competent launch appears low for winch and car launches.. In addition, car launches are much closer to winch launches in type than aerotow launches.

It is therefore proposed that the requirement, in the case of a winch or car launch, should be a minimum of 15 launches under dual instruction, these to include 5 simulated launch failures, and in addition 5 solo launches under supervision.

The syllabus of training contained in this NPA has, not surprisingly, no section for teaching bungee launching as this method is not often used. I know of only one Gliding Club in the UK who provide this type of launch. Characteristically, Bungee launches are of very brief duration and allow no variation in technique or failure responses to be taught. The only UK club which practices bungee launching requires just a single launch to establish competence.

The number of launches proposed in this NPA would increase the hazard to the volunteers who pull the rope without any beneficial effect on flight safety.

Given that a single launch is required to establish competence, a similar approach is suggested in regard to maintaining currency.

I therefore propose that only a single bungee launch performed dual or solo under supervision is required to demonstrate competency. Further, in order to remain current in bungee launches, only 1 bungee launch is required in every 24 months

response

Partially accepted

Thank you for providing this comment.

Please see response to comment No. 944 in the same segment above.

comment

1096

comment by: Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)

Comment: Are the launch methods going to be entered in the licence or only in the log book? The Swedish CAA prefers to have it in the logbook.

Proposal: Make the text clearer in order to have a uniform level of application. According to FCL 0.70 at page 10, only the competent authority can change a licence which is limited.

response

Noted

Thank you for providing your comment.

FCL.130.S (b) states that the completion of the training for the different launch methods shall be entered in the logbook and confirmed by the instructor. The Agency is of the opinion that the wording used is clear enough.

comment

1186

comment by: Wilfried Müller

I am missing other launch methods like "Rollstart", i.e. the glider is rolling downhill until it reaches take off speed. This method is for instance being used in Czech.

Further a possible launch by foot is not considered.

	<p>My suggestion:</p> <p>Other, not specified launch methods need 10 launches each, either dual or solo under supervision of a FI.</p> <p>Wilfried Mueller 11-20-2008</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the mentioned launch methods "rolling launch" and "Foot launch" seem to be used only for the launch of microlight sailplanes (defined in Annex II of the Basic Regulation) which are excluded from these Implementing Rules. The Agency therefore does not agree to add an additional requirement for this method.</p>
comment	<p>1300 comment by: <i>George Knight</i></p> <p>The minimum numbers are insufficient for some types of launch and excessive for others. The rules do not allow for the instructor to vary the number in either direction based on student achievement.</p> <p>Propose that for all launch types the phrase 'at the instructors discretion be added'.</p> <p>For car launches the minimum numbers should be the same as for winch launches unless the pilot has previous winch experience in which case only one or two car launches would be necessary.</p> <p>For bungee launches the number is far too high. Normally one dual ride is sufficient.</p> <p>fcl.905</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment.</p> <p>Firstly the Agency would like to highlight that the numbers given here are minimum numbers which is clearly expressed in the text by using the term: "a minimum of". The instructor is always allowed to do some more training flights if needed. The minimum figures contained in FCL.130.S are based on several national requirements for sailplane operations.</p> <p>Taking the comments received into account the Agency decided to raise the figures given for the car launches and to reduce the amount of training flights for the bungee launch.</p>
comment	<p>1331 comment by: <i>Trevor Nash</i></p> <p>Why only 5 launches for a car launch, surely this type of launch carries the same risks / eventualities as a winch launch.</p>
response	<p><i>Accepted</i></p>

Thank you for providing this comment.
The Agency agrees that the take off techniques and the launch failure procedures are similar to the ones for the winch launch. Therefore the text will be changed accordingly.

comment **1332** comment by: *Trevor Nash*

Why the difference between Car Launches & winch launches, I would consider the risks involved in both types of lunch method were similar.

response *Accepted*

Thank you for providing this comment.
See the response for your comment No. 1331.

comment **1344** comment by: *David MARTIN*

The section on bungy launching will effectively kill of this type of launching in the UK.

My own club have the facilities and equioemtn to crayy out this type of launch but due to weather and suitable (light) sailplanes it is rarely practiced.

All pilots recognise the need for care and self preservation ensures this form of launch is safe without the minima specified.

response *Noted*

Thank you for providing your opinion.

The Agency agrees that the proposal for the bungee launch training could be reduced. As a result the minimum number of launches will be changed to a minimum of 3 launches for the issue and 2 launches for maintaining the privileges.

If a licence holder is not able to fulfil this requirement the requirement under (d) allows to complete the missing launches with or under supervision of an instructor in order to renew the privileges.

comment **1464** comment by: *Andrew Sampson*

Please note a car launch is a type of winch launch.

response *Noted*

Thank you for providing this comment.

The Agency agrees that the take off techniques and the launch failure procedures are similar to the ones for the winch launch. Therefore the minimum training required for the car launch will be changed accordingly.

comment **1465** comment by: *Andrew Sampson*

The number of winch launches proposed is insufficient to ensure safety, and there should be a minimum number of winch failure simulation exercises

response *Noted*

Thank you for providing this comment.
Please see response to comment No. 944 (C. Field) in the same segment above.

comment **1466** comment by: *Andrew Sampson*

Regarding (3) Bungee launches, the proposed 10 launches is too many - I would propose 1 or perhaps two (given the pilot is already proficient on winch).

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees that the proposal for the bungee launch training could be reduced. As a result the number of launches will be changed to a minimum of 3 launches for the issue and 2 launches for maintaining the privileges.

comment **1512** comment by: *Trevor HILLS*

Car launches are much more similar to winch launches than to the other methods in (a)(2). Move car launches to (a)(1).

response *Accepted*

Thank you for providing this comment.

The Agency agrees that the take off techniques and the launch failure procedures are similar to the ones for the winch launch. Therefore the minimum training required for the car launch will be changed accordingly.

comment **1692** comment by: *Sven Koch*

10 mit Lehrer; 5 Alleinstarts unter Aufsicht.
Flugzeugschlepp: 5 mit Lehrer, 5 Allein unter Aufsicht.
Selbststart kann die Doppelsitzer-Einweisung auf Motorsegler erfolgen.
Die Vollendung der Ausbildung wird im Flugbuch durch den Lehrer bestätigt.
Berechtigungserhalt durch 5 Starts in jeder Startart innerhalb letzten 24 Monaten.
Bei Nichterfüllung: nachholen unter Aufsicht.

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 the requirements for the different launch methods contained in FCL.130.S.

comment **2082** comment by: *Markus Hitter / JAR-Contra*

Attachments [#19](#) [#20](#)

Deutsch: (english below)

Es gibt noch weitere Startarten als die hier beschriebenen, z.B. Fusststart oder Rollstart. Wir schlagen vor, den Begriff "Gummiseilstart" in (3) durch den Begriff "alle anderen Startarten" ersetzt werden. So wird vermieden, dass Part-

FCL weiteren Entwicklungen im Segelflug im Weg steht. FCL.130.S würde dann lauten:

FCL.130.S [...]

(a) [...]

(3) in the case of any other launch method, a minimum of 10 launches performed in dual instruction or solo under supervision.

(b) [...]

- - -

English:

There exist more launch methods than those explicitly allowed here, for example foot launch or roll launch. We propose to replace the term "bungee launch" with "any other launch method". This way, Part-FCL won't hobble further developments in methods to launch sailplanes. FCL.130.S would read:

FCL.130.S [...]

(a) [...]

(3) in the case of any other launch method, a minimum of 10 launches performed in dual instruction or solo under supervision.

(b) [...]

response *Not accepted*

Thank you for providing your opinion.

However, the mentioned launch methods "rolling launch" and "Foot launch" seem to be used only for the launch of microlight sailplanes (defined in Annex II of the Basic Regulation) which are excluded from these Implementing Rules. The Agency therefore does not agree to add an additional requirement for these methods.

comment 2107

comment by: Vincent EARL

Section A 3

The requirements for Bungee launching are excessive. There is only 1 way to perform such a launch and there is no variation in recovery technique. The clubs in the UK that utilise this launch method have a good safety record for converting pilots to this type of launch using only a single launch under instruction or solo supervision.

Proposal:

FCL.130.S (a) (3) to read:

in the case of bungee launch, a minimum of 1 launch performed in dual instruction or solo under supervision.

FCL.130.S (c) to read:

In order to maintain their privileges in each launch method, pilots shall complete a minimum of 5 launches (1 launch for bungee method of launch) during the previous 24 months.

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees that the proposal for the bungee launch training could be reduced. As a result the number of launches will be changed to a minimum of 3 launches for the issue and 2 launches for maintaining the privileges.

If a licence holder is not able to fulfil this requirement the requirement under (d) allows to complete the missing launches with or under supervision of an instructor in order to renew the privileges.

comment

2379

comment by: *Arnold Klapp*

Anstelle Flugzeugschlepp sollte es heißen:
Schlepp hinter Luftfahrzeugen.

Begründung: Es werden auch geeignete Reisemotorsegler und UL`s zum Schleppen eingesetzt.

Ergänzt werden sollten auch die Startarten:

Gummiseilstart: 5 Alleinstarts unter Anleitung und Aufsicht eines Fluglehrers für weitere Startarten ,z.B. Autoschlepp, Rollstart etc. 10 Starts mit Lehrer und 5 Alleinstarts

response

Partially accepted

Thank you for providing this comment.

However, the Agency has used the term "aero tow" especially with the aim not to exclude any towing aircraft category. Therefore towing with TMGs is not excluded.

The minimum requirements for the bungee launch will be amended. The proposed training for the car launch will be raised. The mentioned launch method "rolling launch" seems to be used only for the launch of microlight sailplanes (defined in Annex II of the Basic Regulation) which are excluded from these Implementing Rules. The Agency therefore does not agree with the proposal to add an additional requirement for this method.

comment

2423

comment by: *Tjeerd Mulder*

Bungee launch: The usefulness of having this regulated at all seems questionable. What is the use of 10 solo launches ? The launch method of just rolling down a hill until flying speed has been reached is not described either.

Proposal:

No entry in license for uncommon launch methods.

response

Partially accepted

Thank you for providing this comment.

However, the Agency does not agree with the proposal. A certain amount of training with or under supervision of an instructor seems to be necessary to safely perform these launch methods.

Taking into account the comments received the minimum requirements for the bungee launch will be amended.

The mentioned launch method "rolling launch" seems to be used only for the launch of microlight sailplanes (defined in Annex II of the Basic

Regulation) which are excluded from these Implementing Rules. The Agency therefore does not agree to add an additional requirement for this method.

comment **2884** comment by: *David Bowden*

FCL 130.s

A minimum of 10 bungee dual launches is excessive.

response *Noted*

Thank you for providing your opinion.

Taking into account the comments received the proposals for the launch method "bungee launch" will be changed to a minimum of 3 launches for the issue and 2 launches for maintaining the privileges.

comment **3270** comment by: *Matthias Heine*

Sinnvolle Regelung, da sich so in der Ausbildung auf eine Startart konzentriert werden kann und die Lernfähigkeit des Schülers in der, für den LPL(S) kurzen Ausbildung, konzentriert werden kann. Andere Startarten können später ohne bürokratischen Aufwand hinzugenommen werden.

response *Noted*

Thank you for providing this positive feedback.

comment **3704** comment by: *Steve BARBER*

Will it be necessary to hold a licence to undertake the launch under supervision as pilot in command without passengers (ie a solo flight)? If such a flight can be permitted at the discretion of the person in charge of operations (the status quo) then the proposal is generally reasonable. It must continue to be possible for a pilot who does not hold a licence in (say) aerotowing from a club which does not have an aerotow (say) operation to visit a club which does, and take an aerotow launch provided the person in charge of operations there has granted permission having taken into account the visiting pilot's experience and the conditions of the day.

The requirement for ten instructional bungee launches seems excessive. Two bungee launches as student with an instructor and two solo launches under supervision would be more than enough. For maintenance of the licence, one launch in 24 months would be adequate.

response *Noted*

Thank you for providing your opinion.
Several different questions are raised.

Answering the question about carrying passengers is rather simple. If the pilot has not completed the minimum amount of training flights needed to have the limitation of the licence withdrawn he/she is performing these solo instruction flights under the supervision of the instructor. Student pilots or pilots without a certain privilege (e.g. launch method) are not allowed to carry passengers on those training flights.

Taking into account the comments received the proposals for the launch method "bungee launch" will be changed to a minimum of 3 launches for the issue and 2 launches for maintaining the privileges.

comment **4094** comment by: *Bernd Hein*

Bei Selbststarteinweisung sollte zuerst Erfahrung ohne Motor vorliegen, z.B. 10 Starts mittels F-Schlepp und dann F-Schlepp mit laufendem Triebwerk und anschließend Selbststart.

response *Noted*

Thank you for providing your comment dealing with a specific prior training before starting the training for the launch method "self-launch".

The instructor (or the training organisation) is free to decide if a certain student should have completed first some flights on sailplanes using other launch methods or starting directly with this launch method. As this is more a methodical question the Agency is not in favour to put this in an Implementing Rule.

The Agency is of the opinion that a minimum of 5 dual launches and another 5 solo flights could be sufficient for an experienced sailplane pilot in order to cover the full range of exercises to be done (depending also on the total time of the launch and the question if some re-start procedures are conducted during the flight). The wording will be kept.

comment **4142** comment by: *Claudia Buengen*

The bungee launch requirements are excessive. In the UK there is one club where bungee launching is practiced., that club requires one bungee launch to prove competence. 10 bungee launches will be very hard to achieve and not necessary as no variations in techniques or failure procedures are taught.

suggestion:

One successful dual bungee launch as a requirement for solo bungee launches.

response *Partially accepted*

Thank you for providing this comment.

Taking into account the comments received the proposals for the launch method "bungee launch" will be changed to a minimum of 3 launches for the issue and 2 launches for maintaining the privileges.

If a licence holder is not able to fulfil this requirement the requirement under (d) allows to complete the missing launches with or under supervision of an instructor in order to renew the privileges.

comment **4195** comment by: *Luftsportverband Rheinland Pfalz*

FCL 130 S

hier müssen andere Startarten ergänzt werden

Vorschlag:

.... (a) (4)

for other launch methods or start methods - 10 launches at minimum in dual instruction or under the supervision of an Flight inspector who is familiar with the method..
(für andere Startarten mindestens 10 Start im Doppelsitzer oder unter der Aufsicht eines mit der Startart vertrauten Fluglehrers.)

response *Not accepted*

Thank you for providing this comment.

However, the Agency does not agree with the proposal. The comment does not specify the other launch methods which should be mentioned. In some other similar comments "rolling launch" or "foot launch" are mentioned.

These additional methods seem to be used only for the launch of microlight sailplanes (defined in Annex II of the Basic Regulation) which are excluded from these Implementing Rules. The Agency therefore does not agree to add an additional requirement for these methods.

comment **5193**

comment by: *Klaus Melchinger*

There exist more launch methods than those explicitly allowed here, for example foot launch or roll launch.

It's proposed to replace the term "bungee launch" with "any other launch method".

This way, Part-FCL won't hobble further developments in methods to launch sailplanes.

FCL.130.S would read:

FCL.130.S [...]

(a) [...]

(3) in the case of any other launch method, a minimum of 10 launches performed in dual instruction or solo under supervision.

(b) [...]

response *Not accepted*

Thank you for providing this comment.

However, the Agency does not agree with the proposal. The two methods "rolling launch" or "foot launch" are mentioned. But these additional methods seem to be used only for the launch of microlight sailplanes (defined in Annex II of the Basic Regulation) which are excluded from these Implementing Rules. The Agency therefore does not agree to add an additional requirement for these methods.

comment **5202**

comment by: *Paul Morrison*

Bungee launching is a method which last for only a few seconds; there are no variations in technique or failure modes to be taught. The syllabus of training contained in this NPA has, of course, no section for teaching bungee launching. The sole UK club which practices bungee launching requires just a single launch to establish competence.

The excessive number of launches proposed here add extra hazard to the volunteers who pull the rope. This activity entails a small risk of such injuries as cuts and sprains:

the risk is willingly accepted by these volunteers, but the Agency would be irresponsible to increase it without any flight safety justification.

	<p>The proposed number of launches to maintain the privileges are also excessive for bungee launching.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See also the response provided to comment No. 36 (BGA).</p> <p>The Agency agrees that the proposed number of bungee launches should be reduced but it would like to highlight that this reduction is based only on the minimum skill required to safely perform such a take off method. The Agency does not agree that an certain number of launches will add an "extra hazard to the volunteers who pull the rope". The aim of flight training for a certain launch method cannot be to have it done once but to exercise it when the training is completed otherwise this launch method would not be needed any more. The Agency cannot see a risk related difference between bungee launches under supervision of an instructor and bungee launches performed by a licenced pilot having completed the required training for the launch method already.</p> <p>The Agency furthermore believes that only one take-off using a certain launch method is not adequate to gain the necessary experience for performing this launch method safely. As a result the training requirements for the launch method "bungee launch" will be changed to a minimum of 3 launches for the issue and 2 launches for maintaining the privileges.</p> <p>If a licence holder is not able to fulfil this requirement the requirement under (d) allows to complete the missing launches with or under supervision of an instructor in order to renew the privileges.</p> <p>The text will be changed accordingly.</p>
comment	<p>5219 comment by: <i>Needwood Forest Gliding Club</i></p> <p>FCL 130.s</p> <p>A minimum of 10 bungee dual launches is impossible to attain given the frequency with which bungee launching takes plac.</p> <p>There is no evidence that such a high figure is necessary. One or two should be sufficient.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment. Please see the responses to the comments No. 5206 and No. 36 (BGA).</p>
comment	<p>5651 comment by: <i>Robert John</i></p> <p>(3) Bungee launches. This launch method is labour-intensive and used infrequently in very specific conditions. The method requires little learned expertise or special recovery training but does require a good briefing. 10 dual launches is more than most pilots will have in a lifetime.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. See responses to comment No. 5206 and comment No. 36 (BGA).</p>

comment 5671 comment by: *Kevin Neave*

The requirements for bungee launching appear to be out of all proportion to the risks involved to the pilot / aircraft and to the opportunities to actually carry out launching by bungee.

There is only one club in the UK operating bungee launches and only on a very small number of days per year. The requirement to have carried out 5 bungee launches within 24 months would prevent any visiting pilot from maintaining their privilege (And would probably eliminate most of the local pilots as well)

response *Noted*

Thank you for providing this comment.

See responses to comment No. 5206 and comment No. 36 (BGA).

The Agency would like to comment on the statement that the proposed requirement would "eliminate most of the local pilots as well". Please recognise the requirement under (d) which defines that a licence holder who is not able to fulfil this requirement is allowed to complete the missing launches with or under supervision of an instructor in order to renew the privileges. The Agency cannot see why a local pilot should not be able to do a certain amount of launches under supervision if he/she wants to renew the privileges.

comment 5674 comment by: *Carol Smith*

The number of gliding clubs and limited number of days available to practice bungee launching make it totally impractical to either gain or maintain privileges for that type of launch

response *Noted*

Thank you for providing this comment.

See responses to comments No. 5206 and No. 36 (BGA).

The Agency would like to comment on the statement that the proposed requirement would "make it totally impractical to ...maintain privileges". Please recognise the requirement under (d) which defines that a licence holder who is not able to fulfil this requirement is allowed to complete the missing launches with or under supervision of an instructor in order to renew the privileges. The Agency cannot see why it should be impractical to perform 5 launches (as proposed before) under the supervision of an instructor in order to renew the privileges. If the "number of gliding clubs andnumber of days available to practice bungee launching" is really so limited why should members of other clubs (usually not practising this launch method) should start the training for this launch method and keep the privilege?

comment 5800 comment by: *Phil King*

I have had bungee launches from at least 4 different hill tops. I was Chief Flying Instructor at a gliding club where bungee launches are frequently conducted. My experience leads me to the view that a pilot skilled in other launch methods can safely convert to bungee launching in just 1 launch. I support the BGA proposal that:

(3) in the case of bungee launch, 1 launch performed in dual instruction or solo under supervision.

	<p>(c) In order to maintain a minimum of 5 launches (for bungee launching 1 launch) during the past 24 months.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment. See responses to comments No. 5206 and No. 36 (BGA).</p>
comment	<p>5959 comment by: <i>Christoph Talle</i></p> <p>I agree with 10 / 5 for winch and 5 / 5 for aero towing and self launch. The dual instruction for self launch must be possible in TMG, because there are not enough double seater self launch gliders. Car launch is not much easier than winch launch, so it is necessary to make 10 / 5 launches. For all other launch methods: 10 launches in dual instruction or solo</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment.</p> <p>The Agency agrees that the minimum training requirements for car launch should be the same requirements as for the winch launch. The text will be changed accordingly.</p> <p>The Agency agrees that the proposed requirement to allow using the TMG for the dual training for the take-off method self launch is quite important and will be kept.</p> <p>However, the Agency does not agree with the proposal to add an additional requirement for other launch methods. The comment does not specify the other launch methods which should be mentioned. In some other similar comments "rolling launch" or "foot launch" are mentioned. These additional methods seem to be used only for the launch of microlight sailplanes (defined in Annex II of the Basic Regulation) which are excluded from these Implementing Rules. The Agency therefore does not agree to add an additional requirement for these launch methods.</p>
comment	<p>6272 comment by: <i>Diana King</i></p> <p>FCL.130.S LPL(S) Launch methods NPA Proposal (a) (3) in the case of bungee launch, a minimum of 10 launches performed in dual instruction or solo under supervision. (c) In order to maintain their privileges in each launch method, pilots shall complete a minimum of 5 launches during the last 24 months. <i>Comments:</i> Comment: Bungee launching is a specialised launching method which is only regularly practised at one gliding club in the UK and only in certain weather conditions of particular wind directions and minimum strength. Having flown at that club for the first 30 years of my flying career, I am completely familiar with the launch method and would describe it as the easiest form of launching that I have experienced. The technique is invariably the same and the whole launch phase takes a few seconds. The training technique is well understood at the club</p>

where this launching method is practised and it is normal for a qualified pilot experienced in other launch methods and phases of flight to be authorised for solo bungee launching after one launch. The excessive number of launches proposed here would make it impracticable for any significant number of pilots to become qualified because of the large number of training launches required compared with the total number of launches available on any one day. Requiring excessive numbers of training launches would also cause increased risk to the volunteers who stretch the ropes, who experience occasional minor falls in the process. These injuries are seldom serious, but there is no sense in increasing the risk. The proposed number of launches to maintain the privileges are also excessive for bungee launching.
 I support the BGA Proposal for:
 (3) in the case of bungee launch, 1 launch performed in dual instruction or solo under supervision.
 (c) In order to maintain a minimum of 5 launches (for bungee launching 1 launch) during the past 24 months.

response *Partially accepted*

Thank you for providing this comment.
 See responses to comments No. 5206 and No. 36 (BGA).

comment

6376

comment by: *peter Gray*

FCL130S
 (a) 3) You don't need a minimum of 10 launches to teach a bungee launch! Two would do.

response *Partially accepted*

Thank you for providing this comment.
 See responses to comments No. 5206 and No. 36 (BGA).

comment

6513

comment by: *Michael GREINER*

Dear Sirs and Madams,

It is appreciated, that the privilege for a new start method can be gained with not more than the support of a flight instructor. This has already proven to be sufficient.

Kind regards,
 Michael Greiner

response *Noted*

Thank you for providing this positive feedback.

comment

6653

comment by: *Croft Brown*

FCL.130.S LPL(S) Launch methods
 NPA Proposal
 (a) (3) in the case of bungee launch, a minimum of 10 launches performed in dual instruction or solo under supervision.
 (c) In order to maintain their privileges in each launch method, pilots shall complete a minimum of 5 launches during the last 24 months.

Comments:
 Bungee launching is a method which last for only a few seconds; there are no variations in technique or failure modes to be taught. The syllabus of training contained in this NPA has, of course, no section for teaching bungee launching. The sole UK club which practices bungee launching requires just a single launch to establish competence. The excessive number of launches proposed here add extra hazard to the volunteers who pull the rope. This activity entails a small risk of such injuries as cuts and sprains: the risk is willingly accepted by these volunteers, but the Agency would be irresponsible to increase it without any flight safety justification. The proposed number of launches to maintain the privileges are also excessive for bungee launching.
 Croft Brown endorses the BGA Proposal
 (3) in the case of bungee launch, 1 launch performed in dual instruction or solo under supervision.
 (c) In order to maintain a minimum of 5 launches (for bungee launching 1 launch) during the past 24 months.

response *Partially accepted*

Thank you for providing this comment.
 See responses to comments No. 5206 and No. 36 (BGA).

comment **6789** comment by: *Colin Troise*

(a)(3) Bungee launches are rare events, and the sites that allow this launch method are even rarer. A minimum of 10 launches is too high.
Proposal: Minimum of 2 launches in dual instruction, and 1 solo launch under supervision by a qualified instructor.

response *Partially accepted*

Thank you for providing this comment.
 See responses to comments No. 5206 and No. 36 (BGA).

comment **7522** comment by: *Cecilia Craig*

The proposed number of launches to check a pilot's competence is excessive. There is no safety justification for this.

response *Noted*

Thank you for providing your opinion.
 However, the Agency does not understand the meaning behind this comment. The comment does not specify which specific requirement is meant. It mentions "launches to check a pilot's competence". The Agency would like to highlight that no check is foreseen for the withdraw of this limitation to the launch method included in the skill test. The instructor is the one signing the completion of the training for another launch method.
 Finally it should be stressed that most of the given minimum figures are based on existing national licensing requirements for sailplane pilot training which are in place for several years and seemed to be accepted by a major part of the sailplane training environment.

comment	<p>7529 comment by: <i>Mike Armstrong</i></p>
	<p>P15 and 16 of 647 FCL 130.S 3) requires 10 bungee launches, either dual or solo under supervision. This is a rare launch method, it lasts a very short time, there is very little to go wrong and only a couple of key elements to train/brief before a pilot undertakes such a launch. I have several thousand hours in sailplanes and have had 3 bungee launches, all solo. I am probably more experienced in bungee launches than 99% of glider pilots in the UK. I would suggest that the only requirement should be for a briefing from an instructor who had previously undertaken a bungee launch in order to be permitted to take such a launch. I would also suggest that no recency requirements be imposed.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing this comment. See responses to comments No. 5206 and No. 36 (BGA). The Agency does not agree with the proposal to delete a minimum number of training flights under supervision but to specify a briefing only. A certain amount of training with or under supervision of an instructor seems to be necessary to safely perform all the mentioned launch methods.</p>
comment	<p>7712 comment by: <i>bob bromwich</i></p> <p>npa200817b fcl130s lpl(s) launch methods page 16 , 3) bungee launch :</p> <p>the requirement for 10 launches in dual instruction is completely inappropriate for this launch method - which is easily achieved after a simple prior briefing procedure ... most pilots will not achieve 10 bungee launches in their lifetime!</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. See responses to comments No. 5206 and No. 36 (BGA).</p>
comment	<p>7800 comment by: <i>Tim FREEGARDE</i></p> <p>FCL130.S Bungee launching is rather a special case, as there are very few sites where it is possible and, usually, only a limited number of bungee launches can be provided each day. The bungee launch is fortunately very benign, with no difficult or unusual skills beyond normal piloting competence. In the case of the bungee launch, the requirements should therefore be reduced to a single launch (dual or supervised solo), and the currency requirement to a single launch within the past two years.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment. Please see the responses to comments No. 5206 and No. 36 (BGA).</p>
comment	<p>7816 comment by: <i>Dick Dixon</i></p> <p>The proposed requirements for Bungee launching are way over the top. It is a simple procedure, particularly for experienced glider pilots, and can be safely performed with a careful briefing. For less experienced pilots a check flight in</p>

	a 2-seater is sensible, so that the checking instructor can decide whether the pilot under check is competent, or might need further instructing.
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment. Please see the responses to comments No. 5206 and No. 36 (BGA).</p>
comment	<p>7825 comment by: <i>Graham Bishop</i></p> <p>FCL.140.S Launch methods. To maintain privileges in each method at least five in type must have been carried out in the last 24 months</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>However, the Agency is not sure about the meaning behind your comment. FCL.130.S (c) describes exactly what you are referring to. The comment is adding "in type" but as there are no types for sailplanes the Agency does not understand the proposal.</p>
comment	<p>8050 comment by: <i>European Sailplane Manufacturers</i></p> <p>For the (really rare) case of bungee launching an existing winch or car launch privilege should result into a number of 3 bungee launches (dual or supervised) to get the bungee launch privilege.</p> <p>Car / winch launching is considered to be more demanding but still comparable.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing this comment.</p> <p>Taking into account the comments received the proposals for the launch method "bungee launch" will be changed to a minimum of 3 launches for the issue and 2 launches for maintaining the privileges.</p> <p>If a licence holder is not able to fulfil this requirement the requirement under (d) allows to complete the missing launches with or under supervision of an instructor in order to renew the privileges. As a conclusion this would lead to only 2 bungee launches under supervision if a licence holder has not performed such a launch within the last 24 months.</p> <p>The Agency agrees also that the key elements of the car launch procedures and the training for launch failures will be similar to the ones for the winch launch. Accordingly the numbers for the car launch will be adapted.</p>
comment	<p>8276 comment by: <i>Paul Mc G</i></p> <p>(c) In order to maintain their privileges in each launch method, pilots shall complete a minimum of 5 launches during the last 24 months. This may cause problems as perhaps a check with an instructor once a year in each launch method would be sufficient? 5 is just a magic number taken out of the air is it not? It just looks like someone did some thinking?? And thought</p>

	that 5 looks ok? The number required for proficiency depends on many factors!
response	<i>Noted</i>
	Thank you for providing your opinion.
	<p>However, the Agency does not believe that a check flight once a year using the winch launch method will result in a sufficiently trained pilot for winch launch failures, cross wind take-offs or emergency situations. Most of the different national requirements in force today in Europe seem to have established such a minimum number of training flight using a certain take off method. The Agency is of the opinion that a minimum of 5 launches during the last 24 months is a quite reasonable amount and will keep this figure unchanged. It should be further noted that a licence holder who has performed only 2 or 3 winch launches within the last 24 months will be "forced" to do the missing take offs with or under the supervision of an instructor. The Agency and the sailplane experts involved in the drafting of this requirement are still convinced that this will be a very practicable and safe procedure.</p>
	<p>The is no reference contained regarding the attached working paper on "horse launches" with microlight sailplanes. The Agency cannot see any relation to the requirement in FCL.130.S because microlight sailplanes are clearly Annex II aircraft and therefore the pilots of these aircraft are excluded from these requirements.</p>

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 5:
Specific requirements for the LPL for sailplanes - FCL.135.S LPL(S) -
Extension of privileges to TMG**

p. 16

comment	206 comment by: <i>Bernhard Blasen</i>
	The term "dual instruction" should be replaced by "flight instructor" or some word describing the level of skills of the "second person" more precisely.
response	<i>Not accepted</i>
	<p>Thank you for providing your opinion. FCL.010 on "Definitions" clearly explains that dual instruction means the involvement of "a properly authorised instructor". No repetition in FCL.135.S is needed.</p>
comment	332 comment by: <i>Michel Lacombe AF TRTO</i>
	Numbering error
	<p>FCL.135.S LPL(S) Extension of privileges to TMG (a) The privileges of a LPL(S) shall be limited to flying sailplanes and powered sailplanes. This limitation may be withdrawn when the pilot has completed on a TMG:</p> <p>(1) (a) 6 hours of flight instruction, including: (i) (1) 4 hours of dual instruction; (ii) (2) 1 solo crosscountry flight of at least 150 km, during which 1 full stop landing at an aerodrome different from the aerodrome of departure shall be performed.</p>

	<p>(2) (b) a skill test to demonstrate an adequate level of practical skill in TMG. During this skill test, the applicant shall also demonstrate to the examiner an adequate level of theoretical knowledge for TMG in the following subjects:</p> <ul style="list-style-type: none"> -Operational procedures; -Flight performance and planning; -Aircraft general knowledge; -Navigation.
response	<p><i>Accepted</i></p> <p>Thank you for providing this comment. The Agency agrees and the numbering will be changed accordingly.</p>
comment	<p>442 comment by: <i>Head of training and security of FFVV</i></p> <p>The proposed TMG authorization does not comply with the use of motor-glidern in France. In France, most motor-glider flights are limited to training purposes (initial training), security (outlandings), and local flights (these flights always take place within a 30 kilometers radius of the home airfield). Thus, we suggest that a simplified TMG authorisation be applicable to the "basic licence", as also for instructors authorized to issue this "basic licence".</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not understand the problem. The proposal in FCL.135.S asks for a TMG extension in order to fly safely a TMG. For the instructor who wants to use the TMG for the training this means that he/she has to hold an LPL(S) with TMG extension.</p> <p>In order to fly a TMG two routes will be available:</p> <ol style="list-style-type: none"> 1. The LPL(A) - class TMG 2. The LPL(S) - with the extension for TMGs <p>The Agency will add a sentence which should clarify that the TMG can be used for the flight training specified under FCL.110.S only up to a certain amount of hours.</p>
comment	<p>785 comment by: <i>Robert Cronk</i></p> <p>This extension to TMG with instruction and appropriate skill test seems very practical and I fully support it.</p>
response	<p><i>Noted</i></p> <p>Thank you for this positive feedback.</p>
comment	<p>1693 comment by: <i>Sven Koch</i></p> <p>6 Std Flugausbildung, davon 4 Std Doppelsteuer mit Lehrer, ein Allein-Überlandflug von 150 km mit einer Landung fremden Platz. Eine mündliche Prüfung in den Fächern:</p>

	<p>Flugbetrieb, Flugplanung u-leistung, Flugzeugkunde, Navigation sowie praktische Prüfung</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 the privileges contained in FCL.135.S.</p> <p>However, it has to be noted that the practical skill test is not mentioned which will be a basic element of the examination for the TMG extension.</p>
comment	<p>1891 comment by: <i>Regierung von Oberbayern-Luftamt Südbayern</i></p> <p>Neben der praktischen Mindestausbildungszeit von 10 Flugstunden für den Erwerb des LPL(S) (FCL.110.S) sind lediglich 6 Flugstunden zum Erwerb der TMG-Berechtigung zu wenig. Dies würde es dem Schüler ermöglichen, die Segelflug- und die TMG-Berechtigung mit mindestens 16 Flugstunden zu erwerben.</p> <p>Zum Einen erscheint uns dies aus fliegerischer Sicht als zu wenig. Zum Anderen sehen wir hier einen Wertungswiderspruch zu den Erfordernissen und Privilegien des Basic LPL, wo nach (mindestens) 20 Flugstunden nur mit einer 50-km-Begrenzung geflogen werden darf. Der LPL (S) (mit TMG-Berechtigung) enthält trotz geringerer Mindestanforderungen für die praktische Flugausbildung keine solche Begrenzung.</p> <p>Lediglich bei einer praktischen Mindestausbildungszeit von 15 Stunden für den LPL(S) (vgl. unsere Anmerkung zu FCL.110.S) können die zusätzlichen 6 Stunden für den Erwerb der TMG-Berechtigung als ausreichend angesehen werden.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency has reviewed several existing national regulations for the extension to TMG privileges and the proposed requirement in FCL.135.S is based on the outcome of this evaluation.</p> <p>As explained already in the responses for some other comments regarding the level of training for the LPL in general the Agency would like to highlight the following.</p> <p>The Agency has spent quite some time discussing the question if the future requirements for the LPL should be developed on a "competency based" approach or on the "fixed - hours" based approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructors ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clear defined skill test which has to be completed with an examiner would fulfil all the conditions for the LPL contained in the Basic Regulation.</p> <p>During the process of developing the new rules for the LPL the experts did not agree on the purely competency based approach but came to the conclusion</p>

that it would be better to define some minimum requirements. However, most of these requirements are on a lower level than required by ICAO for the PPL, SPL and the BPL. As a result some of the proposed figures for the LPL instruction time seem to be rather low compared with the time an average student pilot would need but will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence. For the extension from LPL(S) to TMG this will be also the case.

However, taking into account all the comments received on the minimum training required for the LPL(S) and considering also the minimum amount of flight training for the privilege on TMGs the Agency has decided to raise the number of hours and launches required for the LPL(S) in FCL.110.S. This would also correlate with your proposal. Based on the evaluation of existing national requirements in different Member States for the privilege to fly an TMG the additional 6 hours (minimum) flight training in TMGs and the following skill test (please see the AMC material for the skill test) will ensure a sufficient level of experience to fly safely a TMG.

comment

3939

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

Neben der praktischen Mindestausbildungszeit von 10 Flugstunden für den Erwerb des LPL(S) (FCL.110.S) sind lediglich 6 Flugstunden zum Erwerb der TMG-Berechtigung zu wenig. Dies würde es dem Schüler ermöglichen, die Segelflug- und die TMG-Berechtigung mit mindestens 16 Flugstunden zu erwerben.

Zum Einen wird dies aus fliegerischer Sicht als nicht ausreichend betrachtet. Zum Anderen tritt hier ein Wertungswiderspruch zu den Erfordernissen und Privilegien des Basic LPL auf, wonach (mindestens) 20 Flugstunden nur mit einer 50-km-Begrenzung geflogen werden darf. Der LPL (S) (mit TMG-Berechtigung) enthält trotz geringerer Mindestanforderungen für die praktische Flugausbildung keine solche Begrenzung.

Lediglich bei einer praktischen Mindestausbildungszeit von 15 Stunden für den LPL(S) (vgl. Anmerkung zu FCL.110.S) können die zusätzlichen 6 Stunden für den Erwerb der TMG-Berechtigung als ausreichend angesehen werden.

response

Accepted

Thank you for providing your opinion.
Please see the response to comment No 1891 (Luftamt Süd).

comment

4584

comment by: *Deutscher Aero Club*

FCL.135.S LPL(S) Extension of Privileges to TMG

Para (a)

"The privileges of a LPL(S) shall be limited to flying sailplanes and powered

sailplanes. This limitation may be withdrawn when the pilot has completed on a TMG:"

Comment

As this is written TMG are not powered sailplanes. This is not consistent with the definition of the TMG in FCL.10, according to which, a TMG is a specific type of powered sailplane. It may lead to ambiguities.

EGU Proposal:

The privileges of an LPL(S) shall be limited to flying sailplanes, self launching sailplane and self sustained sailplanes. The privileges of an LPL(S) shall be extended to touring motor gliders, when the pilot has completed on a TMG:

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees that the wording used in FCL.105.S, FCL.135.S, FCL.205.S and in FCL.225.S is misleading. The TMG is clearly a powered sailplane. However, as there is a separate extension for LPL(S) or SPL holders to exercise the privileges on a TMG this should be clarified and the text should be amended.

The Agency is of the opinion that there is no need to mention specifically the different categories of powered sailplanes (like self-launching powered sailplanes or self-sustaining powered sailplanes).

The text will be changed accordingly.

comment

4715

comment by: *British Gliding Association*

FCL.135.S LPL(S) Extension of Privileges to TMG

Para (a)

"The privileges of a LPL(S) shall be limited to flying sailplanes and powered sailplanes. This limitation may be withdrawn when the pilot has completed on a TMG:"

Comment: As this is written TMG are not powered sailplanes. This is not consistent with the definition of the TMG in FCL.10 according to which a TMG is a specific type of powered sailplane. It may lead to ambiguities.

BGA Proposal:

The privileges of an LPL(S) shall be extended to TMGs when a pilot has completed on a TMG . . .

response

Accepted

Thank you for providing your opinion.

The Agency agrees that the wording used in FCL.105.S, FCL.135.S, FCL.205.S and in FCL.225.S is misleading. The TMG is clearly a powered sailplane. However, as there is a separate extension for LPL(S) or SPL holders to exercise the privileges on a TMG this should be clarified and the text should be amended.

The text will be changed accordingly.

comment	<p>5568 comment by: <i>Belgian Gliding Federation</i></p> <p><i>FCL.135.S LPL(S) Extension of Privileges to TMG</i></p> <p>Para (a) <i>"The privileges of a LPL(S) shall be limited to flying sailplanes and powered sailplanes. This limitation may be withdrawn when the pilot has completed on a TMG:"</i></p> <p>Comment: Importance of the wording used: "may" and "shall"</p> <p>Proposal: The privileges of an LPL(S) shall be limited to flying sailplanes, self-launching sailplanes and self-sustained sailplanes. For touring motor gliders, this limitation shall be withdrawn when the pilot has completed on a TMG:..."</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No 4584 (EGU).</p>
comment	<p>6371 comment by: <i>DSvU</i></p> <p>FCL.135.S, FCL.225.S and AMC to FCL.135.S and FCL.225.S</p> <p>Comment: Extension of privileges to touring motor gliders – LPL(S) and SPL.</p> <p>Proposal: Change to read: Flight Instruction for touring motor gliders – LPL(S) and SPL. Use same requirement for experience and crediting as for FCL.110.BA/H Basic LPL and FCL.110.A LPL(A)</p> <p>Justification: There is an increasing need for educating directly on TMG without being dependant on a full glider pilot education prior conversion to TMG The option of extending the privileges from LPL(S) and SPL to TMG is still an option with the reduced requirements as stated in FCL.135.S</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 change the title of FCL.135.S to "experience and privileges" because this requirement deals only with an extension of the sailplane pilot licence and not with the initial flight instruction for the LPL.</p> <p>If a licence holder intends to be trained on a TMG "without being dependant on a full glider pilot education prior conversion to TMG" he/she should use the LPL(A) route. The full training syllabus and the skill test for the LPL(A) can be done on a TMG. The privileges of the licence will be limited to act as pilot-in-command on TMGs.</p>

comment	<p>7719 comment by: <i>Roger Hurley</i></p>
	<p>L.135.S As noted earlier, a TMG is just a kind of powered sailplane and any terms and conditions should not make a TMG different.</p>
response	<p><i>Noted</i></p>
	<p>Thank you for providing your opinion. However, the Agency does not agree.</p> <p>You are right with the statement that the TMG is a powered sailplanes but taking into account how the TMG is used nowadays, the Agency is of the opinion that there is a huge difference between a TMG (e.g. Super Dimona or G 109) and a self launching powered sailplane (e.g. ASK 21 MI or ASH 26).</p> <p>Please check the detailed training syllabus in AMC to FCL.135.S for the extension of privileges to TMGs. This AMC explains clearly what kind of differences are meant and why this additional training is definitely necessary for the safe use of TMGs in European airspace.</p>
comment	<p>8052 comment by: <i>European Sailplane Manufacturers</i></p>
	<p>Again: the definitions.....</p> <p>Proposal:</p> <p>... shall be limited to pure / self-sustainers / self launchers....</p>
response	<p><i>Partially accepted</i></p>
	<p>Thank you for providing your opinion.</p> <p>The Agency agrees that the wording used in FCL.105.S, FCL.135.S, FCL.205.S and in FCL.225.S is misleading. The TMG is clearly a powered sailplane. However, as there is a separate extension for LPL(S) or SPL holders to exercise the privileges on a TMG this should be clarified and the text should be amended.</p> <p>The Agency is of the opinion that there is no need to mention specifically the different categories of powered sailplanes (like self-launching powered sailplanes or self-sustaining powered sailplanes).</p> <p>The text will be changed accordingly.</p>
comment	<p>8064 comment by: <i>European Sailplane Manufacturers</i></p>
	<p>again the definition of sailplanes....see in the LPL(S) section...</p>
response	<p><i>Noted</i></p>
	<p>Thank you for providing your opinion.</p> <p>Please see the response to your comment No. 8052 and the responses on the comments regarding the LPL(S).</p>
comment	<p>8147 comment by: <i>William Treacy</i></p>
	<p>The hours requirements for extension of privileges is not enough, I suggest 10 hours of dual instruction and 6 hours cross country.</p>

response

Partially accepted

Thank you for providing your opinion.

However, the Agency has reviewed several existing national regulations for the extension to TMG privileges. The proposed requirement in FCL.135.S is based on the outcome of this evaluation. The training required in FCL.135.S should be a minimum number of 6 hours. This seems to be reasonable number to allow the instructor to do all the exercises described in the appropriate AMC. If the student needs more training time there is no requirement which prevents the instructor from doing more training with the student pilot. Your comment is asking for 6 hours cross country training. The Agency is of the opinion that the required solo cross country flight will ensure that the necessary cross country training is done before the instructor takes the responsibility to send his/her student for this flight. The Agency cannot see a need to define further cross country training.

However, to stress this and taking into account your comment the term "at least" will be added.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with the licence and in this case the extension for TMGs.

comment

8277

comment by: *Paul Mc G*

Para a)

The privileges of a LPL(S) shall be limited to flying sailplanes and powered sailplanes. This limitation may be withdrawn when the pilot has completed on a TMG. This is not consistent with the definition of the TMG in FCL.10 according to which a TMG is a specific type of powered sailplane. OOPS!!! A rewrite may be required here?

response

Noted

Thank you for providing this comment.

The Agency agrees that the wording used in FCL.105.S, FCL.135.S, FCL.205.S and in FCL.225.S is misleading. The TMG is clearly a powered sailplane. However, as there is a separate extension for LPL(S) or SPL holders to exercise the privileges on a TMG this should be clarified and the text should be amended.

The text will be changed accordingly.

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 5: Specific requirements for the LPL for sailplanes - FCL.140.S LPL(S) - Recency requirements

p. 16-17

comment

46

comment by: *Stefan JAUDAS*

FCL.140.S and FCL.230.S

It appears that this is one of the instances where the goal of simplification, transparent rules and reduction of bureaucratic hindrances has been missed completely. Instead of one criterion to determine recency, any possible criterion known in aviation is used:

- minimum flight time,
- minimum number of flights,
- biennial flight review with an instructor,

and to top things with something new

- hexennial proficiency check with an examiner.

Sorry to say this, but this is grossly bureaucratic and completely off the expressed goals of this proposed legislation. After all, we are talking about mostly recreational flying of small aircraft here.

The hexennial proficiency check must not be implemented for any basic LPL, LPL, LPL(S) or SPL at all, may they be basic or not. It will do nothing to enhance safety. The examiner check ride every 6 years will not be practicable, as there will be far from enough examiners to get around. This would put an undue strain on the examiners and also particularly put many LPL(S) and SPL pilots out of recency due to examiner shortages and potentially longer spells of unsuitable weather at the end of these 6 years.

Recency must be regained by catching up on the missing requirements under flight instructor supervision only, documented in the pilot's flight log by the instructor. No flight examiners need to be involved. No authority needs to be involved. The full recency must be regainable under flight instructor supervision.

Sailplanes and powered sailplanes specifics:

There seems to be an inconsistency. On one hand, the number of required flights is put at a rather low 10 launches in 24 months, on the other hand, a check with an examiner is required every 6 years.

Current German law is 25 launches within the previous 24 months. The minimum flight time requirement for sailplanes was dropped in Germany some years back due to the recognition that most accidents happen during take-off and landing. Hence, the number of flights were given a stronger emphasis with those 25 flights in 24 months. Flights have a much bigger training and safety effect than plain flight time. Very active pilots have no problem racking up flight hours with very few flights. While low-time pilots have it much easier to accumulate flights rather than flight time. Flight time can be a problem in sailplanes when the weather does not co-operate. 2-year spells of bad soaring weather have happened before. And having flights under one's belt is never detrimental.

Conclusion: It would be referable to emphasize number of flights for recency. Requiring 25 flights and no minimum flight time within the previous 24 months would be preferable in terms of aviation safety and pilot proficiency.

The regulation should read:

(a)(1)(i) at least 25 launches as pilot-in-command;
 [(a)(1)(ii) and (a)(1)(2) deleted]
 [(b)(1)(ii) and (b)(1)(2) deleted]
 (c) Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall complete these requirements under supervision of flight instructors before they can resume the exercise of their privileges. Flights executed to complete these requirements shall be signed off by the flight instructors in the pilot's flight record documentation.

response *Noted*

Thank you for providing your comment.

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 mentioned in your comment.

It should be also mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised. However, due to the fact that in some Member States mainly the launch method aero tow is used these stakeholders and based on an evaluation of existing national requirements the Agency decided to raise the number of launches only slightly and will ask for at least 15 launches. During the mandatory training flight the instructor will be able to identify possible deficiencies. Based on this evaluation additional training could be provided.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

comment 52

comment by: *Dr. Trautenberg*

FCL.140.S.(a)(2) and FCL.140.S.(b)(2)

In large parts of the world there is a checkride with an instructor every other year. This checkride every other year has provided an adequate level of safety for private aviation in the last few decades.

It is therefore proposed to waive the proficiency check with an examiner at least once every 6 years for pilots who had the continuous right to exercise the privileges of the license since the issue of the license or since the last proficiency check, provided that they received training from an instructor for at least 3 starts or at least 1 hour in very period of 24 month since the issue of the license or the last proficiency check.

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

53

comment by: *Dr. Trautenberg*

It is proposed to add to FCL.140.S(a) an new (3) with a formulation similar to FCL.140.S(b)(3) but restricted to the proficiency check. The proposed wording would be:

When the holder of the LPL(S) also has the privileges to fly aeroplanes or touring motor gilders, the requirement on (2) may be completed on aeroplanes or TMG.

The reason for this proposal are twofold:

- 1) Safety related lacks in proficiency which can be detected in such a proficiency check in a glider are also detectable in a TMG or aeroplane.
- 2) It reduces the workload for the examiners and the cost for the applicants without any impact on safety.

response

Not accepted

Thank you for providing your opinion and the proposal to accept a proficiency check in an aeroplane for fulfilling the recency requirements in (a). As the proficiency check is not any longer mandatory this proposal could be introduced only for the proficiency check mentioned under (c).

However, the Agency is not in favour of adding such a requirement. The example mentioned in your comment which allows an LPL(S) holder with TMG extension to complete the minimum flying hours and take-offs required on aeroplanes instead of TMGs cannot be transferred as proposed in your comment. The Agency is of the opinion that take-offs or landing procedures in aeroplanes will require totally different techniques than the ones needed for a typical sailplane launch (e.g. launch failure techniques), flight or landing.

Based on this the requirement will not be changed. The flight time in (a) and the training flight has to be completed in sailplanes (excluding TMGs or SEP aeroplanes).

comment	<p>123 comment by: <i>Aero-Club of Switzerland</i></p> <p>As mentioned earlier, we are not in favour of the proficiency checks you propose to be passed every 6 years, not for sailplanes, not for powered sailplanes (incl. TMG). Please replace the proficiency checks by a checkflight with flight instructor every 24 month.</p> <p>Justification: A regularly checkflight is a better solution to improve flight safety than a proficiency check every 6 years. The flight instructor should be free to perform a checkflight well tailored to the needs of the pilot.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.</p> <p>See the resulting text.</p>
comment	<p>137 comment by: <i>Bernhard Blasen</i></p> <p>the rule demanding a mandatory proficiency check with an examiner every 6 years should be taken away!</p> <p>European rules should be as close as possible to the ICAO rules! and a new check flight every 6 years is clearly overdone! There is no statistic about accidents proving or even indicating the need of this proficiency check with an examiner!</p> <p>A one hour training flight with an instructor every 2 years makes sense and should be mandatory for all TMG pilots.</p> <p>Mandatory proficiency check with an examiner causes bureaucracy. Mandatory proficiency check with an examiner encreases costs lowering total flying budget. So training level will be lowered because money spent for proficcency check cannot be spent for flying. So safety level will be lowered instead of encreased!</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your comment.</p> <p>The issue of the proficiency check was discussed during the review phase</p>

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment

207

comment by: *Bernhard Blasen*

If a proficiency check is necessary this check should be only needed once if the pilot has a LPL(S) with a TMG license.

response

Noted

Thank you for providing your comment.

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 training flight will be introduced for all four LPL categories - not only for the LPL(S) with TMG extension.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

comment

242

comment by: *Joe Sullivan*

The requirement in FCL 140A section (a) subpart 2 Creates an unnecessary burden on the pilot due to the requirement to do this proficiency check **with an examiner**.

- 1) While it may be prudent to do a more rigorous review of skills on a six yearly basis this could and should be performed by an FI or a CFI.
- 2) Currently examiners are managed through the competent authority, this measure will create a huge administrative burden
- 4) It will create a significant cost to the pilot
- 5) It will defacto be a mini flight test
- 6) It will create a barrier to revalidation too great for many pilots to

overcome

- 7)The exemption for Examiners for this licence type, to hold a CPL is welcome and should be extended to examiners for the PPL as well

response *Noted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

See the resulting text.

The pre-requisites for examiners will be discussed in the appropriate segment.

comment 246

comment by: *Sascha Meister*

A proficiency check with an examiner every 6 years would be a big change to the sport of gliding in Germany as there have been no proficiency checks at all for the "Glider Pilot License (GPL)" in the past (I don't know the former sailplane licences of other european countries or if proficiency checks were required there as pilot licenses for sailplanes have always been national licenses even after the introduction of JAR-FCL). As there are not very much examiners available in Germany but a high number of sailplane pilots this rule would be quite hard to exercise.

There have been no proficiency checks for sailplane pilots at all in the past. There even have been no proficiency checks with an examiner for motorized aeroplane pilots. After the introduction of JAR-FCL a **TRAINING** flight with a flight instructor every two years was required for aeroplane and TMG pilots but not for sailplane pilots. This training flight has been a good method to maintain pilots skills on a good level. ***As there were no check flights for sailplane pilots in the past and pilot skills were not poor I don't see the requirement of check flights for the future.*** However, if an observation of sailplane pilot skills is ment to be required by the EASA, a training flight with a flight instructor would be much better than a check flight with an examiner. The psychic stress to have to sucess to the pilot would be much less and the flight instructor can teach the pilot to improve his skills if necessary. As there are much more flight instructors than examiners available it would also be easier for the pilot to find somebody for a training flight.

response *Noted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

259

comment by: *Eberhard Lulay*

Deregulate not regulate

The proficiency check every 6 years creates bureaucracy. This rule is against the main intention not to create more bureaucratic obstacles. In order to enforce the culture of self responsibility in clubs I suggest the following until today well exercised way of examination:

Pilots should be checked by well-trained pilots or the instructors of the clubs. The necessity and way of this procedure should be decided in the clubs themselves.

Eberhard Lulay

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

260

comment by: *Bernd Schober*

Sehr geehrte Damen und Herren,

der geforderte Checkflug nach 6 Jahren mit einem amtlichen Prüfer ist total überflüssig und erzeugt wieder einmal nur zusätzlichen bürokratischen Aufwand und unnötige Kosten.

Die bestehende deutsche Regelung für Segelflieger mit dem Nachweis von 25 Landungen innerhalb 24 Monaten ist völlig ausreichend. Zumal in den meisten Vereinen mindestens ein Checkflug mit einem Fluglehrer zu Saisonbeginn sowieso Usus ist. Außerdem kenne ich genügend Segelflieger mit geringer Flugerfahrung, die freiwillig lieber einmal mehr mit einem Fluglehrer fliegen, bevor sie sich, andere oder das Fluggerät gefährden. Piloten, die sich selbst überschätzen, werden weder durch härtere Medical-Bedingungen noch durch vorgeschriebene, amtliche Checkflüge gestoppt.

Noch ein Wort zur Lizenz für „Motorsegler“. Bewusst unterschiede ich hier nicht zwischen TMG und Eigenstart-fähigem Segelflugzeug. Denn wo liegt denn der Unterschied? Beide können aus eigener Kraft starten, mit abgestelltem Triebwerk fliegen, sich unter zweifelhaften Wetterbedingungen in der Luft halten, maximal zwei Personen befördern. Die Anforderungen an den Piloten sind in der Startphase etwas höher als beim reinen Segelflugzeug, in der Luft und bei der Landung annähernd, bzw. exakt gleich.

Warum sollte man dann einen Unterschied bei den medizinischen Anforderungen machen?

Den fliegerischen Nachweis mit mind. 12 Stunden innerhalb von 24 Monaten gibt es eigenartiger Weise nur bei TMG!?

Aus meiner Sicht und Erfahrung ist es sinnvoll, den Unterschied zwischen den beiden Motorseglerarten zu streichen, nur die Startart „Eigenstart“ in die Segelfluglizenz einzutragen und die Medical-Bedingungen denen des reinen Segelfluges anzupassen. Denn auch für Motorsegler gilt: Wer muss (!) denn damit schon zur Arbeit fliegen?

Mit freundlichen Grüßen
Bernd Schober.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

Regarding the second issue the Agency does not agree at all with the statement that there is nearly no difference between a typical powered sailplane (e.g. ASH 26) and a TMG (e.g. the Super Dimona). Please check the syllabus for the training on TMGs (e.g. AMC to FCL.135.S) and the one for the pure sailplane training and you will discover a lot of differences. As the TMG is also a class of aircraft which can be flown with a PPL(A) similar training items must be contained in the syllabus. The way a modern TMG is flown nowadays is much closer to a typical aeroplane operation than a typical sailplane operation.

The Agency does not understand the comment on the medical as the LPL medical standards for LPL(S) and for LPL(S) licence holders with TMG extension are the same.

Therefore the recency requirements for the LPL(S) will TMG extension will be the same as for the TMG class rating in subpart H.

comment

413

comment by: *Geschäftsführer Luftsportverband RP*

Für deutsche Segelflieger kommt noch hinzu, dass diese bisher einen unbegrenzt gültigen Schein erworben haben. Dieser Proficiency-check wäre ein einschneidender Rechte-Entzug mit womöglich sehr vielen Rechtsstreitigkeiten. Auch hier müssen bei TMG die dokumentierten Ultraleicht-Flugstunden Anerkennung finden (siehe Bemerkung FCL.010)

In der EG-Verordnung 216/2008 wird in der Einleitung unter (8) gefordert: "Für den nichtgewerblichen Bereich sollten die Betriebs- und Lizenzierungsvorschriften auf die Komplexität des Luftfahrzeugs zugeschnitten sein ..." In allen Bereiche des LPL, PPL, SPL kommen einfache Luftfahrzeuge zum Einsatz, die keinen proficiency check, wie im gewerblichen Bereich, erforderlich machen.

Streichen der Sätze (a), (2) und (b), (2).

Beim Segelflug und Motorseglerbereich ist es vollständig ausreichend, die Nachprüfung in die Hände eines Fluglehrers zu legen um die Wiedererlangung der Rechte nach einer Ausfallperiode zu erreichen, daher: Nachholung der Minimumbedingungen von 24 Monaten **oder** proficiency check

Änderung (c) Scheininhaber sollen mit bzw unter Aufsicht eines Fluglehrers die Bedingungen unter (a), (1), (ii) bzw unter (b), (1), (ii) nachholen.

(c) Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall fulfill the requirements in (a),(1),(ii) or (b),(1),(ii) **or** shall pass a proficiency check

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor (also proposed in your comment).

See the resulting text.

Regarding the second issue it must be mentioned that the Agency has decided to accept a certain amount of flight experience on microlights to be credited for starting the training. For fulfilling the recency requirement the Agency does not accept flying time or take-offs in other aircraft categories than the mentioned categories TMGs and SEPs.

comment

543

comment by: *Stefan JAUDAS*

Concerning the proficiency check every 6 years:

If implemented at all (see previous comments, comment no. 46), the proficiency check must be defined. This definition must be practicable. E.g., a proficiency flight of one hour flat will not be practicable in sailplanes, as weather conditions may not cooperate for extended periods of time. Demonstrating proficiency by an accumulated flight time of one hour will not be practicable. For many sailplane operations this one hour accumulated flight time may translate in a total of 12 to 14 flights, which translates into the use of a double-seated sailplane for a whole day or more.

If implemented at all, the documentation of this proficiency check must be documented by an endorsement by the examiner written and signed off into the pilot's log book., and only through the pilot's logbook. No backloop from examiner to any licencing authority (i.e. examiner sends report to authority, authority issues paper to pilot that he is properly examined for the next 6 years) must be required before the examined pilot can exercise his flying privileges. No report to the licencing authority must be required. Any such backloop or report would create a huge bureaucratic structure, with all respective negative consequences.

If implemented at all, there must be a grace period which allows to make the proficiency check ahead of the expiration date of the 6 years without changing the deadline. A grace period of 6 months is proposed. E.g., if the proficiency

check was due 31 Dec. 2016, a proficiency check made no sooner than 1 July 2016 would keep 31 Dec. 2024 as the deadline for the next proficiency check. A proficiency check on 31 June 2016 would change the next deadline to 31 June 2024.

If implemented at all, the proficiency check must explicitly be good to be used in lieu of the bi-annual training flights with an instructor.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

554

comment by: *Daniel Komorowski*

The under FCL.140.S, b, 2 required proficiency check with an examiner will be very difficult in real world realisation. Based on the current situation, there are not enough examiner available.

The current rule, based on the 2year proficiceny check with an FI was very pratical and should be kept in future.

To require a regular check with an exsaminer will cause a serious impact on many private pilots, and will lead to the reduction and non-renewal of many pilots license.

This point should be reconsidered, and more adapted in a way like it is practiced via the FAA biannual checking (which does not show any main disadvantages, and require much less organisational efforts)

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

831

comment by: *Wolfgang Bachmann*

Auch hier sehe ich keinen Sicherheitsgewinn in examiner check nach 6 Jahren.

Es gibt nicht genug proficieney examinier um den Bedarf abzu decken. Auch der Sicherheitsgewinn sehe ich nicht.

Kritisch sehe ich auch hier, dass alle gleichzeitig einen Checkflug machen wollen und das auf biegen und brechen. Das wird zu vermehrten Unfällen führen und den Flugsport in keiner weise weiter bringen.

Auch hier mein Vorschlag:
Ersatzlos streichen.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an

instructor

See the resulting text.

comment

846

comment by: *Luftsportverband Rheinland Pfalz*

FCL.140. S

(a) (2) und (b) (2) wird abgelehnt

ausreichende Flugpraxis ist der beste Garant für sicheres Fliegen. Ein Flug mit einem Examiner alle 6 Jahre bringt keinen zusätzlichen Sicherheitsgewinn. Im Gegenteil, es sind erhöhte Kosten zu erwarten. Sofern dieser Patus nicht komplett entfällt, sollte für diesen Überprüfungsflug die Beurteilung durch einen Fluglehrer ausreichend sein. Oder gibt es fundierte Erkenntnisse, das die Qualität und die Fähigkeiten der Fluglehrer nicht ausreichend sind? Grundsätzlich bedeutet der Flug mit einem Examiner alle 6 Jahre eine Verschärfung der geltenden deutschen Regelungen

Es ist zu befürchten, dass 6 Jahre nach Inkrafttreten der hier vorgestellten Regelungen nicht ausreichend ehrenamtliche Examiner und Kapazitäten für die Überprüfung aller Piloten zur Verfügung stehen.

b) 3) auf TMG und aerodynamisch gesteuerten Ultraleichtflugzeugen erbrachte Zeiten sind ebenfalls für den TMG anzurechnen.

(a) (2) und (b) (2) ersatzlos streichen,
oder die Dauer der Intervalle auf mind. 10 Jahre erweitern

oder ein Überprüfungsflug mit einem Fluglehrer (FI) alle 6 Jahre aufnehmen

(b) 3) ...completed on aeroplanes, TMG und/oder auf aerodynamisch gesteuerten Ultraleichtflugzeugen

response

Partially accepted

Thank you for providing your comment.

Please see the response to comment No. 413 (Geschäftsführer Luftsportverband RP).

comment

866

comment by: *Stefan Kramer*

Die Wiederholung der praktischen Prüfung alle 6 Jahre ist unangemessen. Die 24 monatige überprüfung durch einen Fluglehrer ist völlig ausreichend.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

880

comment by: *ASW-27B*

Eine Überprüfung durch einen Fluglehrer alle 2 Jahre muss ausreichen. Der Prüfungsflug ist organisatorisch viel zu aufwändig, zu teuer und nicht notwendig zur Aufrechterhaltung ausreichender Flugsicherheit. Wir sind keine Berufspiloten, die täglich mehrere hundert Passagiere durch die Luft transportieren.

Außerdem muss es möglich sein, die Flugstunden für den TMG auch mit einem aerodynamisch gesteuerten UL durchzuführen. Fliegerisch macht das kaum einen Unterschied.

response

Noted

Thank you for providing your comment.

Please see the response to comment No. 413 (Geschäftsführer Luftsportverband RP).

comment

937

comment by: *Hubert Raaf*

Es ist für meine Begriffe total unnötig nach 6 Jahren eine Wiederholungsprüfung zu machen, weil das nur unnötige Kosten verursachen wird. Im Bereich TMG reicht der jährliche Überprüfungsflug mit einem Fluglehrer vollkommen aus.

response

Noted

Thank you for providing your comment.

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.

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added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment 941 ❖

comment by: *Sven*

The idea of proficiency check is good.

BUT the organisation is too complex, time and cost intensive for ELA1

The check flight with an Examiner doesn't create more security than a flight with a FI.

I suggest:

For Pilots check by a flight instructor.

For FI check by a simple examiner.

Topic:

- verbal theorie test

We have already gained good experience with the trainings flight on JAR-FCL.

response *Partially accepted*

Thank you for providing your comment.

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.

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See the resulting text.

comment 953

comment by: *Rüdiger Janß*

For many years the practice showed that there is no need for an proficiency check every 6 years. For TMG the 2 years cycle flying at least one hour with flight instructor gives the chance to increase skills and to find weak points

without the fear of the pilot to loose its licence. No flight instructor will confirm that flight as passed in the flightlog when the pilot he checked has not enough skills.

EASA should adapt the german practice.

response *Noted*

Thank you for providing your comment.

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.

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See the resulting text.

comment *1124*

comment by: *KLSPublishing*

same comment as with 140 A
There should be no proficiency check every 6 years.

response *Noted*

Thank you for providing your comment.

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.

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Furthermore a sentence will be added explaining that the missing launches or

hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment **1144** comment by: *Schäfer*

Zu den genannten Vorgaben sind die dokumentierten UL-Flugzeiten auf aerodynamisch gesteuerten Ultraleicht-Flugzeugen anzuerkennen
Der Prüfungsflug nach 6 Jahren muß gestrichen werden.
Hier hat sich in der Vergangenheit gezeigt, das der 1-Stundenflug mit Fluglehrer vollkommen ausreichend ist.
Zumal dadurch dem Fluglehrer die Möglichkeit gegeben wird die erforderlichen Ausbildungszeiten zu erfüllen.

response *Noted*

Thank you for providing your comment.

Please see the response to comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment **1169** comment by: *Thomas Reusch*

Überprüfung mit Fluglehrer ausreichend. Alle Flugstunden, auch UI-Flugzeit muß auf TMG angerechnet werden. Zusätzlicher Prüfungscheck muß entfallen

response *Noted*

Thank you for providing your comment.

Please see the response to comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment **1180** comment by: *Manfred Steiner*

FCL.140.S (a) (2)

Eine vollkommen übertriebene Forderung, sollte Ersatzlos gestrichen werden.

response *Partially accepted*

Thank you for providing your comment.

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.

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Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment **1181** comment by: *Manfred Steiner*

FCL.140.S (b) (2)

Ein Check mit einem examiner halte ich für total überzogen. Die derzeitige Regelung (Übungsflug) ist vollkommen ausreichend!!

response *Noted*

Thank you for providing your opinion.
See response already provided to your comment No. 1180.

comment **1187** comment by: *Wilfried Müller*

The proficiency check in addition to a bi annual flight check is overkill. This check needs to be withdrawn in the suggested form.

We need proficiency checks for pilots who have not made the mandatory launches and or hours. They should be checked by a flight instructor and get after a positive test their license endorsed.

If an FI does not fulfil the minima for a license endorsement, they should have a proficiency check by an FIE.

PS: We would not be able to cope with all the suggested measurers

- Language test
- Medical
- Minima for the licence endorsement
- Proficiency check

In the worst case, these measures are coming up during the course of one year. This is far to much load for our pilots (SPL, LPL, TMG). If EASA would continue this approach, the hobby flying will came to grinding hold.

Wilfried Mueller 11-20-2008

response *Noted*

Thank you for providing your comment.

First of all it should be clarified that the proposed proficiency check every 6 years was not proposed to be "in addition to a bi annual flight check" as mentioned in your comment. Please check the NPA text.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

1195

comment by: *Karge*

Diese Forderungen sind total überzogen. Ein Überprüfungsflug mit Fluglehrer ist ausreichend.

Bei Flugstunden für TMG muss auch die dokumentierte ULFlugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden.

Ablehnung Prüfercheck wie bei FCL.140.A

response

Noted

Thank you for providing your comment.

Please see the response to comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

1210

comment by: *Stephan Johannes*

Sehr geehrte Damen und Herren,

grundsätzlich nachvollziehen kann ich, dass ein Checkflug in einem bestimmten Zeitintervall durchgeführt werden sollte. Ich bin davon überzeugt, dass ein Fluglehrer in der Lage ist, diesen Checkflug durchzuführen und zu bescheinigen.

Eine Überprüfung im Sinne einer Prüfung durch einen Luftfahrtsachverständigen oder Prüfer der Behörde ist überzogen. Zum einen würde diese Prüfung bei bestehenden Luftfahrerscheininhabern zu einem "Stau" nach 6 Jahren führen andererseits müsste eine Organisation aufgebaut werden, die nur Kosten und keine zusätzliche Sicherheit produziert.

Mein Vorschlag ist ein Checkflug alle 2 Jahre mit einem Fluglehrer. Dieser Fluglehrer bescheinigt den Checkflug im Luftfahrerschein.

Im Segelflug sind die meisten Fluglehrer ehrenamtlich tätig, Kosten treten für den Inhaber der Lizenz keine aus.

Mit freundlichem Gruß

Stephan Johannes

response *Noted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment *1258*

comment by: *Günter End*

Der Prüfercheck kann nicht begründet werden. Die bisherige Regelung war ausreichend und hat sich bewährt. Außerdem entstehen zusätzlich unnötige Kosten. Der Nutzen ist nicht erkennbar.

response *Noted*

Thank you for providing your comment.

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.

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See the resulting text.

comment

1262

comment by: *Michael Joachim*

Sehr geehrte Damen und Herrn

Ich besitze die Privatpilotenlizenz für Segelflug seit 1973, die TMG Lizenz und Ultralight-Lizenz seit 1998 / 2003 und fliege bisher unfallfrei, ohne ständige amtliche Überprüfung.

Durch die geplante Neuregelung FCL.140.A bzw. FCL.140.S (2) werden meine bisher erworbenen Rechte auf unbegrenzte Nutzung meiner Flugscheine beschnitten, indem eine Nachprüfung alle 6 Jahre vorgeschlagen wird.

Damit wird gegen das Prinzip des Bestandschutzes verstoßen, so dass ich gegen die Anwendung dieser Regelung klagen müsste.

Zudem müsste ich diese Prüfungsflüge alle 6 Jahre mit jeweils allen drei Fluggeräten durchführen, da eine Übertragung der Prüfung von TMG auf Segelflug und / oder Ultralight nicht vorgesehen scheint. In der Praxis sind diese Fluggeräte doch sehr verwandt, so dass hier ein ÜBUNGSFLUG für alle Typen / Lizenzen ausreichen müsste.

Allerdings halte ich den bürokratischen Aufwand der Organisation und Überprüfung dieser Prüfungsflüge, gemessen an deren Nutzen, für maßlos übertrieben.

Durch die erheblichen Erschwernisse der Lizenzierung von Prüfern wird die Anzahl von Prüfern in den kommenden Jahren drastisch zurück gehen, so dass nicht einmal für den bisherigen Grundausbildungs-Bedarf ausreichend Personal verfügbar sein wird. Eine zusätzliche Belastung durch Überprüfungsflüge alle 6 Jahre wird nicht mehr zu leisten sein, jedenfalls nicht mehr im Flugsport und Ehrenamt. Hier wird die Lobby der kommerziellen Luftfahrt gefördert.

Fazit: Diese Regelung wird dem Vereins-Flugsport massiv schaden weil die Bedingungen nicht mehr bezahlbar sein werden. Zusammen mit den anderen Einschränkungen (Medical...Fluggeräte...) ist dies das Ende des Flugsports.

Ich möchte vorschlagen, den Flugsport mit allen leichten Flugzeugen wie Ultralight, Segelflug und Motorsegler sowie Ballone aus den Regelungen der kommerziellen Luftfahrt weitgehend herauszulösen, die Regelungen auf ein Mindestmaß zu reduzieren und die bestehenden funktionierenden Strukturen nicht ohne Not zu verschlechtern.

Ein modernes, auf Förderung und Wachstum des Luftsports gerichtetes Regelsystem könnte sich am Autoführerschein für Erwerb und Erhalt orientieren.

Die Basisverordnung der EU Nr 216/2008 für die Aufgaben der EASA erwähnt im Anhang III unter 1.c.2. „Die Häufigkeit von Prüfungen, Tests oder Kontrollen muss dem mit der Tätigkeit verbundenen Risiko angemessen sein.“ Diese Vorgabe der EU wird für den „Leisure pilot“ nicht erfüllt, sondern übermäßig ausgedehnt.

Die Agency spricht selbst in ihrem Vorwort: „ dass sie die strangulierenden Bestimmungen der JAR-FCL ausmerzen und den Luftsport fördern will". Die schriftlichen Ausführungen für den Luftsport sind jedoch von gegensätzlicher Wirkung.

Strangulierende Maßnahmen wie diese verstoßen gegen die europäische Grundrechte-Charta.

Sehr geehrte Damen und Herrn

Es gibt Systeme, die funktionieren, durch die allseits zunehmende Bürokratisierung wird Europa nicht besser! Nur unflexibler und teurer!

response *Noted*

Thank you for providing your comment.

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.

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Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment 1333

comment by: *Trevor Nash*

Why no currency requirement ie 28 days (42 for instructors) as an instructor who carries out currency checks I would be very worried about the proficiency of a pilot who only has the proposed minimum experience. While their handling skills may be OK, I doubt that their judgement would be.

This is particularly relevant to flying sailplanes, by the time it is obvious that something is going wrong without an engine it may well be too late to recover from it.

response *Not accepted*

Thank you for providing your comment and the proposal to raise the recency requirements.

The Agency discussed this issue during the review phase with the experts involved and came to the conclusion to delete the 6-years proficiency check

but to introduce a training flight with an instructor every 2 years.

The amount of flight experience will be raised slightly but the 24 months period will be kept because this interval is currently used in a lot of Member States and no specific need for other intervals could be seen so far. A currency check every 28 days would not be practicable.

comment

1367 ❖

comment by: *Jochen Schwab*

The requirement for an examiner to carry out the proficiency check every third revalidation is not adequate. The "training flights" with a FI(A) that are necessary since introduction of JAR-FCL actually have already the characteristics of a proficiency check. There is no flight safety benefit in the requirement for an examiner. Furthermore, the magnitude of examiners is not sufficient to satisfy the needs for proficiency flights. Even when more examiners will be accounted by the authorities there will not be sufficient people able to obtain the examiner licence because of the prerequisites for it.

Recommendation for change:

The "training flight" at every revalidation shall be carried out with a FI(A) or CRI (A)

The "proficiency check" at every third revalidation shall be carried out with an Examiner or FI(A).

response

Partially accepted

Thank you for providing your comment.

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.

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See the resulting text.

comment

1394

comment by: *Wilfried Müller*

The proposed check via a FE after 6 years should be replaced by a check via a FI.

See also comments on FLC.140 A.

	<p>The recorded flying time on Micro Light aerodynamically controlled should be added do the flying time on TMG.</p> <p>Wilfried Müller 11-27-2008</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>Please see the response to comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.</p> <p>Please see also the Agency's response on your comments No. 1391 and 1393.</p>
comment	<p>1429 comment by: <i>Aero Club Oppenheim e. V.</i></p> <p>Bei Flugstunden muss auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden.</p> <p>Der Stundenflug mit Fluglehrer hat sich bewährt und insbesondere dazu geführt wieder zielgerichtet auf die Wünsche und Bedürfnisse der Scheininhaber einzugehen.</p> <p>Der persönliche Druck der Einzelnen war groß genug und sollte nicht im Rahmen eines "Prüfungsfluges" unnötig erhöht werden.</p> <p>Man bekommt damit meines Erachtens schlechtere Ergebnisse, da man die Personen nur im persönlichen Gespräch beeinflussen kann und nicht mit einer willkürlich angesetzten Befähigungsüberprüfung, wie sie derzeit für Fluglehrer vorgesehen ist.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>Please see the response to comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>1495 comment by: <i>Klaus-Dieter Schoenborn</i></p> <p>FCL.140.S(a2) states that a LPL(S) and SPL license holder has to pass a proficiency check with an examiner on a sailplane at least once in every 6 years.</p> <p>We think that this is impractical.</p> <p>Reason 1: multiple takeoff ratings A proficiency check for an SPL license would have to include a check for all takeoff ratings like winch-launch, self launch, airplane towing launch , rubber-rope launch and car launch. Espacially for self launching gliders, only a very limited number of double seaters is available to do a proficiency check.</p> <p>Reason 2: additional cost and effort To our understanding, a proficiency check by an examiner would mean that an external examination person is sent by the authority regularly to visit the club and to conduct the check rides. This will add an additional cost to the club member fee. Check rides will have to be paid for by the club members. Failing a check or even missing the check date will result in additional cost for that member.</p>

Reason 3: protection of vested rights

According to the current german SPL license, there is no limit on validity. The new rule would shrink this limit to 6 years, after which the license would have to be renewed by proficiency checks. According to current rules, an expired license may be renewed by flights with a flight instructor, not with an examiner.

proposed solution:
omit FCL.140.S(a2)

fallback solution:

If the proposed solution is out of scope, replace the required examiner with a flight instructor SPL. Most clubs do have flight instructors, so there would be no need for an external person. The flight instructor SPL is currently able to test a student pilot fit for solo flights. We do not see any reason why he should not be able to do so for licensed pilots.

additional remark:

We propose the same solution for FCL.140.S(b2) - replacing the examiner for TMG with a flight Instructor for TMG.

response *Partially accepted*

Thank you for providing your comment.

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.

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See the resulting text.

comment 1574

comment by: *Stefan Zingg*

FCL.140.S
(a)(2)

A proficiency check every 6 years seems reasonable. But it should be possible to do this check flight with a flight instructor rather than an examiner.

Reason: Besides the hassle and cost for the pilot, there are simply not enough examiners. There is no reason why an instructor shouldn't be able to guarantee the same level of control. A check flight with an examiner should be reserved for those cases when a pilot doesn't reach the minimal required proficiency.

(Side note: As gliding is mostly done in a club environment and most clubs ask for a check flight with a flight instructor each year anyway, it could even be questioned whether such a requirement is necessary at all.)

FCL.140.S
(all)

For pilots which hold a glider pilot license with a TMG rating, Glider and TMG flight time should be mutually credited for the recency requirements. E.g. in Switzerland this is the case today, and I'm not aware of any accident which would have resulted from this. At the very least, flight time should be mutually credited with 50%.

(b) (2)

See comment to Section (a)(2)

response *Noted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

Regarding your second issue, the crediting of flight time in TMGs for flight time in pure sailplanes the Agency does not agree with your proposal to mutual credit flight time in sailplanes and in TMGs. The way a typical modern TMG (e.g. Super Dimona) is operated has only a few standards procedures in common with a circuit in a typical club sailplane like an ASK 13 or a Duo Discus. The Agency is of the opinion that the TMG as it is operated nowadays can be compared with the operation of a single-engine piston aeroplane but not with a typical flight in a pure sailplane.

Taking this into account the Agency will not change the proposed recency requirements in regarding of the crediting.

With the newly introduced requirement that missing flying hours or launches can be completed with or under the supervision of an instructor these recency requirements should provide the right level of experience to fly safety in a pure sailplane and a TMG without putting too much burden on licence holders with TMG extension.

comment

1616

comment by: Dieter Lenzkes

Zu FCL.140(S) (b) (1) (ii)**Problem:**

Der Text von FCL.140(S) (b) (1) (ii) ist verwirrend. Was ist mit ...or TMG... gemeint? Oder ist gemeint ...on TMG...? Das wäre überflüssig, denn das steht bereits im einleitenden Satz (1).

Vorschlag:

Delete „or TMG“.

response

Accepted

Thank you for providing this comment and identifying this editorial mistake. The Agency agrees and will change the text accordingly.

comment

1621

comment by: Dieter Lenzkes

Zu FCL.140(S) (c)**Kommentar:**

Es kann viele Gründe geben, berufliche, gesundheitlich, Babypause ect. warum ein Freizeitpilot 24 Monate nicht fliegen kann. Es macht wenig Sinn ihn dann einem Prüfer vorzuführen. Es ist besser zu verlangen, dass er alle erforderlichen Zeiten und Starts unter Aufsicht eines Fluglehrers durchführt, nach Ermessen des Fluglehrers auch doppelsitzig.

Vorschlag:

Replace FCL.140(S) (c) by:

Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall complete as a minimum the requirements of (a) (1) (ii) and/or (b) (1) (ii) under supervision of an instructor before they can resume the exercise of their privileges.

Begründung:

Ein Fluglehrer hat in der Flugzeit von 3 bzw. 6 Stunden eine viel bessere Möglichkeit Defizite beim Fliegen, in der Flugvorbereitung und der Flugdurchführung zu erkennen als ein Prüfer bei einem einzelnen Flug.

response

Partially accepted

Thank you for providing your comment.

The Agency fully agrees with the proposal and will add a requirement explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor. Based on the decision to delete the proposed proficiency check and to introduce a training flight with an instructor every 2 years option (a) (1)(ii) makes no

sense any more and will be deleted.

comment

1622

comment by: *Dieter Lenzkes*

Zu FCL.140.S (a) (2) and (b) (2).

Problem:

Wenn nach der Einführung der neuen Bestimmungen alle alten Lizenzen auf die neuen Bestimmungen angepasst werden, stehen alle diese Piloten gleichzeitig zur Überprüfung an. Zumindest in Deutschland dürften die Prüfer absolut überfordert sein, alle 6 Jahre einige 10-tausend Piloten gleichzeitig zu überprüfen.

Vorschlag:

Delete FCL.140.S (a) (2) and (b) (2).

Begründung:

Es gibt keine negativen Erfahrungen mit der bisherigen Praxis, die eine solche verschärfte Überwachung der Piloten durch einen Prüfer rechtfertigen würden. Wie bei anderen Kommentaren bereits erwähnt, findet Segelflug hauptsächlich als Freizeitsport in ehrenamtlich organisierten Vereinen statt. Hier besteht ohnehin eine sehr hohe soziale Kontrolle. Fluglehrern, die als kompetent erachtet werden Flugschüler zur Prüfungsreife zu bringen, sollte man auch zutrauen, dass sie das Niveau fertiger Piloten beurteilen können. Siehe auch Kommentar 1621.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

comment

1643

comment by: *colin sutton*

Are there enough examiners, what about suitably qualified instructors

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

comment

1663

comment by: *Volker Reichl*

Cost impact:

The costs for the check flight with flight EXAMINER would be significantly higher than for a check flight with flight instructor, especially considering the fact that - at least today - there is not a sufficient amount of examiners available for the number of sailplane pilots - especially due to the voluntary character of many examiners in Germany.

Environmental impact: none

Social Impact:

There would be a fatal impact on the conditions for glider flying, especially for young people and for the club structure in Germany. The recency requirements that are established today ensure a high level of skills using the a strong social component within the aeroclubs. Furthermore, there is no reason why the flight instructors that today clear a student pilot for FIRST SOLO could not do so for a certified pilots continued skill evaluation.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

comment

1694

comment by: *Sven Koch*

Segelflug + Klapptriebwerk: innerhalb 24 Monaten 6 Std PIC, sowie 10 Starts/Landungen;

oder 3 Std PIC, 5 Starts und 3 Trainingsflüge mit Lehrer Spätestens nach 6 Jahren ein Prüfercheck
 TMG: innerhalb 24 Monaten 12 Std PIC und 12 Starts oder 6 Std PIC und 6 Starts sowie 1 Std mit Fluglehrer
 Nach 6 Jahren Prüfercheck
 Wenn der Inhaber auch LPL(A) besitzt kann er auch Verlängerungsbedingungen auf Flugzeugen absolvieren.
 Bei Nicht-Erfüllung der Bedingungen:
 Prüfercheck
 System muss abgelehnt werden; es reicht die Überprüfung mit Fluglehrer
 Bei Flugstunden für TMG muss auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden.
 Ablehnung Prüfercheck wie bei FCL.140.A
 Subpart C PPL, SPL Unterliegt Bedingungen der ICAO und wird dadurch weltweit anerkannt.

response

Noted

Thank you for providing your comment.

The first part seems to be again only a translation of the english text.
 For the second issue please see the response provided to comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

1778

comment by: *Rudolf Goebel*

Für die Verlängerung und den Erhalt einer LPL-Lizenz wird eine Überprüfung durch einen JAR-FIE nach spätestens 6 Jahren gefordert.
 Grundsätzlich ist eine Überprüfung der Lizenzinhaber gerechtfertigt. Aber auf dem Sektor der Privatpiloten ist die Überprüfung durch einen JAR-FI vollkommen ausreichend. Lediglich für Berufspiloten ist die Überprüfung durch einen JAR-FIE angemessen.
 Im übrigen halte ich die Durchführung von Übungsflügen im 2-Jares-Turnus, wie sie für Privatpiloten zur Zeit gefordert wird, vollkommen ausreichend, wie ich aus meiner Praxis JAR-FI erfahren habe.

Hinzu kommt, dass es kaum genug FCL-FIE geben wird, da hierfür die Anforderungen viel zu hoch sind. Die Überprüfung aller Privatpiloten alle 6 Jahre ist so überhaupt nicht machbar.

Rudolf Goebel, JAR-FCL 6734000155 FI

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

1792

comment by: *Sebastian Grill*

Da in jedem Verein Fluglehrer die Prüfungsreife feststellen, sind sie auch ausreichend qualifiziert, durch Überprüfungen festzustellen, ob ein Pilot ausreichend Flugpraxis hat.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

1804

comment by: *Dr. Gerhard Herbst*

Die Überprüfung alle 6 Jahre durch einen "Examiner" für eine Segelflug- oder TMG-Lizenz ist überzogen.

Die Verfügbarkeit von Examinern in entsprechender Anzahl (für Segelflug und TMP-Piloten) mit entsprechenden Voraussetzung scheint eher fraglich. Die Gefahr, dass schließlich viele Segelfluggpiloten gegroundet sind weil kein entsprechender Examiner verfügbar ist scheint unausweichlich.

Bei entsprechender Flugerfahrung im letzten Verlängerungszeitraum ist die zusätzliche Überprüfung durch einen Examiner überflüssig. Der Vielflieger übt schließlich und wird immer besser in seinem Tun. Für einen Piloten mit geringer Flugerfahrung im letzten Verlängerungszeitraum scheint die

	<p>Überprüfung durch einen Fluglehrer ausreichend.</p> <p>Examiner sollten den ATPL-Piloten vorbehalten bleiben.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.</p> <p>See the resulting text.</p>
comment	<p><i>1806</i> comment by: <i>Matthias SIEBER</i></p> <p>Die Überprüfung durch einen Prüfer ist nach meiner Sicht nicht sinnvoll, vielmehr sollte die Überprüfung durch einen FI genügen. Denn diese bilden Flugschüler aus und stellen deren Prüfungsreife fest. Warum sollten sie bei einem Scheininhaber dessen Fertigungsstand auf „Prüfungsniveau“ nicht auch feststellen können? FIs sind vor Ort, dadurch gibt es einen geringeren Kostenaufwand, außerdem können sie bei erkannten Mängeln sofort/zeitnah und zielgerichtet nachschulen. Alternativ zum proficiency check durch examiner könnte eine „standardisierte Überprüfung“ durch einen FI vorgenommen werden, der die erfolgreiche Durchführung der Behörde mitteilt.</p> <p>Siehe auch den Kommentar zu FCL.140.BA/H</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>Based on the input received the Agency further evaluated the framework given</p>

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

1826

comment by: *Bruha Oliver*

Diese Neuregelung widerspricht jeglicher Vernunft. Es müsste demnach auch jeder PKW-Fahrer in regelmäßigen Abständen überprüft werden. Warum sollte ein Pilot, der regelmäßig fliegt und genug Flugerfahrung hat, eine Prüfung machen?! Die bisherige Regelung ist vollkommen ausreichend

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

1837

comment by: *Georg Schott*

Für den gesamten Bereich PPL sollte als Examiner in jeden Fall ein FI (Fluglehrer) tätig werden können. Es dürfte kaum möglich sein, genügend Examiner (Voraussetzung 1000 Flugstunden, CPL-Inhaber etc.) bereitzustellen, um den Bedarf zu decken. Fluglehrer sind normalerweise in den Vereinen ausreichend vorhanden und somit ohne größeren Aufwand jederzeit erreichbar.

Überprüfungen können unbürokratisch innerhalb des Vereines terminlich abgesprochen und entsprechend absolviert werden. Das ist dann alles nicht nur verfahrenstechnisch wesentlich einfacher und spart erhebliche Kosten und Verwaltungsaufwand ein.

Für bestimmte Überprüfungen könnte man entsprechende Prüfungs-Checklisten für die Fluglehrer erstellen damit Prüfungen nach einem standardisierten Verfahren durchgeführt werden können.

response **Noted**

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment **1841**

comment by: *Armin Müller*

FCL.140.S(a)(2) as well as FCL.140.S(b)(2).

The proficiency check with examiner leads to a increase in burocracy , as there are not enough examiners available at the moment. It would be much more viable to give that task to FIs. According to my experience as a FI since 16 years, the level of safety would be the same, if FIs could do that job.

response **Noted**

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

1851

comment by: *Dr. Schreck*

FCL.140.S.

Eine SCheinVerlängerung findet alle 2 Jahre. Dabei sind die Anforderungen für SPI: 6h/10 Starts oder 3h/5Starts bei 3 Flügen mit einem Fluglehrer, für TMG 12h/12 Starts bzw. 6h/6Starts, dabei 1h mit Fluglehrer. Nach spätestens 6 Jahren soll unabhängig von der Anzahl der Starts und Landungen eine Überprüfung durch einen Examiner durchgeführt werden. Auch hier ist wieder ein hoher bürokratischer Aufwand nötig, der mit erheblichen Kosten verbunden ist. Vor Ort sind auch hier ausreichend Fluglehrer vorhanden.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

1875

comment by: *Markus Malcharek*

Die vorgeschlagenen Stundenzahlen erscheinen zu gering, um wirklich Praxis und Erfahrung erwerben und halten zu können.

Dagegen ist eine Überprüfung durch einen Examiner mit hohen Kosten und bürokratischem Aufwand verbunden. Hier ist die bisherige Praxis zu bevorzugen: Alle 2 Jahre Übungsflug mit einem Fluglehrer, davon alle 2 oder 4 Jahre evtl. ein standardisierter Übungsflug

	<p>mit Checkliste, die vom Luftamt vorgegeben wird. Siehe auch Anmerkung zu FCL.140.BA/H</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment on the proposed recency requirements.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.</p> <p>See the resulting text.</p>
comment	<p><i>1937</i> comment by: <i>Juergen WILKEN</i></p> <p>(2) proficiency check</p> <p>Das Niveau der Sicherheit ist genau so durch eine Überprüfung mit einem Fluglehrer gewährleistet.</p> <p>Ein Fluglehrer bescheinigt die Prüfungsreife von Schülern, warum kann er dann nicht auch die Fähigkeiten der Scheininhaber beurteilen? Das Prüfersystem bewirkt eine unnötige, kostenpflichtige Ausweitung der Bürokratie im Freizeitbereich. Es erfolgt sowieso eine stetige Kontrolle der Piloten in den Vereinen, die häufig Halter der Flugzeuge und des Fluggeländes sind. Unregelmäßigkeiten werden dadurch automatisch beseitigt. Im Einzelnen geschieht das z. B. durch die kritische Beobachtung der Pilotenfähigkeiten und die Überprüfungen nach einer längeren Flugpause.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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</p>

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

2031

comment by: *Martin*

Attachment [#21](#)

Der Punkt **FCL.140.S LPL(S) (a) (2)** fordert einen proficiency check alle 6 Jahre. Nach bisherigen Regelungen ist nur ein Nachweis von 25 Starts innerhalb der letzten 24 Monate nötig.

Bei der aktuellen Veröffentlichung der Bundesstelle für Flugunfalluntersuchung (BFU) der Unfallzahlen für Segelflugezeuge ist eine rückläufige Anzahl von Flugunfällen seit Anfang der 90er Jahre zu verzeichnen, siehe "Segelflugezeuge-Seite 1". Der Rückgang der Unfallzahlen ist nicht auf zusätzliche Überprüfungen von Behörden zurückzuführen, da für Segelflug-Piloten bisher keine Überprüfungsflüge seitens der Behörden zur Verlängerung der Lizenz nötig waren. Vielmehr wird in den letzten Jahren auf freiwilliger Basis in vielen Vereinen ein jährlicher Checkflug mit einem örtlichen Segelflugelehrer durchgeführt. Dies gibt einen deutlich größeren Sicherheitsgewinn als eine Überprüfung durch einen Prüfer der Behörde, da der örtliche Flugelehrer die an dem Flugplatz speziellen Eigenheiten (Wetter, Orographie...) besser kennt als ein Prüfer, der nur zu Prüfungsflügen an diesem Flugplatz ist. Somit kann der örtliche Flugelehrer dem zu überprüfenden Scheininhaber **zusätzliche** wertvolle Hinweise geben! Dieses Verfahren wird bereits bei vielen Vereinen in Deutschland freiwillig durchgeführt.

Weiterhin ergibt sich bei der Durchsicht der aktuell veröffentlichten BFU Statistik (siehe "Segelflugezeuge - Seite 3"), daß die Ursachen von Unfällen mit Segelflugezeugen ca. 80% in Folge von Problemen bei der Landung / Berührung von Hindernissen am Boden zustande kommen. Dies zeigt einen Defizit in der praktischen Handhabung des Fluggerätes bei der Landung. Somit hat bei einem Checkflug zur Verlängerung der Lizenz die praktische Bedienung einen wesentlich höheren Stellenwert als die Abfrage von theoretischen Grundlagen. Da der proficiency check nicht genau definiert ist, könnte womöglich statt sinnvollen Übungsflügen eine Überprüfung mit dem Schwerpunkt auf Theorie stattfinden. Dies würde aber einem zusätzlichen Sicherheitsgewinn nur wenig nutzen.

Es sollte der Punkt **FCL.140.S LPL(S) (a) (2) abgeändert werden**, daß nur ein **Überprüfungsflug mit einem Flugelehrer** nötig ist. Da der Überprüfungsflug in der Regel an dem Heimatflugplatz stattfindet ist eine bessere Überprüfung als mit einem örtlich vertrauten Flugelehrer nicht möglich!

response

Partially accepted

Thank you for providing your comment.

The Agency would like to clarify firstly that the content of the proficiency check

proposed was exactly defined (please check the proposed AMC material) whereas the mentioned training flights with a club instructor so far in most cases have no fixed program.

However, 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

2057

comment by: *Thomas SIEWERT*

FCL.140.S: LPL(S)-Recency requirements (24 Monate)

Hier gelten sinngemäß meine Ausführungen zu FCL.140.A

Das Gesamtkonzept ist nicht schlüssig und auch im Bereich des Segelfluges kann auf die Überprüfungen durch „examiner“ verzichtet werden.

Wir werden gar nicht die Menge der entsprechend qualifizierten „Examiner“ haben. Zumindest bei den Behörden nicht.

„Freiberufliche Examiner“, die ihre Dienste für entsprechende Kosten anbieten sind sicherlich nicht im Sinne des Luftsports. Diesen Personenkreis unter eine „Fachaufsicht“ der zuständigen Behörden zu stellen, bedarf eines weiteren bürokratischen Aufwandes, auch wieder verbunden mit irgendwelchen Kosten oder Gebühren für den „Examiner“ gegenüber der Behörde, die dieser dann wieder an zu prüfenden Lizenzinhaber weiter gibt.

Wir schlagen daher vor, auch im Bereich des Segelfluges auf die Überprüfung durch „Examiner“ zu verzichten und die Lizenzverlängerung im Rahmen von „Übungsflügen“ durch die Fluglehrer vornehmen zu lassen.

Dies ist im Sinne des Luftsports, da dies der Tätigkeit der Lizenzinhaber angemessen ist, die Segelfluglehrer in den Vereinen vorhanden sind und i. d. R. ihre „Dienstleistungen“ ehrenamtlich anbieten.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

2069

comment by: *Kathrin Havemann*

concerning (a)(2) and (b)(2):

in principle, the check flight is a good tool to ensure the pilot`s aibilities. To make the procedure easier and avoid long time delays, the check flight should be done with an instructor, not an examiner. Every club or flight school has some instructors, but there are only few examiners which will cause long waiting list, esp. if a lot of pilots come close to the end of 6-year-cycle.

The flight instructor is a skilled and proofed pilot with frequent advanced training.

Safety improves with frequent training and check flights, so the procedure should be made as easy as possible to convince the pilots and use it as an easy, frequent safety tool.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

2070 ❖

comment by: Markus Hitter / JAR-Contra

Regarding (a)(1):

A period of 24 month is in stark contrast to the 90 day period proposed in FCL.060. Also, our experience shows, a "hand full" (= 5) of starts is sufficient to keep skills sufficiently current, but two years of pausing is long enough to make some of the needed details of skills forgotten. To adjust for those practical experiences and for simplifications of matters we propose to shorten this 24 month period to 12 months. Accordingly, the numbers of flight time and landings should be reduced by 50% as well. In exchange, the 90 day period proposed in FCL.060 should go away for non-commercial aviation, as commented there.

The text of the proposed FCL.140(A) (a)(1) would be:

(a) Holders of a LPL(A) shall only exercise the privileges of their license when they have:

(1) completed, in the last 12 months, as pilots of aeroplanes or TMG at least:

(i) 6 hours of flight time as pilot-in-command, including 6 take-offs and landings; or

(ii) 3 hours of flight time as pilot-in-command, including 3 take offs and landings, and 1 training flight of at least one hour with an instructor.

The text of the proposed FCL.140(H) (a)(1) would be:

(a) Holders of a LPL(H) shall only exercise the privileges of their license on a specific type when they have:

(1) completed on helicopters of that type in the last 12 months at least:

(i) 6 hours of flight time as pilot-in-command; or

(ii) 3 hours of flight time as pilot-in-command, and 1 training flight of at least one hour with an instructor.

The text of the proposed FCL.140(A) (a)(1) would be:

(a) Sailplanes and powered sailplanes. Holders of a LPL(S) shall only exercise the privileges of their license on sailplanes or powered sailplanes when they have:

(1) completed on sailplanes, in the last 12 months, at least:

(i) 3 hours of flight time as pilot-in-command, including 5 launches; or

(ii) 1.5 hours of flight time as pilot-in-command, including 3 launches, and a minimum of 3 training flights with an instructor;

(b) TMG. Holders of a LPL(S) shall only exercise the privileges of their license on touring motor gliders when they have:

(1) completed on touring motor gliders, in the last 12 months, at least:

(i) 6 hours of flight time as pilot-in-command, including 6 launches; or

(ii) 3 hours of flight time as pilot-in-command on TMG, including 3 take offs and landings, and 1 training flight of at least one hour with an instructor.

response

Not accepted

Thank you for providing your comment on the requirement about the recent experience in FCL.060 and the proposed minimum recent experience in order to use the privileges of an LPL(S).

The Agency cannot see a contrast between these two requirements as the first one is a standard requirement for the carriage of passengers which is in place already in most of the Member States for all categories of aircraft (this requirement is also actually in place in Germany for the carriage of passengers in sailplanes!) whereas the second one is developed only for the recent experience of pilots who fly possibly without carrying a passenger.

Your proposal to change the proposed interval and to ask for a certain experience within the last 12 months was discussed during the review phase. It seems clearly that the gliding experts are in favour to keep the same interval as already introduced by JAR-FCL for the PPL. Furthermore the gliding activities seem to be mostly a seasonal activity which would it make sometimes very difficult to fulfill the recency requirements within a 12 month interval. The Agency decided therefore to keep the 24 months interval but to raise the required number of launches from 10 to 15 launches. The newly introduced training flight with an instructor every 24 months will also allow to identify possible deficiencies and to define training needs. The recency option proposed under (a)(1)(ii) will be deleted.

comment

2071 ❖

comment by: Markus Hitter / JAR-Contra

**Regarding (a)(2) and (b) in FCL.140(A, H),
regarding (a)(2), (b)(2) and (c) in FCL.140(S):**

As each pilot affected by (a)(2) shows his sufficient skills year by year by flying successfully and free of accidents, enhancements reached by a six-yearly proficiency check can be minor at best.

Requiring an examiner for recurring check flights would put an extraordinary burden on currently available personnel. Currently in Germany, we have less than one examiner per thousand license holders. Requiring a check flight each six years would ask them to do about 200 additional check flights yearly. The costs of these check flights alone, and the costs of travel for each pilot to meet his examiner would be in no relation to the safety advantages achievable by this rule.

Extending the number of available examiner personnel is difficult, as only very aged pilots typically reach the high experience requirements for examiners in private aviation. Accordingly, pilots would be required to hire professional examiners, increasing costs even more.

On the other side, a Flight Instructor is perfectly capable to judge on a pilot's skills, as he does such judgements almost daily as part of his instruction flights.

Considering all this, **we propose** to not require an examiner, but to require a Flight Instructor for proficiency checks instead. Additionally, six-yearly repetitions of skill tests should be dropped. The text of FCL.140(A), FCL.140(H) would be:

(a) [...]

(1) [...]

(i) [...]

(ii) [...]

(b) Holders of a LPL(A, H) that do not comply with the requirements in (a)

shall pass a proficiency check with a Flight Instructor before they can resume the exercise of the privileges of their license.

The text of FCL.140(S) would be:

(a) [...]

(1) [...]

(i) [...]

(ii) [...]

(b) [...]

(1) [...]

(i) [...]

(ii) [...]

(3) [...]

(c) Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall pass a proficiency check with a Flight Instructor before they can resume the exercise of the privileges of their license.

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment *2109*

comment by: *Th. Engel*

Da dies eine Vorschrift aus der Basic Regulation ist, ist diese hier wohl nicht komplett übertragbar. Sie stellt aber eine erhebliche Verschärfung dar im Bezug auf die bisherige Praxis welche gleichzeitig eine Ausweitung der Kosten und der Bürokratie mit sich bringt - ebenso wie eine gewisse Problematik in der Machbarkeit. Der bisher eingeführte Übungsflug mit Fluglehrer sollte hier absolut ausreichend sein.

response *Noted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

2148

comment by: *Jochen KOENIG*

Ich schlage vor, anstelle des Proficiency Checks einen Überprüfungsflug mit einem Fluglehrer durchzuführen. Der Fluglehrer bescheinigt das Ergebnis durch Eintrag in das Flugbuch.

Die wesentliche Voraussetzung für die Sicherheit ist der ausreichende Übungsstand des Piloten. In ehrenamtlich organisierten Luftsportvereinen erfolgt die Überprüfung des Übungsstandes im Rahmen von Überprüfungsflügen mit Fluglehrern. Die Kontrolle der Inübunghaltung und ihrer Überprüfung ist durch das Vereinsumfeld gewährleistet.

Der Proficiency Check trägt nicht zu einer nennenswerten Verbesserung der Sicherheit bei, bedeutet erhöhten bürokratischen Aufwand und verursacht höhere Kosten.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and

only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment 2172 comment by: Oelschlaeger, Harald

Das System muss abgelehnt werden. Es reicht die Überprüfung mit Fluglehrer,

Bei Flugstunden für TMG muss auch die dokumentierten UL-Flugzeit auf aerodynamischen Ultraleichten anerkannt werden.

Ablehnung des Prüferchecks wie bei FCL 140.A

response Noted

Thank you for providing your comment.

Please see the response to comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment 2258 comment by: Jürgen Blome

Ich schlage vor, anstelle des Proficiency Checks einen Überprüfungsflug mit einem Fluglehrer durchzuführen. Der Fluglehrer bescheinigt das Ergebnis durch Eintrag in das Flugbuch.

Die wesentliche Voraussetzung für die Sicherheit ist der ausreichende Übungsstand des Piloten. In ehrenamtlich organisierten Luftsportvereinen erfolgt die Überprüfung des Übungsstandes im Rahmen von Überprüfungsflügen mit Fluglehrern. Die Kontrolle der Inübunghaltung und ihrer Überprüfung ist durch das Vereinsumfeld gewährleistet.

Der Proficiency Check trägt nicht zu einer nennenswerten Verbesserung der Sicherheit bei, bedeutet erhöhten bürokratischen Aufwand und verursacht höhere Kosten.

response Noted

As this is only a copy of another comment please see response for comment No. 2148 (Jochen König).

comment 2268 comment by: Thomas Lukaschewski

Besser wäre es, anstelle des Proficiency Checks einen Überprüfungsflug mit einem Fluglehrer durchzuführen. Der Fluglehrer bescheinigt das Ergebnis durch Eintrag in das Flugbuch.

Die wesentliche Voraussetzung für die Sicherheit ist der ausreichende Übungsstand des Piloten. In ehrenamtlich organisierten Luftsportvereinen erfolgt die Überprüfung des Übungsstandes im Rahmen von Überprüfungsflügen mit Fluglehrern. Die Kontrolle der Inübunghaltung und ihrer Überprüfung ist durch das Vereinsumfeld gewährleistet. Bei

nichtorganisierten Segelfliegern, wäre der regelmäßige Überprüfungsflug mit einem Fluglehrer, der dann im Flugbuch zu komentieren wäre ausreichend.

Der Proficiency Check trägt nicht zu einer nennenswerten Verbesserung der Sicherheit bei, bedeutet erhöhten bürokratischen Aufwand und verursacht höhere Kosten.

response *Noted*

Thank you for sending your comment.
See the response for comment No. 2148 (J. Koenig).

comment

2305

comment by: *Matthias Dangel*

Hier sollte im Sinne der Kostenreduzierung, Entbürokratisierung und Verfügbarkeit von qualifiziertem Personal vor Ort ein Fluglehrer (FI) für die Durchführung und Abnahme der Überprüfungsflüge zugelassen sein, schließlich ist ein (FI) auch in der Lage einen unerfahrenen Flugschüler soweit auszubilden das er am Luftverkeht teilnehmen kann.

response *Noted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

2380

comment by: *Arnold Klapp*

Segelflug und Klapptriebwerk:

Die Forderung von 3 Trainingsflügen mit Lehrer innerhalb

Verlängerung 24 Monaten und Prüfercheck alle 6 Jahre ist überhöht.

Wir benötigen Befähigungsüberprüfung für Piloten, die in 24 Monaten nicht die geforderten Stunden und Starts erflogen haben. Sie sollten durch Fluglehrer überprüft werden. Der Prüfercheck alle 6 Jahre ist nicht notwendig.

TMG:

Es genügt der zweijährige Überprüfungsflug mit Fluglehrer.

Bei den Flugstunden auf TMG muss auch die dokumentierte Flugzeit auf

aerodynamisch gesteuerten UL`s anerkannt werden.

Für Inhaber einer PPL(A) Lizenz muss der Prüfercheck wie bei FCL.140.A entfallen.

response *Noted*

Thank you for providing your comment.

Please see the response for comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment *2401*

comment by: *Volkmar Kynast*

Ich setze voraus, dass gewisse Fähigkeiten und Fertigkeiten grundsätzlich zum Führen eines Luftfahrzeuges vorhanden sein sollten. – Warum aber soll eine erfahrener Pilot, der in Übung ist, alle 6 Jahre dafür eine Prüfung absolvieren? – Es müsste doch genügen, - wie bisher auch schon -, eine festgelegte Anzahl von Starts und /oder Stunden nachzuweisen.

Im Falle der Verlängerung der Lizenz für TMG sollte die bisherige bewährte Regelung eines Übungsfluges alle 24 Monate mit einem Fluglehrer beibehalten werden.

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment *2424*

comment by: *Tjeerd Mulder*

The 6 year proficiency check with examiner is impracticable for all LPL licenses but especially so for LPL(S).

For LPL(S) no proficiency check should be required simply because it is impracticable. The only practicable solution would often be a winch launch with a 5 minute flight, however that solution does not serve the purpose of a proficiency check.

For the other LPL licenses (incl. LPL(S) with TMG) a proficiency check with FI (not examiner) may be usefull. However to be usefull the interval should be less than 6 years.

Proposal:

the JAR-FCL system has been proven to be practicable, from my experience it is usefull and I see no reason not to use it. In case one is afraid that "friendly" FI are used by pilots for there check flights, an additional requirement could be that the FI may not be the same FI as the one for the previous check flight.

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

2438

comment by: *Dr. Horst Schomann*

Part (a) sailplanes and powered sailplanes:

Problem 1: Required flight time in the recency requirements.

Proposed solution: Require 25 take-offs and landings in the last 24 month and 1 training flight with an instructor in the last 12 month.

Justification: To my experience take-offs and landings are more crucial to the safety aspect than the flight time. Pilots in areas of adverse thermal current conditions may have a problem to reach 6 hours of flight time, but may have much more than 25 take-offs.

Part (a) sailplanes

Problem 2: Proficiency check with examiner every 6 years.

Proposed solution: Require one training flight with instructor in the last 24 month.

Justification: We perform a glider club internally requested training flight with an instructor every year with good succes. The effort is much lower compared to your request and should provide a similar safety improvement.

Part (b) TMG

Problem 3: Proficiency check with examiner every 6 years.

Proposed solution: Require 12 hours and 12 take-offs and landings generally in the last 24 month and 1 training flight with at least one hour with an instructor in the last 12 month. Missing hours or take-offs and landings are to be performed under supervision of an instructor.

Justification: Being an instructor for PPL(A, TMG) and Glider Pilot License for more than 30 / 40 years, my proposed solution appears to be sufficient to gain the necessary safety. In all this time there was no accident with the involved personnel in my ambience. The introduction of a proficiency check with an examiner increases the effort on both sides and cost for the pilot with anticipated little improvement.

response *Partially accepted*

Thank you for providing your comment.

As a first issue the comment is dealing with the recency requirement of 6 hours and 10 launches within the last 24 months. As explained below the Agency will add a training flight with an instructor but only every 24 months. The proposal to raise the amount of launches was also reconsidered. Based on the input received and the evaluation of the different recency or revalidation criteria in different Member States the Agency decided to raise the number from 10 to 15 launches.

The issue of the proficiency check was also 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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

2476

comment by: *mfb-bb*

Proficiency Check (PPL / FI)

Regelmäßiges Ablegen von Prüfungen im Bereich der Segelflugpiloten PPL-S, PPL-A etc.

In der Basic Regulation wurden regelmäßige Kontrollen zum Erreichen eines einheitlichen Sicherheitsniveaus vereinbart.

Sicherheitsstandards sind als sinnvoll zu bewerten, da sich im Bereich der täglichen Praxis gewisse „Eigenarten“ einschleifen könnten.

Allerdings muss im Rahmen der EU in diesem Zusammenhang der Vergleich mit dem Verkehr auf der Strasse und auf dem Wasser erlaubt sein.

Im Straßenverkehr sind auch im gewerblichen Bereich in Deutschland lediglich Untersuchungen in medizinischer Hinsicht – vergleichbar dem Medical – vorgesehen.

Im Schiffsverkehr gibt es Prüfungen wohl ansatzweise im gewerblichen Bereich. Der Private Verkehr ist sowohl auf dem Wasser wie auch auf der Strasse nach Erwerb der Lizenzen von solchen Prüfungen komplett ausgenommen.

Demzufolge ist nicht nach zu vollziehen, warum der **private** Luftverkehr solchen Überprüfungen unterworfen werden soll.

Um die Sicherheit auf hohem Niveau sicherzustellen haben sich in Deutschland im Rahmen von JAR FCL im privaten Bereich und bei einigen Berechtigungen die Übungsflüge mit Fluglehrer bewährt. Bei diesen Übungsflügen werden die in der basic regulation geforderten Kontrollen sichergestellt.

Sie haben aber den Vorteil, dass der Fluglehrer **im Einzelfall** bestimmen kann, welche für den Piloten sinnvollen Inhalte geübt werden und bei auffälligen Defiziten eventuell nachgeschult werden müssen.

Das hat den Vorteil, dass 1.) die Menge dieser Kontroll- (Übungsflüge) durch viele Fluglehrer und nicht einige wenige Prüfer durchgeführt werden und es beim Durchführen dieser Flüge nicht zu Engpässen kommt.

Ebenso ist die Gleichbehandlung der Bürger der EU bei der Ausübung des privaten Verkehrs (Land / Wasser / Luft) sichergestellt.

Vorschlag : Regelmäßig stattfindende Übungsflüge mit Fluglehrern, die dann als Voraussetzung zur Ausübung der Rechte der Lizenz gelten sollen.

Die Inhalte der Übungsflüge sollten zum Großteil frei wählbar sein, lediglich im Bereich der kommerziellen / gewerblichen Fliegerei sollten die Inhalte definiert sein und von Prüfern als Checkflüge durchgeführt werden.

Der Fluglehrer sollte ebenfalls – vergleichbar mit den FI der FAA – berechtigt sein, die Ergebnisse des Übungsfluges mit weiteren Auflagen / Nachschulung zu versehen.

Proficiency Check (PPL / FI)

Holders of private pilot licences shall only exercise the privileges of their licence when they passed a proficiency check with an FE. The target is to guarantee a high level of safety for aviation.

Standards for attaining a high safety make sense.

But with reference to the EU we have to compare every kind of traffic – aviation, shipping and at least road traffic.

Aviation:

In Germany we have check flights and a medical class I for commercial pilots.

At present time we have training flights and a medical class II for private pilots.

Shipping:

In Germany we have checks and a medical examination for commercial transport.

But nothing comparable for private activities.

Road transport

In Germany the commercial drivers need a medical examination but after getting their drivers licence they do not have to pass a check.

Private drivers do not need a medical and after passing the driving test there are no more checks prescribed.

Therefore it is not understandable why private pilots have to pass proficiency checks regularly. (Ungleichbehandlung / discrimination of private aviation)

To guarantee the safety of aviation it is necessary to define standards.

In Germany we have good experience with the prescribed training flights with flight instructors. These flights can be conducted by all flight instructors and concerning to each individual case special procedures can be practiced by the pilots.

Advantage : the number of flight instructors guarantee that the flights can be conducted when necessary, there is no staff shortage. Pilots can practice their special needs

Proposal : for private pilots licences proficiency checks shall be replaced by training flights with a flight instructor.

These training flights shall be conducted by flight instructors and not by flight examiners.

The pilot and the flight instructor shall be able to choose the contents of these training flights.

For commercial pilots proficiency checks / check flights shall be conducted with prescribed contents (like before)

response *Accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an

instructor

See the resulting text.

comment

2500

comment by: *A. Mertz*

For LPL(S) TMG flight time and take offs made with 3-axis-microlights should be credited equally to those with SEP and TMG.

ICAO conformity of this proposal is proved by the German GPL (glider pilot licence).

If national microlight regulations are differing to much across the member states, a national responsibility for crediting may be used. The formulation may be similar to this one that allows issuing a medical by a family doctor.

response

Noted

Thank you for providing your comment.

Please see the response for comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

2633

comment by: *Martin Axon*

CURRENCY FCL 140 B Page 17

Currency checks with an examiner to UK requirements is a significant change and is not needed and would not be possible to implement due to the limited number of examiners in the UK. If required this should be with an instructor.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment	<p>2722 comment by: ray LESLIE</p> <p>having an examiner as the only person authorised to conduct a 6 yearly proficiency check, is simply not practical. as easa rules replaced existing rules, the number of examiners remaining involved in the sport is likely to decrease.</p> <p>as the requirements for an instructor rating becomes more onerous, newly easa qualified instructors should be more than capable of carrying out proficiency checks- and there will (hopefully) be significantly more instructors available than examiners.</p> <p>....I BELIEVE IT MAKES MORE SENSE TO ALLOW EASA INSTRUCTORS TO CARRY OUT THE REQUIREMENTS OF A 6YR PROFICIENCY CHECK.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor</p> <p>See the resulting text.</p> <p>The Agency would like to mention that it can see no reason why the "number of examiners remaining involved in the sport is likely to decrease" in the Member States. Please check the requirements for the pre-requisites, the examiner standardisation course (one-day) and the revalidation of examiners in the appropriate subpart (FE(S)). The Agency is of the opinion that the proposed requirements will ensure a high safety standard during the examination of pilots on one hand and will allow on the other hand also that a lot of the experienced instructors will qualify themselves in future as an examiner.</p>
comment	<p>2799 comment by: Frank Gesele</p> <p>Problem: Checkflug muss nach diesen regeln mit einem Examiner durchgeführt werden</p> <p>Lösung: der Ccheckflug kann auch von einem FI abgenommen werden</p> <p>Begründung: Es ist kein Sicherheitsgewinn zu erwarten, wenn der chek durch</p>

einen FE statt FI erfolgt.

Es ist aber zu erwarten dass es nicht genug FEs geben wird um alle Cheflüge zu absolvieren. Umsomehr weil die in der Freizeit geschieht und von den FEs nicht erwartet werden kann dass diese nicht anderes mehr tun

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

2819

comment by: *Karsten Pollmann*

Gewünscht wird die Durchführung der Befähigungsüberprüfung durch einen Fluglehrer(Instructor).

Begründung:

1. Nicht genügend Prüfpersonal im Deutschen Aeroclub vorhanden.
2. Fluglehrer wären in ausreichender Zahl in den Luftsportvereinen vorhanden.
3. Die Eignung der Fluglehrer für diese Funktion ist durch die erfolgreiche Ausbildungstätigkeit in den Vereinen seit vielen Jahren nachgewiesen. Fluglehrer entscheiden, wer alleine fliegt und wer für Prüfungen angemeldet wird.
4. Die hohen Kosten von professionellem Prüfpersonal würden den Luftsport sehr belasten und damit den Nachwuchs an aktiven Piloten gefährden.
5. Eine Verringerung der Flugsicherheit durch vom Fluglehrer vorgenommene Befähigungsüberprüfungen ist nicht gegeben.

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

2822

comment by: *Michael Moch*

Subject: Proficiency check with an *examiner* every six years.

Proposal: Proficiency check shall be done with a **flight instructor**. Alternatively the check period can be reduced to **two** years.

Rationale:

Where is the benefit of an examiner? The flight instructor has also the skill and experience to conduct such a proficiency check and we would avoid the disadvantages of the current proposal, which are:

- Huge number of examiners required.
- Additional costs. More bureaucracy.
- Difficulty to arrange suitable weather, availability of aircraft, examiner and pilot at a certain date, especially for sailplane pilots, where flight operations typically take place solely on weekends and on public holidays.

Flight instructors would be easily available, especially when pilots are members of a flying club, which is commonly the case.

For flight safety it would even be better to do this proficiency check every two years with an flight instructor instead of every six years with an examiner.

response

Accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

2924

comment by: *Herbert Sigloch*

To (a) Sailplanes and powered sailplanes

(2) I can't see any need for a periodical proficiency check

To (b) TMG

(2) No periodical proficiency check

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

3038

comment by: *Peter SCHMAUTZER*

It makes no sense if there has to be a proficiency check with an examiner within six years. There are not enough examiners available to perform these proficiency checks. If a person, who holds an LPL(S)-Licence meets the

	<p>proficiency requirements according to (1) there is no reason to require a proficiency check by an examiner.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.</p> <p>See the resulting text.</p>
comment	<p><i>3117</i> comment by: <i>Bernhard Büdke</i></p> <p>Der Examiner sollte der Einfachheit halber durch einen Fluglehrer (Flight Instructor) ersetzt werden können, da die Hobby-Fliegerei sonst noch mehr Aufwand und Bürokratie gegenübersteht.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p>

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

3122

comment by: *Axel Anschau*

Die EU-FCL fordert für alle Lizenzarten eine periodische 6 jährige Überprüfung durch einen EXAMINER. Ein Examiner ist kein Fluglehrer, sondern ein externer Prüfer der Behörde. Ich bezweifle das genug Prüfer vorhanden sind um ein solches Verfahren durchzuführen und es ist eine drastische Verschärfung der bisherigen Praxis. Es wäre besser den Examiner durch einen Flight instructor zu ersetzen für SPL (PPL-C), TMG (PPL-B) und SEP (PPL-A). Fluglehrer sind ausreichend vorhanden somit wird die Neuregelung machbar, preiswert und unbürokratisch.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

3258

comment by: *Matthias Heine*

Die regelmäßige Überprüfung durch einen Prüfer sollte entfallen. Begründung: Organisatorisch ist es in Deutschland fast unmöglich genügend Prüfer zu stellen, um die große Zahl der Segelflugpiloten zu prüfen. Inhaltlich ist in einer Überprüfung immer nur eine Momentaufnahme möglich in der die tatsächliche Befähigung des Prüflings nur schwer zu beurteilen ist. Meine Erfahrung als Segelfluglehrer zeigt genau dies. Es würde die Flugsicherheit deutlich erhöhen, wenn die Piloten zum regelmäßigen Fliegen angehalten werden, um einen bestimmten Trainingsstand zu halten. Hierzu können für den Segelflug die geforderten Startzahlenerhöht werden. (Die Dauer der Flüge ist im Segelflug schwieriger zu erfüllen und könnte deshalb entfallen). Vorteil bei häufigeren

Starts wäre die Notwendigkeit auf die schwierigeren Bedingungen zu fliegen, was eine Übung für Situationen wäre in denen die Bedingungen ungeplant schwierig sind.

response **Noted**

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised (from 10 to 15) as proposed in your comment.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment **3272**

comment by: *Sebastian Nossing*

This part does not make any sense at all, in terms of enhancing professionalism and safety of air traffic. I can see it from two very different points of view, being a glider pilot (FI) and air traffic controller myself. As always in aviation, the most dangerous phases of flight are takeoff and landing, simply because ground contact has to be performed in a soft way. Therefore it is absolutely ridiculous to require only 10 landings within a period of 24 months. Training is essential for increased safety and my experience as a FI shows, that a glider pilot with average skills needs at least 24 takeoffs per year to perform safe takeoffs and landings in all situations. There is not much sense in requiring 10 hours or any other number, as this won't have any effect on safety at all.

As an air traffic controller I only take notice on glider pilots if they are entering airspace which they are not allowed to enter, which happens in very rare cases. Being an air traffic controller for ten years now, I experienced this only once. However, this is something that might increase in the future, when the airspace gets even more crowded than it already is. To prevent this it could prove helpful to require an annual check flight with a flight instructor, in order to sensitize pilots to local airspace regulations and changes thereof.

For both points, safety and professional participation in air traffic, it is neither necessary nor effective, to do proficiency checks or examinations every six

	<p>years. As said before: Training is essential! So raise the required minimum number of take-offs within a period of time (my suggestion 24 per year), do not request any time minimum as it is not useful in this case, and require on check flight with a FI every year, instead of an examination every six years.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment regarding the proficiency check and the amount of launches to fulfil the recency requirement.</p> <p>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.</p> <p>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. If during this training flight with an instructor the proposed check of the pilot's knowledge about the airspace structure and the procedures can be included must be left for the discretion of the instructor. The Agency agrees that this issue is very important and should be an essential part of the training flight.</p> <p>It should be mentioned also that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised (from 10 to 15) as proposed also in your comment.</p> <p>Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.</p> <p>See the resulting text.</p>
comment	<p>3273 comment by: <i>Matthias Heine</i></p> <p>Überprüfung sollte entfallen. Stattdessen sollte die geforderte Zahl an Starts erhöht werden. Begründung: Regelmäßige Übung erhöht den Trainingsstand und damit die Sicherheit eher als Überprüfungen. Die Übungsflüge sollten nur unter Aufsicht erfolgen können.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment. See the response for your comment No 3258.</p>
comment	<p>3274 comment by: <i>Matthias Heine</i></p> <p>Überflüssige Forderung. Da bereits ein Flug mit Prüfer vorgesehen ist, der allerdings entfallen sollte. Falls die Bedingungen nicht erfüllt sind, sollte gefordert werden die Flüge mit/unter Aufsicht eines Fluglehrers zu absolvieren.</p>
response	<p><i>Noted</i></p>

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

3344

comment by: *Luftsportvereinigung Schwarzwald-Baar*

This is a comment on FCL.140.S, (a) (2) and (b) (2):

These regulation is an unnecassary difficulty for the pilots mostly flying within aero clubs.

The JAR regulation (a training flight with a FI once in every 2 years) is fully sufficient and safe. Within an aero club the FIs (and particularly the chief FI) are responsible to the president and the managing board for safty of pilots and integrity of planes (during operation) as well. And so no FI will give his OK to an unsafe pilot careless!

I suggest to adopt the present JAR regulation.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and

only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

3372 ❖

comment by: *Richard DUMAS, PPL(A)*

Retirer l'exigence (b) (2)

1. Cette exigence n'est pas logique :

- si l'EASA juge trop légères les conditions actuelles de prorogations, qu'elle propose alors de les renforcer, par exemple en ajoutant au vol d'entraînement avec un FI un briefing - façon BFR FAA - ou en permettant au FI de prescrire un ré-entraînement ;
- sinon, pourquoi et comment un pilote jugé alors apte pendant 6 ans - via 2 revalidations selon l'exigence (b) (1) (ii) – deviendrait-il au-delà de la 6^{ème} année subitement inapte en remplissant cette seule exigence ?

2. Cette exigence va être très pénalisante à mettre en œuvre :

- Elle va coûter cher, d'autant que l'offre ne va pas suivre la demande (cf. infra)
- Sa mise en œuvre est difficile : par exemple, pour ~ 30.000 PPL(A) actifs en France, cela fait ~5.000 tests à faire passer par an. Or, la DGAC faisait état de 2.200 à 2.300 PPL(A) délivrés par an vers 2002-2003. Pour avoir la même (faible) flexibilité qu'aujourd'hui, il faudra donc **augmenter de 150% le nombre de FE**. En plus, il aura une vague de 30.000 tests à faire passer entre 2014 et 2015 (= 2009 + 5 ou 6 ans)

3. Si le nouveau théorique PPL(A) - inutilement plus fouillé que sa version JAR.FCL - était entériné par L'EASA, l'exigence (b) (2) permettra alors de fait de ne pas revalider le PPL(A) de n'importe quel pilote qui - au plan théorique - aura uniquement fait l'effort de se tenir correctement au courant des évolutions techniques et réglementaires.

Hors le 3), ce commentaire s'applique à l'ensemble des licences privées et de loisir

response

Noted

Thank you for providing your comment. It seems that the comment is more aiming on the PPL(A) or LPL(A) issues than on LPL(S) issues. Please check the responses and the resulting text for the appropriate segment.

The issue of the proficiency check is a general one for all private licences and should be answered already with this response.

This issue 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 mentioned and proposed in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

Regarding the theoretical knowledge requirements for the LPL(A) or PPL(A) the Agency does not fully understand the problem described in your comment. As the theoretical syllabus proposed is based on the existing JAR-FCL syllabus no specific problem can be seen so far. It was agreed with the drafting experts that the LPL pilot should get a full credit for his/her theoretical knowledge when up-grading to the PPL. This requires the same theoretical knowledge syllabus.

comment

3384

comment by: *Christian Körner*

Section (2) is not really practical. Let's switch to the US system of the biennial flight review.

I suggest to remove section (2) for sailplane and TMG and change (1)(ii) to ... and landings, and passed a flight review of at least one hour with an instructor."

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or

hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

3435

comment by: *Royal Danish Aeroclub*

The proficiency check should be done by an flight instructor and not necessary an flight examiner.

We suggest the text in FCL.140.S (a)(2) and FCL.140.S (b)(2) to read: **"...passed a proficiency check with an FI on a sailplane at least once in every 6 years. "**

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

3485

comment by: *Erwin J. Keijsers*

Ich schlage vor, anstelle des Proficiency Checks einen Überprüfungsflug mit einem Fluglehrer durchzuführen.

Der Fluglehrer bescheinigt das Ergebnis durch Eintrag in das Flugbuch.

Die wesentliche Voraussetzung für die Sicherheit ist der ausreichende Übungsstand des Piloten. In ehrenamtlich organisierten Luftsportvereinen erfolgt die Überprüfung des Übungsstandes im Rahmen von Überprüfungsflügen mit Fluglehrern. Die Kontrolle der Inübunghaltung und ihrer Überprüfung ist durch das Vereinsumfeld gewährleistet.

	<p>Der Proficiency Check trägt nicht zu einer nennenswerten Verbesserung der Sicherheit bei, bedeutet erhöhten bürokratischen Aufwand und verursacht höhere Kosten.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.</p> <p>See the resulting text.</p>
comment	<p>3546 comment by: <i>Swiss Power Flight Union</i></p> <p>FCL.140.S LPL(S) Recency requirements (a+b) Delete (2) We are not in favour of the proficiency checks you propose to be passed every 6 years, not for powered sailplanes, not for TMG.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be</p>

added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment 3702 comment by: *Axel Mitzscherlich*

(a)(1)

(i) completion should be changed to the common experience of 25 launches, as pic, incl. a minimum of 5 launches in each launch category, otherwise a minimum of 1 flight with an instructor in each launch category.

response *Partially accepted*

Thank you for providing your comment in which you propose to raise the amount of launches for the recency requirement.

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.

Furthermore, the proposed number of launches in order to fulfil the recency requirement was discussed. For each launch method a minimum of 5 launches within the last 24 months is required in FCL.130.S (c) already. The proposed "common experience of 25 launches" seems to be difficult to achieve for someone who is only using the launch method aero tow. Based on the discussions with the sailplane experts and an evaluation of the existing national requirements of different Member States the Agency decided to raise the proposed number of launches but only up to an amount of 15 launches. As the newly introduced flight with an instructor will also allow to identify possible training needs this requirement should ensure a certain minimum level of experience.

Regarding your proposal to add an alternative for fulfilling the recency requirement of 5 flights per launch category (5 launches per method) FCL.130.S (d) allows already that the missing launches might be completed with or under the supervision of an instructor.

comment 3822 comment by: *Sean Simington Commercial Pilot Sky's The Limit*

I believe that there should be proficiency tests for all pilots whether the concern being that the number of examiners available may make this difficult to implement. The use of instructors to carry out tests would be a wat around this problem. Reduce tests from six years to every two years.

response *Accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

3988

comment by: *Helmut PRANG*

It would be sufficient to carry out a proficiency check (2) by a flight instructor instead of an examiner.

The often voluntary FI's ingrated into club organisations can cut cost and stress levels when the pilot is confronted with an exam situation.

Proficiency check referrals to an examiner should remain optional.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment	<p data-bbox="351 201 422 235">4044</p> <p data-bbox="1069 201 1436 235" style="text-align: right;">comment by: <i>Peter Hecker</i></p> <p data-bbox="351 257 1436 347"><i>Ich schlage vor, anstelle des Proficiency Checks einen Überprüfungsflug mit einem Fluglehrer durchzuführen. Der Fluglehrer bescheinigt das Ergebnis durch Eintrag in das Flugbuch.</i></p> <p data-bbox="351 353 1436 515"><i>Die wesentliche Voraussetzung für die Sicherheit ist der ausreichende Übungsstand des Piloten. In ehrenamtlich organisierten Luftsportvereinen erfolgt die Überprüfung des Übungsstandes im Rahmen von Überprüfungsflügen mit Fluglehrern. Die Kontrolle der Inübunghaltung und ihrer Überprüfung ist durch das Vereinsumfeld gewährleistet.</i></p> <p data-bbox="351 519 1436 609"><i>Der Proficiency Check trägt nicht zu einer nennenswerten Verbesserung der Sicherheit bei, bedeutet erhöhten bürokratischen Aufwand und verursacht höhere Kosten.</i></p>
response	<p data-bbox="351 638 598 672"><i>Partially accepted</i></p> <p data-bbox="351 689 893 723">Thank you for providing your comment.</p> <p data-bbox="351 757 1436 913">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.</p> <p data-bbox="351 947 1436 1104">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.</p> <p data-bbox="351 1137 1436 1238">It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p data-bbox="351 1272 1436 1361">Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.</p> <p data-bbox="351 1395 654 1429">See the resulting text.</p>
comment	<p data-bbox="351 1489 422 1523">4091</p> <p data-bbox="1149 1489 1436 1523" style="text-align: right;">comment by: <i>SFVHE</i></p> <p data-bbox="351 1545 1436 1635">Die bisherige Regelung (Übungsflug mit Fluglehrer) ist völlig ausreichend. Prüferflug ist nur ein Kostentreiber. Flugstunden auf Ultraleichtflugzeugen müssen auch bei TMG angerechnet werden. Flugzeit ist Flugzeit.</p>
response	<p data-bbox="351 1668 438 1702"><i>Noted</i></p> <p data-bbox="351 1720 893 1753">Thank you for providing your comment.</p> <p data-bbox="351 1787 1436 1854">Please see the response for comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p data-bbox="351 1915 422 1948">4101</p> <p data-bbox="1085 1915 1436 1948" style="text-align: right;">comment by: <i>Bernd Hein</i></p> <p data-bbox="351 1966 1412 2022">Hier reicht die Überprüfung durch einen F I, wenn diese Überprüfung definiert ist.</p>

response	<p>UL-Zeiten sind einzubeziehen. Ein Prüfercheck wird abgelehnt, weil er "grandfather-rights" beschneidet und in der bisherigen Praxis keine Anzeichen für eine Notwendigkeit erkennbar waren.</p> <p>Noted</p> <p>Thank you for providing your comment.</p> <p>Please see the response for comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>4136 comment by: <i>Elmar KUEMMEL</i></p> <p>Fluglehrer Bei Flugstunden für TMG muss auch die dokumentierte ULFlugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden. Ablehnung Prüfercheck wie bei FCL.140.A</p> <p>Siehe auch die Anmerkung 4135 zur FCL 140.A</p>
response	<p>Noted</p> <p>Thank you for providing your comment.</p> <p>Please see the response for comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>4143 comment by: <i>Max Heinz Katzschke</i></p> <p>(a) Die regelmäßige Überprüfung durch einen Prüfer finde ich übertrieben und stellt eine hohe Belastung für die Prüfer sowie auch für die zu Überprüfenden dar. Eine regelmäßige Überprüfung der Start und Landetechnik durch einen Fluglehrer (FI), für die Fluglehrer durch einen anderen Fluglehrer, halte ich für ausreichend; diese Form (in unserem Verein 1x jährlich durchgeführt) hat sich bewährt. Die Limitierung der Flugzeit ist besonders im Segelflug schwierig und wenig sinnvoll. Die Flugsicherheit wird im wesentlichen durch die Anzahl der Starts/Landungen an möglichst vielen verschiedenen Tagen (damit bei verschiedenen Wetterlagen) bestimmt.</p> <p>(b)(2) Auch hier trifft das unter (a) Geschriebene zu. Weiterhin sollte eine Mindestzahl an Starts/Landungen in der 24-Monate-Regelung gefordert werden. Mir ist ein Pilot bekannt, der das Limit von (1)(i) mit 5 Starts/Landungen erfüllte, und dies bei einfachstem Wetter - bei einem Start bei schwierigen Wetterbedingungen hatte er anschließend Probleme.</p>
response	<p>Partially accepted</p> <p>Thank you for providing your comment regarding the proficiency check and the proposed number of launches in order to fulfil the recency requirement.</p> <p>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</p>

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

Furthermore, the proposed number of launches in order to fulfil the recency requirement was discussed (mentioned also in your comment). For each launch method a minimum of 5 launches within the last 24 months is required in FCL.130.S (c) already. The Agency agrees that the total number proposed in (a)(1)(i) is too low. Based on the discussions with the sailplane experts and an evaluation of the existing national requirements of different Member States the Agency decided to raise the proposed number of launches but only up to an amount of 15 launches. As the newly introduced flight with an instructor will also allow to identify possible training needs this requirement should ensure a certain minimum level of experience.

See the resulting text.

comment

4147

comment by: *Claudia Buengen*

FCL.140.S LPL(S) - Recency requirements:

(a) (2)

requirement to pass a proficiency check with an examiner on a sailplane at least once in every 6 years.

A proficiency check every six years is a good idea as during solo flying bad habits might develop. However, if these checks are to be carried out by a specially qualified examiner or even the Chief Flying instructor of each club this will pose a major logistical problem.

A large club like Lasham in the UK has hundreds of members. It will be impossible for all these members to fly with either a Regional Examiner or the club's Chief Flying Instructor every six years.

Suggestion:

requirement to pass a proficiency check with a club instructor on a sailplane at least once in every 6 years.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

Your comment mentions that in a club with several hundreds of licence holders "it will be impossible....to fly with either a regional examiner or the club CFI". The Agency would like to highlight that the system proposed with this NPA will allow that in a gliding club like the mentioned one (with a certain amount of experienced instructors) several instructors will be able to fulfill the examiner requirements explained in subpart K. There should be no problem to have several certified examiners available for a gliding operation like the one mentioned. The Agency cannot see a reason why only one regional examiner should be available if the proposed system allows a different approach. Please check the proposed requirements for examiners in the appropriate subpart.

comment

4298

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.140.S(a)

Wording in the NPA

(a) *Sailplanes and powered sailplanes*. Holders of a LPL(S) shall only exercise the privileges of their licence on sailplanes or powered sailplanes when they have:

(1) completed on sailplanes, in the last 24 months, at least:

- (i) 6 hours of flight time as pilotincommand, including 10 launches; or
- (ii) 3 hours of flight time as pilotincommand, including 5 launches, and a minimum of 3 training flights with an instructor;

Our proposal**Change:**

(a) *Sailplanes and powered sailplanes*. Holders of a LPL(S) shall only exercise the privileges of their licence on sailplanes or powered sailplanes when they have:

(1) completed on sailplanes, **powered sailplanes or TMG**, in the last 24 months, at least:

- (i) 6 hours of flight time as pilotincommand, including 10 launches; or
- (ii) 3 hours of flight time as pilotincommand, including 5 launches, and a minimum of 3 training flights with an instructor;

Issue with current wording

The text is not consistent and not fully clear

Rationale

For clarity reasons all categories sailplanes, powered sailplanes and TMG should be mentioned. Also TMG time should be credited as it is a subset of powered sailplanes and has all characteristics of a sailplane. There also is no really clear boundary between powered sailplanes and TMG.

response

Partially accepted

Thank you for providing your comment.

However, the Agency does only partially agree with your proposal to add: "completed, powered sailplanes or TMG".

The typical powered sailplane (not being a TMG - for example an ASH 26) is clearly operated as a sailplane and the flying time as well as the launches should be counted for the recency requirement. The Agency will add "powered sailplanes (except TMG)".

The Agency agree with the statement given that "there is no real clear boundary between powered sailplanes and TMG" but it would like to highlight that the way a typical modern TMG (e.g. Super Dimona) is operated has only a few standard procedures in common with the operation of a typical club sailplane like an ASK 13 or a Duo Discus. The Agency is of the opinion that the TMG as it is operated nowadays can be compared with the operation of a single-engine piston aeroplane (that is the reason why in (b)(3) the flying time SEP will be credited) but not really with a typical flight in a pure sailplane. Please check the syllabus for the training on TMGs (e.g. AMC to FCL.135.S) and the one for the pure sailplane training and you will discover a lot of differences. As the TMG is also a class of aircraft which can be flown with a PPL(A) similar training items must be contained in the syllabus.

Taking this into account the Agency will not add "or TMG" but will make clear that the required flight experience of 5 hours and 15 launches (this was changed during the review phase) within the last 24 months have to be completed on sailplanes or powered sailplanes except TMGs.

With the newly introduced requirement that missing flying hours or launches can be completed with or under the supervision of an instructor these recency requirements should provide the right level of experience to fly safely in a pure sailplane without putting too much burden on licence holders with TMG extension.

comment

4299

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.140.S(a)

Wording in the NPA

(a) *Sailplanes and powered sailplanes*. Holders of a LPL(S) shall only exercise the privileges of their licence on sailplanes or powered sailplanes when they have:

(1) completed on sailplanes, in the last 24 months, at least:

(i) 6 hours of flight time as pilotincommand, including 10 launches; or

(ii) 3 hours of flight time as pilotincommand, including 5 launches, and a minimum of 3 training flights with an instructor;

Our proposal**Add:**

(b) holders of ratings for single engine piston or 3 axis controlled micro lights are credited with up to 3 hours flight time against the requirements in (a)

Issue with current wording

Pilots flying other fixed wing aircraft should be credited.

Rationale

As explained in **comment 3250 Nr. 3** flight experience in fixed wing aircraft is very similar and therefore should be credited across these similar categories. It is not justifiable that pilots must fulfill the requirements in each category independently. In the case of FCL.140.S(a)(ii) the 5 launches and 3 training flights should be sufficient if no other time was flown in the sailplane category but in other fixed wing categories.

response

Not accepted

Thank you for providing this additional proposal to allow crediting of flight time in other aircraft categories in order to fulfil the recency requirements to fly a pure sailplane.

However, the Agency does not agree for the same reason already explained in the response for your comment No. 4298 above.

comment

4300

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.140.S(a)(2)/(b)(2)

Wording in the NPA

(a)(2) passed a check flight with an instructor or a proficiency check with an examiner on a sailplane at least once in every 6 years

And

(b)(2) passed a check flight with an instructor a proficiency check with an examiner on a TMG at least once in every 6 years.

Our proposal**Change:**

(a)(2) passed a **check flight with an instructor or** a proficiency check with an examiner on a sailplane at least once in every 6 years

And

(b)(2) passed a **check flight with an instructor or** a proficiency check with an examiner on a TMG at least once in every 6 years.

Issue with current wording

It is neither proportionate nor feasible to require examiners to conduct the regular checks required by the basic regulation.

Rationale

Many more examiners would be required and costs would go up as the required number of examiners could not be recruited from the non commercial flying community and costly commercial examiners would have to be used. As discussed in **comment 3250 Nr. 5** it is not mandatory by the basic regulation that these checks are conducted by examiners.

response

Partially accepted

Thank you for providing your comment regarding the proficiency check and the proposed number of launches in order to fulfil the recency requirement.

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 but only every 6 years.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

comment

4301

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.140.S(c)

Wording in the NPA

(c) Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall pass a proficiency check with an examiner before they can resume the exercise of their privileges.

Our proposal**Change:**

(c) Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall pass a proficiency check with an examiner before they can resume the exercise of their privileges. **As long as only the 1 hour training flight is missing for compliance exercise of the privileges may be resumed as soon as the training flight has been completed.**

Issue with current wording

A planned flight with an instructor can easily become overdue for many reasons that is not under control of the pilot.

Rationale

Due to weather conditions, unplanned personal unavailability, aircraft or airfield issues a planned training flight with an instructor may easily become delayed for several weeks and then fall out of the 24 month window. If all other requirements are met there is no difference in risk if the training flight is then conducted after more than 24 months. Of course no solo flights are allowed until the requirements are met again. This recency scheme does not have a true 24 month frequency and forces the pilots to schedule the next training flight earlier each time so that at some point in time it shifts into more unpredictable weather conditions. He can also not keep in his mind a more or less fixed date for his training flight e.g. first flight after the winter period. Allowing the training flights to be conducted after more than 24 months is an easy solution to this problem. The training flight option will be typically taken by pilots that exercise more flying in another category.

response

Partially accepted

Thank you for providing your comment.

The Agency decided to add a requirement allowing that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

Therefore, the training flight (if not done within the last 24 months) can be completed at a later stage if missing and all the other experience requirements are fulfilled.

No need to be seen to add a further requirement as proposed.

comment 4517

comment by: *Klaus Schneider-Zapp*

(a)(2), (b)(2): A proficiency check with an examiner every 6 years does not increase aviation safety, since pilots fulfilling requirements (a)(1) or (b)(1), respectively, already proof to have reasonable experience and practice. Furthermore, clubs have implemented structures to monitor the skills and experience of their pilots and react to potential risks. The proficiency check with an examiner creates additional bureaucracy and costs that reduce the budget available for flying and thus for practice. Apart from the fact that the number of examiners is (at least in Germany) by far not sufficient for regular checks of all pilots, flight instructors have all qualifications needed for these check flights. We thus propose to either remove the proficiency checks or to allow checks with instructors.

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment 4579

comment by: *Diether Memmert*

Siehe REGULATION (EC) No 216/2008, Annex III, Article 7, 1.:
A pilot must acquire and maintain a level of knowledge... practical skill... appropriate to the functions exercised on the aircraft ...The frequency of examinations...must be proportionate to the level of risk associated with the activity.

Hier ist keine Rede von 'examiner', das kann auch ein Fluglehrer!

Aenderungen:

	<p>(a)(2) Streiche 'examiner' und ersetze durch Fluglehrer (b)(2) Streiche 'examiner' und ersetze durch Fluglehrer (c)(2) Streiche 'examiner' und ersetze durch Fluglehrer</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor</p> <p>See the resulting text.</p>

comment	<p>4586 comment by: <i>Deutscher Aero Club</i></p> <p>FCL.140.S Recency requirements a) (2) " passed a proficiency check with an examiner on a sailplane every 6 years"</p> <p>EGU Comment :</p> <p>EGU strongly disagrees with the proficiency checks proposed here. The Basic Regulation 216/2008 para. 1e2 of Annex III requests the – flexibility as regards "examinations, tests and checks, proportionate to the level of risk of the activity". EGU considers that requiring a proficiency check with a flight examiner every 6 years for a sporting activity in which instruction is generally given in the framework of clubs by volunteer instructors is largely over-prescriptive. Further, the use of the word 'examinations' in the Basic Regulation should not infer that examinations can only be performed by 'examiners'. This interpretation seems to be borne out of JAA / ATPL thinking which does not translate to gliding. In the gliding world, generally, the structure of training is broadly that instructors instruct and oversee the general population of glider pilots whilst examiners instruct, examine and oversee instructors. In consequence, there are relatively few examiners in gliding and many more instructors. That is the hierarchy and it is a well-proven and safe structure. What justification or evidence has EASA for changing it?</p> <p>Such a proposed rule is impracticable because the European gliding movement will not be able to generate enough examiners to provide adequate coverage of clubs/geographic factors/number of checks to be carried out (bearing in mind</p>
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we are volunteers). Such checks would also have a huge economic impact as shown in the RIA performed by the German Aero Club (see the DAeC comment about proficiency checks). Furthermore, the reporting procedure to the authority as described in the AMC page is overly bureaucratic. The result would be more and more people abandoning gliding due to the increased constraints, paperwork and financial burden.

In the European gliding movement, the common, long-established and proven practice is to perform periodic check flights with flight instructors. These check flights are also performed when a new member, already qualified as a glider pilot, joins the club or when pilots do not show an acceptable competence or performance level due to the fact that they have not flown sufficiently. Neither the authority nor the examiners are involved in these checks. Nor do they need to be. In the case where a check flight is failed, additional training is performed until the pilot is back to an appropriate level of competence and this system is well accepted by all pilots. The annual accident statistics worked out by EGU (annually one fatality per 100,000 launches over the last 10 years) shows that this practice is reasonably safe.

Therefore, EGU believes that a check flight with a flight instructor every 24 months is sufficient for ensuring an acceptable safety level. Such a rule would perhaps not follow the JAR FCL logic (which never applied to gliding!) but would be perfectly compliant with the Basic Regulation. Since instructors are qualified to assess if a pilot is able to fly solo and to perform skill tests for the issuance of a licence, there is no reason why they should not be allowed to perform such check flights.

These check flights should be documented as an endorsement in the log book. No further revalidation requirement requiring communication with the licensing authority should be needed.

The proposed rule is safe enough, avoids additional bureaucratic and financial burden, and would be accepted far more readily by all glider pilots.

Additionally, we do not see why such a test could not be performed on a powered sailplane.

EGU Proposal:

FCL.140.S Recency requirements

b) (2) " passed in the last 24 months a check flight with a LAFI(S) or a FI(S) instructor on a sailplane or a powered sailplane"

response

Accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be

added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment 4599

comment by: *Patrick Diewald*

Eine Überprüfung alle 6 Jahre halte ich für überzogen. Der 1stündige Überprüfungsflug mit Fluglehrer sollte im Luftsportbereich vollkommen ausreichen.

response *Noted*

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment 4653

comment by: *Yvonne Heeser*

Ich schlage vor, anstelle des Proficiency Checks einen Überprüfungsflug mit einem Fluglehrer durchzuführen. Der Fluglehrer bescheinigt das Ergebnis durch Eintrag in das Flugbuch.

Die wesentliche Voraussetzung für die Sicherheit ist der ausreichende Übungsstand des Piloten. In ehrenamtlich organisierten Luftsportvereinen erfolgt die Überprüfung des Übungsstandes im Rahmen von Überprüfungsflügen mit Fluglehrern. Die Kontrolle der Inübunghaltung und ihrer Überprüfung ist durch das Vereinsumfeld gewährleistet.

Der Proficiency Check trägt nicht zu einer nennenswerten Verbesserung der Sicherheit bei, bedeutet erhöhten bürokratischen Aufwand und verursacht höhere Kosten.

response *Partially accepted*

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment 4702

comment by: *Graham Morris*

I approve of the general structure of the Recency Requirements but the hours and launches required are inadequate. In all sailplane related cases hours and launches need to be doubled to have any hope of maintaining even the most basic of standards.

response *Partially accepted*

Thank you for providing your opinion.

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.

Furthermore, the proposed number of launches in order to fulfil the recency requirement was discussed. For each launch method a minimum of 5 launches within the last 24 months is required in FCL.130.S (c) already. Your proposal that "in all sailplane related cases hours and launches need to be doubled" was discussed during the review of the comments. It seems that such an increased number would be very difficult to achieve for someone who is only using the launch method aero tow. Based on the discussions with the sailplane experts and an evaluation of the existing national requirements of different Member States the Agency decided to raise the proposed number of launches but only up to an amount of 15 launches. As the newly introduced flight with an instructor will also allow to identify possible training needs this requirement should ensure a certain minimum level of experience.

comment

4823

comment by: *Keith WHITE*

FCL.140.S (a). Sailplanes. (2).

Make the proficiency test yearly, to be carried out by the club CFI or any full category club instructor designated by him for the purpose.

response

Partially accepted

Thank you for providing your comment.

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 (but not yearly as proposed).

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

4987

comment by: *Prof. Dr. Alexander Bubenik*

FCL.140.S (a) (1) (i) 6 hours of flight time as pilot-in-command, including 25 launches

(ii) 3 hours of flight time including 5 launches as pilot-in-command, and a minimum of 3 hours and 5 training flights with an instructor.

I regard this as a minimum practice. Figures are mainly derived from §41 LuftPersV (Germany).

FCL.140.S (a) (2) performed a training flight on an sailplane with a flight instructor, at least every other year. An sufficient skill level has to be an endorsed in the holders flight log.

For explanatory statement refer to my comment #4939

response

Partially accepted

Thank you for providing your opinion and the proposal to raise the recency requirements.

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.

Furthermore, the proposed number of launches in order to fulfil the recency requirement was discussed. For each launch method a minimum of 5 launches within the last 24 months is required in FCL.130.S (c) already. Your proposal to raise the number of launches drastically (25 launches or a certain amount of training flights with an instructor) was discussed during the review of the comments. It seems that such an increased number would be very difficult to achieve for someone who is only using the launch method aero tow. Based on the discussions with the sailplane experts and an evaluation of the existing national requirements of different Member States the Agency decided to raise the proposed number of launches but only up to an amount of 15 launches. As the newly introduced flight with an instructor will also allow to identify possible training needs this requirement should ensure a certain minimum level of experience.

comment

5105

comment by: UK CAA

Paragraph:

FCL.140.S

Page No*: 16

Comment:

Revalidation by "Rolling Revalidation/Continuous Experience" causes confusion and leads to pilots flying without a valid rating. This should be changed to require an entry in the Certificate of Revalidation page of a LPL.

Justification:

Proposed method of revalidation will cause confusion.

Proposed Text:

(if applicable)

New FCL.140.S(a):

Sailplanes and Powered Sailplanes Holders of LPL(S) shall only exercise the privileges of their licence when they have a valid entry for the aircraft category engaged in the Certificate of Revalidation page in their licence. An authorised flight examiner may make such an entry in the Certificate of Revalidation page of the holder's licence when he (or she) is satisfied that the holder has within the previous 24 months completed:

New FCL.140.S(b):

TMG Holders of LPL(S) shall only exercise the privileges of their licence when they have a valid entry for the aircraft category engaged in the Certificate of Revalidation page in their licence. An authorised flight examiner may make

	<p>such an entry in the Certificate of Revalidation page of the holder's licence when he (or she) is satisfied that the holder has within the previous 24 months completed:</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion and the proposal to introduce a certain revalidation process for the LPL.</p> <p>During the drafting phase of the LPL concept the Pro's and Con's for a "rolling" system and for a "fixed system" with revalidation dates was discussed. Based on the experience in some Member States using such a "rolling" system and having in mind the request for a licence with less administrative burden the group proposed a "rolling" system with a recency requirement instead of a system based on a revalidation procedure with the need to ask for an examiner or the NAAs to revalidate this licence.</p> <p>The Agency is of the opinion that the licence holder must check his actual logbook entries anyway in order to plan the newly introduced biennial training flight with the instructor. In parallel he/she should be able to check his recent flying time. It cannot be seen that this will create confusion.</p> <p>As also the majority of stakeholders is clearly in favor with the proposed system and do not see the risk for the mentioned problem the Agency will keep the proposed system.</p>
comment	<p><i>5120</i> comment by: <i>Allen A.</i></p> <p>Den Proficiency Check für LPL(S) als auch für TMG in dieser Form lehne ich ab, da der Aufwand im Vergleich zum Sicherheitsgewinn zu groß ist. Vorschlag: Die Überprüfung durch einen Fluglehrer alle 24 Monate ist ausreichend.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your comment on the proposed proficiency check.</p> <p>See the response for comment No. 4586 (Deutscher Aero Club) above.</p>
comment	<p><i>5143</i> comment by: <i>Dieter Zimmermann</i></p> <p>Zu FCL.140.A:</p> <p>Der Text ist wie folgt zu formulieren:</p> <p>(a) Segelflugzeuge und Motorsegler, die nicht Touringmotorsegler sind: Inhaber eines LPL(S) dürfen Ihre Rechte als zum Führen eines Segelflugzeug bzw. eines Motorsgleres, der nicht Touringmotorsegler ist, nur dann ausüben, wenn sie innerhalb der letzten 24 Monate vor dem Flug mindestens eine der beiden Bedingungen erfüllen:</p> <p>(i) 6 Stunden Flugzeit und 10 Starts und 10 Landungen als verantwortlicher Führer von Segelflugzeugen, Flugzeugen mit einer höchstzulässigen Abflugmasse von höchstens 2000 kg, Touringmotorseglern oder aerodynamisch gesteuerten Ultraleichtflugzeugen.</p>

(ii) 3 Stunden Flugzeit und 5 Starts als verantwortlicher Führer von Segelflugzeugen, Flugzeugen mit einer höchstzulässigen Abflugmasse von höchstens 2000 kg, Touringmotorseglern oder aerodynamisch gesteuerten Ultraleichtflugzeugen sowie 3 Starts in Begleitung eines Fluglehrers für Segelflugzeuge, wobei fehlende Flugzeit, Starts und Landungen unter Aussicht eines Fluglehrers im Alleinflug ergänzt werden können.

(b) Inhaber eines LPL(S) dürfen darin eingetragene Rechte als Führer eines Touringmotorseglers nur dann ausüben, wenn sie mindestens eine der Bedingungen erfüllen:

(i) Innerhalb der letzten 24 Monate vor dem Flug eine Flugzeit von 12 Stunden sowie 12 Starts und Landungen auf Flugzeugen mit einer höchstzulässigen Abflugmasse von höchstens 2000kg, Touringmotorseglern, Segelflugzeugen oder aerodynamisch gesteuerten Ultraleichtflugzeugen als verantwortlicher Luftfahrzeugführer.

(ii) 6 Stunden Flugzeit und 6 Starts und Landungen auf Flugzeugen mit einer höchstzulässigen Abflugmasse von höchstens 2000kg, Touringmotorseglern, Segelflugzeugen oder aerodynamisch gesteuerten Ultraleichtflugzeugen als verantwortlicher Luftfahrzeugführer, ein mindestens einstündiger Flug in Begleitung eines Fluglehrers. Hierbei können fehlende Flugzeiten, Starts und Landungen durch Flugzeit, Starts und Landungen im Alleinflug unter Aufsicht eines Fluglehrers für Touringmotorsegler auf Touringmotorseglern ergänzt werden.

(iii) Eine Befähigungsüberprüfung durch einen Prüfer mit Befähigung für LPL(A).

Begründung:

Es dürfte bekannt sein, dass Flugerfahrung auf grossen Flugzeugen ungeeignet ist, für die Führung von kleinen Flugzeugen, wie auch Touringmotorseglern und Segelflugzeugen. Deshalb sind nur Erfahrungen auf Flugzeuge bis 2000 kg in Betracht zu ziehen. Bis 2003 wurden Flugerfahrung bei der Verlängerung von Luftfahrerscheinen Touringmotorsegler anerkannt. Es zeigten sich keine negativen Erfahrungen, so dass es keinen Grund gibt Zeiten und Starts auf Segelflugzeugen nicht in Betracht zu ziehen. Es gibt keinen vernünftigen Grund Flugzeiten und Starts auf aerodynamisch gesteuerten Ultraleichtflugzeugen nicht mit einzubeziehen, zumal es viele Ultraleichtflugzeuge gibt, die baugleich als Flugzeug zugelassen sind.

Wie schon in der Einführung dargelegt sind die Absätze (a)(2) sowie (b)(2) ersatzlos zu streichen. Die Bedingung in Absatz (b)(3), dass Flugzeiten auf Flugzeugen nur dann zählen, wenn der Pilot Inhaber eines Luftfahrerscheines für Flugzeuge ist, ist unsinnig. Auch Flugzeiten und Starts als verantwortlicher Luftfahrzeugführer zur Erlangung einer Lizenz sind geeignet.

Aus Gründen der Rechtssicherheit ist die Möglichkeit, Zeiten, Starts und Landungen unter Aufsicht eines Fluglehrers zu fliegen, explizit darzulegen.

response

Partially accepted

Thank you for providing your comment.

Please see the response for comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

5155

comment by: *Werner LADNER*

The proficiency check every six years creates too much bureaucracy. This rule is against the main intention not to create more bureaucratic obstacles. In

Germany there are not enough examiners to check all the pilots. Extending the number of available examiner personnel is difficult and increases costs. Besides, a proficiency check with an examiner will not give more safety. Instead of examiners, flight instructors are perfectly capable to check the pilot's skills. Flight instructors are in clubs or flight schools. Consequently they are always available and have the pilot's flight experience under control.

I suggest to change FCL.140.S

(a)(2): *passed a training flight with a **flight instructor or examiner** on a sailplane at least once in every 6 years.*

(b)(2): *passed a training flight with a **flight instructor or examiner** on a TMG at least once in every 6 years.*

response *Partially accepted*

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment

5175

comment by: *Pilar Munoz*

FCL.140.S: A proficiency check with an examiner every 6 years can be a burden and extraordinary costs and bureaucracy work, and the benefit is not really clear.

An alternative can be a check with a flight instructor, who can set the same safety standards at the check and control in the same way that the requirements are fulfilled.

response

Noted

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment

5262

comment by: *Herbert Schütz*

In fast allen Vereinen und an allen mir bekannten Flugplätzen ist es üblich, nach einer längeren Flugpause im Frühjahr einen oder mehrere Überprüfungsstarts mit Fluglehrer zu machen. Diese Maßnahme dient der Sicherheit und ist erprobt. Der geplante proficiency check mit einem Prüfer alle 6 Jahre ist überzogen. Das Problem stellt sich folgendermaßen dar: Wie soll die Praxis ablaufen, wenn einige tausend Segelfluggpiloten jeweils alle 6 Jahre geprüft werden müssen. Im Segelflug ist es auf vielen Fluggeländen nicht möglich, im Winterhalbjahr zu fliegen, da der Platz nicht benutzbar ist, außerdem sind die Wetterbedingungen oft so schlecht, dass an Segelflug nicht zu denken ist. Verschiebt man die Prüfungen alle in das Sommerhalbjahr, führt das dazu, dass viele Piloten lange Zeit nicht fliegen können und dadurch nicht in Übung sind. Eine andere Schwierigkeit ist die erforderliche Anzahl an Doppelsitzern und die Verfügbarkeit von Prüfern in der erforderlichen Anzahl und zum passenden Zeitpunkt. Deshalb bitte ich diese Regelung nochmals zu überdenken, zumal sich in den letzten 50 Jahren meines Wissens kein Unfall aus diesem Grund ereignet hat.

response

Noted

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment

5572

comment by: *Belgian Gliding Federation*

FCL.140.S Recency requirements

a) (2) " passed a proficiency check with an examiner on a sailplane every 6 years"

BGF comment :

We strongly disagree with the proficiency checks proposed here. The Basic Regulation 216/2008 para. 1e2 of Annex III requests the – flexibility as regards “examinations, tests and checks, proportionate to the level of risk of the activity”.

We consider that requiring a proficiency check with a flight examiner every 6 years for a sporting activity in which instruction is generally given in the framework of clubs by volunteer instructors is largely over-prescriptive. Further, the use of the word ‘examinations’ in the Basic Regulation should not infer that examinations can only be performed by ‘examiners’. This interpretation seems to come out of JAA / ATPL system which does not fit to gliding. In the gliding world, generally, the structure of training is broadly that instructors instruct and oversee the general population of glider pilots whilst examiners instruct, examine and oversee instructors. In consequence, there are relatively few examiners in gliding and many more instructors. That is the hierarchy and it is a well-proven and safe structure. What justification or evidence has EASA for changing it?

Such a proposed rule is impracticable because the European gliding movement will not be able to generate enough examiners to provide adequate coverage of clubs/geographic factors/number of checks to be carried out (**bearing in mind we are all volunteers who doing this for pleasure!**). Such checks would also have a huge economic impact as shown in the RIA performed by the German Aero Club (see the DAeC comment about proficiency checks). Furthermore, the reporting procedure to the authority as described in the AMC page is overly bureaucratic. The result would be more and more people abandoning gliding due to the increased constraints, paperwork and financial burden.

In the European gliding movement, the common, long-established and proven practice is to perform periodic check flights with flight instructors. These check flights are also performed when a new member, already qualified as a glider pilot, joins the club or when pilots do not show an acceptable competence or performance level due to the fact that they have not flown sufficiently. Neither the authority nor the examiners are involved in these checks. Nor do they need to be. In the case where a check flight is failed, additional training is performed until the pilot is back to an appropriate level of competence and this system is well accepted by all pilots. The annual accident statistics worked out by EGU (annually one fatality per 100,000 launches over the last 10 years) shows that this practice is reasonably safe.

Therefore we believe that a check flight with a flight instructor every 24 months is sufficient for ensuring an acceptable safety level. Such a rule would perhaps not follow the JAR FCL logic (which never applied to gliding!) but would be perfectly compliant with the Basic Regulation. Since instructors are qualified to assess if a pilot is able to fly solo and to perform skill tests for the issuance of a licence, there is no reason why they should not be allowed to

perform such check flights.

These check flights should be documented as an endorsement in the log book. No further revalidation requirement requiring communication with the licensing authority should be needed.

The proposed rule is safe enough, avoids additional bureaucratic and financial burden, and would be accepted far more readily by all glider pilots.

Additionally, we do not see why such a test could not be performed on a powered sailplane.

Proposal:

FCL.140.S Recency requirements

b) (2) " passed in the last 24 months a check flight with a LAFI (S) or a FI (S) instructor on a sailplane or a powered sailplane"

response *Accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment *5947*

comment by: *Luftsport-Verband Bayern*

Die Bedingungen zur Ausübung der Rechte aus der Lizenz sind u.a. an eine Befähigungsüberprüfung mit einem Prüfer (alle 6 Jahre) geknüpft. Die Basic-Regulation 216/2008 formuliert in Anhang III, 1.e.2: "Die praktischen Fertigkeiten müssen in angemessenem Umfang aufrechterhalten werden. Die Erfüllung dieser Anforderung ist durch regelmäßige Bewertungen, Prüfungen, Tests oder Kontrollen nachzuweisen. Die Häufigkeit von Prüfungen, Tests oder Kontrollen muss dem mit der Tätigkeit verbundenen Risiko angemessen sein."

Aus dieser Formulierung lässt sich die Notwendigkeit einer zusätzlichen Überprüfung durch einen Prüfer nicht ableiten. Die alle zwei Jahre

durchzuführenden Flüge mit Fluglehrer sind ausreichend im Sinne o.g. Vorgabe.
Eine ausreichende Anzahl von Prüfern würde eh nicht zur Verfügung stehen oder kurzfristig berufen werden können.

response *Noted*

The Agency acknowledges the opinion expressed.
As this comment seems to be a copy of your comment No. 5940 please check the response to this comment.

See also the response to comment No. 4586 (Deutscher Aero Club) above.

comment *5970*

comment by: *Christoph Talle*

FCL.140.S (a)(2) / (b)(2) In my opinion only one Prof Check (Sailplane or TMG) is sufficient. As examiner for aeroplane, TMG and glider, I can see if a pilot is able to fly an aircraft. The other requirements (Take off / launches / hours) are still necessary.

FCL.140.S (c) It must be possible to fly the requirements in (a) or (b) under supervision of an FI, if the Prof Check is not older than 6 years. In Germany we have good experience with this.

For Example: a Pilot who has not flown for two years, has to make a Prof Check, but he has no actual experience.

response *Partially accepted*

Thank you for providing your comment.

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.

Therefore, the acceptance of the proficiency check proposed in your comment for (a)(2) or (b)(2) is not any longer necessary.

As proposed in your comment a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

comment *6123*

comment by: *Z. Max Nagel*

Comment to FCL.140.S (a) and (b) point (2)

The requirement of point (2) should be completely eliminated, or made dependant on total flight time of 72 hours in the periode of the last 6 years for a holder of a leisure licence.

Wording: "(2) passed a proficiency check with an examiner, if during the last 6 years the total flying time on sailplanes and/or powered sailplanes and/or

	<p>TMG´s is below 72 hours."</p> <p>Arguments:additional burocratic burden is placed on the leisure pilot, and passed to official instancies, the time burden of proficiency examiners is doubled,it makes sens in the section for professional pilots, counteract the goal of EASA to propagate flying in Europe.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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. Taking this into account nno difference must be made for pilots with a different level of actual flight experience as proposed in your comment.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor</p> <p>See the resulting text.</p>
comment	<p>6187 comment by: <i>CAA Finland</i></p> <p>FCL.140.S(b)(1)(i): Launches on TMG sounds unsuitable. Amended text proposal:</p> <p>(i) 12 hours of flight time as pilot-in-command including 12 takeoffs and landings; or</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing this comment.</p> <p>The Agency agrees and will change the text accordingly.</p>
comment	<p>6238 comment by: <i>Danish Ultralight Flying Association</i></p> <p>Many Annex II aircrafts are as complicated as simple smaller aircraft and do generate a substantial flying experience, dispite the airworthiness is not covered by the basic regulation.</p> <p>We therefore suggest FLC.140.S (b) (3) (TMG) to be extended as follows:</p>

	<p>"When the holder of the LPL(S) also has privileges to fly aeroplanes or 3-axis ultralight aircrafts, the requirements in (1) and (2) may be completed on aeroplanes and 3-axis ultralight aircrafts".</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>Please see the response for comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p>6263 comment by: <i>Olaf Wischhusen</i></p> <p>I do not agree on clause (2) of part (a) and (b) because</p> <ul style="list-style-type: none"> - soaring in clubs is always performed on a honorary basis with quite high social controls (owners are the clubs) - proficiency checks with examiners on sailplanes or TMGs will lead to higher bureaucracy , more documentation liabilities and higher costs! - flight instructors certificate the examination level of student pilots so they can also certificate the examination level of licence holders, there is an inconsistency in this proposal <p>My proposal:</p> <ul style="list-style-type: none"> - make a proficiency check with a flight instructor every 6 years
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the proposed proficiency check.</p> <p>See the response for comment No. 4586 (Deutscher Aero Club) above.</p>
comment	<p>6297 comment by: <i>Oxford Gliding Club</i></p> <p>The currency requirements are less than imposed by many British gliding clubs. It is felt this may bring about standardisation problems where clubs enforce non-standard restrictions over and above that required by the licence holder.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion and the proposal to raise the recency requirements because of the fact that the proposed requirements are "less than imposed by many British gliding clubs".</p> <p>The Agency has evaluated together with gliding experts several national recency requirements of different Member States in order to find a commonly agreeable solution. It is a matter of fact that for certain countries the required level of actual experience will change. In some countries this the required minimum experience level has to be raised and for some others it will be a bit lower than the requirements in place nowadays.</p> <p>The Agency has reviewed all the comments received and based on further evaluations decided to introduce a training flight with an instructor every 2 years. Furthermore the minimum amount of launches will be raised from 10 to 15 launches. There are certain reasons (especially for licence holders using only the launch method aero tow) not to require a higher amount of</p>

flights.

As all these requirements are only minimum requirements it is up to the discretion of the licence holder or the club to do more flights or flying hours in order to reach a sufficient level of training. It could be also argued that a very experienced pilot with some thousand hours in sailplanes will need less actual training than a 30 hours pilot. The Agency agrees but does not consider reflecting this in the requirement. The newly introduced training flight will help to identify possible deficiencies and will allow to establish needs for additional training.

comment

6303

comment by: *Jürgen PHILIPP*

Problem:

The requirement to pass a proficiency check with an examiner poses an unacceptable burden on Pilots and Organisations.

Solution:

Perform check with instructor pilot

Justification:

Experience with FAA and JAA Licences and the bianual prof check is generally accepted in the pilot community as means to monitor and insure adequate proficiency. A flight check with examiner will cost time and money of both pilots and organisations with no real gain in safety. The result will be a shrinking pilot community and detered pilot applicants, which can not be accepted from an cultural and economical standpoint

response

Partially accepted

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment

6312

comment by: *SFG-Salzetfurth*

Proficiency check with an examiner should be replaced by a checkflight with a flightinstructor. This is common practice in normal glider-clubs in germany. A flightinstructor of a glider-club knows the skills of the candidates in his club much better than an examiner, who is normally not member of the club. With a flightinstructor, there is also the chance to coach the candidate when there is a lack of skills. Flightinstructors of a club do this everey day whith their flight trainees and they could do this whith Pilots in exactly the same way.

response

Partially accepted

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment

6319

comment by: *Holger WILD*

Hello,

I fly for over 21 years with JAR-FLC SPL and TMG and GPL with more than 5000 flights and 2000 hours and I'am a flight instructor since 1995. I fly in

whole Europe, not only in the vicinity.

So I'am for sure personally will not have problems with the item discussed now below. But the general aviation, the flight clubs and the flight safety will get victims!

But our goal should not be to make private pilots as a nearly unreachable, difficult and expensive task. You are try to make more easy new rules, but it should not be a step back or step into commercial rules at all. You should more compare private aircraft flying with bycycle (= glider) or car (others) regarding rules - there is no big difference, only flying is easier.

What are the facts and your plans:

Within draft FCL 140.S (Recency requirements) and other parts of this huge draft it is requested, that every pilot has to take and pass a proficiency check with a examiner every 6 years.

What is it for and what is the goal and was will happen for general aviation?

a) In fact the privat-pilote accidents are lowering for years, of course with changes because of different seasonal whether conditions. So from this aspect there is absolutly no need for that new request, isn't it?

b) Any normal human has - maybe correct or not - a fear about any examination. In this case - since theoretical knowledge could be usually checked too, every candidate need again one day or more - maybe holiday from is work - for learning about volumes, that he never need to know for usual flying. I pilot should only know, from where he get, interprete and consider informations, but checked will be always and only the knowledge of the information itself. Why should pilots know about european flight rules when they only fly within 50 km around with a glider? But examiner may ask for. This is useless.

c) A lot of pilots, maybe older, only flying in the vicinity of their home base don't really need this knowledge, but then they have to present it. No one will check this for car drivers or Truck drivers with dangerous goods periodically (I own such a license too), isn't it? All these vehicles are very much more dangerous for third party or environment than small aircrafts ever could be. Again you should think about the difference between A380 and small glider regarding accident for environment or third party and then you should the big difference. There is no really need for more rules and examinations, the best way for private pilots safety is simply "fly often" and this must be possible cheap and easy.

d) The checks will charge a lot of money and time for preparation. So to stay private pilot, you have to spend a lot of money without really equivalent value. This "useless" money you cannot use for training, so the safety is not higher, it is lower. So some other pilots will not continue to fly and resign, but they would never be a dangerous pilot at all. Within the flying clubs most of the costs - except fuel and maintenance - are fixed cost (insurance, invest and capital allowance for aircraft and rooms...). If less pilots keep flying the costs for every flights per person increase. The result is, that the other pilots will lower their flight hours and take-offs, budget are limited. In fact this lowers the safety standards, then the best thing are "fly as often as you can pay - then you are a safe pilot". No examination can exist against that

simple rule. So this planned skill tests again will lower the flight safety - the overall budget stay constant for nearly every pilot.

e) What is a examination: A flight with a examiner with fixed check-list, so "take off - passed", "stall - passed" ...

The pilot doesn't learn anything, he have to repeat mostly usual stuff and procedures with a simply passed

or not. If not he is in real trouble, but maybe it was only a bad day or tired.

For example a usual issue: What's about pilots which feel afraid/unsafe about crosswind landings?

Do you believe that they tell this to the examiner? Absolutly not!!

Usually they ask a flight instructor for assitance and/or aviod that kind of weather.

So again: Nothing for safety, only bureaucratically and expensive new rule (examiner drive to airport, maybe 2 times, aircraft fee, landing fees, travelling expense, examination fee...) From my experience for usual flight-student examinations it charges about 300 Euro or more, with addional training flight before easily multiple of this amount, with very less effect for safety.

f) Because of the less danger of small aircraft and especially glider with no or less fuel for the environement or third party it is not justifiable to introduce such a rule.

Suggestion:

- skip the 6 years examination check for all privat pilots and licenses, in Germany it was never necessary

- instead of this take over the german and JAR-FCL rule, that mean every two years a at least one hour training flight with flight instructor, maybe additonal one hour theoretical education about new rules, accident reasons, airspaces and such more usual things.

This is enough for safety and better pilots

For glider 1 up to 3 take-off with instructor will do the saftey job too, if ever necessary. I don't see more accidents, so it could be skipped for glider pilots. They have not pass such a practice flight, but the accidents doesn't point out, that they will need it.

What is the BIG difference between your plans an this suggestions?

In the second case - an this is non only my personal experience !! - i.e. the pilot would tell the flightinstructor - treated as friend from his first lesson - about his fear for cross wind landings and they would try to repeat how to deal with it, maybe with a later, second schedule with corresponding weather for training. So every poor airmanship could be re-taught and worked out. Today it is a rule, if the pilot are not reaching the minimum level, the flight instructor does not sign. So it is the same like examination, but then the pilot can continue his training and maybe make a second flight with same or another flight instructor later.

It is similar to first solo flight ever -only if all agree, it is o.K., but there is no pressure. The time is not wasted for well known and done procedures, it is focussed on the poor performance items. And of course it is very much cheaper for the pilot at all. Flight-Instructors are on every airport, in every club and simply to hire, without making a fixed schedule weeks before. The pilot need not perform a special training before and the good thing is,

that FI see his real "all-day" performance, which is more important to avoid accidents than a well trained contestant for examination.

With this suggestion we have very good experience in Germany since 2003 and all are satisfied. Your planned rule has the pictured big drawbacks, will cost a lot of money more, time and pilots which retire without a really reason!

Would you please think about - maybe you ask German authorities for experience with "2 years practice flight" with FI.

Greetings
Holger Wild

response *Accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment 6326

comment by: *Swedish Soaring Federation*

FCL.140.S Recency requirements

a) (2) " passed a proficiency check with an examiner on a sailplane every 6 years"

Comment :

Swedish Soaring Federation strongly disagrees with the proficiency checks proposed here. SSF considers that requiring a proficiency check with a flight examiner every 6 years for a sporting activity in which instruction is generally given in the framework of clubs by volunteer instructors is largely over-prescriptive.

Swedish Soaring Federation believes that a check flight with a flight instructor would be sufficient for ensuring an acceptable safety level.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

6386

comment by: *peter Gray*

FCL.140.S Recency requirements.

I can only assume I have misinterpreted this section. The requirements are, almost unbelievably, a) far too lax and b) do not address recency.

But - If this is law rather than AMC then leave it so long as you give the local flying club/school/qualified entity the power to superimpose more realistic criteria.

response

Noted

Thank you for providing your opinion that the recency requirements in (a) "are far too lax".

The Agency has evaluated together with gliding experts several national recency requirements of different Member States in order to find a commonly agreeable solution. It is a matter of fact that for certain countries the required level of actual experience will change. For some countries the new requirement will require a higher minimum experience level as before and for some others it will be a bit lower than the requirements in place nowadays.

The Agency has reviewed all the comments received and based on further evaluations decided to introduce a training flight with an instructor every 2 years. Furthermore the minimum amount of launches will be raised from 10 to 15 launches. There are certain reasons (especially for licence holders using only the launch method aero tow) not to require a higher amount of flights.

As all these requirements are only minimum requirements it is up to the discretion of the licence holder or the club to do more flights or flying hours in order to reach a sufficient level of training (as mentioned in your comment in order to "superimpose more realistic criteria") . Regarding these "more realistic criteria" it could be also argued that a very experienced pilot with some thousand hours in sailplanes will need less actual training than a 30 hours sailplane pilot. The Agency agrees but does not consider reflecting this in the requirement as this is too difficult. The newly introduced training flight will help to identify possible deficiencies and will allow to establish needs for additional training.

comment

6408

comment by: *Sam Sexton*

Reference FCL140
the 6 yearly proficiency check..

Don't think this has been thought through properly by EASA. I.e. cost, this one rule alone will probably mean a considerably drop in pilot numbers as pilots give up fly altogether.

Reasons:-
Cost.

Examiners charge excessive fee for a proficiency check/General flight test(GFT).

-I was charged approx 200 euro just as a test fee.

- pilots would feel they would need to do several hours with an instructor prior to a test again additional cost.
-
- I fly microlights and annex 2 aircraft. To do this proficiency test I would have to join a flying club additional fees. Pay aero club rates for hire of their aircraft currently around 200 euros and hour with an instructor
- again the hire of the aircraft for the test itself. Which could take up to 2 hours with the additional costs.
- this will therefore require a RIA.
-

Suggest that the current bi-annual flight with an instructor is now made a test flight with any instructor (not just an examiner). Where the instructor can refuse to sign of the pilots log books etc. if the instructor is unhappy with the pilots general flying.

Generally this flight is used by pilots to freshen up on certain areas of flying with an instructor. EFATO, Practice force landings. Stalls etc. etc.

Additionally there is some queries amongst instructor whether this flight can be split i.e. if I we fly to another airfield have a brake and fly back as long as the total flight time is more than one hour.

Seem certain NAA,s interrupt this different and require a flight of 1 hour with no brakes/stops.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

The issue of splitting the one-hour flight for the LPL(A) will be clarified in the appropriate segment.

comment

6525

comment by: *Michael GREINER*

Dear Sirs and Madams,

With the repetitious proficiency checks and language proficiency re-evaluations, the message to the glider pilot is clear: "You fool, how can you dare to think, we would want you to fly?"

But how is this justified? Think about the risks to the general public imposed by gliding and compare this risk of other activities, like car-driving or skiing. In the latter cases, deadly momentum is easily built up, and at most of the time, potential victims are within reach. But for these activities no repetitious checks or re-evaluations are necessary. The statistics of gliding accidents are not so bad, even compared to the number of flights. They sure can be improved, and providing information and training (through the national gliding federations or national aviation authorities) has shown effect, whereas repetitious check flights with Examiners will surely not.

JAA has once already decided different and – while in earlier years in Germany it was necessary for the glider pilot to tell the authorities about his recent flight time and numbers – even this was not necessary any more with JAR-FCL. This seemed to have worked very well, also because it was necessary to proof the recency data to one's club president (due to his legal liability) and to the insurance company. Similar situation with check flights: It is good and usual practice to make the first flight(s) in every season with a flight instructor in one's club or flight-school. It is just common sense and in the self-interest of the participants. There is no need to exert another pressure.

Basic regulation 216/2008 demands in Annex III 1.e.2:

„An appropriate level of competence in practical skill must be maintained. Compliance must be demonstrated by regular assessments, examinations, tests or checks. The frequency of examinations, tests or checks must be proportionate to the level of risk associated with the activity.“

Due to the level of risk an utmost low frequency is sufficient.

Proposal: Delete FCL.140.S (a)(2) without replacement.

Justification: Sailplanes and Powered Sailplanes have a maximum Take-Off weight of up to 850kg, max. 2 seats and an inconspicuous accident statistic (Marginal damage to uninvolved parties through accidents). The European driver license allows driving cars of up to 3,5t, max 9 seats, no built-in speed limit, among dense traffic with pedestrians, bikers, etc. The driver licence is never re-evaluated.

If the risk of the activity of gliding is evaluated, and the European driver licence is used as a measure, it is justifiable, to go on without glider pilot proficiency checks.

Kind regards,
Michael Greiner

response *Partially accepted*

Thank you for providing your comment.

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 positively mentioned in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

6532

comment by: *Luftfahrtbehörde Schleswig-Holstein Landesbetrieb
Straßenbau und Verkehr*

Die Befähigungsüberprüfung im sechs Jahresrhythmus ist abzulehnen. Sie ist nicht erforderlich, da unter der Voraussetzung des FCL.140.S (a) (1) eine ausreichende Überprüfung gewährleistet ist. Die geforderte Befähigungsüberprüfung führt zu unnötigem Bürokratismus und birgt die Gefahr, dass zahlreiche Privatpiloten keine Verlängerung ihrer Lizenz beantragen werden.

Nach FCL.140.S (a) (1) (ii) wird u. A. „a training flight of at least one hour with an instructor“ gefordert.

Um sicherzustellen, dass der Fluglehrer auch die Kompetenz hat festzustellen,

dass der Bewerber den Fluganforderungen genügt/nicht genügt, sollte (sprachlich) formuliert werden, dass der Übungsflug nicht nur „mit“, sondern „unter Aufsicht“ des Fluglehrers erfolgt.

Vorschlag:

(a) (1) (ii) 3. Spiegelstrich

„a training flight of at least one hour **under the survey of a flight instructor** [...]“

Streichung von (a) (2)

response

Partially accepted

Thank you for providing your comment.

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 mentioned in your comment.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

Regarding your second issue of adding "under the survey" the Agency does not consider to change the wording used. As this flight is not any longer a proficiency check but a training flight the proposed wording will not lead to any change of the level of this flight.

comment

6626

comment by: *Lubbock Edward*

I have absolutely no problems in going along with the idea of checking my competency to fly on a regular basis. However, I do not see the necessity for this to be done by an examiner. Under the present UK system of making certain that trainee balloon pilots are competent, at least 4 flights must be undertaken with an instructor to ensure capability before a recommendation is made for the trainee to have a check-out flight with an examiner. The level of competency required before the check-out flight is that which an examiner needs to be able to endorse - following an instructors recommendation. It therefore follows that there is no need for an examiner to carry out subsequent competency checks on licensed pilots. There are far less examiners in

existence than there are instructors and if implemented, the task of checking an existing pilots competence can be adequately checked periodically by an instructor.

response *Noted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

6767

comment by: *Viehmann, Regierungspräsidium Kassel*

In Absatz 3 wird eine erfolgreiche absolvierte Befähigungsüberprüfung vor einem Prüfer mindestens einmal in 6 Jahren gefordert.

Diese Anforderung wird als zu hoch eingestuft. Um ein hohes Maß an Sicherheit zu gewährleisten, wird aus unserer Sicht ein Überprüfungsflug mit Fluglehrer für vollkommen ausreichend angesehen. Da Fluglehrer in der Ausbildung zum Segelflugzeugführer weiterreichende Entscheidungen verantworten müssen (1. Alleinflug u. ä.), reicht es vollkommen aus, wenn dieser Personenkreis die Überprüfungen vornimmt.

response *Noted*

Thank you for providing your comment.

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

but it should be clarified that this flight will be no proficiency check ("Überprüfungsflug") as this one has to be done with an examiner but a training flight.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

6794

comment by: *Colin Troise*

Proposal:

(a)(2) passed a proficiency check with an examiner or instructor on a sailplane at least once every 6 years.

response

Partially accepted

Thank you for providing your comment.

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. As a flight with an instructor can never be a proficiency check (please see the definition of the proficiency check) the proposed wording contained in your comment will not be introduced.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment

6942

comment by: *Austrian Aero Club***FCL.140.S (a) (2)**

Der Österreichische Aero Club erkennt keinen Sinn, wenn hier innerhalb von sechs Jahren eine Befähigungsüberprüfung durch einen Prüfer zu erfolgen hat. Es sind nicht genügend Prüfer verfügbar um diese Befähigungsüberprüfungen durchzuführen. Wenn eine Person, welche eine LPL(S) Lizenz besitzt, die

	<p>Befähigungserfordernisse entsprechend (a) (1) erfüllt, gibt es keinen Grund, eine Befähigungsüberprüfung durch einen Prüfer zu verlangen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor</p> <p>See the resulting text.</p>
comment	<p><i>7094</i> comment by: <i>Filip Audenaert</i></p> <p>I think personally that 16 instruction flights is to much, ok some students need it but the instructor wont let them fly solo if they cant do it because it IS instructor responsibility. And on the other hand 1 solo of 30 min is crazy. What a better way should be is 10 hours of dual flight , 5 flights next to the instructor but solo and then another 5 solos without the instructor in the vicinity. The new pilot will learn much more in the 10 solo flights then in even 20 instruction flight because he will be the only one on board and he is the decision maker there is no plan B on board.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. However, it seems that this comment was addressed to the wrong segment as this requirement is dealing with the recency requirement for the LPL(S).</p> <p>It seems that the comment is aiming on the training requirements for the LPL (balloons). Please see the comments and responses for the appropriate segment.</p> <p>Mainly two issues are mentioned in your comment. You are criticizing:</p> <ul style="list-style-type: none"> - the total amount of 16 hours training as being too much (but talking about 16 flights which is not proposed) - 1 solo flight of 30 minutes (without providing a justification)

It seems that your "counter-proposal" is based on your national requirements which ask for 10 solo flights and a lower amount of dual flights (some other Belgium stakeholders representing the balloon community sent a similar comment).

The Agency has discussed your proposals with the licensing experts but does not agree to change the proposed system and introduce the system which is actually in place only in one Member State. In most of the other countries already the proposed single solo flight will be a dramatic change as there is not such a requirement in place nowadays. Furthermore the Agency does not agree that the student pilot "will learn much more in the 10 solo flights" than in the same number of dual training flights. A good and experienced instructor is able to identify the stage of training when the student needs no further support and will only assist in emergency situations. In order to identify possible further training needs and possible handling mistakes (e.g. fuel / propane management or flight planning / landing decision) it is sometimes better to be in the basket than being in the retrieve car. Taking this into account the Agency questions the statement made.

It should be also mentioned that the ICAO requirement asks for: "16 hours of flight time as a pilot of free balloons including at least eight launches and ascents of which one must be solo".

In order to allow the ATOs or instructors who wish to have the applicant completed more than only one solo flight the Agency will modify the wording in order to allow this. However, a minimum of 12 hours dual flight instruction will be kept. The remaining 4 hours could be completed as solo flights if so decided by the instructor/ATO (would allow also to do 10 solo flights).

comment

7157

comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

(a)(1)(ii)

Alternative amount of 3 hours solo flight (pilot-in-command) with 5 launches plus 3 flights with instructor is an impossible to complete if one has less than 3 hours. Only possibility then is the proficiency check with flight examiner. Alternative chance on FCL.140.S (a)(1)(ii) focuses only to pilots between 3 and 6 hours of flight time and less than 10 launches. It would be quite odd group of pilots.

Justification:

Alternative method to refresh skills for LPL(S) should clearly be possible with an instructor. Proficiency check with an instructor should be involved only for cases where there has been complete pause with flying more than 24 months. Otherwise this system starts to overload flight examiners by cases where more appropriate refreshment could clearly be given by flight instructors. This refreshment could well be completed with 3 hours training flight time within 5 launches and would also be logically in line with FCL.130.S (c) .

Proposed text:

Change text in FCL.140.S (a)(1)(ii) to read:

3 hours of training flight time including 5 launches with an instructor;

response

Partially accepted

Thank you for providing this comment.

The Agency agrees that there should be an alternative way of fulfilling the recency requirements.

Having reviewed the comments received and discussed the different options with the licensing experts, it was decided to add a requirement allowing that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

It has to be mentioned that option (a)(1)(ii) will be deleted as the proficiency check with an examiner every 6 years will be changed into a training flight with an instructor every 2 years (to be added under (a)(1)(i)). A second option as proposed before would make no sense any longer.

The text will be changed accordingly.

comment

7161

comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

(a)(2)

Requirement set for proficiency check every 6 years with an examiner is strongly oversized requirement for the purpose. Furthermore, it would require strong need to get volunteer sport aviators to be interested to be examiners and take care of the work of hundreds proficiency check flights according to the system. Such a system would also have markable cost effect due to examiners travelling and spending their time for proficiency checks for the whole national gliding community in addition, to their personal gliding activity

Justification:

In the gliding movement within Europe there is no signs that show this kind of an additional controlling system by proficiency checks with qualified examiners has to be created. In contradictory to heavy commercial aviation with professional fullday paid, sports aviation is free-time operation by volunteers. For example in geographically wide countries with not so dense population and taking account the seasonal part a year gliding possibility, to fulfil this kind of a requirement would create real practical problems. If a flight for checking glider pilots general skills is needed, it shall be able to be made by an instructor.

Proposed text:

Either delete the requirement as set on item (a)(2) or change it to read:

Has passed a training flight for skills refreshment with an instructor on a sailplane or powered sailplane at least on every 6 years.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment 7164 comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

(b)(2)

Requirement set for proficiency check every 6 years with an examiner is strongly oversized requirement for the purpose. Furthermore, it would require strong need to get volunteer sport aviators to be interested to be examiners and take care of the work of hundreds proficiency check flights according to the system. Such a system would also have markable cost effect due to examiners travelling and spending their time for proficiency checks for the whole national gliding community, in addition to their personal gliding activity.

Justification:

In the gliding movement within Europe there is no signs that show this kind of an additional controlling system by proficiency checks with qualified examiners has to be created. In contradictory to heavy commercial aviation with professional fullday paid, sports aviation is free-time operation by volunteers. For example in geographically wide countries with not so dense population and taking account the seasonal part a year gliding possibility, to fulfil this kind of a requirement would create real practical problems. If a flight for checking glider pilots general skills is needed, it shall be able to be made by an instructor.

Proposed text:

Either delete the requirement as set on item (a)(2) or change it to read:

Has passed a training flight for skills refreshment with an instructor on a TMG at least on every 6 years.

response *Noted*

Thank you for providing your opinion. However, this seems to be only a copy of your comment No. 7161. Please see the response for this comment above.

comment 7255 comment by: *Michael Heiß*

Why do we need a proficiency check?

Do we have too much accidents because of the lack of a check like this?

In most of our soaring clubs we have an internal rule, that each pilot has to make a checkup-flight each year with an instructor. I think, these internal rules are more sufficient than each kind of bureaucracy. This proficiency check will create bureaucracy because there will be the need of documentation.

response *Noted*

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment	<p data-bbox="352 241 424 273">7361</p> <p data-bbox="1099 241 1437 273">comment by: <i>Chris Bärthl</i></p> <p data-bbox="352 297 1342 329">Ein externer 'Examiner' erscheint mir aus folgenden Gründe übertrieben:</p> <ul data-bbox="352 331 1437 488" style="list-style-type: none"> - hoher bürokratischer Aufwand, verbunden mit - vermutlich hohen Gebühren - hoher Zeitaufwand für die Examiner - unnötige Verkomplizierung durch nötige Terminabsprachen und/oder unfliegbares Wetter <p data-bbox="352 524 1437 647">Des weiteren erscheint mir der Sicherheitsgewinn durch einen externen Examiner zweifelhaft. Ein normaler Fluglehrer sollte auch ausreichend qualifiziert sein, um mit einem Scheininhaber Überprüfungsflüge durchzuführen.</p>
response	<p data-bbox="352 674 437 705"><i>Noted</i></p> <p data-bbox="352 730 1362 761">Thank you for providing your comment on the proposed proficiency check.</p> <p data-bbox="352 797 1315 828">See the response for comment No. 4586 (Deutscher Aero Club) above.</p>
comment	<p data-bbox="352 891 424 922">7425</p> <p data-bbox="1083 891 1437 922">comment by: <i>Anja Barfuß</i></p> <p data-bbox="352 947 1437 1104">It is good to define regularly checks. But is it need that a examiner has to do it? For my understanding the same effect of safety could be reached if a FI do a regularly refresher with the holder. Referring to the high requirements for examiner defined in other part of this document, I would expect a lack of examiner and problems to organise this high number of tests.</p> <p data-bbox="352 1106 1437 1296">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 maybe for the instruction certificate. Further on I have to refresh my trainer licence, my 'Sicherheitsüberprüfung'... all with different intervals and different requirements and actions.</p> <p data-bbox="352 1332 1437 1391">Please review if a simplification for pilots with more than 1 licence could be found.</p>
response	<p data-bbox="352 1413 437 1444"><i>Noted</i></p> <p data-bbox="352 1469 975 1527">Thank you for providing this comment. See the response for your comment No 7417.</p>
comment	<p data-bbox="352 1592 424 1624">7483</p> <p data-bbox="1023 1592 1437 1624">comment by: <i>Philipp REHBEIN</i></p> <p data-bbox="352 1648 1437 1805">In FCL.140.S (a) (2) and (b) (2) and (c), "examiner" shall be replaced by "flight instructor". The need for an examiner would lead to an excessive increase in effort, cost and administrative requirements which can be avoided by granting the check flight privilege to flight instructors without any sacrifice of safety.</p>
response	<p data-bbox="352 1839 596 1870"><i>Partially accepted</i></p> <p data-bbox="352 1895 1362 1926">Thank you for providing your comment on the proposed proficiency check.</p> <p data-bbox="352 1962 1315 1993">See the response for comment No. 4586 (Deutscher Aero Club) above.</p>

comment	<p data-bbox="351 201 430 235">7567</p> <p data-bbox="973 201 1436 235">comment by: <i>Reinhard Heineking</i></p> <p data-bbox="351 257 1436 392">It is not necessary, that a proviciency check with an examiner has to be passed every 6 years. The current practice of passing a check flight within the gliding clubs normally once every year shows good results and is definitely enough check for gliding pilots.</p> <p data-bbox="351 392 1436 481">This is not regulated by law. I think it would be good to make this to an obligation, that an annual rr bi annual check flight must be performed with a local flight instructor.</p> <p data-bbox="351 481 1436 548">Possibly there should be a guideline or checklist of items to be trainees during check flight.</p> <p data-bbox="351 548 1436 616">In conclusion FCL140A.(S) (2) should be removed or replace by a rule covering the points mentioned above.</p> <p data-bbox="351 638 1037 672">Reinhard Heineking FI JAR_FCL PPL(A), TMG, GPL</p>
response	<p data-bbox="351 694 478 728"><i>Accepted</i></p> <p data-bbox="351 750 1356 784">Thank you for providing your comment on the proposed proficiency check.</p> <p data-bbox="351 817 1308 851">See the response for comment No. 4586 (Deutscher Aero Club) above.</p>
comment	<p data-bbox="351 907 430 940">7584</p> <p data-bbox="1005 907 1436 940">comment by: <i>Leiter LTB LSVRP</i></p> <p data-bbox="351 963 1436 1064">Siehe meine Bemerkungen bezüglich Proficiency-Check. Wegen meiner derzeit unbeschränkt gültigen Erlaubnis muß ich auf meinen Altrechten bestehen, hier genügen die angestrebten Stunden und Starts im Verlängerungszeitraum.</p> <p data-bbox="351 1086 1436 1153">FCL.140.S(c) Abgelaufene Scheine sollten nach Erfüllung der Bedingungen für die übliche Verlängerung unter Aufsicht eines Fluglehrers wieder aufleben.</p>
response	<p data-bbox="351 1176 446 1209"><i>Noted</i></p> <p data-bbox="351 1232 893 1265">Thank you for providing your comment.</p> <p data-bbox="351 1299 1436 1366">Please see the response for comment No. 413 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>
comment	<p data-bbox="351 1422 430 1456">7601</p> <p data-bbox="1117 1422 1436 1456">comment by: <i>cmueller</i></p> <p data-bbox="351 1478 702 1512">I disagree whith proposal</p> <p data-bbox="351 1512 1436 1579">(a) (2) a proficiency check with an examiner on a sailplane at least once in every 6 years</p> <p data-bbox="351 1601 1197 1635">It is a very high border for pilots in non-commercial air-sports.</p> <p data-bbox="351 1668 1436 1736">Practicing air-sports in clubs with a social structure and the requirments of FCL.140S (a) (1) should be a sufficient control of the ability of a pilot.</p> <p data-bbox="351 1769 1436 1859">It could be an alternative to replace the examiner by an FI. A practicing FI has sufficient tranining and has to refresh his knowledge so that an FI should be able to do this.</p> <p data-bbox="351 1892 1436 1993">The duty of proficiency checks in the draft would bring some additional personel and costs to the gouverment and the pilots. The existing situation with the amout of FI could help to reduce this.</p>

response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the proposed proficiency check.</p> <p>See the response for comment No. 4586 (Deutscher Aero Club) above.</p>
comment	<p>7608 comment by: <i>Stampa Hartwig</i></p> <p>FCL.140.S (a)(2): A proficiency check with an examiner on a sailplane at least once in every 6 years is not practibel, because we need a lot of examiners to do it. But we haven´t enough. Also it is very bureaucratical in use and therefore expensive. Suggestion: Check flight every 6 years with an instructor. The instructor certificates the examination niveau of student pilots, why not for pilots? The rules are not consistent in this case.</p> <p>Gliding is carried out honorary in clubs with a high level of social control.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the proposed proficiency check.</p> <p>See the response for comment No. 4586 (Deutscher Aero Club) above.</p>
comment	<p>7620 comment by: <i>Oliver Betz</i></p> <p>The "proficiency check with an examiner once in every 6 years" will hardly result in more safety than the well established frequent checks by an instructor.</p> <p>Proposal: Allow checks by an instructor.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the proposed proficiency check.</p> <p>See the response for comment No. 4586 (Deutscher Aero Club) above.</p>
comment	<p>7634 comment by: <i>Rudi Fecker</i></p> <p>Die angedachte, wiederkehrende Prüfung von Piloten und Fluglehrern ist unverhältnismäßig, kostentreibend und wird keine zusätzliche Sicherheit erbringen. Vielmehr sind die Vereinsstrukturen und die Ausbildungsrichtlinien so ausgerichtet, dass die theoretischen und praktischen Fähigkeiten der einzelnen Lizenzinhaber kontinuierlich überwacht werden. Fortbildende Belehrungen und Überprüfungsflüge sind verpflichtend in der Vereinszugehörigkeit.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment on the proposed proficiency check.</p> <p>See the response for comment No. 4586 (Deutscher Aero Club) above.</p>
comment	<p>7648 comment by: <i>LSG Erbsloeh</i></p>

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, so wie man Radfahren und Schwimmen nicht verlernt. Entscheidend ist immer der jeweilige Trainingszustand für die sichere Beherrschung des Luftfahrzeuges. Statt der Befähigungsüberprüfung durch einen Prüfer sind Auffrischungsflüge mit Vereinsfluglehrer sinnvoller und zweckmäßiger. Die notwendige Inübungshaltung ist durch das Vereinsumfeld, damit gewährleistet.

response *Noted*

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment

7791

comment by: *Oliver Garlt*

Ich schlage vor, die geplanten Checkflüge von einem Fluglehrer überprüfen zu lassen und nicht von einem Prüfer. Die Flugsicherheit wird auch bei einem Überprüfungsflug mit einem Fluglehrer erreicht.

Überprüfungsflüge nur von einem Prüfer abnehmen zu lassen, hätte Nachteile für den Luftsport. Es würde zusätzliche Bürokratie verursachen sowie zusätzliche Kosten (z.B. Reisekosten). Prüfer sind nicht wie Fluglehrer in jedem Verein vorhanden.

Die Vereine, in denen die Fluglehrer tätig sind, sind in den meisten Fällen auch die Halter der Segelflugzeuge und an hoher Flugsicherheit und pfleglichem Umgang mit den Flugzeugen interessiert. Fluglehrer sind Teil des „Sicherheitssystems Verein“.

response *Partially accepted*

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment

7939

comment by: *Wolfgang Lamminger*

According to today's applicable regulations JAR-FCL 1.245 (c) (1) (ii), the renewal of the rating should also in future be carried out only by a training flight or "flight review" with a flight instructor."

The in the NPA mentioned proficiency-check every 6 years

- brings up a needless bureaucracy for the holder
- brings up a needless raise of cost for renewal of the rating
- brings a needless delay for the renewal of the rating, because the current organisation of the local aviation authorities is not almost able to represent the necessary number of Flight-Examiners (FE) and it will not be able to do so in future, because of the relation of the number License holders and Flight examiners. The way, private aviation is nowadays organized in Germany and adjacent countries, is oriented in a considerable extent in voluntary and unsalaried staff.
- does not at all raise safety by carrying out a checkflight every 6 years.

In fact, security only can be achieved by practise and training. A checkflight with an "authorized" examiner will never reach the quality of a training within a trustfully "trainer-trainee" relation.

- it is in question, if in areas where today already periodical checkflights for rating prolongation take place, a significant raise of safety is achieved. (e. g. instrument ratings, type ratings), or if not practise and training are exclusive crucial for today's standard.

It is suggested to replace the regulation as follows:

"passed a training-flight of a minimum of 1 hour with a FI(A) or CRI(A) within the last 24 month"

A reduction of the period to the last 12 month would not be suggestiv, because the general validity of the rating is 24 month and different time ranges would be in dissent to the general validity of the rating/license.

Alternatively it could be suggestive to include the requirement of theory training into the regulation as follows:

„passed a training-flight of a minimum of 1 hour and 1 hour ground training with a FI (A) or CRI (A) [...]“

According to the regulations fort he renewal of ratings/licenses it has to be referred to the for decades proven praxis of "flight reviews" according FAR-AIM § 61.56.

It can be assumed, that currently rated and trained flight instructors have the necessary sense of responsibility, to conduct the renewal of ratings/licenses. If EASA couldn't decide to lapse the periodical proficiency checks, the qualification of flight instructors should anyway be expanded to the privilege of an "examiner", according to the mentioned rule.

response *Noted*

The Agency acknowledges the opinion expressed. However, the comment seems to be a duplicate of your comments No 7920 and 7938. See response provided already to your comment No 7920.

comment 7962

comment by: *Dr. Christoph Larisch*

Der Check durch einen Prüfer alle 6 Jahre ist unangemessen und führt in der Praxis zu einem Personalproblem. (wo sollen denn die ganzen Prüfer herkommen ?) Regelmäßige Überprüfung (z.B. alle 2 Jahre) durch einen Fluglehrer ist völlig ausreichend. Wem man die Entscheidung über den ersten Alleinflug eines Piloten zutraut, der kann sicherlich beurteilen, ob ein Lizenzinhaber einen ausreichenden Leistungsstand hat.

response *Noted*

Thank you for providing your comment on the proposed proficiency check.

See the response for comment No. 4586 (Deutscher Aero Club) above.

comment	7985	comment by: <i>Dr. Christoph Larisch</i>
response	<p><i>Noted</i></p> <p>No text provided with this comment.</p>	
comment	7986	comment by: <i>Dr. Christoph Larisch</i>
	<p>Der Check durch einen Prüfer alle 6 Jahre ist unangemessen und führt in der Praxis zu einem Personalproblem. (wo sollen denn die ganzen Prüfer herkommen ?) Regelmäßige Überprüfung durch einen Fluglehrer wäre völlig ausreichend. Wem man die Entscheidung über den ersten Alleinflug eines Piloten zutraut, der kann sicherlich beurteilen, ob ein Lizenzinhaber einen ausreichenden Leistungsstand hat.</p>	
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. See the response to your comment No. 7962.</p>	
comment	8048	comment by: <i>hyflyer</i>
	<p>Prüfercheck lehne ich ab. Die Richtlinien zur Lizenzerhaltung (Stunden, Starts und Übungsflug mit Fluglehrer) reichen völlig aus. Es ist zu befürchten, dass einige Piloten sich dieser Prüfung nicht mehr unterziehen wollen und ihr Hobby aufgeben. Damit geht Potenzial an ehrenamtlichen Tätigkeiten in den Vereinen verloren.</p>	
response	<p><i>Noted</i></p> <p>Thank you for providing your comment on the proposed proficiency check. See the response for comment No. 4586 (Deutscher Aero Club) above.</p>	
comment	8056	comment by: <i>European Sailplane Manufacturers</i>
	<p>The sailplane manufacturers disagree with the proficiency tests as proposed in this NPA.</p> <p>Generally the idea to subject all pilots to a sort of check flight is accepted and reasonable.</p> <p>But it is not reasonable to create another new sort of aviator now called "examiner".</p> <p>Alone the sheer number of sailplane pilots will result into a similar high number of examiners which do not yet exist. The reasonable solution would be to task the existing flight instructors with these check flights.</p> <p>The next problem is how to create a steady flow of check flights and not a need to checkk all pilots in a short period because everyone waits until the next 6 years have passed.</p>	
response	<p><i>Noted</i></p>	

Thank you for providing your comment on the creation of "another new sort of aviator now called examiner".

First of all the Agency would like to highlight that the term "examiner" was already used in JAR-FCL. In some of the national systems for the examination of sailplane pilots the word "examiner" (the German "LuftPersV" uses the same wording with the term "Prüfer") might not be used so far but the Basic Regulation asks for the introduction of examiners for all licence categories (Annex III para 1.j.).

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor

See the resulting text.

comment **8065** comment by: *European Sailplane Manufacturers*

Again:

Please no examiners but flight instructors.

They are already there....

response **Noted**

Thank you for providing this comment.
See the response to your comment No. 8056.

comment **8114** comment by: *Norwegian Air Sports Federation, Gliding Section*

It is the opinion of the Gliding Section of the Norwegian Air Sport Federation, that the requirement for a proficiency check with a flight examiner every six years should be replaced by a requirement for a bi-annual check flight with an instructor. This is a system which has been practiced for many years by several European countries, including Norway. In our opinion, it is better with more frequent (bi-annual) check flights with a well-qualified "normal" instructor, than with less frequent (every sixth year) check flights by an instructor with the highest possible qualification. Additionally, the requirement for proficiency checks every sixth year by an examiner, would place a heavy

burden on a usually very limited number of examiners.

Geir Raudsandmoen
on behalf of the Gliding Section of the Norwegian Air Sport Federation

response **Accepted**

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

8207

comment by: *Klagenfurter Flugsport Club*

(a)(2)

Wir erkennen keinen Sinn, wenn hier innerhalb von sechs Jahren eine Befähigungsüberprüfung durch einen Prüfer zu erfolgen hat. Wenn eine Person eine LPL(S) Lizenz besitzt und die Befähigungserfordernisse entsprechend (a) (1) erfüllt, gibt es keinen Grund, eine neuerliche Befähigungsüberprüfung durch einen Prüfer zu verlangen.

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

See the resulting text.

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 6:
Specific requirements for the LPL for balloons**

p. 17

comment 2719 comment by: *BMVBS (German Ministry of Transport)*

A LPL for balloons LPL(B) should not exist. It merely duplicates the BPL. The same arguments apply as in comment 2718 regarding sailplanes. The proliferation of LPL licences is confusing and adds unnecessarily to the complexity and bureaucracy of an already complex system.

response *Noted*

Thank you for providing your opinion.

However, the Agency would like to highlight that the EU Regulation 216/2008 explicitly asks the Agency to develop proposals for such a leisure pilot licence in Article 7.

The main differences are the different medicals and the commercial privilege for the BPL and the additional groups of balloons (size related).

comment 2996 comment by: *lotus Balloons*

The 6 yearly check ride could be carried out by instructors as there are very few examiners.

response *Partially accepted*

Thank you for providing your comment.

The Agency has reviewed and discussed the issue of the proficiency check during the review phase based on the enormous amount of comments dealing with this topic 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 aircraft categories and to introduce mandatory training flights with an instructor every 24 months (for helicopters every 12 months) instead. This was also proposed with your comment. It should be clarified that a proficiency check by definition can only be conducted by an examiner. Due to this the Agency will introduce a "training flight with an instructor".

It should be mentioned also that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The given numbers for the flight time and the take-offs will be changed as follows: "6 hours of flight time as pilot-in-command, including 10 take-offs and landings". The training flight with an

instructor will be added. This seems to be also an acceptable solution for the gas-balloon licence holders.

Furthermore a sentence will be added explaining that the missing take-offs or flight hours under (a)(1) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

2998

comment by: *lotus Balloons*

In the UK, under most conditions, **P1 plus 5** passengers is well within the design limitations for the maximum size balloon envelope of 4000m³. This is also the current maximum permitted occupancy for an un-partitioned basket.

response

Noted

Thank you for providing this comment.

Based on the discussions with the group of experts who were involved to draft the requirements for the Leisure Pilot Licence the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of three passenger which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase the number of persons on board.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL. Taking into account the comments received the Agency has decided to lower the maximum envelope capacity for the LPL(B) holder and to align it with the given maximum number of passengers.

The text will be changed accordingly.

comment

5171

comment by: *air events ballooning*

1. Limitting a 4.000 m³ with 4 persons carried is in some conditions to less load.

A LPL (without remuneration) will never fly in a 4.000 .

PROPOSAL: LPL should be limited at max 3000 m³ .

2. No explanation in the text about flying with a sponsored envelope .
is flying with a sponsored envelope without remuneration ok for LPL ??

response

Partially accepted

Thank you for providing this comment.

The Agency has together with the group of experts who were involved to draft the requirements for the Leisure Pilot Licence decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of three passenger which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers.

The second issue mentioned (sponsored envelope) cannot be clarified with these licensing requirements. If a certain activity must be defined as "commercial operation" or "against remuneration" has to be checked against the definition for commercial operation or remuneration provided with the Basic Regulation. It is not the task of the licensing requirements to define this. As the Basic Regulation states that this LPL should be developed for non-commercial activities the privileges will not be changed and flights against remuneration will not be allowed.

comment	<p>6718 comment by: <i>Tom Donnelly</i></p> <p>(c) <u>Instructors</u> rather than Examiners would be better suited to conduct proficiency checks.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see response to comment No. 2996 (Lotus Balloons).</p>

comment	<p>6813 comment by: <i>Ives Lannoy</i></p> <p>Nowadays in Belgium 7 hours of dual flight with an instructor are mandatory. This may be too little but i think to impose 16 hours is too much, so something in between would be in my preferences... In Belgium it is also obliged to have a minimum of 7 solo flights and this is a very good thing for pilots under training who need as much as possible practical experience before they make their first commercial flights, espacially in flying balloons, because interpreting the weather of his own and the forecasts is one of the main and most difficult things to learn, specifically when we talk about flight safety for balloons.</p> <p>Before getting a commercial licence in Belgium nowadays, you even need to have 50 more private flights to get more experience which i personnaly found a very good and necessary training shedule before starting to do commercial work.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment.</p> <p>The proposals for the LPL(B) are based on an evaluation of several national regulations of licencing requirements in Europe. The documents the group reviewed showed clearly that you will find countries in which 20 hours of flight training are required and that you will find countries with only 12 hours of training required. There are countries in which no solo flight is required and some countries where at least one solo flight is required. In some countries no solo flight is required so far. The balloon training experts involved considered the proposed minimum training requirements as a safe and realistic compromise and the Agency believes that the training syllabus contained in the</p>

AMC for this paragraph requires at least this amount of flight training. The Agency cannot follow the logic provided that only solo flights will allow the student pilot to do an interpretation of "the weather of his own" because this can be trained also during dual training flights. Nevertheless the text will be changed to allow the instructor to send the student pilot on more than only one solo flight if necessary.

The question of specific needs for commercial operations is not linked to the LPL as the LPL cannot be used for commercial activities. The requirements for the commercial privilege are contained in FCL.205.B.

comment **7351** comment by: *Gerrit Dekimpe*

1 solo flight is not enough ! A very low qualifed pilot can take passangers on board without any form of practical flying.

This is not thesame in an airplane where the captain always can take over

This is unacceptable ! At least 6 to 8 solo flights is ok and for dual flights 10 is more than right

response *Noted*

Thank you for providing this comment.

The proposals for the LPL(B) are based on an evaluation of several national regulations of licencing requirements in Europe. The documents the group reviewed showed clearly that you will find countries in which 20 hours of flight training are required and that you will find countries with only 12 hours of training required. There are countries in which no solo flight is required and some countries where at least one solo flight is required. The balloon training experts involved considered the proposed minimum training requirements as a safe and realistic compromise and the Agency believes that the training syllabus contained in the AMC for this paragraph requires at least this amount of flight training.

It has to be highlighted that the requirements in FCL.110.B requires "at least" one supervised solo flight. Nothing prevents the instructor to send the student pilot a second time for a solo flight.

The Agency does not understand the statement given about the qualification of the student pilot with only having one solo flight. It is the Agency's opinion that a pilot after having received at least 16 hours of dual training with a highly qualified instructor, having performed at least one supervised solo flight and completed successfully the skill test with an examiner should be sufficiently qualified to carry passengers. The statement provided saying "without any form of practical flying" is not understood.

comment **7593** comment by: *David Maine*

1. The number of flights is more important than the number of hours.

2. Proficiency Checks should be carried out by Instructors as there are more Instructors than Examiners.

response *Partially accepted*

Thank you for providing your opinion.

The Agency does not know on which paragraph and requirement the comment is exactly aiming on. The Agency in general agrees that the number of take-offs and landings is more important than the number of hours. This is exactly the reason why the requirements in FCL.110.B ask for 16 hours, 20 inflations and at least 20 take-offs and landings. In some European countries "in-between" landings for training purpose are allowed. This will allow the instructor to do much more landings than the required minimum of 20 landings.

For the recency requirement in FCL.140.B the Agency decided to change the numbers slightly in order to read: "10 hours and 10 take-offs".

Regarding the second issue the Agency has reviewed and discussed the issue of the proficiency check during the review phase based on the enormous amount of comments dealing with this topic 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 aircraft categories and to introduce mandatory training flights with an instructor every 24 months (for helicopters every 12 months) instead. This was also proposed with your comment. It should be clarified that a proficiency check by definition can only be conducted by an examiner. Due to this the Agency will introduce a "training flight with an instructor".

comment

7700

comment by: *Ballongflyg Upp & Ner AB*

FCL.105.B

I don't understand this LPL(B) because it seems to be the same requirements as for BPL.

I thought the requirements would be lower, maybe I have missed something.

response

Noted

Thank you for providing this comment.

The proposals for the LPL(B) are based on an evaluation of several national regulations of licencing requirements in Europe. The documents the group reviewed showed clearly that you will find countries in which 20 hours of flight training are required and that you will find countries with only 12 hours of training required. There are countries in which no solo flight is required and some countries where at least one solo flight is required. The balloon training experts involved considered the proposed minimum training requirements as a safe and realistic compromise and the Agency believes that the training syllabus contained in the AMC for this paragraph requires at least this amount of flight training.

The experts considered the same level of training necessary for the BPL.

The differences between the LPL(B) and the BPL are:

- the different medical (Class II for the BPL)
- the commercial privilege for the BPL only

The maximum envelope capacity of balloons as mentioned in the requirement containing the privileges for the LPL(B) pilot will be lowered taking into account the comments received. Therefore this will be another difference.

In your second statement you mention that the requirements for the LPL(B) could be lower. As no example or proposal is provided and most of the comments support the proposals published the Agency will keep most of the proposals unchanged.

comment	<p>8251 comment by: <i>Limited liability company Air Altitude With the liking of the winds</i></p> <p>Definition and clarification of the statutes of association, sporting leisuress <u>has nonlucrative goal</u>:</p> <ul style="list-style-type: none"> • NONcommercial Until 4000m3 - 3 passengers + the pilot • Trade undertaking beyond 4000 m3 article 3 of the EASA
response	<p><i>Noted</i></p> <p>Thank you for providing this comment and the questions about a clarification for non-commercial operations.</p> <p>The privileges of the LPL(B) holder exclude any commercial activity. For a commercial operation with balloons you will need a BPL with commercial privilege. This is not connected to the envelope capacity of a certain balloon. A 1800m³ hot-air balloon could be used for commercial operations which would require the pilot to hold a BPL with the commercial privilege.</p> <p>Taking into account the comments received the maximum envelope capacity will be lowered for the LPL(B).</p>

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 6: Specific requirements for the LPL for balloons - FCL.105.B LPL(B) - Privileges

p. 17

comment	<p>233 comment by: <i>Paul SPELLWARD</i></p> <p>The restriction to 3 passengers is too severe and also generally inconsistent with the size range of allowed balloons (a 4000 metre³ balloon would be under-loaded with pilot + 3 pax even in hot/high locations). Perhaps this has been transferred over from 4 seater aircraft?? In a typical club or syndicate environment in a 3000m³ or 3400m³ balloon (perhaps 4000m³ in hot/high locations), a PPL(B) would currently fly pilot+4 passengers. I suggest the LPL(B) proposal be changed to allow a maximum of 4 passengers (pilot +4 on board), in order not to damage current sport ballooning activities.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing this comment. However, the Agency does not agree on raising the amount of passengers allowed to carry with an LPL(B).</p>

Based on the discussions with the group of experts who were involved to draft the requirements for the Leisure Pilot Licence, the Agency has decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of three passenger which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see the mentioned danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The Agency cannot see why these proposals should "damage current sport ballooning activities" as pure leisure activities with a 3400m³ envelope can be performed without any problem under the given circumstances. The text will be changed accordingly.

comment

967

comment by: CAA Belgium

to be added: "NOT FOR REMUNERATION OR HIRE"

response

Not accepted

Thank you for providing this comment.

FCL.105. contains common requirements for the privileges of an LPL and defines: "The privileges of the holder of an LPL are to act without remuneration as pilot-in-command in non-commercial operations...".

The Agency does not agree in adding the proposed text in each of the different LPL sections because the aim of this requirement is also not to duplicate certain issues which are already clarified in the general part.

comment

1216

comment by: Julia DEAN

FCL.105. B Seems unnecessarily restrictive and would be interested to see the logic or evidence of need for this.

I feel it is liable to restrict and hinder the growth of flying syndicates or clubs. Many individuals share balloons (and associated costs) of sizes that allow them to safely fly pilot plus 6 ie 6 on board.

As the flying and training requirements and standard of flying required for both the BPL and the LPL are the same where is the evidence or need to suggest that the LPL should be restricted on numbers on board rather than size of balloon and would suggest up to and including a 140,000 cu ft balloon. There seems to be no safety argument.

In order to safely load a larger balloon additional fuel will have to be carried with the consequent risk to safety - both in the air and on the road.

An alternative option would be to make it pilot plus 5 as this would tie in with the maximum allowed in a typical non-partioned basket as used by sport or leisure pilots.

response

Not accepted

Thank you for providing this comment. However, the Agency does not agree on raising the amount of passengers allowed to carry with an LPL(B).

Based on the discussions with the group of experts who were involved to draft the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

1425

comment by: *Aero Club Oppenheim e. V.*

Auf jeden Fall sollte es für einen Piloten mit SPL oder PPL möglich sein weiterhin Selbstkostenflüge bis maximal 4 Personen durchführen zu können (Passagierflüge).

response

Noted

Thank you for your comment.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The proposed wording is based on the framework given by the EU Regulation 216/2008 for this kind of licence. Article 7 of this Basic Regulation mentions a leisure pilot licence "covering non-commercial activities" only. In Article 3 of this Regulation you will find a definition for commercial operation. This article states clearly: "commercial operation shall mean any operation of an aircraft, in return for remuneration or other valuable consideration".

A definition of the term "remuneration" or the decision if a certain flight or kind of operation (e.g. cost sharing) must be defined as commercial operation or not cannot be provided by Implementing Rules.

comment

1530

comment by: *Danish Balloon Organisation***FCL.105.B:**

We suggest the number of passengers onboard be a maximum of 4 such that there are never more than 5 persons onboard the balloon.

Justification: Balloons are very simple aircraft with low groundspeed.

response

Not accepted

Thank you for providing this comment. However the Agency does not agree on raising the amount of passengers allowed to carry with an LPL(B).

Based on the discussions with the group of experts who were involved to draft the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This allows carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are in the majority of cases offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

comment

2511

comment by: *Andrew Kaye*

This should be amended to allow LPL to carry upto 4 passengers, i.e. Pilot plus 4 . I regularly fly a private 120,000 cu.ft balloon with this loading well within the parameters of the Flight Manual. Or in fact a LPL should be allowed to carry as many passengers as dictated in the flight manual of that particular balloon upto a size of 4000M3

response

Not accepted

Thank you for providing this comment. However, the Agency does not agree on raising the amount of passengers allowed to carry with an LPL(B).

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

2526

comment by: *Eleanor Fearon*

I am a pilot for a University ballooning society providing one of the few ways that introduces young people to our sport in the UK. We operate a "105" size balloon (approximately 3000m³) with turning vents, which can carry up to 5 people (4 passengers) according to the flight manual. Being able to carry this number of passengers throughout most of the year in the cooler UK climate enables us to offer ballooning at a reasonable price to our members and pilots

and get as many people into the sky as possible.
It would surely be more sensible for the number of passengers permitted and the maximum balloon size to equate. Pilot + 4 would be good, pilot +5 would be better since this is the max. allowed in a non-partitioned basket and this is perfectly reasonable for a 4000m³ balloon.

response *Noted*

Thank you for providing this comment.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration (as already mentioned in the comment) this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment 2533

comment by: *Lindsay MUIR*

I think that this should be increased to a maximum of 6 persons on board (pilot plus 5) as this would tie in with the maximum number of persons currently allowed in a non-partitioned basket (with turning vents).

response *Not accepted*

Thank you for providing this comment. However the Agency does not agree on raising the amount of passengers allowed to carry with an LPL(B).

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

comment 2538

comment by: *Tony KNIGHT*

I fly a Cameron O 90 and have it insured for myself plus 3 (4 in total), however I find this ruling restrictive and dictatorial in that if we are allowed as pilots to fly an 'aircraft' able to carry 6 in total (which is the maximum for the type of balloon we can fly under this licence), then that is what the ruling should be.

In tethered flight situations (not relevant to other aircraft), it would be useful to up my insurance to carry the maximum number of passengers for the balloon type. This is sometimes the case when doing charity tethered rides at local events. To take 5 up to a height of 20 metres whilst tied on 3 points, does not pose the same problems as taking that number in a free flight. However, your blanket ruling does not take into account those different uses of a hot air balloon.

response **Noted**

Thank you for providing this comment.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

The issue of tethered flights was discussed during the group meetings. You will find tethering techniques in the AMC for the training syllabus but it was decided not to create different licensing Implementing Rules for this specific kind of balloon operation. This also leads to the conclusion that for tethering flights the same requirements will apply as regards the maximum number of persons on board. The Agency cannot see the need to have more than 4 persons on board during a tethering flight conducted by a Leisure Pilot Licence holder.

comment 2586

comment by: *len vaughan*

allow pilot plus five, the maximum allowed in a non partitioned basket now. i see no good reason to limit lpl to 4,000 cubic meter, this will limit lng distance flyin

response **Not accepted**

Thank you for providing this comment.

Based on the discussions with the group of experts who were involved in

drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This will allow to carry a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the smallest group to be flown with the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

2618

comment by: *Tim DUDMAN*

In the UK, a 4000m³ balloon is capable of carrying more than pilot + 3. Private balloons are commonly 105,000cu.ft, which carry pilot + 4 on a cost sharing basis. This regulation would cause problems for many syndicates, including the university balloon clubs, which train new pilots and encourage new blood into the sport.

response

Noted

Thank you for providing this comment.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of three passenger which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities or "clubs, which train new pilots". The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the smallest group to be flown with the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

The issue of tethered flights was discussed during the group meetings. You will find tethering techniques in the AMC for the training syllabus but it was decided not to create different licensing Implementing Rules for this specific

kind of balloon operation.

comment

2635

comment by: *Martin Axon*

LIMIT ON PASSENGERS FCL 105 B Page 17

Limiting the number in the basket to pilot plus 3 does match the envelope size. Our syndicate uses a 120 envelope (with turning vents) and we fly pilot plus 4 in the basket. If imposed this condition would considerably increase our syndicate operating costs without improvement in safety.

response

Noted

Thank you for providing this comment.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons in total. This allows to carry a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

2674

comment by: *Peter Dalby*

Number of passengers in a balloon up to 4000m³. The limit of 3 passengers does not make sense from a load point of view. A balloon of this size is easily capable of lifting pilot plus 4 or even 5 passengers (all factors taken into account). The maximum limit should be 5 passengers. In cool temperatures, at sea level and with light passengers, a lightly loaded 4000m³ balloon would be more difficult to fly than one that is more correctly loaded for its capacity. Please make rules based on common sense and mathematical calculations and for no other reason!

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see

a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

2693

comment by: *David Usill*

There are some pilots, who do not wish to become Instructors, who's experience in certain types of flying would enhance a students training. Rather than exclude these hours a 500 hour experience level could be set for being allowed to train.

response

Noted

Thank you for providing this comment.

It seems that this comment should be assigned to another segment. If the comment aims on the prerequisites for becoming an instructor, the Agency does not agree that an experienced pilot without being trained as instructor should be allowed to train. Furthermore, the EU Regulation 216/2008 clearly defines that only instructors will be allowed offering flight training.

comment

2696

comment by: *David BAKER*

FCL.105.B I would suggest that pilot plus 5 should be the maximum, as this is the maximum allowed in a non partitioned basket (with turning vents).

response

Not accepted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The Agency cannot see a relation between the licence and the certification status or technical features of the balloon (non-partitioned basket/turning vents/fast-deflation system) in this case.

comment	<p>2706 comment by: <i>barry hammond</i></p>
	<p>Suggests this makes more sense in a balloon of 140 size that this be extended to pilot plus 5 persons</p>
response	<p><i>Not accepted</i></p>
	<p>Thank you for providing your opinion.</p> <p>Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency has decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.</p> <p>The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.</p> <p>Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly Thank you for providing your opinion.</p>
comment	<p>2712 comment by: <i>Kenneth Scott</i></p>
	<p>The need to have a checkflight with an examiner for a LPL is unworkable for the ballooning sport. The size of the sport is such that there are not enough examiners to cover the demand. Far better to allow Instructors to carry out these checks</p>
response	<p><i>Not accepted</i></p>
	<p>Thank you for your response. See response for comment No 2696.</p>
comment	<p>2725 comment by: <i>ray LESLIE</i></p>
	<p>for simplification purposes,it would make more sense to use the non partitioned basket(assumeing envelope turning vent equipped)limit for pax limit,irrespective of envelope or country climate etc,ie setting maximum at PILOT+5 simplifys and synchronises limits.</p>
response	<p><i>Not accepted</i></p>
	<p>Thank you for your response. See response for comment No 2696.</p>
comment	<p>2729 comment by: <i>Huw PARKER</i></p>
	<p>Why must this clause restrict an LPL holder in two ways. Firstly, the LPL holder</p>

is restricted to flying an envelope less than 4000m³ and then further restricted by the number of passengers he can carry. The whole point of flying a larger envelope is to maximise the lift capacity and enjoy flying with family and friends. This should be increased to allow at least a pilot plus 4 passengers or pilot plus 5 for balloons greater than 105 cu ft.

response *Not accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment 2732

comment by: *R I M Kerr*

I suggest pilot +5, which corresponds to the maximum for a 4000 cu m envelope.

response *Not accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum

number of passengers. The text will be changed accordingly.

comment

2753

comment by: *Jamie Campbell*

this limit being set this low is extremely prohibitive. i learnt to fly at a university balloon club and we could not have afforded to split the costs and get enough people flown if we had flown with less than 5 people. We have a 105,000qft envelope which is well inside the restriction so why not up the passenger limit. ballooning is already self regulating and demands a partitioned basket at above pilot + 5. Why not make the limit pilot + 5 or worded as non partitioned baskets only which is already regulated. lets not make a perfectly safe leisure activity only available to the rich through unnecessarily prohibitive legislation.

response

Not accepted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities or flight training. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The Agency cannot see a relation between the licence and the certification status or technical features of the balloon (non-partitioned basket/turning vents/fast-deflation system) in this case.

comment

2807

comment by: *Richard Plume*

I have no problem with the maximum size of balloon proposed for LPL, but this does not correspond to the number of passengers. I regularly fly a Cameron 90, and it is not unusual to fly Pilot plus 4 even in this, if two of the passengers are children. To limit it to a maximum of 3 passengers is unnecessary and very inconvenient. For a limit of 140,000cu ft (4000m) a passenger limit of Pilot plus 5 is a more sensible limit, otherwise it is a waste of time allowing 140,000 cu ft (4000m) in the first place, there is no logic here.

Once again, you are introducing rules where there is no requirement (based on safety rules, or accident statistics) based on the balloon flying experience in UK or elsewhere in Europe. I see no purpose in this limitation, it is an annoyance with no purpose.

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL

categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly

comment

2868

comment by: *Jeremy Hinton*

I dislike the restriction to 4 persons max. on principle, but in practice 4 adults is about right for that size of balloon. Perhaps the requirement could be expressed in terms of loading.

I have just realised that in the case of our balloon, we normally fly with the 3 co-owners, and a very small number of friends. This proposal would reduce that number to one. The co-owners are all pilots.

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly

comment

2873

comment by: *richard benham*

With the weather conditions in the UK, if I was to fly my colleague's 105,000 cu ft. balloon, the current proposal would restrict the number of friends that I could fly with in the basket. It would my strong preference to change this to read "pilot PLUS four" to allow a total of 5-up which is more than OK in a 105

balloon. In addition, where a balloon employs turning vents, pilot PLUS five should be the maximum in a balloon incorporating a non-partitioned basket
R.Benham

response *Not accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of three passengers which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The Agency cannot see a relation between the licence and the certification status or technical features of the balloon (non-partitioned basket / turning vents / fast-deflation system) in this case.

comment

2891

comment by: *Robert WORSMAN*

This rule is not logical or fair. A balloon of 4000m³ will carry pilot plus 5 (max 6). It appears the calculations have not been carried out with respect to flying in Scotland. It appears the calculations have only been performed for flying in germany, france or italy flying in summer conditions or alpine flying. The rule must be recalculated to be fair to those flying in other parts of the EU.

In Scotland a 90,000ft³ balloon can carry pilot and 4 passengers most days. Flying in Scotland is not frequent due to the higher average wind speeds. Initiating a rule that may work on the continent is not fair and equitable to those flying in Scotland.

Limiting passengers to a continental payload will reduce the sport in Scotland. It will reduce the chance PUTs have to fly. It will only work to kill off the sport of ballooning in Scotland.

It is a nationalistic policy presumably drawn up by those of no knowledge of ballooning in Scotland. It infringes on civil liberties.

The rule must be re-drawn to allow pilot + 5 passengers.

response *Not accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see

a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

2960

comment by: *tobydavis*

This is unnecessary in a cold country such as the uk. A balloon this size is capable of flying pilot plus 4 passengers with the right atmospheric conditions. All pilots carry out load charts before flight so it would be better to leave it to their judgement.

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

2990

comment by: *Julia WILKINSON*

The limits imposed here are not compatible with UK envelope sizes. It would make more sense that pilot plus 4 is allowed as a 105 is a typical club-size balloon.

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in

drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

3011

comment by: *Richard ALLEN*

Given the maximum size of balloon that will be permitted to be flown by an LPL(B) holder, it would be sensible to allow pilot plus 5 (i.e. 6 persons) to be the maximum permitted to be flown. This is the maximum allowed in a non-partitioned basket.

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The Agency cannot see a relation between the licence and the certification status or technical features of the balloon (non-partitioned basket/turning vents/fast-deflation system) in this case.

comment

3056

comment by: *Peter Kenington*

Pilot plus 5 passengers would seem to be a more logical limit, since this is the maximum number of passengers allowed in a non-partitioned basket (with turning vents). Anythin under pilot plus 4 passengers would be unduly restrictive for normal balloon syndicate flying (e.g. with a 105,000 cu. ft. balloon).

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The Agency cannot see a relation between the licence and the certification status or technical features of the balloon (non-partitioned basket/turning vents/fast-deflation system) in this case.

comment

3106

comment by: *Rory Worsman*

I do not agree with this rule. The maximum number of passengers should be 5 + 1 pilot. Total 6people. This will then make sense with the envelope size. An envelope of 90,000 ft³ (or 2500 m³) is amply sufficient to carry pilot + 4 in Scotland most days of the year.

I do not believe this rule has been thought out with consideration to all countries in the EU. This rule appears to either be thought out for flying in warm southern EU climatic conditions or for high altitude alpine conditions. Or perhaps it has been blindly copied from rules for a 4 seater light aircraft,

Full and proper consideration must be made for flying in all countries of the EU and not just those centred on France and Germany.

I have a balloon of 2500m³ and fly with 4 passengers in Scotland. This rule will prevent me from flying why??? An envelope this size is fully certified to fly with pilot+4 by all balloon manufacturers. I would suggest that the balloon manufacturers are significantly more experienced than EASA in such matters and EASA should respect the experience and knowledge of the balloon manufacturers in the matter and allow pilot + 5 passengers on all balloons up to 4000 m³

response

Not accepted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The Agency cannot see a relation between these limits for a certain leisure

pilot licence and the certification status or technical features of the balloon (non-partitioned basket/turning vents/fast-deflation system).

comment **3143** comment by: *FOCA Switzerland*

B/Section 6
FCL.105.B

Change privileges as follows:

.. with a maximum of 3500m³ instead 4000m³ (certification limitation).

response *Partially accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

However, the Agency would like to highlight that the comment regarding a specific "certification limitation" is not understood. There are different balloon types, different basket types and different envelope sizes which result in a certain limitation for the maximum amount of passengers to be carried but there is no direct link between the envelope size of 3500 m³ and 4 persons on board.

comment **3177** comment by: *Derek Maltby*

This should be allowed for a pilot plus 5 pax for a 105,000 cu. ft. envelope.

response *Not accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial

activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

3190

comment by: *Stephen LAW*

The maximum balloon size and the number of passengers do not agree, certainly in the mild UK climate, and as 5 passengers offer no difference to how a balloon operates over 4 passengers, albeit the weight difference, it would make more sense to have a maximum of 4 passengers with 1 pilot (total 5)

This would allow the UK average load and size to continue, and would not affect balloon flights in a country where there are already so few chances to fly due to the weather.

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

3387

comment by: *Peter MEECHAM*

This is too restrictive. If a pilot can fly a I40 balloon he should be able to take up to 5 passengers.

response	<i>Noted</i>
	Thank you for providing your comment. See response for comment No 3190.
comment	3428 comment by: <i>Susana Nogueira</i>
	Change 4.000 m ³ by a 3.500 m ³ . Justification: Certification limitation.
response	<i>Partially accepted</i>
	Thank you for providing your opinion. See response for comment No 3143.
comment	3515 comment by: <i>Graham CANNON</i>
	A pilot and 5 passengers should be allowed, this would fall in with this being the maximum in a non divided basket
response	<i>Not accepted</i>
	Thank you for providing your opinion. Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure pilot not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege. The Agency cannot see a relation between these limits for a certain leisure pilot licence and the certification status or technical features of the balloon (non-partitioned basket/turning vents/fast-deflation system).
comment	3568 comment by: <i>Francesca WORSMAN</i>
	This proposal is neither logical nor fair. A balloon of 4000m ³ can carry pilot + 5 perfectly safely in Scotland. This rule is only applicable to much hotter climatic conditions or much higher altitudes. The rule is not fair nor equitable to those flying in Scotland. The proposal is a nationalistic policy supporting only those countries close to the centre of europe it is divisive and has not considered all the nations of the EU. It must be redrawn to allow pilot + 5 passengers. I fly in a balloon of 2500m ³ and most days the balloon very safely carries pilot + 4 in Scotland. Limiting to pilot+3 will severely limit my chance to fly as a PUT - flying days in Scotland are rare and the end result will be to prevent ballooning in Scotland.

response

Killing balloon flying for PUTs in Scotland will encourage PUTs to fly in very soft weather conditions in Europe, gain a license there and then return to Scotland with no knowledge or experience of flying in Scotland. This is a very dangerous approach to the sport but it is what the proposal will encourage.

Noted

Thank you for providing your opinion.

Please see the responses already provided to similar comments No. 2891 and No. 3106.

There was no justification or explanation given why a limitation to Pilot plus 3 for the LPL should severely limit the chance to fly as PUT. The amount of passengers on board has no relation to the mostly weather related possibilities for flying a balloon. If for certain reasons (cost sharing - transport of passengers against remuneration) the carriage of more than 3 passengers is required, the pilot has to hold a BPL for the specific group of balloons (envelope size related).

comment

3640comment by: *Peter van Harten*

I herewith comment on the 4000m³ balloon, which is way too big in my opinion for a safe flight operation with total of 4 POB. I would consider to a maximum of 3000m³ balloon, in wich safe flightoperation with max. 4 POB is proven for years.

response

Partially accepted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

3675comment by: *Sarah Bettin*

If you are flying a 4000 cubic metre balloon the capacity of the balloon could easily carry a pilot plus 5 passengers. There should not be a restriction placed

on the LPL(B) license as to the number of passengers you can carry - there is a natural restriction in place depending on the size of balloon that is being flown and weight, temperature and altitude. The restriction of a maximum of 3 passengers is not necessary and does not make sense. There is no need for this limitation as has been proved with the current UK system.

response *Noted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly

comment 3722

comment by: *Klaus HARTMANN*

Die Ballongröße von 4000m³ für maximal 4 Personen ist aus Sicht der Sicherheit eine äußerst ungeeignete Kombination:

Ein typischer Heißluftballon mit 4000m³ Hüllenvolumen hat ein Leergewicht von ca. 250 kg. Mit 4 Personen je 80 kg und 4 Gasflaschen je 38 kg ergibt sich ein Startgewicht von nur 722 kg. Zum Vergleich dazu liegt die maximale Startmasse für einen Ballon dieser Größe bei 1250 kg also über 500 kg höher.

Wenn die Meteorologischen Verhältnisse denen der Standardatmosphäre gleichen (15°C in Meereshöhe, Temperaturabnahme in der Höhe 2°C/1000 ft,), hebt der Ballon bereits bei einer Hüllentemperatur von nur 64,7°C ab. Steigt dieser Ballon auf eine Höhe von 1000 m fährt er dort ausgeglichen mit einer Temperatur von nur noch 63,4°C, also niedriger als am Startort. Bei 0°C am Boden beträgt die Temperatur zum Abheben nur noch 44,3°C.

Daraus folgt :

1. Der Ballon ist beim Aufrüsten und zum Start nur schwer prall zu bekommen. Vor dem Start am Boden wirken daher bei Windeinwirkung die ca. vierfachen Kräfte an der Startfessel als bei einem prallen Ballon.

2. Bei der Landung mit Wind müssen lange Landeflächen zur Verfügung stehen, da der Ballon nur schwer zum stehen gebracht werden kann.

3. Da bei dieser niedrigen Beladung in der Höhe eine niedrigere Hüllentemperatur benötigt wird als in geringeren Höhen ist der Ballon aerostatisch labil. Der einmal ins Steigen gebrachte Ballon steigt lange Zeit weiter ohne das geheizt wird, kommt der Ballon ins Fallen ist es sehr schwer ihn kontrolliert abzubremesen.

Diese genannten Verhaltensweisen bergen Gefahren, besonders für ungeübte Piloten. Daher sollte die Kombination Ballongröße/Insassen für LPL(B) geändert werden.

Eine Erhöhung der Passagierzahl macht wenig Sinn da bereits die Mitnahme von 3 Passagieren für leisure pilots die auch kein Entgelt nehmen dürfen hoch ist. Für ein 4000m³ Ballon wären 6 Insassen die richtige Zahl.

Unter der Annahme dass der LPL(B) weiterhin für 4 Insassen im Ballon gültig sein soll, ist eine Hüllengröße von 3400m³ geeignet. Sie erlaubt Fahrten auch in höher gelegenen Regionen und Fahrten bei hohen Temperaturen im Hochsommer. Eine Über- oder Unterbeladung kann immer leicht vermieden

Allerdings gibt es in einigen Mitgliedsländern sehr spezielle Verhältnisse durch das Vorhandensein von Hochgebirge wie z.B. in der Schweiz, Österreich, Italien, Frankreich, Spanien und angrenzend auch Deutschland. Dadurch ergeben sich erhöhte Anforderungen an die Leistung des Luftfahrzeugs bedingt durch die unerläßliche Mitnahme von nicht unerheblicher zusätzlicher Sicherheitsausrüstung und hohen Gasreserven im Gegensatz zu Fahrten in flacheren Gebieten.

Um in diesen Hochgebirgsregionen die Ausübung in sicherer Weise auch den LPL(B) Piloten zu ermöglichen wird folgendes vorgeschlagen:

Nach einer theoretischen Hochgebirgseinweisung und einer praktischen Einweisung auf einem Ballon mit der Hüllengröße zwischen 4000m³ und 4500m³ wird die maximal fahrbare Hüllengröße für den LPL(B) Piloten auf 4500m³ mit maximal 4 Insassen erweitert.

Dieses spezielle Vorgehen ist auch deswegen wünschenswert, da im Syllabus für LPL(B) das für viele Piloten wenig relevante Thema Hochgebirgsfahrten nicht enthalten ist.

Die vorgeschlagenen Hüllengrößen für LPL(B) Lizenzen können unabhängig von den definierten Ballongruppen bleiben und brauchen keine neuen Gruppen zu definieren.

response *Partially accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of three passengers which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intention to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

The given proposal to reduce the maximum envelope size for the LPL in

general (the Agency will introduce a limit of to 3400m³) but to develop some kind of an extension to a larger envelope size after having received a specific theoretical and practical training was discussed during the review of the comments. However, as the concept of the LPL is aiming on a simple system without additional extensions for other envelope sizes (see BPL requirements), the Agency decided not to introduce further groups defined by the envelope size.

comment **3771** comment by: *DGAC FRANCE*

FCL 105.B

To harmonize with the certification limit. It will be easier for the users to deal with the same limitation.

FCL 105.B. LPL (B) Privileges

The privileges of the holder of a LPL for balloons are to fly hot-air balloon or hot-air airships with a maximum of ~~4000~~ **3500** m³ envelope capacity,...

response *Partially accepted*

Thank you for providing your comment.
See response for comment No 3143.

comment **4085** comment by: *SFVHE*

In meinen und sicherlich vielen anderen Vereinen werden seit rund 40 Jahren unfallfrei Passagierflüge (1+3) durchgeführt, ohne das je Anforderungen wie bei einem gewerblichen Unternehmen erforderlich waren. Diese sollte auch weiterhin möglich sein, um den Flugsportvereinen das Überleben zu ermöglichen.

response *Noted*

Thank you for your comment.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation (e.g. cost sharing) must be defined as commercial operation or not cannot be provided by these Implementing Rules for licensing. The mentioned requirements for the operators are contained in the NPA on OPS and will not be regulated in Part-FCL.

The Agency cannot see the need for an LPL licence holder to act against remuneration. The proposed wording is based on the framework given by the EU Regulation 216/2008 for this kind of licence. Article 7 of this Basic Regulation mentions a leisure pilot licence "covering non-commercial activities" only. In Article 3 of this Regulation you will find a definition for commercial operation. This article states clearly: "commercial operation shall mean any operation of an aircraft, in return for remuneration or other valuable consideration".

comment **4152** comment by: *Medical Officer BBAC*

Balloons from 3000 - 4000 m³ can easily carry 5 persons on board in winter

	<p>months and are safer to fly when not lightly loaded. Therefore this rule should be amended to state pilot plus 4 (with up to 5 in the basket) so that these balloons can be operated safely.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. See response for comment No 3190.</p>
comment	<p>4189 comment by: <i>Bart Sebregts</i></p> <p>For safety reasons a hot-air balloon in this case may not be bigger than 3400 m3 in stead of 4000 m3</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.</p> <p>The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.</p> <p>Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly</p>
comment	<p>4213 comment by: <i>Cary Crawley</i></p> <p>Privileges should be limited for hot air balloons with envelope capacity no greater than 2975 cu.m. or 105,000 cu.ft.This size is sufficient for most legitimate "sporting"activities and would not exclude "adventure"flights of distance or exotic location. To permit a larger size is to encourage the prospect of unregulated,unlicenced,unreported and uninsured commercial ballooning hidden in the form of "Cost Sharing" and psuedo club flights.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see</p>

a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment 4215 comment by: Cary Crawley

Allowing the use of hot air balloon envelopes of a size as large as this will create an often irresistable temptation in lesser monitored areas for the carriage of extra passengers and therefore invalidate the insurance of all on board and all aspects of the flight. It would be wiser, in my opinion, not to put such temptation in a pilot's way and to restrict envelope size to a more appropriate "Sporting" size.

response *Noted*

Thank you for providing this comment.
Please see the response to your comment No. 4213.

comment 4460 comment by: Cary Crawley

I would suggest limiting initial issue for private pilot privileges to fly balloons of an envelope size no greater than 105,000 cu.ft in volume. This is in accordance with normal "Sport" ballooning. Maximum load should be 4 persons on board - including the pilot - and in compliance with manufacturer's Flight Manual Load-Charts. Transition to fly balloons of greater envelope volume should be after further training to Commercial Privileges standard but also after suitable experience and training levels have been reached in accordance with an appropriately regulated and formulated size-group Type Rating system.

response *Partially accepted*

Thank you for providing this comment.
Please see the response already provided to your comment No. 4213.

comment 4765 comment by: CAA Belgium

Privileges for a maximum of 3500 m³ instead of 4000 m³ (certification limitation)

response *Partially accepted*

Thank you for providing your opinion.
See response to comment No. 3143.

comment 4937 comment by: Hugh STEWART

I suggest that the maximum number of passengers be increased to 4 as this would allow for a basket typically used by syndicate flying a balloon with a 105,000cu ft balloon in the UK and is appropriate for UK environmental conditions. As an alternative, could the maximum be a pilot plus five passengers be permitted as this is the maximum number that is allowed in a non-partitioned basket with turning vents.

response *Not accepted*

Thank you for providing your comment.
Please see the responses to comments No. 3190 and No. 2696.

comment

4940

comment by: *Graham PHILPOT*

This should be set at pilot +5 as this is the max number of passengers specified for a non-partition basket.

response

Not accepted

Thank you for providing your comment.
See responses to comments No. 3190 and No. 2696.

comment

5075

comment by: *Lenny Cant*

Why are LPL holders allowed to fly with balloons upto 4000m³? Nowadays some pilots take 6 passengers along with these balloons. When LPL holders will be allowed to fly balloons up to 4000m³ I am pretty confident that they will also be operating commercially. How will these things be checked and how can people who don't comply with these rules be punished? I think balloons with a volume 2600m³ or maximum 3000m³ with maximum 3 passengers (4 people total) should be allowed. When you allow 4000m³ you will automatically get abuse.

response

Partially accepted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intention to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment	<p>5090 comment by: <i>Ciers Gino</i></p>
	<p>To be a good balloonist, the only thing you need is experience and flight hours. Important is enough hours on easier to fly 'small' balloons and after enough experience fly bigger balloons. Also, your ratings are impossible to follow LPL max. 4000 m3 with only 3 passengers = dangerous and not practicable in real ballooning. A 4000 m3 balloon should be flown with a minimum of pilot + 4 or 5. So LPL should be: only 3 passengers = 2600m3 or 3000m3 balloons, not bigger.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.</p> <p>The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.</p> <p>Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly</p>
comment	<p>5257 comment by: <i>Lindsay Sadler</i></p>
	<p>Most sport ballooning is done by syndicates who have balloons of 105,000cuft, these typically will fly pilot plus four, reducing the number of passengers under the LPL to pilot plus three will have a negative effect on sport ballooning and stop what have been very safe practices for the last 30 years. Please allow pilot plus 4.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment. See responses to comments No. 3190 and No. 2696.</p>
comment	<p>5260 comment by: <i>Rita Marshall</i></p>
	<p>In the UK a 105 balloon carries Pilot + 4 A 440 balloon carries Pilot + 5, safely all year round. This differs in warmer climates, especially in summers, this can be seen from Manuafactureres Specification.</p> <p>I request that you either allow Pilot + 4, or Pilot + 5 with turning vents.</p>
response	<p><i>Not accepted</i></p>

Thank you for providing your comment.
See responses to comments No. 3190 and No. 2696.

The Agency would like to highlight that the statement provided in the beginning: "In the UK a 105 balloon carries pilot + 4" must be questioned. It is well-known that factors like for example the weight of the passengers or the outside temperature are key-factors for the loading calculation. With a normal average passenger weight, 4 gas cylinders and 4 persons (pilot included) on a normal average summer day (evening) the 105 envelope size will in most cases not allow to take an additional passenger on board.

comment **5284** comment by: *AEPA (Spanish Balloon Pilots Association)*

AEPA (Spanish Balloon Association) We are very contrary to the give the privilege of a holder of LPL to allow to fly a hot air balloon with more of 3.000 m3 envelope capacity. The MTOW of a 4.000 m3 can't be right with only 3 passengers and also it's a big balloon for a LPL.

response *Noted*

Thank you for providing your opinion and the proposal to lower the maximum envelope size for the LPL holder.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly

comment **5327** comment by: *Guy GEERAERTS*

No need to allow for a leasure pilot to fly ballons over 3000 m³. That's enough to fly with 3 other persons (e.g. partner + one other couple).

response *Partially accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which

seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly

comment 5365 comment by: *Aerovision*

Strongly agree with these limits on safety grounds. Do not indrease them.

response *Noted*

Thank you for providing this positive feedback.

However, based on the comments received the Agency reviewed the proposals carefully and decided to lower the given envelope size. Please see the resulting text.

comment 5389 comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

The capacity of the envelope shall be maximum 3400 (ELA-1 class), especially for the soloflight a bigger envelope is not usefull. The problem will be gasballoons: they should have not more then 5 person on board. But how to do a soloflight on gasballoons?

response *Noted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly

The second issue of solo flights for gas-balloon pilots was carefully reviewed with the experts. The Agencye does not agree that a solo flight cannot be done with a gas balloons and decided therefore to keep this requirement unchanged.

comment 5641 comment by: *Ian Sharpe*

I don't believe anything will be gained by making the requirement to train with an instructor for all flights. there will not be enough instructors/examiners to make this section feasible.

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety. This must be questioned for the case that licence holders would be allowed to provide flight training without further training.

The requirements for instructor prerequisites and the training courses are developed in a way that should allow training organisations to have enough instructors.

comment 5646 comment by: *Robert Harris 7699*

In the UK it would seem sensible if the limit was raised to 5 on board ie pilot +3 passengers as this is a standard for a group owned balloon such as a 105,000 c ft envelope

response *Noted*

Thank you for providing your comment.

See responses to comments No. 3190 and No. 2696 in the same segment above.

The Agency would like to highlight that the example provided for a 105 envelope must be questioned. It is well-known that factors like for example the weight of the passengers or the outside temperature are key-factors for the loading calculation. With a normal average passenger weight, 4 gas cylinders and 4 persons (pilot included) on a normal average summer day (evening) the 105 envelope size will not allow to take an additional passenger on board. As the Leisure Pilot will be allowed to perform only non-commercial operation without any remuneration the Agency cannot see a safety related reason for allowing more than 4 persons to be on board.

comment 5678 comment by: *Jeff Roberts*

The size of balloon that can be flown by the holder of an LPL means that only carrying a maximum of 3 passengers in some balloons will cause issues, I would recommend increasing this to 4 passengers as long as these are within the weight calculations issued by the manufacturer.

response *Noted*

Thank you for providing your comment.

See the responses to comments No. 3190 and No. 2696 in the same segment above.

comment

5868

comment by: AA Brown BBAC # 3448

FCL.105.B - Privileges

Under the present UK system a private pilot has always been able to fly any size of balloon. Limiting the size to 4000M3 would prevent for instance an LPL from flying a long distance flight carrying sufficient fuel with reserves, necessary equipment and accompanied by members of their crew on winter alpine flights.

There is no need for this limitation as has been proved with the present UK system. It is self limiting which allows for exceptional circumstances. The FIA awards for ballooning achievements and the BBAC Badge Award Scheme, particularly for distance and endurance, may require the use of a greater size of balloon. Why should an LPL be prevented from achieving these awards?

With regard to occupants in the balloon this should be at the pilots discretion based on weight, temperature and altitude, observing the existing requirement for a maximum of 4 in an open basket and 6 in an open basket with turning vents available. If the basket is compartmented and is able to be correctly orientated for landing passenger numbers ie. weight limits should be as per pilots discretion above.

response

Noted

Thank you for providing your comment.

See responses to the comments No. 3190 and No. 2696 in the same segment above.

Based on the input received, the Agency will lower the maximum envelope size for the LPL(B) licence holder to 3400m³. The Agency cannot see why a 3400m³ balloon cannot be used to achieve the mentioned long distance and endurance flights as this envelope size is commonly used to perform winter (alpine) flights with two persons and a reasonable amount of fuel on board. Based on the actual weight, the outside temperature, the required altitude, the actual weather (windspeed in higher altitudes) and the condition of the envelope the pilot has to decide how many persons he/she can take with him/her in order to be able to stay 3 or more hours in the air. No justification is provided why this cannot be done with an envelope size of 3400 m³.

comment

5879

comment by: Professional Balloonists Netherlands

Section 6 Specific requirements for the LPL for ball remunerations - LPL (B)

FCL.105.B

For balloonist in the Netherlands there is no reason to change the current regulation. With a LPL a pilot is allowed to fly maximum 105.000 cu.ft with maximum of three passengers. The same can apply for other countries. When a pilot in France or another country wants to make a flight in the mountains, he can do so, but only with less persons on board. That also applies for Dutch pilots who are planning a flight in the mountains. We are talking about non-commercial flights, so the number of passengers is of non-importance. The only importance can be the amount of persons who the pilot wants to do a

favour with the flight. This favour of pleasure can be done in more flights.
 Proposal: Reduce the envelope capacity to 105.000 cu.ft. Or you can also propose to regulate this to the NAA's.

response *Partially accepted*

Thank you for providing your opinion.
 Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment 6226

comment by: *paulbonner*

The load calculations for our balloon allows for Pilot plus 4 passangers and our balloon is a 3000m³ Balloon. The ruling therefore should be a maximum of pilot plus 5 passangers for a 4000m³ balloon.

response *Not accepted*

Thank you for providing your comment.
 See the responses to the comments No. 3190 and No. 2696 in the same segment above.

The Agency would like to highlight that the example provided for a 105 envelope must be questioned. It is well-known that factors like for example the weight of the passengers or the outside temperature are key-factors for the loading calculation. With a normal average passenger weight, 4 gas cylinders and 4 persons (pilot included) on a normal average summer day (evening) the 105 envelope size will not allow to take an additional passenger on board. As the Leisure Pilot will be allowed to perform only non-commercial operation without any remuneration the Agency cannot see a safety related reason for allowing more than 4 persons to be on board.

comment 6230

comment by: *Broadland Balloon Flights*

Four persons on board seems low. A pilot who currently owns a 4,000m³ balloon would find himself flying very light on a cold day. Six would seem a more reasonable number and more in keeping with established custom.

response *Noted*

Thank you for providing your comment.
See the responses to the comments No. 3190 and No. 2696 in the same segment above.

comment **6518** comment by: *Kevin Ison*

OK with that

response *Noted*

Thank you for providing your opinion.
However, reading your comment No 6520 the Agency does not know which one of the two comments it should take into account as they seem to point in different directions.

comment **6520** comment by: *Kevin Ison*

I think the maximum allowed in a none partitioned basket should be pilot + 4
As this is well inside the lifting capacity of a "140" (4000m²).

response *Noted*

Thank you for providing your opinion.
However, reading your comment No. 6518 the Agency does not know which one of the two comments it should take into account as they seem to point in different directions.

See also the responses provided to comments No. 3190 and No. 2696 in the same segment above.

comment **6538** comment by: *Peter Mossman*

This size of balloon does not equate with the number of passengers. To fly a balloon this size with four people is dangerous. Six or at least five should be substituted here. A pilot carries out a loading check before flying.

response *Noted*

Thank you for providing your comment.
See responses to comments No. 3190 and No. 2696 in the same segment above.

comment **6588** comment by: *Kevin Van Dessel*

You can fly pilot + 3 people in a 3000m³ balloon so the extra 1000m³ is not needed. Bigger volumes will only make the balloon less easy to operate and land. A balloon that is underloaded will be less easily to control when it makes ground contact. The balloon will be dragged longer over the field.

response *Partially accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL

categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly

comment 7026 comment by: *European Balloon Corporation*

a 4000 m³ is a big balloon and is for sure not for leisure flying or fun flying . You should restrict this to a maximum of 3000 m³

response *Partially accepted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment 7116 comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

Limiting the number of passengers in three is not in line with the size of balloon 4000 ft³ . That size of balloon can carry even six passengers plus pilot. Number of passengers should be limited to four assengers.

Proposed text:

... carrying maximum of 4 passengers, such that there are never more than 5
...

response

Not accepted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

7259

comment by: *JOSEP LLADO-COSTA*

Pilot plus 4 passengers can be flown by a non experienced pilot with safety. It is also more according to the sizes allowed to fly.

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

7329

comment by: *Volker Loeschhorn*

That rule should be dependend from the real number of persons on board, not

of the number of persons on board for which the aircraft is certified. This is especially important for the use of the 1000 cubicmeter gasballoon mostly flown in clubs and that is normally certified for 6 persons. If dependend of the real number of persons on board, it could be flown from pilots with the LAPL and the BPL.

response *Noted*

Thank you for providing your comment.

See the responses to comments No. 3190 and No. 2696 in the same segment above.

The Agency cannot see a difference between hot-air balloons and gas-balloons regarding the amount of persons on board. As the possibly missing weight can be added by taking more ballast the Agency will not exempt gas balloon LPL pilots from this requirement of having never more than 4 persons on board. If a certain gas balloon should be flown with 6 persons on board the pilot must hold a BPL.

comment *7430*

comment by: *Jaime Stewart*

Again, this does not tie in with flying conditions in the UK, where there are no particularly high mountains and nor is the weather particularly hot or cold. Please could we adapt this to take account of UK differences and make the limit "Pilot plus 5" as this is the most allowed in a non-partitioned basket.

response *Noted*

Thank you for providing your comment.

Please see the responses to the comments No. 3190 and No. 2696 in the same segment above.

comment *7439*

comment by: *Holger Scheibel*

Die Ballongröße von 4000m³ für maximal 4 Personen ist aus Sicht der Sicherheit eine äußerst ungeeignete Kombination:

Ein typischer Heißluftballon mit 4000m³ Hüllenvolumen hat ein Leergewicht von ca. 250 kg. Mit 4 Personen je 80 kg und 4 Gasflaschen je 38 kg ergibt sich ein Startgewicht von nur 722 kg. Zum Vergleich dazu liegt die maximale Startmasse für einen Ballon dieser Größe bei 1250 kg also über 500 kg höher.

Wenn die Meteorologischen Verhältnisse denen der Standardatmosphäre gleichen (15°C in Meereshöhe, Temperaturabnahme in der Höhe 2°C/1000 ft,), hebt der Ballon bereits bei einer Hüllentemperatur von nur 64,7°C ab. Steigt dieser Ballon auf eine Höhe von 1000 m fährt er dort ausgeglichen mit einer Temperatur von nur noch 63,4°C, also niedriger als am Startort. Bei 0°C am Boden beträgt die Temperatur zum Abheben nur noch 44,3°C.

Daraus folgt :

1. Der Ballon ist in keinem Betriebszustand prall. Vor dem Start am Boden wirken daher bei Windeinwirkung die ca. vierfachen Kräfte an der Startfessel als bei einem prallen Ballon. Bei der Landung mit Wind müssen lange Landeflächen zur Verfügung stehen, da der Ballon nur schwer zum stehen gebracht werden kann.

2. Da bei dieser niedrigen Beladung in der Höhe eine niedrigere Hüllentemperatur benötigt wird als in geringeren Höhen ist der Ballon aerostatisch labil. Der einmal ins Steigen gebrachte Ballon steigt lange Zeit

weiter ohne das geheizt wird, kommt der Ballon ins Fallen ist es sehr schwer ihn kontrolliert abzubremesen.

Alle diese Verhaltensweisen bergen große Gefahren, besonders für ungeübte Piloten. Daher sollte die Kombination Ballongröße/Insassen für LPL(B) unbedingt geändert werden.

Eine Erhöhung der Passagierzahl macht wenig Sinn da bereits die Mitnahme von 3 Passagieren für leisure pilots die auch kein Entgelt nehmen dürfen hoch ist. Für ein 4000m³ Ballon wären 5 Insassen die richtige Zahl.

Unter der Annahme dass der LPL(B) weiterhin für 4 Insassen im Ballon gültig sein soll, ist eine Hüllengröße von 3400m³ geeignet. Sie erlaubt Fahrten auch im Hochgebirge einschließlich Alpenüberquerungen und Fahrten bei hohen Temperaturen im Hochsommer.

Eine Über- oder Unterbeladung kann immer leicht vermieden werden.

Für 3 Personen sollte eine 3000m³ Hülle gewählt werden, um auch hier in allen Mitgliedsländern der EASA in verschiedenen Klimaregionen und orographischen Bedingungen keine Einschränkungen zu verursachen. Die vorgeschlagenen Hüllengrößen können unabhängig von den definierten Ballongruppen bleiben und brauchen keine neue Gruppe zu definieren.

response *Partially accepted*

Thank you for providing this comment.
Please see the response to comment No. 3722 (K.Hartmann).

comment *7478*

comment by: *Dave Turner*

As a balloon pilot with over 34 years experience I consider that the proposed limit of pilot plus 3 passengers is illfounded. I currently fly a Cameron 120 balloon which is within the limit of 4000M3 as proposed and which has a manufacturer's pemitted loading such that pilot and 4 passengers are an ideal loading for this size of balloon.

Any less loading will result in the balloon not being operated at its design optimum loading. The basket can easily accommodate the pilot and 4 or even 5 passengers if children are carried. This has been normal practice for the last 30 years plus with no adverse effects and no accidents or incidents which can be attributed to the number of passengers.

I strongly urge that balloons are treated differently to aircraft, they operate on a completely different principle and at considerably slower speeds and have an exemplory safety record. The limit should still be calculated on weight or if a passenger limit has to be imposed that it is set to 4 passengers plus pilot(s), ie 1 or 2 pilots.

response *Noted*

Thank you for providing your comment.
Please see the responses to the comments No. 3190 and No. 2696 in the same segment above.

comment *7615*

comment by: *nigel carr*

passenger restrictions do not tally up with envelope size on the upper limits for flying in cooler conditions in the uk pilot plus 4 would be better suited for larger envelopes 3000m3 and above also maximum five people allowed in a non partion ed basket

response

Noted

Thank you for providing your comment.
Please see the responses to the comments No. 3190 and No. 2696 in the same segment above.

comment

7617

comment by: *Aero-Club of Switzerland*Attachments [#23](#) [#24](#)

The Swiss Ballooning Federation requests a maximum volume of 4500 m3 for hot air balloons as over the Alps very soon FL 195 and above are reached.

Justifications:

- 1) The higher the volume the higher the reserves.
- 2) Volume loss in case of wind shear can be compensated-
- 3) Higher gas reserves can be carried.
- 4) The decrease in burner performance at high altitudes can better be coped with.
- 5) The higher weight of the additionally necessary equipment (emergency eqpt, food, water, oxygen, additional akkus, double set of nav and radio eqpt, winter eqpt, cameras etc.)

Should someone think a 4500 m3 balloon could not easily be handled when only occupied by 2 or 3 persons, his/her argument is to be countered by the argument of the additional gas reserve that can be carried.

Please see our Annex 1 "Take Off Weight" and our Annex 2 "Loading Chart"

Calculation example:
Envelope capacity = 4500 m3
MTOM = 1450 kg
Temp at T/O = 6 degrees Centigrade
T/O weight = 945 kg
Temp at FL 200 = -28 degrees Centigrade
Lift at FL 200 = 1020 kg

Everyone easily can see that with a smaller envelope this operation is impossible.

response

Noted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a safety related need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intention to have this requirement aligned with the definition for the group "small" for the BPL. Taking into account the comments received the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

In your comment you are requesting an increase (the Agency will introduce a limit of to 3400m³) of the envelope size to 4500m³. The Agency has carefully checked your justification but does not agree that an LPL(B) holder must be able to reach FL 195 in an ordinary "leisure flight" with a hot-air balloon. The equipment mentioned in your comment (oxygen, additional batteries, additional instruments) shows clearly that this kind of flight has nothing in common with the usual pleasure flight of an LPL pilot.

Knowing that the operation of hot-air balloons in the Alps sometimes require to climb to FL 150 or more, this kind of flight needs anyway a specific flight preparation. A 3400m³ balloon (envelope in a good condition) can be flown under typical alpine (winter) conditions with 2 persons on board, a suitable amount of fuel and the necessary equipment easily for more than 3 hours (in high altitudes also) which allows always a safe operation.

If the intended flight has to be done on a balloon with an envelope size like the mentioned one, the Agency cannot see a problem why this cannot be performed with the BPL.

comment 7695 comment by: *BBAC 6824*

4 on board for a 140 balloon may be the restriction in a hot country but in cooler conditions, 5 on board is fine (see manufacturers' lift charts) and safety is not compromised by this higher figure.

response *Noted*

Thank you for providing your comment.
See the responses to the comments No. 3190 and No. 2696 in the same segment above.

comment 7722 comment by: *Anglian Countryside Balloons Ltd*

With an LPL a pilot should be able to have 6 passengers onboard (a total of 7).

response *Not accepted*

Thank you for providing your comment.
See responses to the comments No. 3190 and No. 2696 in the same segment above.

The Agency cannot see a reason why a leisure pilot should be allowed to have 6 passengers on board as the aim of these flights is clearly a commercial operation against remuneration. The BPL will provide all the necessary privileges.

comment 7822 comment by: *Professionele Ballonvaarders Nederland*

FCL.105.B LPL(B) Privileges

The proposal is that a pilot with an LPL may fly a 140.000 cu. Ft. balloon. Reasons and intensions are ;" mountain and high temperature flying in some European countries for a LPL balloon pilot with 3 passengers". (max 4 POB like other aircraft.)

For our country this may however have a negative side effect.

Holland is a sea level country with mild climate so we can live with the rules that aply now : "with an LPL pilots may fly max. 105.000 cu.Ft. balloons with max. 3 passengers". = (4 POB)

1. In the Netherlands a 4.000 M3 balloon would be unacceptable light with only 4 P.O.B., and is unwanted in terms of unlawful commercial flying. This large size for recreational flying will lead to non regulated commercial flying that the authorities will not be able to enforce.
2. In some cases Easa say in their proposals that national authorities may differ from Easa-rules. (for examples in case of the medical for an LPL-pilot).Why does Easa not arrange the same with balloon sizes, that are allowed to fly with an LPL ?
3. Or else ; Flying over the Alps or in a hot country could certainly be done safely with a 105.000 cu.ft. balloon with 3 POB max. Flying in the Alps with more POB should be the responsibility of more trained pilots with a Commercial licence. I have done several flights of 4 hours and altitudes of 17.000 ft with a 105.000 cu ft balloon over the alps with 3 POB. Anyone who wants' to make such flights should be satisfied with 3 pob when operating with a LPL.
4. If EASA has safety as it's goal, than in this case that goal will not be served but rather counteracted.

response *Noted*

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment	<p>7868 comment by: <i>Svenska Ballongfederationen</i></p>
	<p>FCL.105.B LPL(B) - Privileges</p> <p>The wording in (a) should be:</p> <p>"The privileges of the holder of a LPL for balloons are to act as pilot in command of hot-air balloons....."</p> <p>This is a better wording and even though the FCL 105 speaks of pilot in command this makes more sense and makes it easier to understand paragraph FCL 105.B. This also makes it more clear when you're only looking at FCL 105.B. This wording is also used in FCL.205.B when speaking about BPL.</p>
response	<p>Accepted</p> <p>Thank you for providing your comment.</p> <p>The Agency agrees and will change the wording in FCL.105.B and all the other paragraphs dealing with the privileges of the LPL as a consistent wording should be used.</p>
comment	<p>7990 comment by: <i>Ted Moore</i></p> <p>Currently the PPL balloons allows a pilot to fly any balloon size.The training for both the proposed BPL and LPL are identical resulting in the same skill level. The BPL has a number of size categories to be achieved after further training and examination so it would seem reasonable that the Holder of a LPL should be allowed the same priviledges provided the pilot is flying purely for fun since there is no proven safety case for denying that.</p>
response	<p>Noted</p> <p>Thank you for providing your opinion.</p> <p>However, the privileges of the BPL and the LPL(B) cannot be the same as different medical requirements are required and the LPL by definition can only be used in non-commercial operations and not against remuneration.</p> <p>As the comment is mainly aiming on the two other size categories (groups of balloons), this issue should be clarified in the response. The Agency will not introduce these two other size-related categories as there cannot be identified any need for a pure leisure pilot to fly balloons with such an envelope size. The requirements for the LPL should stay as simple as possible - further groups would require additional requirements for the additional training and should therefore not be introduced.</p>
comment	<p>8017 comment by: <i>Rupert STANLEY</i></p> <p>A 4000M3 envelope is capable of flying the pilot plus 5 passengers, total 6 people, so the restriction should be set at this level rather than the 4 set out. It would be unreasonably restrictive an inefficient to apply the restriction as drafted.</p>
response	<p>Noted</p>

Thank you for providing your comment.
Please see the responses to the comments No. 3190 and No. 2696 in the same segment above.

comment

8051

comment by: *Hans VAN HOESEL*

Limiting the size of a hot air balloon to 4000 m³ as a privilege to fly with a LPL(B) restricts the possibility of setting records, and is under certain circumstances dangerous.
There is no evidence of safety to limit this privilege to the 4000 m³ size and the size limitation can be skipped fully. A limit of 4 persons on board is more according practice in, let's say, recreational fixed wing operations. This limitation itself is OK.

response

Not accepted

Thank you for providing your comment.
See the responses to the comments No. 3190 and No. 2696 in the same segment above.

The Agency has reviewed all the comments received on this "envelope size" issue very carefully and will restrict the envelope size for a leisure pilot to 3400m³. The Agency does not agree at all with the statement provided that such a limitation "is under certain circumstances dangerous". No justification is provided for this and the Agency is of the opinion that a balloon with an envelope size of 3400m³ can be operated safely under a lot of different conditions - even for flights in alpine conditions as it was proven already several times.

comment

8109

comment by: *Alan Turner*

I have been a balloon pilot since 1990, and therefore have over 20 years experience and I consider that the proposed limit of a pilot plus 3 passengers is unacceptable. I currently fly a Cameron 120 balloon which is within the limit of 4000M³ as proposed and which has the manufacturer's (Cameron Balloons) permitted loading such that pilot and 4 passengers are an ideal loading for this size of balloon.

Any less loading will result in the balloon having to fly under weight and will not be operated at its optimum loading. The basket can easily accommodate the pilot and 4 or even 5 passengers if children are carried. I have two children 11 and 9 and their combined weight is the same as one adult and the pilot plus 3 passengers would make it impossible to fly sensible with children. This has been normal practice for the last 30 years plus with no adverse effects and no accidents or incidents which can be attributed to the number of passengers.

I strongly ask that balloons are treated differently to other aircraft, as they fly completely different principle and at considerably slower speeds and have an exemplary safety record. The limit should still be calculated on weight or if a passenger limit has to be imposed that it is set to 4 passengers plus pilot(s), ie 1 or 2 pilots.

response

Noted

Thank you for providing your comment.
See the responses to the comments No. 3190 and No. 2696 in the same

segment above.

comment

8130

comment by: *Gareth Davies*

Since the LPL(B) is restricted in what type of flying can be undertaken i.e. no commercial work, it should not be necessary to restrict the envelope size. Some balloon syndicates may wish to use larger envelopes than 4000 m³.

Limiting the LPL(B) to 4 persons in the basket is unnecessarily restrictive. In many cases, UK balloon syndicates may be operating a balloon capable of carrying the pilot plus 4 or 5 persons, this being the maximum permitted for a non-compartmented basket in the UK.

response

Noted

Thank you for providing your comment.

See the responses to the comments No. 3190 and No. 2696 in the same segment above.

comment

8153

comment by: *F Mortera*

1. About the maximum size allowed for LPLB
FCL.105.B LPL (B) - Privileges

(Hot-air balloons up to 4.000 m3, pilot +3)

An approximate load calculation, in standard conditions, considering the MTOW for a 4.000 m3 envelope (about 1.400 Kg.), the medium weight for all the equipment including gas (about 450 Kg.), lets more or less 950 Kg. available for pilot and 3 pax.

Taking account this calculation, there are physically more load capacity than for four people and probably also space in the basket, thinking that the size of the basket is according with the envelope.

By the other side, we know the balloon will fly better with a little more weight.

The minimum authorized weight for this configuration is around 650 Kg. So, it is possible that a thin pilot, plus three thin pax, will need ballast to fly according all the rules if their total weight is less than 350 Kg.

Both aspects, the plentiful load and basket capacities and the fact that the balloon will fly better a little more heavy, will favour the decision to carry another extra passenger, against the LPLB limitation.

I think we are designing a rule predisposed to be unfulfilled.

I think that the most reasonable action in this subject is to allow to a (limited to pilot + 3) LPLB, to fly balloons with capacity up to pilot + 3, it is said a 3.000 m3, that is a standard 105 sized balloon.

response

Partially accepted

Thank you for providing your opinion.

Based on the discussions with the group of experts who were involved in

drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration, this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly

**B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 6:
Specific requirements for the LPL for balloons - FCL.110.B LPL(B) -
Experience requirements**

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comment

968

comment by: *CAA Belgium*

..."on balloons of the same class"...

Question: Where can one find a definition of the classes of balloons ?

response

Noted

Thank you for providing this question.

The detailed definition of groups and classes of balloons are contained in AMC to FCL.225.B. The Agency will consider putting it in the general paragraph containing all the definitions or in the appropriate AMC material.

comment

1922

comment by: *Bob Berben*

16 hours of dual flight instruction is too much, but 1 solo of 30 minutes is FAR NOT SUFFICIENT. In fact with this rule you would allow that a very low experienced pilot , just after his skill test and delivery of his LPL or BPL, is worth to take passengers without solo-experience, except that 1 little jump of 30 minutes in perfect conditions. THIS IS UNACCEPTABLE. Psychologically there is a huge difference in flying solo or under the "wings" of another pilot on board (whatever instructor, examiner or other regular balloon pilot). And here you would combine the first solo experience with the first passenger carrying responsibilities. So I propose to increase the solo flights to at least 6 and reduce the minimum dual flight to 10

response

Partially accepted

Thank you for providing your opinion.

The Agency has reviewed carefully all the comments received on this issue.

The proposals are based on an evaluation of the existing national training requirements and the proposals of the experts involved in the drafting. 16 hours of training, 20 fillings and the required minimum of 20 take-offs was the agreed minimum training level in order to reach an agreeable experience level for safe ballooning operations. As most of the comments support the 16 hours training requirement the Agency does not see a need to lower this.

As a second issue your comment is dealing with the required solo-flight(s). Actually there are countries in which no solo flight is required and some countries where at least one solo flight is required. It seems that in one specific country actually 7 solo flights are required. The balloon training experts involved considered the proposed minimum training requirements (one solo flight) as a safe and realistic compromise and did not see the need for such an amount of solo flights.

It has to be highlighted that the requirements in FCL.110.B require "at least" one supervised solo flight before the skill test will be taken. Nothing prevents the instructor to send the student pilot a second time (or even seven times) on a solo flight. The Agency will change the text in order to include the solo flight time in the total amount of flight training.

The Agency does not understand the statement given about the qualification of the student pilot with only having one solo flight. It is the Agency's opinion that a pilot after having received at least 16 hours of dual training with a highly qualified instructor, having performed at least one supervised solo flight and completed successfully the skill test with an examiner should be sufficiently qualified to carry passengers. The statement provided saying "without solo experience" is not understood because a good instructor will behave during the last dual flights as if he would be a passenger which can be an even better training than flying solo. It allows also a better identification of possible mistakes and training needs.

comment

2075 ❖

comment by: *Markus Hitter / JAR-Contra*

We appreciate to see low absolute requirements here. We see this is in full accordance with EASA's promise to put more emphasis on individual responsibility in private aviation.

response

Noted

Thank you for your positive feedback.
See the other responses provided by the Agency to this comment number.

comment

2512

comment by: *Andrew Kaye*

Even though I am now an instructor I believe that the existing UK system of being allowed to do part of your training with any qualified pilot works very well and gives students a wider choice of access to equipment and individuals. Many new pilots raise from the ranks of crew and prefer to start their earning with their own team.

I have become an instructor to help ease the strain on the system should instructor only flights be the norm, however I believe the existing UK system is the best for Ballooning in general, and still has measures in place to ensure that the training is completed to a satisfactory level.

	<p>As an instructor it is good to teach a student something or to demonstrate it, and then it is good that they can fly with other pilots to practise and improve upon these skills before coming back to the instructor for evaluation and moving on to the next exercise.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p>In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p>
comment	<p>2530 comment by: <i>Eleanor Fearon</i></p>
response	<p><i>Noted</i></p> <p>No text provided with this comment.</p>
comment	<p>2539 comment by: <i>Tony KNIGHT</i></p> <p>The system employed at present by the BBAC is one that has worked for several years and produced safe pilots. I feel that it would be totally wrong to restrict flying with other non-instructor pilots as this will drastically increase the cost of learning to fly and thus decrease the amount of new pilots putting the sport at risk.</p> <p>If other EU countries have safety concerns, they should follow the lead of the BBAC (BRITISH Balloon and Airship Club). We always aim to fly safely and following the well considered guidelines and rules of the BBAC and CAA we have an excellent safety record. If other member countries cannot match this, then the UK should be exempt from rulings that will put at risk the future of our sport.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p>In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p>
comment	<p>2540 comment by: <i>Lindsay MUIR</i></p>

We have been running an excellent training program in the UK for years and we have only required 4 flights to be done with an instructor. If it becomes a requirement that ALL training flights must be done with instructors there will be insufficient in the UK to cope with this. There is also no evidence to suggest that the system in the UK produces a lower quality of pilot than produced by instructor only training.

The UK Civil Aviation Authority introduced a commercial pilot's licence and air operator's certificate for ballooning in 1989. This system has run without problems now for 20 years and has a proven track record. While there are a small number of commercial operations in other countries, there are more balloon AOC holders in the UK than in the all of the rest of the EASA member states. In 2008 there were 75,000 – 100,000 passengers carried in roughly 6000 passenger transport flights. During 2008 the British Balloon and Airship Club received only 5 reports of balloon incidents and only one of these resulted in a passenger injury. The last fatality in the UK took place nearly 15 years ago. The number of passengers flown in the UK is probably only surpassed by Turkey, Australia and Kenya. The training requirements for a balloon pilot in Australia are very similar to that currently in operation in the UK. In addition, there are in the region of 100,000 passengers flown in passenger transport balloons in Australia and they too have an excellent safety record. Pilots in the UK are not required to undergo instructor-only training and experience has shown that this has not had any adverse effect on the quality of pilots. In addition, the CAA, (arguably, the aviation authority with the most knowledge and experience of the balloon ride operations in the world) have not felt that there is any need to require UK pilots to undertake instructor-only training. The same is true in Australia. Experience from both the UK and Australia indicates that the training system currently in force in these countries results in well trained pilots. The UK training system provides safe and effective training without the requirement for instructors to attend expensive and time consuming courses. The proven track record of the training systems running in the UK (and Australia) show that there is no justification for the proposed requirement of 30 hours of ground training.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

comment

2587

comment by: *len vaughan*

allow lpl to teach students with only 4 flights required with instructors

response

Not accepted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define

something else in the Implementing Rules.

In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

comment 2620

comment by: *Tim DUDMAN*

Not all 16 hours should be with an instructor. In the UK pilot training has been conducted by non-instructor pilots with a set number of flights having to be with an instructor. It is not possible to pay for instruction in balloon flying at an airfield as it is with fixed wing training. There are currently insufficient instructors for this to work. In addition, many syndicates and university balloon clubs that currently bring new blood into the sport would not be able to operate effectively if this regulation is passed.

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

comment 2713

comment by: *Kenneth Scott*

To have all training hours with an instructor will not work in the ballooning world. There are not enough instructors and the cost will be excessive. It will mean very few new pilots. The better solution is to have a minimum number of training flights as per the current system

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The pre-requisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States. Based on this the Agency does not agree that this system "will not work in the ballooning world" or that the "cost will be excessive".

comment	<p>2726 comment by: <i>ray LESLIE</i></p> <p>if all training flights have to be done with instructors,it will limit available training options for many people.in ballooning in the uk,the previous minimum of 4 instructors flights has been demonstrated effective for decades.</p> <p>can a revised MINIMUM NO OF INSTRUCTOR flights for example 6-8 flights(perhaps twice previous requirement)be deemed sufficient in lieu of forcing all instruction to be done with easa qualified instructor.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p>In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p> <p>The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States. Based on this, the Agency does not agree that this system "will not work in the ballooning world" or that the "cost will be excessive".</p>
comment	<p>2731 comment by: <i>Huw PARKER</i></p> <p>The current BBAC practice of flight instruction form qualified pilots enables much greater training experience by PuTs. Restricting all flying training to instructors only creates further barriers to those learning to fly and increases the pressure on small numbers of instructors. Having qualified for my PPL in the last 18 months, the current BBAC system of flying with other pilots and completing key training flights with instructors works exceptionally well. It allowed me to consolidate my learning with other flights and polish my flying skills. Much like learning to drive a car - learner drivers are not restricted to only driving with an instructor.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p>In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p>
comment	<p>2754 comment by: <i>Jamie Campbell</i></p> <p>This seems reasonable as long as there is plenty of instruction available as there are only a limited number of suitable days of whether per year if it is too</p>

	<p>hard to find an instructor to train the sport will gain less and less pilots and slowly die out.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p>In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p> <p>The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.</p>

comment	<p>2767 comment by: <i>David COURT</i></p>
	<p>No time limit has been set for the hours of instruction to be completed in. This is very welcome. It is an improvement on the current UK system where the hours must be completed within 24 months. Although 24 months sounds a long time, many students do run out of time and start to "lose" hours.</p>
response	<p><i>Noted</i></p> <p>Thank you for this positive feedback.</p> <p>The Agency does agree and cannot see a need to introduce a certain time limit in which all the practical training must be completed. The skill test at the end of the training will prove anyway if the applicant has reached the necessary level of training or not.</p>

comment	<p>2808 comment by: <i>Richard Plume</i></p>
	<p>I understand that the requirement here is for all training hours to be completed with an Instructor, although it does not seem to be stated very clearly as such in this paragraph, reference being made to "instruction". It is neither necessary nor practical for all training flights to be made with an Instructor. It is not practical because it will place too much demand on the time of our Instructors, and could lead us to a position where an Instructor has to become a paid position in BBAC, because there is such a demand on his time. This would end up leading many of our current Instructors to resign, as they do not wish to spend all this time with training.</p> <p>Once again, you are introducing rules where there is no requirement based on safety or anything else to do so. The scheme operated in the UK at present, where a trainee pilot can undertake training flights with any other pilot, and then has to do a number of flights and specific flying exercises with an Instructor is a very well balanced and very practical scheme that is proven to work. It is simply unnecessary, costly and inappropriate to change it.</p>

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In FCL.010 you will find a definition of dual instruction which says:
"Dual instruction time means flight time or instrument ground time during which a person is receiving flight instruction from a properly authorised instructor."

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States. Based on this the Agency does not agree that this system will place too much demand on the time of instructors.

comment

2849

comment by: *Richard Allan*

FCL 110 B

Applies to BPL and LPL

As an instructor I do not feel that all training flights should be with an instructor. The fact is that if a PUT is not ready for a GFT he/she will not pass. We do not have sufficient instructors with the time and inclination to do all the training necessary.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States. Based on this the Agency does not agree that this system will place too much demand on the time of instructors.

comment

2875

comment by: *richard benham*

As per the current training requirement, I became proficient without having ALL my flights with an instructor or examiner. Thus, it should be continued that not all training flights have to be with instructors / examiners.

Fellow pilots with a minimum number of hours currency are more than proficient to teach the skills required to operate simple flying machine such as a balloon. I learnt all of my skills from skilled P1's and topped it up with instructor flights - proof being in that I passed the flight test first time.

With a limited number of examiners and instructors in the UK, the number of people entering the sport will be SEVERELY restricted / hindered and the sport will just die out. Again, due to the restrictive number of flying slots in this country, trying to get an instructor lined up to assist on a specific weekend, and then travel to meet that instructor will just be prohibitive. The sport will die out, with the number of new members not meeting the natural wastage of existing members

response **Noted**

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment 2892

comment by: **Robert WORSMAN**

All 16 hours should not be with an instructor. This will lead to very poor experience and zero local knowledge. This is not safe. The current UK system of tuition under P1 is excellent. I live 200km from the nearest instructor but 20km from another P1. This rule will mean that no PUT will gain experience flying in my area. They will train in very different weather systems and will return to the area as a new pilot (little experience granted) but with zero local experience. I regard this as highly dangerous.

Any experienced pilot going to a new location will make every effort to gain local knowledge from local pilots. Introducing this scheme will kill off local knowledge - knowledge that is handed down from local pilot to local pilot/PUT. It defies common sense in order to comply with a bureaucratic system.

Following the UK system of tuition with a local P1 and Instructor flights to check progress is the only safe way to progress. Perhaps the rules have been drawn up with no regard to the situation here in Scotland?

This rule will also tempt many to go overseas, train to fly in gentle and very

foreign climatic conditions, become a pilot and then return home to find they are flying in very alien conditions. This must surely lead to an increase in accidents

Come on guys, why are you trying to make basic training more dangerous here. What's going on? Are you just trying to create a bureaucratic system to fund 'jobs for the boys'? Don't you want the best training system that the EU can provide? I believe that little thought has gone into these ideas and they have been rushed together under a time limit with no regard to the folks that are going to be out in the skies when these policies have been introduced. STOP, take a breath, and consider these proposals or you are going to end up with dead or injured pilots on your hands.

response *Not accepted*

Thank you for providing your opinion.

As this issue of training provided not only by instructors but also by licensed pilots is raised in several other comments in a similar way please see the responses to these comments.

Check the response to comment No. 2875 in this segment above.

The Agency agrees that local knowledge could be easily transferred by local pilots but a link with the issue of providing flight training cannot be seen. "Local knowledge" is not the main training item for the applicants. Please study the AMC material containing the training syllabus in order to understand the need for some instructing techniques and a certain level of experience which is not automatically reached when holding a pilot licence. If this "local knowledge" in a certain area is really so important as highlighted in your comment, this can easily provided by local instructors.

The Agency strongly believes that the system proposed (using only trained and experienced instructors for providing flight training instead of allowing also licenced pilots without any additional training to do so) is the only way to reach a standardised high level of safety and the best training system the EU can provide.

comment 2959

comment by: *tobydavis*

Regarding all instruction flights having to be with an instructor- this is very difficult for most trainee pilots due to the sheer lack of instructors. The result of this would be a mad scramble for instructors whenever the weather is flyable, and many pupils missing out.

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

3063

comment by: *Peter Kenington*

It is not necessary for all training flights to take place with an instructor. The UK system which stipulates 4 instructor flights (as a minimum) is entirely adequate to maintain safety and instructional quality. The extreme dependence of the sport of ballooning on good weather and the relative lack of suitable flying opportunities (particularly for those in full-time employment and resident in the northern European states, where the weather tends to be poorer) can make arranging instructor flights difficult. This is a particular problem in regions with few balloonists and (typically) very few or no instructors.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

3082

comment by: *Profballoon Vzw*

It seems to us that going for 16hrs of dual flight with an instructor is way too much. On the other hand, 1 solo flight of half an hour is really not enough at all.

This means that a Young pilot, after 1 solo flight and landing in perfect weather conditions, should be allowed to take passengers? For us, this is looking for problems and we cannot support this change. There should be at least a few solo flights without instructor in different circumstances. The Total of hours could stay the same, 16 or 17, but they should be split up different. For example: 10 hrs instruction flights and 6 hrs solo flight.

response

Partially accepted

Thank you for providing your opinion.

Please see the response to comment No. 1922 (B. Berben) in the same segment above.

comment

3107

comment by: *Rory Worsman*

This rule will lead to very poor experience. All instruction should not be with an instructor. I am strongly against this rule as it stands. I live 200km away from the nearest instructor where the climatic conditions are very different from those in my area. All PUTs would be forced to travel and fly in very different conditions to their home area. They would gain no local flying knowledge, build up no local contacts with local land owners, have no local knowledge of the micro-climate in their area.

This rule will just encourage PUTs to travel overseas and train in very gentle climatic conditions then return to their home area where they will be completely out of depth with knowledge and experience. To have all flying with instructors will be very expensive and I will not be able to continue learning to fly a balloon. The travel costs will be very large with many wasted journeys - I'll have to guess what the weather will be 200km away. I'll have to travel and stay overnight in preparation for a flight that may well be cancelled due to weather the next day.

The current UK system allows training with local pilots is cost efficient and highly effective. It is very environmentally friendly. It does not involve wasted journeys over 200km (400km round trip) due to weather uncertainties.

I make these comments both for LPL and BPL licenses.

response

Noted

Thank you for providing your opinion.

Please see the response to comment No. 2892 (R. Worsman) in the same segment above.

comment

3178

comment by: *Derek Maltby*

We think it unnecessary and excessive for such limitations. Training across a wide range of experience with other pilots have proved to be useful and added to safety of good practices. This is 'checked' by trainees having to undergo three/five instructor flights as part of this training period.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment	<p>3192 comment by: <i>Stephen LAW</i></p> <p>A number of training flights should be with an insrtuctor, but I disagree that all should be</p> <p>I would agree with 40% of flights. For a LPL(B) it is advantageous to learn from a number of pilots, hearing different tales of experience, not just one instructor whos fed up because hes constantly teaching!</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p>In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p> <p>The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.</p>
comment	<p>3388 comment by: <i>Peter MEECHAM</i></p> <p>Training flights should be allowed with any qualified pilot with up to four flights with qualified instructors taken at regular intervals. It can be almost impossible to get hold of an instructor on the few good weather days during the year in the U.K.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p>In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p> <p>The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.</p>
comment	<p>3569 comment by: <i>Francesca WORSMAN</i></p> <p>All training should NOT be with instructors.</p>

This would LIMIT experience.
 INCREASE costs
 LIMIT local experience of climate, weather and landowner
 KILL off ballooning in rural areas away from instructors.
 Where I live in Scotland is 200km from an instructor (only 3 local pilots)
 The current UK system of instruction under P1 should remain - with only check flights requiring instruction.
 Local tuition under P1 is essential to get good applicable local knowledge to the area where the balloon pilot will always be flying.
 Do NOT encourage pilots to train overseas in soft conditons where they get zero experience and local knowledge of their own flying area.

response **Noted**

Thank you for providing your opinion.
 Please see the response provided to comment No. 2892 (R. Worsman) in the same segment above.

The Agency would like to highlight that the last statement which says: "Do not encourage pilots to train overseas in soft conditions where they get zero experience..." is not understood. As the European system will allow to complete the flying training in any of the European Member States a student pilot will be allowed to do all his/her training for example in Germany or Spain and perform his/her first flights after licence issue in the UK or in Switzerland. The Agency cannot see any problem linked with this as it is in most cases today already allowed and no safety related issues are known. The Agency is of the opinion that a pilot trained in one of the European Member States according to the future requirements will be able to operate his/her balloon also in Scotland or other countries and regions with specific flying conditions. The "local knowledge" issue is not linked to the training of pilots because it is impossible to train a pilot for all the local specialities which exist all over Europe. This can only be done by performing familiarisation flights later on with local experts like it is done already nowadays during several ballooning events in the alpine regions during winter time.

comment 3723

comment by: *Klaus HARTMANN*

Die Regelung :
 (b) 1 supervised solo flight with a minimum flight time of 30 minutes.
 ist in einigen Ländern neu und sollte unbedingt in den Regeln erhalten bleiben.
 Nach bestandener Prüfung zum Erwerb einer Lizenz BPL oder LPL(B) muß der Pilot in der Lage sein das Luftfahrzeug ohne Hilfe zu betreiben. Dies muß bereits Bestandteil der Ausbildung sein. Der solo flight als unausweichlicher Bestandteil der Ausbildung gibt eine präzise Zielsetzung vor. Dadurch wird die gesamte Ausbildung positiv beeinflusst da andere, zum Teil unseriöse Zielsetzungen die ohne vorgeschriebenen solo flight verfolgt wurden, verhindert werden. Der solo flight setzt eine starke gedankliche Auseinandersetzung mit diesem Thema auf Seiten des student pilot und des Instructors voraus. Der solo flight hat sich in allen anderen Luftfahrzeugarten bewährt und ist ein Qualitätsmerkmal einer guten Ausbildung. Die Argumente einer zu niedrigen Beladung des Ballons bei einem solo flight kann mit geeignetem Ballast begegnet werden.

response **Noted**

Thank you for providing this positive feedback.

The Agency welcomes this statement regarding the issue of "possible problems with the minimum loading" because it was also discussed in detail with the experts of the drafting group.

It is the Agency's opinion that this requirement will provide specific additional training and experience which will improve the flight training for balloon pilots significantly in the European countries in which such training was not part of the training syllabus so far.

comment

3823

comment by: Robert Cross - BBAC

Why does this need to be with an instructor. There are not enough instructors. suggest that we follow current system in UK whereby only a certain number of hours are flown with an instructor.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

3828

comment by: Luftfahrt-Bundesamt

FCL.110.B:

No definition for Balloon „Classes“ and "Groups could be found, thus EASA is requested to provide an appropriate definition.

response

Noted

Thank you for your comment.

The detailed definitions of groups and classes of balloons are contained in AMC to FCL.225.B. The Agency will consider putting it in the general paragraph containing all the definitions or in the appropriate AMC material.

comment

4087

comment by: SFVHE

Die Praxis, dass sich einzelne Vereine zu einem globalen Ausbildungsbetrieb zusammenschließen (Verband) sollte fortbestehen.

response

Noted

Thank you for providing your comment on the organisational structure of a

training organisation.

The Agency acknowledges your opinion but as the issue mentioned is not related to this requirement no further response can be provided. Please see the responses to NPA 200-22c which contains the requirements for the approved training organisations. The issue will be clarified there.

comment

4217

comment by: *Cary Crawley*

Please clarify the phrase "dual flight instruction"-does this mean (a) Two students simultaneously or (b) One student being instructed by one Instructing pilot?

response

Noted

Thank you for providing your comment.

However, the Agency does not agree with your proposal to add a clarification for "dual training" in FCL.110.B because FCL.010 contains already this clarification.

The Agency does not understand the reason behind the question (a) asking if two student pilots can be instructed simultaneously as all the balloons known so far will be operated with a burner system which should be operated normally only by one pilot. The same issue is the use of the parachute/fast deflating systems which should normally be used only by one pilot or student pilot at the same time. The Agency does not understand how two student pilots should fly one balloon at the same time (simultaneously).

comment

4221

comment by: *Cary Crawley*

Please clarify- At what point in the training should the student be allowed to fly "Solo"? (a) After a specified minimum period of flight instruction in flight hours and at the discretion of the flight Instructor? If so, can the student continue to make subsequent "Solo"flights before licence check flight ,perhaps under the pretext that an Examiner may not be readily available? (b) Or is the "Solo"flight to be made after the student has successfully taken their pilot check flight with an examiner ? (c) Please identify in precisely what manner the "Solo"flight will be "Supervised"? (d) Please specify whom will be aproved as qualified to supervise the "Solo"-a qualified pilot,an Instructor,an Examiner or who?

response

Noted

The Agency acknowledges your opinion.

However, as most of these questions are related to issues which are more related to instructing techniques and the training plan for a certain training course not all of the items can be explained in detail with this response. Please study the AMC material containing the training syllabus to learn more about the exercise "solo flight". There is no "defined" point in the training when to perform the solo flight as this depends on the individual learning performance of each student pilot. It is at the discretion of the instructor when to send someone solo. As the text says: "at least one solo flight", the instructor is allowed to send the student on a second (or even more) solo flight. Before taking the skill test at least one solo flight has to be performed as FCL.125 states clearly that the skill test has to be taken when the flight training has

been completed.

If a second student pilot is on board supporting the other student pilot (e.g. navigating tasks), this should not be counted as flight instruction time.

comment

4941

comment by: *Hugh STEWART*

I think the existing scheme of tuition in UK received from a mix of qualified pilots and qualified instructors is appropriate. The standards of P1s are generally sufficiently high that the broad range of tutorial experience is often better than having all training done just by instructors.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

4943

comment by: *Graham PHILPOT*

It should be possible for some training hours to be with a qualified pilot of a specified number of hours (eg 12hrs P1), the safety/quality check would be that

a) specified number of flights need to be with an Instructor
or

b) it is the responsibility of the Instructor making the 'Recommendation for Flight Test' to ensure pupil is to standard.

Once again we should employ the EU legislation guidance that lowest common denominator is supposed to apply. If not applied this would represent an infringement of Human Rights.

There is no evidence that where this applies there is a lower safety standard/record.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

5093

comment by: *Ciers Gino*

ALL pilots should start on small balloons, max. 3000 m³. A bigger balloon is heavier and fly's not so light, so to fly a bigger balloon with passengers all pilots should have an experience of at least 200 flying hours, and before they take passengers they should make (instruction flights included) a minimum of 50 flights solo.

response

Noted

The Agency acknowledges your opinion.

However, this requirement is dealing with the experience and training requirements and not with the privileges.

After having reviewed all the comments received on this issue, the Agency decided to lower the maximum envelope size to 3400m³. No need can be seen to introduce a specific additional requirement for allowing the carriage of passengers (as proposed: 50 solo flights). Please see the other comment on this issue in the appropriate segment and the responses provided by the Agency.

comment

5267

comment by: *Rita Marshall*

As balloon crew and PUT with 25+ years in the sport I prefer that the system of training with any P1 and 4 flights with an instructor continue, because:

a) Balloon piloting is very different from other aviation piloting, in that the balloon is individual in the way it flies and the burner (or engine) is different in every balloon(Aircraft) so even flying 4 different balloons of the same size and manufacture will need slightly different flying techniques, a flight is also affected by the wind, temperature (gas pressure and lift), body weight of basket occupants., and many more facts. As this doesn't apply to other aviators, ballooning trainee pilots need to fly as many balloons as possible during training and with a group of instructing pilots, not as you are suggesting 1 instructor and 1 balloon for all training.

b) Ballooning is an activity sport and as a guest passenger I have often been allowed some "burner time" by a P1 to just add a little something to the flight or to encourage a person to perhaps become a PUT, you will end all this, and I believe that the number of new pilots coming to the sport will decline because of this rule.

c) Ballooning doesn't have any specific building or meeting place, or central

centres where non-flyers can go to and get informal training or regular crewing/flying,. Many crew don't get or want any financial reward but do "earn their passage" after crewing for perhaps 10 flights they get to fly, your system would put an end to this valuable intro into balloon Piloting, make any "burner time" "PUT training/introduction", and reduce the numbers of new Pilots coming in the sport.

d) Because of the unique structure of an envelope, burner and basket it is possible for the P1 to always override a "PUT" without having to have dual controls or to move his position in the basket, to take control of the aircraft. This has not been recognised and I request that this aspect be considered when introducing Instructor only training.

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

The Agency would like to highlight that it is not suggested to use "one instructor and one balloon for all training". The text allows different balloons and instructors but experienced teachers will confirm that your proposal that "ballooning trainee pilots need to fly as many balloons as possible during training" will for sure not lead to a better training result as if only two or three different balloon types will be used. The Agency is of the opinion that this statement is definitely wrong.

Regarding the issue mentioned under d), the Agency does not understand the meaning behind. All the training aircraft used for pilot training should allow the instructor to "override" the student pilot if something is going wrong and cannot be solved verbally. In an aeroplane dual controls are allowing this and in a balloon this is also possible. The Agency would like to question why this should be an argument not to require the person providing the flight training to be a balloon instructor.

comment 5328

comment by: *Guy GEERAERTS*

The number of solo-flights is much too low, the number of dual instruction flights is too high.

A total of at least **10 flights with instructor on board** is an absolute minimum, but 20 flights for "good" students is not needed.

However I would recommend **at least 25 solo flights!** This is where experience is gained!

response

Noted

Thank you for providing your opinion.
Please see the response provided already to comment No. 1922 (B.Berben) in the same segment above.

The Agency does not understand the logic behind your statement that a total amount of "20 flights for "good" students is not needed" but a recommendation for "at least 25 solo flights" is given. See the responses related to the number of solo flights.

comment

5392

comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

- a) Should be named hot inflation then fillings
- b)How to do a soloflight with gasballoons?

response

Partially accepted

Thank you for providing your comment.
The Agency does not agree with the proposed change because the procedure for the gas balloons cannot be called "hot inflation". But to make the issue more clear the wording "inflations" will be used as this term should cover both the gas-balloon and hot-air balloon inflation or filling phase.

Regarding the solo flights in gas-balloons, the Agency has discussed this issue again with gas-balloon training experts and came to the conclusion that this requirement should be kept also for gas balloon flight training.

comment

5508

comment by: *Ted Moore*

Like many of my friends in the ballooning community in the UK and elsewhere I have considerable experience gained over many years of flying and we are quite capable of passing on that experience to a new pilot in training. Whilst I concur with the system of regular instructor checks during the run up to final check out I believe that the insistence on every flight by a trainee having to be with a qualified instructor is both unnecessary and expensive. There is no evidence to suggest that this would enhance safety since the most critical time for a new pilot is the first few hours after gaining their license.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without

causing major problems for the LPL(B)/BPL training organisations.

comment **5517** comment by: *R Gyselynck*

The max number on board does not tally with UK operating conditions. It should be pilot plus 5 pax as this is the max allowed in a basket without partition

response **Noted**

Thank you for providing your opinion.
However, the requirement in this segment is dealing with the experience requirements and not with the privileges.

Please see the responses to the segment dealing with the privileges. The Agency does not agree that there is a need to extend the privileges of a pure leisure pilots in order to allow the carriage of 4 passengers and will keep the proposed requirement. The maximum envelope size will be aligned and amended. The actual operating conditions vary in the different Member States but as this is not a safety related issue the Agency does not see a need to orientate on certification related or operational requirements when defining the privileges for a certain licence holder.

comment **5521** comment by: *R Gyselynck*

It is a quite unnecessary burden to require all balloon training hours to be with an instructor and is a waste of time for no safety or efficiency gain. The UK has allowed Pilots to train students and they are then subject to checks by instructors and finally examiners. This is a sensible and proven system and should continue.

response **Noted**

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment **5650** comment by: *Robert Harris 7699*

provided that the training can be undertaken with both other pilots and with a specified number of training flights with an instructor then this is acceptable. Purely using instructors for all training flights is not necessary and the UK safety record can demonstrate this

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

5686

comment by: *Jeff Roberts*

Having all training flights with an instructor is not necessary, the training scheme adopted in the UK and administered by the BBAC works very well with four flights along the course of the training with an instructor being far more acceptable. This is a system that has been proved to work over many years.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

5890

comment by: *Belgium*

16 hours of instruction flights is too much and 1 solo flight of 30 minutes is not enough. If you only need to do 1 solo flight of 30 minutes you will do this in optimal weather conditions.

We propose 10 hours of dual flight instruction and 6 hours of solo flights.

response

Partially accepted

Thank you for providing your opinion.

Please see the response already provided to comment No. 1922 (B.Berben) in the same segment above.

comment 5997 comment by: AA Brown BBAC # 3448

FCL.110.B LPB(B) Experience requirements

The UK system requires a minimum of 4 of the training hours requirement to be with a qualified flight instructor. Since there are a limited number of flight exercises required to be completed to become a balloon pilot I think it is inappropriate that all of the 16 hours requirement be carried out as dual flight instruction ie. with an instructor. Certainly, the pilot under training needs to be instructed on how to complete the flight exercise in a safe and competent manner and once this has been done it is necessary for that person to practice the exercise and then be assessed.

In my experience the practice part usually requires upto four times the instructional content which can be carried out under the supervision of a competent, current balloon pilot. Most pilots under training have previously been involved as ground crew with a qualified pilot who has probably already taught them most of what they need to know. The instructor merely ensures that the exercises are being completed to standard operating procedures.

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment 6269 comment by: David COURT

Is the term "fillings" used to indicate a minimum of 10 separate flights where the balloon is filled or that the student themselves must "fill" the balloon on 10 occasions.

response *Noted*

Thank you for providing this comment and the question about the term "filling" and its meaning.

The Agency has included this term in order to define that the filling of a balloon should be trained. If these 10 fillings are followed each by a flight or if no flight is done afterwards does not make any difference. The procedure of "filling" or "inflating" (hot and cold inflation in the case of a hot-air balloon) should be trained with or under the supervision of an instructor. The Agency is of the

opinion that this procedure (including the pre-take-off checks like checking of the parachute system) is an important part of the training. As in certain Member States several "in between" landings and take-offs are allowed during one flight this requirement will establish a certain training for the "filling phase".

comment

6524

comment by: *Kevin Ison*

I think only a certain number of flights should be with an instructor. Experience with other pilots is good practice.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

6552

comment by: *Peter Mossman*

Currently only a certain number of training flights are required by an instructor not all. This works very like learning to drive a car. For all instruction to be done by an instructor put a lot of strain on the system. I suggest that any private pilot with more than say 100 hours should be able to train plus 5 instructor flight.

response

Not accepted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment	<p data-bbox="352 237 427 271">6590</p> <p data-bbox="1007 237 1437 271" style="text-align: right;">comment by: <i>Kevin Van Dessel</i></p> <p data-bbox="352 293 1437 517">A) 16 hours of dual flight instruction is too much for people that already have experience as a crewmember in a balloon team and who occasionally have handled the burners. Therefore I should suggest to bring the minimum hours of dual flight instruction to 6, which is the minimum in Belgium at this moment. It's the instructors decision if a student pilot can fly solo or not. If a student pilot has zero experience in ballooning he will make more than 6 flights with the instructor before his first solo.</p> <p data-bbox="352 551 1437 651">B) Only 1 solo flight is not enough. This should be at least 10 flights. During your solo flights you learn and get experience which is needed when you're going to fly with people.</p>
response	<p data-bbox="352 660 437 694"><i>Noted</i></p> <p data-bbox="352 728 1150 790">Thank you for providing your opinion. Please see the response to comment No. 1922 (B.Berben).</p>
comment	<p data-bbox="352 835 427 869">6849</p> <p data-bbox="836 835 1437 869" style="text-align: right;">comment by: <i>European Balloon Corporation</i></p> <p data-bbox="352 902 1437 1066">30 minutes solo looks to me a very short experience. as ballooning is much dependant of the weather, it is important that student has the possibility to fly in different type of circumstances. Solo flights is an important part of the carrer as during these flights you still learn a lot. I would recommend min 5 hours of solo time.</p> <p data-bbox="352 1099 1078 1227">Benoit Siméons Helicopter pilot - airship pilot Commercial hot air balloonist - instructor - examiner Gas pilot</p>
response	<p data-bbox="352 1236 533 1270"><i>Not accepted</i></p> <p data-bbox="352 1303 1150 1366">Thank you for providing your opinion. Please see the response to comment No. 1922 (B.Berben).</p>
comment	<p data-bbox="352 1411 427 1444">6952</p> <p data-bbox="1035 1411 1437 1444" style="text-align: right;">comment by: <i>peter DE BOCK</i></p> <p data-bbox="352 1478 767 1512">As balloon instructor i can tell;</p> <p data-bbox="352 1545 1437 1646">Most student balloon pilots have a lot of experience before they start their official training. So 16 hours of dual flight time is too much. I believe 10 dual flights is ok for some people. Why fly all the other flights in dual??</p> <p data-bbox="352 1646 1437 1736">Only 30 minutes solo flying is far not sufficient. I' am a supporter of minimum six solo flights. Taking already three passengers in a basket after only one solo flight is unacceptable.</p> <p data-bbox="352 1736 1437 1865">20 take-offs and landings??? It is not always possible to do effectife landings in ballooning. Approaching and controlled climbing and decent is more important than 20 effentive take-offs and landings. Anyway, who will control all this take-offs and landings??</p>
response	<p data-bbox="352 1877 437 1910"><i>Noted</i></p> <p data-bbox="352 1944 1150 2007">Thank you for providing your opinion. Please see the response to comment No. 1922 (B.Berben).</p>

Additionally, it should be highlighted that the Agency does agree with the statement that "it is not always possible to do effective landings in ballooning" but does not at all conclude (based on this) that the 20 landings are not necessary. On the contrary, the Agency is convinced that this requirement for at least 20 landings must be kept as one of the main elements of the training required in this paragraph. "Approaching and controlled climb/descent" is a part of this procedure but is not all "more important than 20 effective take-offs and landings". To stop the approach/landing in 1 or 2 meter above ground because of the actual wind speed (without using the parachute system or deflating system), will not at all include all the necessary training items and will not be accepted as one of the required 20 landings.

comment 7263 comment by: JOSEP LLADO-COSTA

We have always requested than half of the hours can be done with another experienced pilot. This can help on the cost of getting the license and people around a balloon team can see it closer to get the license. I find this point very important if we want to help ballooning without reducing safety.

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment 7352 comment by: *heavenballooning*

i'm also not agree with the 16 flights with instructor.
that's to expensive for the new en young pilots.
take 8 or 10 flights. give 10 flights flown solo, but learning pilots do a take-off on the same field of the instructor.

response *Not accepted*

Thank you for providing your opinion.
Please see the response to comment No. 1922 (B.Berben).

The Agency does not understand the logic behind your comment as you propose to do 8-10 flights with an instructor and additionally 10 solo flights. This will result in a similar amount of training as already proposed.

comment	<p data-bbox="351 201 422 235">7432</p> <p data-bbox="1037 201 1449 235" style="text-align: right;">comment by: <i>Jaime Stewart</i></p> <p data-bbox="351 257 1449 548">In the UK we have a system whereby trainee pilots do most of their training flights with one or more qualified LPL P1s, with four instructor flights interspersed with these within the overall 16 hours. In practice, most trainee pilots have training flights with a few different P1s, although one in particular will provide the dominant influence in training. This provides a breadth of experience which is not possible if all training is received from the same source apart from instructor flights. The 16 hours is of course a minimum requirement and the student will not receive a recommendation to take a flying test until an instructor deems it appropriate.</p> <p data-bbox="351 571 1449 683">This system has worked well in the UK up until now. There is no obvious reason to change it, and doing so will disrupt the sport, discouraging fresh talent by making access to it even more difficult.</p>
response	<p data-bbox="351 694 438 728"><i>Noted</i></p> <p data-bbox="351 750 893 784">Thank you for providing your comment.</p> <p data-bbox="351 817 1449 918">The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p data-bbox="351 952 1449 1075">In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p> <p data-bbox="351 1108 1449 1276">The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.</p>
comment	<p data-bbox="351 1332 422 1366">7440</p> <p data-bbox="1021 1332 1449 1366" style="text-align: right;">comment by: <i>Holger Scheibel</i></p> <p data-bbox="351 1388 1109 1512">Die Thematik des soloflight muss dringend präzise gefasst werden. Besonders wichtig sind in diesem Zusammenhang die Fragen der Beladung und Fahrtüberwachung.</p> <p data-bbox="351 1545 1449 1646">Geeigneter Ballast samt Unterbringung und Sicherung muss dazu aber vorher in den entsprechenden Flughandbüchern genau definiert werden!</p>
response	<p data-bbox="351 1668 438 1702"><i>Noted</i></p> <p data-bbox="351 1724 893 1758">Thank you for providing your comment.</p> <p data-bbox="351 1792 1449 2016">However, the Agency does not understand what kind of precision for the solo flight you are asking for. It is clear and visible that the items "loading" and "supervision" must be discussed by the instructor with his/her student but the Agency does not see the need to define this in the Implementing Rules. This might be a topic for instructor refresher seminars but as the solo navigation flight is already part of the training for other aircraft categories an exchange with these instructors and the balloon instructors who supervised already these</p>

kind of solo flights might be helpful.

comment

7452

comment by: *Don Brown*

The requirement for all training to be carried out by instructors would place a heavy burden upon the limited number of instructors available. I believe that trainee pilots are better trained if their training is varied and carried out with as many different pilots as possible. The danger with restricting pilots to using instructors is that they will miss out on the rich diversity of experience which can be gained flying with as many different pilots in as many different balloons in as many different conditions as possible.

I suggest that for LPL pilots at least SIX flights are with instructors spread evenly over the period of training, all other training hours could be performed with LPL or BPL pilots having at least 75 hours as P1.

response

Not accepted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LBL(B)/BPL training organisations.

comment

7474

comment by: *Nevill Arms BC*

As a small independent group sharing a balloon we have successfully assisted in four PUTs achieving P1 status. Training of PUTs has provided a focus for development of all of the members of our group. It has not only benefited experienced P1s who have had to think more widely and had knowledge challenged before conducting training flights with PUTs, but has also benefited crew members – all of us learning and understanding more and appreciating hazards, risks and associated safety precautions required in ballooning. Whilst Instructor flights are an essential part of training, if training is *only* through Instructor flights a valuable additional source of learning for *all* in the sport will be lost. For PUTs in the UK training is already limited by weather and costs constraints, the availability of instructors will only add to the difficulties of getting continuity when training.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

7604

comment by: *David Maine*

It should be possible to continue the present arrangement of basic training being carried out with another pilot and only certain flights with an instructor. Restricting training to instructors will reduce the opportunities for training flights and limit the flying experience of a trainee.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

7618

comment by: *Aero-Club of Switzerland*

The Swiss Ballooning Federation insists on the systemwide introduction/respect of the (b) requirement.

Justification: This is a really valuable safety element.

response

Noted

Thank you for providing this positive feedback.

The Agency welcomes this statement regarding the value of this requirement to ask for a supervised solo flight.

It is the Agency's opinion that this requirement will provide specific

additional training and experience which will improve the flight training for balloon pilots significantly in the European countries in which such training was not part of the training syllabus so far.

comment 7623 comment by: *nigel carr*

would it not be better to have 8 hours with an instructor and 8 with LPL or BPL pilot over 50 hrs giving a more balanced training it is important to allow non instructors to participate in pilot training it is beneficial to both parties

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment 7696 comment by: *BBAC 6824*

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.

response *Noted*

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment	<p>7753 comment by: <i>Anglian Countryside Balloons Ltd</i></p> <p>16 hour flight instruction but not all with an examiner.</p>
response	<p><i>Noted</i></p> <p>Thank you for your opinion.</p> <p>However, this might be a misunderstanding as the flight training will be provided by an instructor and not by an examiner.</p>
comment	<p>8023 comment by: <i>Rupert STANLEY</i></p> <p>It is unclear whether training may be carried out only with an instructor or with another qualified pilot. For many years, the UK has operated a system whereby students can learn with another qualified pilot, whilst requiring a minimum of 4 flights with an instructor. This system has operated well and kept entry costs low for student pilots. To restrict training to only qualified instructors would unreasonably increase cost and restrict availability due to a relative lack of instructors. Ultimately, this will kill our sport, so I strongly object to any requirement that experience can only be gained with qualified instructors and suggest that experience with qualified pilots also be taken into account.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p> <p>In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.</p> <p>The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.</p>
comment	<p>8093 comment by: <i>George Ibbotson</i></p> <p>I suggest that these 16 hours of dual flight instruction should be given by any holder of an LPL(B) with at least 50 hours of experience. It is not necessary to insist on all the instruction be given by a rated instructor or examiner. It is experience that matters not skill in instructing.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.</p>

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

8133

comment by: *Gareth Davies*

It is unnecessary for all flights to be with an Instructor. Any qualified pilot should be capable of teaching and supervising a trainee pilot in all of the main aspects of learning to fly a balloon. Instructor flights should be used to check progress and competency. The current UK system of a minimum of 4 training flights with an Instructor works well and should be continued.

response

Noted

Thank you for providing your comment.

The EU regulation 216/2008 defines that flight instruction for pilot licences must be given by appropriately qualified instructors. There is no way to define something else in the Implementing Rules.

In addition to that, the Agency believes that the instructional techniques and the specific practical training for instructor candidates as contained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in some Member States and should allow clubs and training organisations to "recruit" the necessary amount of instructors without causing major problems for the LPL(B)/BPL training organisations.

comment

8148

comment by: *William Treacy*

One supervised solo flight is insufficient, Remember this pilot will then be able to carry passengers. I suggest at least 5 supervised flights.

response

Noted

Thank you for providing your opinion.

Please see the response provided already to comment No. 1922 (B.Berben) in the same segment above.

comment	<p data-bbox="351 237 406 280">333</p> <p data-bbox="901 237 1449 280">comment by: <i>Michel Lacombe AF TRTO</i></p> <p data-bbox="351 291 582 324">Numbering error</p> <p data-bbox="351 358 734 392">FCL.135.B LPL(B) Extension</p> <p data-bbox="351 392 853 425">of privileges to another balloon class</p> <p data-bbox="351 425 1428 481">(a) The privileges of the LPL(B) shall be limited to the class of balloon in which the skill test was taken.</p> <p data-bbox="351 481 1380 548">This limitation may be withdrawn when the pilot has completed in the other class:</p> <p data-bbox="351 548 702 582">(1) (a) Flight instruction:</p> <p data-bbox="351 582 774 616">(i) (1) 5 instruction flights; or,</p> <p data-bbox="351 616 1356 683">(ii) (2) in the case of a LPL(B) for hot-air balloons wishing to extend their privileges to hot-air airships, 5 hours of dual instruction time; and</p> <p data-bbox="351 683 1380 772">(2) (b) a skill test, during which they shall demonstrate to the examiner an adequate level of theoretical knowledge for the other class in the following subjects:</p> <ul data-bbox="351 772 877 907" style="list-style-type: none"> -Principles of flight; -Operational procedures; -Flight performance and planning; and -Aircraft general knowledge.
response	<p data-bbox="351 918 598 963"><i>Partially accepted</i></p> <p data-bbox="351 974 877 1019">Thank you for providing this comment.</p> <p data-bbox="351 1019 1324 1057">The Agency agrees that the numbering is not correct and will change it.</p>

comment	<p data-bbox="351 1106 422 1153">2660</p> <p data-bbox="1053 1106 1449 1153">comment by: <i>Derry MOORE</i></p> <p data-bbox="351 1164 1449 1232">Too restrictive, pilot plus 5 would cover all 'leisure' licence requirements. An example would be a tethered operation in a sponsored balloon.</p>
response	<p data-bbox="351 1243 438 1288"><i>Noted</i></p> <p data-bbox="351 1299 861 1344">Thank you for providing your opinion.</p> <p data-bbox="351 1344 1449 1467">It seems that this comment should be addressed to another segment. FCL.135.B is dealing with the extension of privileges to another class of balloons. A certain amount of passengers or persons on board is only mentioned in FCL.105.B.</p> <p data-bbox="351 1500 1396 1534">The following response was given to similar comments regarding FCL.105.B:</p> <p data-bbox="351 1568 1449 1926">Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.</p> <p data-bbox="351 1960 1449 2027">The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this</p>

requirement aligned with the definition for the group "small" for the BPL. Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

2854

comment by: *Jeremy Hinton*

Section (a)(2): If a LPL(B) holder limited to class A takes an additional skill test in a class C (having satisfied the other requirements), are they permitted to fly class C, or do they have to take an additional skill test?

response

Noted

Thank you for providing this comment/question.

It seems that there has been some kind of misunderstanding. The Agency has never proposed to create a class A or C. The classes mentioned in this segment (FCL.135.B) are clearly mentioned. The classes are:

- hot air balloons
- gas balloons
- hot air airships.

The comment might address the groups of balloons for the BPL (wording used in the draft: small/medium/large). For the LPL there are not such groups considered to be necessary.

comment

3233

comment by: *Richard Sargeant*

Page 17 – extension of privileges to another balloon class.

In the "Definitions section, "Class of balloon" is defined as a categorisation of balloons taking into account the lifting means used to sustain flight. However on page 17 FCL.135B para a, the phrase "Balloon class" is used. I believe the intention of the proposal is to differentiate between for example gas and hot-air balloons, which have quite different flight characteristics. However it should be noted that all aerostats are categorised by class using FAI defined global standard system that has been established for many years. Please see for example <http://www.balloon.hu/ballonok/balloszt.htm>.

I believe there is a huge risk that confusion of these two entirely separate "class" designations will lead to great confusion in the regulations. The use of the term "Balloon class" by EASA needs review as it conflicts with that defined by the FAI.

response

Noted

Thank you for providing your opinion.

However, the Agency does not agree with the proposal to change the wording for the class of balloons. This system should be aligned with the commonly used system for classes of aeroplanes. For one class (like single engine piston or TMG) the pilot has to hold one class rating. In a similar way one class of balloons is defined. To fly a specific hot-air balloon the pilot will need the hot-air privilege or extension. Another class will be the gas-balloon class. Another one is the class hot-air airship. The Agency does not see a need to change this

wording and will use "a class of balloons" and "balloon class".

The Agency will check if the AMC defining the different classes and groups of balloons could be linked or incorporated in the definitions for this Part.

comment

6686

comment by: *Lubbock Edward*

Proposed rule FCL 105b gives me cause for concern. I presently fly a balloon with an envelope size of 2,700M³. The rating for my balloon is 4 + pilot subject to adequate pre-flight checks being carried out in accordance with the manufacturers recommendations to ensure safe loading. When flying in other Eu countries outside the UK, I do have to adjust the loading of the balloon as higher ambient temperatures often prevail. However, a balloon up to 4,000M³ flying in the UK will often be more than capable of carrying Pilot +4 and Pilot +5 would most certainly be a possibility on some days. Pilot +3 is too restrictive.

response

Noted

Thank you for providing your opinion.

It seems that this comment should be addressed to another segment. FCL.135.B is dealing with the extension of privileges to another class of balloons.

FCL.105.B is dealing with the privileges. The following response was given to similar comments:

Based on the discussions with the group of experts who were involved in drafting the requirements for the Leisure Pilot Licence, the Agency decided to limit the amount of persons on board to 4 persons for all the different LPL categories. This will allow carrying a maximum amount of 3 passengers, which seems to fulfil all the needs of a pure leisure flight not aiming on a commercial activity. The Agency cannot see a need to increase this figure and does not see a danger of damaging current sport balloon activities. The BPL will allow the pilot to take more passengers with him/her and to fly balloons with a larger envelope size. As these flights with more than 3 passengers are mostly offered against remuneration this will be by definition a commercial operation which would mean that the pilot anyway has to hold a BPL with commercial privilege.

The discrepancy between the envelope size of 4000m³ and the maximum amount of 4 persons on board was caused by the intension to have this requirement aligned with the definition for the group "small" for the BPL.

Taking into account the comments received, the Agency has decided to lower the maximum envelope capacity and to align it with the given maximum number of passengers. The text will be changed accordingly.

comment

7869

comment by: *Svenska Ballongfederationen*

FCL.135.B LPL(B) – Extension of privileges to another balloon class

(a)(1)(i): People are different and have different abilities to study and learn. Deciding on a specific number of flights necessary is not a good idea. In some cases one or two flights might be enough and in some cases there might be a need for eight flights. It should up to the instructor/instructors to decide the

	number of flights necessary.
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that student pilots learning progress is different. However, the Agency believes also that a certain minimum training should be defined as the pure competency based training could not be introduced so far. The Agency will therefore keep the numbers proposed here and will add the term "at least" to indicate that the instructor is free to provide more than these minimum training requirements.</p>

B. Draft Opinion Part-FCL - Subpart B: Leisure Pilot Licence - LPL - Section 6: Specific requirements for the LPL for balloons - FCL.140.B LPL(B) - Recency requirements	p. 17
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comment	<p><i>1041</i> comment by: <i>Benjamin F.</i></p> <p>Ich finde, dass es ausreicht, wenn man 12 Stunden in den vergangenen 24 Monaten nachweisen kann, sowie den Überprüfungsflug mit Fluglehrer macht. Eine zusätzliche praktische Prüfung alle 6 Jahre ist übertrieben und vor allem teuer.</p> <p>Außerdem gibt es Piloten, die weitaus mehr als die erforderlichen Stunden fliegen und da macht eine praktische Prüfung keinen Sinn, da man auch ohne diese Überprüfung einen ausreichenden Kenntnisstand hat und sicher genug fliegt.</p> <p>Für die Sicherheit in der Luft ist unsere aktuelle Regelung ausreichend genug, daher sollte der Prüfungsflug alle 6 Jahre aus der Regelung entfernt werden.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment. However, it seems that the comment should be addressed to another segment (using the wording "fliegen" instead of "fahren" for balloon operations).</p> <p>Nevertheless, the Agency has reviewed and discussed the issue of the proficiency check during the review phase based on the enormous amount of comments dealing with this topic 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.</p> <p>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 aircraft categories and to introduce mandatory training flights with an instructor every 24 months (for helicopters every 12 months) instead.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The given numbers for the flight time and the take-offs will be changed as follows: "6 hours of flight time as pilot-in-command, including 10 take-offs and landings". The training flight with an instructor will be added. This seems to be also an acceptable solution for the gas-balloon licence holders.</p> <p>Furthermore, a sentence will be added explaining that the missing take-offs or</p>

flight hours under (a)(1) might be completed under the supervision of an instructor.

See the resulting text.

comment

1219

comment by: *Julia DEAN*

Currency

The introduction of a proficiency check (for example every six years as proposed) is an extra level of regulation that does not currently exist and is disappointing.

Safety and incident reports do not seem to show that a proficiency check at sports or leisure balloon pilot level (LPL or BPL) is necessary - what has this decision been based on?

response

Noted

Thank you for providing your comment.

The Agency has reviewed and discussed the issue of the proficiency check during the review phase based on the enormous amount of comments dealing with this topic 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 aircraft categories and to introduce mandatory training flights with an instructor every 24 months (for helicopters every 12 months) instead.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The given numbers for the flight time and the take-offs will be changed as follows: "6 hours of flight time as pilot-in-command, including 10 take-offs and landings". The training flight with an instructor will be added. This seems to be also an acceptable solution for the gas-balloon licence holders.

Furthermore, a sentence will be added explaining that the missing take-offs or flight hours under (a)(1) might be completed with or under the supervision of an instructor.

See the resulting text.

comment

1428

comment by: *Aero Club Oppenheim e. V.*

Bei Flugstunden muss auch die dokumentierte UL-Flugzeit auf aerodynamisch gesteuerten Ultraleichten anerkannt werden.

Der Stundenflug mit Fluglehrer hat sich bewährt und insbesondere dazu geführt wieder zielgerichtet auf die Wünsche und Bedürfnisse der Scheininhaber einzugehen.

Der persönliche Druck der Einzelnen war groß genug und sollte nicht im Rahmen eines "Prüfungsfluges" unnötig erhöht werden.

Man bekommt damit meines Erachtens schlechtere Ergebnisse, da man

die Personen nur im persönlichen Gespräch beeinflussen kann und nicht mit einer willkürlich angesetzten Befähigungsüberprüfung, wie sie derzeit für Fluglehrer vorgesehen ist.

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree at all. FCL.140.B is dealing with the recency requirements for balloon pilots. The Agency is of the opinion that flight time on microlights or other fixed wing aircraft should not be credited for fulfilling the recency requirement balloons.

The issue of the proficiency check is raised as a second issue. The Agency has reviewed and discussed the issue of the proficiency check during the review phase based on the enormous amount of comments dealing with this topic 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 aircraft categories and to introduce mandatory training flights with an instructor every 24 months (for helicopters every 12 months) instead.

See the resulting text.

comment

1531

comment by: *Danish Balloon Organisation*

FCL.140.B (a) (2) and (c):

We suggest that all **proficiency checks** can be performed also with instructors.

Justification: The Basic Regulation gives the following toolbox for demonstration of compliance: "Assessments, examinations, tests or checks". We think that proficiency checks should be possible also with instructors to reflect the level of risk associated with the activity.

response

Partially accepted

Thank you for providing your comment.

The Agency has reviewed and discussed the issue of the proficiency check during the review phase based on the enormous amount of comments dealing with this topic 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 aircraft categories and to introduce mandatory training flights with an instructor every 24 months (for helicopters every 12 months) instead. This was also proposed with your comment. It should be clarified that a proficiency check by definition can only be conducted by an examiner. Due to this the Agency will introduce a "training

flight with an instructor".

It should be mentioned also that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The given numbers for the flight time and the take-offs will be changed as follows: "6 hours of flight time as pilot-in-command, including 10 take-offs and landings". The training flight with an instructor will be added. This seems to be also an acceptable solution for the gas-balloon licence holders.

Furthermore, a sentence will be added explaining that the missing take-offs or flight hours under (a)(1) might be completed under the supervision of an instructor.

See the resulting text.

comment

1532

comment by: *Danish Balloon Organisation*

FCL.140.B (a) (2):

We suggest that the regular proficiency checks are performed at least every **12 years** instead of 6 years.

Justification: The frequency of checks must be proportionate to the level of risk associated with the activity.

response

Not accepted

Thank you for providing your comment. However, as it was decided to delete the proficiency check in total but to introduce a mandatory training flight your proposal will not be taken into account.

Please see also the response to your comment No. 1531 above.

comment

1760

comment by: *Klaus BLOMMEN*

As Senior-Examiner, FIE, CRE, TRE for B767, SEP, TMG, Glider and VLA I have a lot of experience in training and checking pilots.

A very good solution to improve knowledge and training of each pilot is the training-flight with an instructor. This idea by JAA was an excellent solution for the (private) and small aviation.

Even in airline-aviation a well organized trainings-mission has much more learning-effect than any check flight with an examiner.

The effect of check flights are much more organisational problems and more costs.

Because of this many pilots will quit the interest in small aviation.

All this because of a useless checkflights on small aircrafts!?

I recommend to stop the adoption of this new regulation. I don't see any improvement of safety; just only more regulation. And this does not help in any way.

Regards!

Klaus Blommen

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **1849**

comment by: *Dr. Schreck*

Wie bereits unter FCL.105 angemerkt wird Jugendlichen aufgrund ihres geringen Alters die Fähigkeit ein Flugzeug verantwortungsbewusst und sicher zu führen abgesprochen. Auf der anderen Seite sollen bei einem erwachsenen Scheininhaber 18 Flugstunden innerhalb 6 Jahren ausreichen, um Erfahrung und Routine zu erhalten. Diese Denkweise ist nicht nachvollziehbar. Ein Autofahrer der innerhalb von 6 Jahren 18mal mit einem Auto gefahren sind gelten in der Bevölkerung mit Sicherheit nicht als routinierte Fahrer. Ein proficiency check durch einen Examiner anstatt durch FI ist mit großem bürokratischen Aufwand verbunden. Ebenso werden hierdurch unnötige, hohe Kosten verursacht. In den Vereinen sind meist genügend Instructors vorhanden, um Überprüfungen in regelmäßigen Abständen durchzuführen.

response *Noted*

Thank you for providing your comment. However, the Agency does not understand the meaning behind the first statement dealing with the minimum age. For ballooning (this segment is dealing with the LPL(B)) the minimum age of 14 in order to start with the flight training and the age of 16 for licence issue is based on an evaluation of the national requirements in place. ICAO Annex I (2.10.1.1) also recommends this age for free balloon licence holders.

Regarding the issue of the proficiency check please see response to comment No. 1041 in the same segment above.

comment **2509**

comment by: *Andrew Kaye*

As an instructor I feel that the proficiency check every six years should be permitted to be carried out by an approved instructor as the availability of examiners and the UK weather would determine this difficult to impossible if it was limited only to examiners.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **2513**

comment by: *Andrew Kaye*

These proficiency checks should be permitted to be carried out by improved instructors also to prevent a shortage of available examiners and release the examiners for more important duties.

response *Noted*

The Agency acknowledges the opinion expressed but cannot see any additional issue which was not already mentioned before in your second comment for this segment.
See the response for your comment No 2509.

comment 2528 comment by: *Eleanor Fearon*

Is it necessary for this proficiency check to be performed with an examiner? Examiners are few and far between, especially in some parts of the UK. Perhaps this function could also be performed by an instructor?

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 2535 comment by: *Tony KNIGHT*

I believe this ruling would be restrictive as with hot air balloons there are not the number of examiners as there are in other aircraft categories. I would agree with the BBAC concensus that proficiency checks could be done with appointed instructors as opposed to examiners.

The need for every pilot to go through an examiner every six years would also add to the ever increasing cost of non commercial balloon pilots keeping their aircraft flying.

In the US, commercial pilots have to do a 'check' flight with another commercial pilot every two years. This system works there, why do we need to go through examiners when there are so few for our SPORT.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the proficiency check by definition can be done only with an examiner but not with an instructor. Checking or examining (as explained in your comment) by other licenced pilots is also not foreseen in the future European system.

comment 2536 comment by: *Lindsay MUIR*

There has been a balloon pilot's licence in the UK for over 30 years and in that time there has been no requirement for a proficiency check for a privot pilot after a number of years. There is no evidence to show that as a consequence of not having this proficiency test that UK pilots are less safe or able than those in other countries where this is a requirement. Furthermore, if this is

	<p>introduced the UK just does not have the number of examiners to cope with the sudden requirement for testing. If there is an insistence by EASA for this proficiency check then surely it could be done by instructors rather than examiners?</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	<p>2582 comment by: <i>len vaughan</i></p> <p>if we must have proficiency checks please allow instructors to conduct them</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	<p>2588 comment by: <i>len vaughan</i></p> <p>i see no good reason why a check flight has to be with an examiner,an instructor will be good enough</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges the opinion expressed but cannot see any additional issue which was not already mentioned before. See the response to your comment No. 2582 in the same segment above.</p>
comment	<p>2616 comment by: <i>Tim DUDMAN</i></p> <p>Is having to take a proficiency check with an examiner every 6 years practical? The number of pilots vastly outweighs the number of examiners in the UK. Currently the number of examiners is appropriate to check only new pilots. Allowing a check with an instructor every 6 years would possibly be moe practical.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	<p>2643 comment by: <i>Martin Rowlands</i></p>

A 6 yearly "Proficiency Check" for balloon pilots with an Examiner will be impractical to implement. There are very few Balloon Examiners available over a large geographical area. In 6 years time, there will be a large number of pilots seeking a proficiency check at the same time. Due to an ageing Examiner population and a future requirement for Examiners to undertake a minimum number of check outs, there are likely to be even less Examiners in the future.

Such an Proficiency Check could be carried out adequately by Balloon Pilot Instructors who are much greater in number and geographically diverse.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment *2658*

comment by: *Derry MOORE*

As qualification for licence requires a training flight with an instructor then surely an instructor is qualified to conduct a proficiency check. There are more instructors available than Examiners, thereby relieving the pressure on the latter

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment *2667*

comment by: *Michael Gibbons*

As hot air ballooning is the safest air sport I do not understand the need for a proficiency check every 6 years. If this is introduced I believe that an examiner or instructor should be allowed to conduct the check. This would allow the large number of balloonists in the UK, who operate at numerous sites, to be more able to carry out a check flight

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the accident rate in a certain aircraft category should not be used as the only argument to stop the introduction of additional measures for improving the level of safety. Additional training flights, check flights or assessments will always help to identify possible training needs of

pilots and will therefore assist in reaching a higher level of safety. Regarding your statement that "...hot-air ballooning is the safest air sport.." it must be questioned if this statement is right and secondly it should be highlighted that there is always space for improvement.

comment 2672 comment by: *Peter Dalby*

The 6 year proficiency check for LPL(B) should be carried out with an Instructor, not an examiner.

Justification: At present, in the UK, there is no proficiency check requirement, if a pilot maintains recency. If one is introduced then it is quite within the capabilities of an instructor to perform this check, and, there are far more instructors than examiners available to perform such a check.

response *Partially accepted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 2691 comment by: *David Usill*

Please make this apply to BBL only.

response *Noted*

Thank you for providing your opinion.
The Agency has reviewed the comments dealing with the issue of the proficiency check and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 2695 comment by: *David BAKER*

(c) I would suggest that an Instructor or Examiner were both allowed to conduct these 6 year checks. If an Instructor is capable of training a new pilot that person would be more than adequate to do a proficiency check.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 2697 comment by: *David BAKER*

(c) I would suggest that an Instructor or Examiner were both allowed to

conduct these 6 year checks. If an Instructor is capable of training a new pilot that person would be more than adequate to do a proficiency check.

response *Noted*

Thank you for providing this comment.

However, the comment seems to be a duplicate of your comment No 2695. Please check the response to comment No. 2695 in the same segment above.

comment 2699

comment by: *Patrick Goss*

It would be preferable if the 6 year proficiency check were with an instructor particularly as there are few examiners available.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 2701

comment by: *Patrick Goss*

It should be ok for an instructor to carry out the 6 year proficiency check

response *Noted*

The Agency acknowledges the opinion expressed but cannot see any additional issue which was not already mentioned before. See the response to your comment No. 2701 in the same segment above.

comment 2728

comment by: *Huw PARKER*

The requirement to pass a proficiency check every 6 years with an examiner will create a significant workload on BBAC examiners and presents further barriers for LPL holders. Particularly as further EASA regulations place greater demands on examiners and instructors who generally make their time available to other who share their hobby. This could serve to deter individuals from becoming examiners and exacerbate the problem. I propose that instructors should be able to conduct 6 yearly check flights.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 2735

comment by: *R I M Kerr*

The 6-year proficiency check will overload the available examiners, bearing in

	<p>mind the amount of unsuitable weather in the UK. Instructors already do pre-checkout recommendation flights, and could cope with proficiency checks, as there are many more of them. Periodic proficiency checks have not been found necessary.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	<p>2756 comment by: <i>Jamie Campbell</i></p> <p>All of the above seems only sensible, apart from the six yearly examination flight. Surely regular checks with an instructor are adequate and they can in turn be checked by the examiners thus reducing the burden of both cost and time.</p> <p>However then enforce (b) when recency is completely lost.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	<p>2769 comment by: <i>David COURT</i></p> <p>I would prefer the proficiency check to be with an Instructor. There are far more Instructors available to carry out the proficiency checks. Also on an Instructor flight the candidate expects to learn something. On an Examination flight they simply expect to pass or fail.</p> <p>If the aim of the proficiency check is to improve safety then an Instructor flight will convey that message better.</p> <p>NPA 22 F has used unworkable figures of 500 flights per Examiner per year to illustrate that this requirement will not cause problems with availability of Examiners. In many countries in Europe 50 examination flights per year would be regarded as a very high figure not 500.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding your first point, the Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>

In the second part of your comment you are referring to the document NPA 2009-22f, which contains the RIA for FCL. Please see the responses provided with the CRD for this NPA. It will not be part of this CRD. The mentioned number of 500 flights per year for each examiner is not used in this document. The Agency is aware that the average amount of examinations to be done by one examiner is much lower in the existing system. One of the aspects which has been considered in this RIA is the economical impact of a certain option. The RIA contains numbers of involved entities (not in terms of head counts but in terms of Full Time Equivalent) for a certain task (in this case 333 FTEs for the examinations of non-commercial pilots). The figures given cannot be used to calculate the amount of "part-time" examiners to be needed for conducting the necessary amount of proficiency checks. As the proficiency check will be deleted anyway (see responses provided in this segment) this issue has no further relevance.

comment

2800

comment by: *Frank Gesele*

Problem: Checkflug muss nach diesen regeln mit einem Examiner durchgeführt werden

Lösung: der Ccheckflug kann auch von einem FI abgenommen werden

Begründung: Es ist kein Sicherheitsgewinn zu erwarten, wenn der chek durch einen FE statt FI erfolgt.

Es ist aber zu erwarten dass es nicht genug FEs geben wird um alle Cheflüge zu absolvieren. Umsomehr weil die in der Freizeit geschieht und von den FEs nicht erwartet werden kann dass diese nicht anderes mehr tun

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

2805

comment by: *Richard Plume*

I do not see the need to include a requirement for 12 hours of flying as well as 8 flights. 12 hours is a high number for the type of flights I make in UK. The important parts of a flight are the take off and landing, so there is no need for a requirement for hours flown as well. If there has to be an hours requirement, it should be 6 hours NOT 12.

The requiremnt to pass a proficiency check with an examiner every 6 years for the Leisure Pilots Licence is quite unnecessary, and has never been a requirement for PPL flying in UK. Why should it be introduced now? Experience has shown that the current system is very safe and causes no problems. You are introducing rules that have no proven requirement based on practical experience of the last 40 years of ballooning. It is in any case not a practical proposition to have every LPL checked out every six years, we simply do not have enough examiners in the UK to achieve this. It will also introduce a lot more expense into an already expensive form of flight. If we have to have anything at all, the review should be with an Instructor not an Examiner, in the case of LPL.

response

Accepted

Thank you for providing your opinion.

The Agency does agree with your proposal to reduce the required flight time. It will reduce the required amount of flight time to 6 hours every 2 years and increase the required number of take-offs slightly to 10. Deleting the hours completely would mean that 10 short flights of 15 minutes duration would be enough to fulfill the recency requirement. The Agency agrees that the take-off and landing are the most demanding phases of a balloon flight but would like to emphasize that in-flight procedures are also very important. As the average flight time of a hot-air balloon ride is roughly one hour the new wording should not cause any severe problems but will lead to a sufficient minimum level of training.

Secondly you are referring to the proposed proficiency check. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response to comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

2811comment by: **BBAC**

Proficiency checks with examiners may be difficult to arrange due to the limited number of them with approved balloon qualification. It would be much better for all if balloon instructors were allowed to conduct proficiency checks

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be clarified that by definition a proficiency check cannot be conducted by an instructor. Therefore, the new proposal will contain a training flight.

comment

2847comment by: **Richard Allan**

FCL 140B

Applies to BPL and LPL

I feel that proficiency checks are wholly unnecessary. But if they have to be done instructors should be authorized to conduct them. There are not sufficient numbers of examiners, as to remain current they need to check out new pilots.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation)

in the same segment above.

comment

2855

comment by: *Jeremy Hinton*

Section (a) (2) seems to require ALL LPL holders to carry out a proficiency check at least once every six years.

Similar tests are applied in passenger transport operations now, but this seems to be a new requirement for private pilots.

While I'm not sure that this is either necessary, justified, or will contribute to safety, a more practical requirement would be a skill check with an Instructor. Otherwise, more Examiners will be required, which will dilute their skill and reputation (which in the UK is currently enviable). Continuously increasing costs may of course reduce the number of pilots to a level where individual flights with an Examiner are practical.

Suggestion: Remove the requirement of Section (a) (2), or reduce to ' a proficiency check with an Instructor at least once every x years'

response

Partially accepted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

2862

comment by: *richard benham*

I can not begin to understand how this will work in reality - the BBAC doesn't have an unlimited pool of EXAMINERS to call on to provide a proficiency check across the UK. Again, this will cause excessive travel, inconvenience and cost to a group of pilots with ballooning as a part-time hobby (with my flying 6-10 times/year, having to travel and try to choose a specific weekend when an examiner is available will be an absolute nightmare) - the better solution would be to have instructors do the check, for which there is a much larger and local population - thus the chance of being able to get hold of one in the UK and my specific locality will be much more practical IF this part of the proposal HAS to be implemented.

R.Benham

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("...the BBAC doesn't have an unlimited pool of examiners...") will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

2888

comment by: *Robert WORSMAN*

The recency requirements are neither realistic, practical nor make common sense. Ballooning is a very safe sport. It has been quite sufficiently regulated in the past. These proposed changes will make it unable for me to continue with the sport and certainly will not make me safer.

The nearest instructor to me lives 200km away. I live in an area where weather changes fast and traveling for an instructor flight - 200km away will frequently be a wasted journey because of a dependency on weather forecasts. This will become impossibly expensive.

All it will achieve will be pilots travelling to instructors living in very benign weather regions. A completely unchallenging flight will result, nothing will be learnt. If the pilot had just flown in his own area where weather conditions might be a little more testing he would have increased his experience - it would have been a valuable flight. I see absolutely no reason for the requirement for an instructor flight - section (a) 1 ii.

Section 140.B (2) would make it impossible for me to carry on as a balloonist - The nearest examiner is 400km away. Again there is the impossible task of trying to match a visit with weather and the availability of the examiner. I found it severely challenging to get examiner/weather/crew available for my flight test. I did it because I knew it would be worth the effort to become a pilot. To do it every 6 years will make it impossibly expensive. And what will it gain. I will have to stop ballooning.

I found it very, very difficult to book an examiner for my flight test. If every pilot has to be examined every 6 years then there will have to be a dramatic increase in the number of examiners I am convinced this will lower the standard of the examiners and result in a significant drop in safety.

On checking out to be a pilot I felt very confident in my skills, I felt the training had been very adequate, experience was good and the examiner made the flight test challenging. That required a very experienced examiner. I do not believe there are sufficient pilots available with that experience to maintain the correct standard.

When inadequate or badly introduced rules are introduced people will find a way to circumvent them. Those that can afford it will fly to a country with very gentle weather conditions, go for a very easy check flight and will have gained nothing to make them safer. it will just have cost money to prop up a bureaucratic nonsense.

The current UK PPL (b) rule for recency should remain the proficiency check should be scrapped.

Flying a balloon is safer than driving a car. There is no proficiency check to drive a car. DO NOT IMPOSE IT on ballooning.

Flying a balloon is safer than riding a cycle. There is no proficiency check to cycle a bike DO NOT IMPOSE IT on ballooning.

Flying a balloon is safer than being a pedestrian. There is no proficiency check to be a pedestrian DO NOT IMPOSE IT on ballooning.

Please use some COMMON SENSE!

This rule will kill the sport of ballooning - or just leave it open to the very very

rich. I regard it as a direct infringement on my civil liberties.

Because it will be so impossible to exercise I believe the rule will lead to a change from fully licensed and insured pilots to the current mess on the roads with drivers having no license and no insurance - I think you will only encourage anarchy.

Robert Worsman, Aberdeenshire, Scotland

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response to comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the accident rate in a certain aircraft category should not be used as the only argument to stop the introduction of additional measures for improving the level of safety. Additional training flights, check flights or assessments will always help to identify possible training needs of pilots and will therefore assist in reaching a higher level of safety. Regarding your statement that ballooning is much safer than car driving or riding a bike it must be questioned if this statement is right. The Agency has evaluated some accident statistics for certain Member States and it seems that also for ballooning there is some room for improvement.

It should also be highlighted that the system actually in place in your country ("..The nearest examiner is 400 km away..") will not be the same in the future. Please check the subparts on examiners and instructors to understand that the Agency proposes a different system which, if needed, will allow to have in some areas more instructors or examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today. As most of the comments ask for a regular training flight with an instructor (see the comments and responses in this segment) the Agency cannot see any problem with the future recency requirement and is convinced that the system proposed will help to increase the level of safety.

comment 2893

comment by: *mark stelling*

This proposal is unworkable. We have less than 20 approved examiners in the UK , most of which are over 60 years of age. If you are looking at a recency requirement for say 500 pilots who will all need revalidating at the same time you will hopefully see where i am coming from . The only way this would possibly work would be for instructors to be able to conduct this six year check.

Otherwise no one will be flying!

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

2894

comment by: *Robert WORSMAN*

I make comments here for the BPL requirement (same as the LPL). I do not want a LPL, I want to fly as a private pilot in countries outside the EU. The comments are applicable to private flying with out commercial passengers:

The recency requirements are neither realistic, practical nor make common sense. Ballooning is a very safe sport. It has been quite sufficiently regulated in the past. These proposed changes will make it unable for me to continue with the sport and certainly will not make me safer.

The nearest instructor to me lives 200km away. I live in an area where weather changes fast and traveling for an instructor flight - 200km away will frequently be a wasted journey because of a dependency on weather forecasts. This will become impossibly expensive.

All it will achieve will be pilots travelling to instructors living in very benign weather regions. A completely unchallenging flight will result, nothing will be learnt. If the pilot had just flown in his own area where weather conditions might be a little more testing he would have increased his experience - it would have been a valuable flight. I see absolutely no reason for the requirement for an instructor flight - section (a) 1 ii.

Section 140.B (2) would make it impossible for me to carry on as a balloonist - The nearest examiner is 400km away. Again there is the impossible task of trying to match a visit with weather and the availability of the examiner. I found it severely challenging to get examiner/weather/crew available for my flight test. I did it because I knew it would be worth the effort to become a pilot. To do it every 6 years will make it impossibly expensive. And what will it gain. I will have to stop ballooning.

I found it very, very difficult to book an examiner for my flight test. If every pilot has to be examined every 6 years then there will have to be a dramatic increase in the number of examiners I am convinced this will lower the standard of the examiners and result in a significant drop in safety.

On checking out to be a pilot I felt very confident in my skills, I felt the training had been very adequate, experience was good and the examiner made the flight test challenging. That required a very experienced examiner. I do not believe there are sufficient pilots available with that experience to maintain the correct standard.

When inadequate or badly introduced rules are introduced people will find a way to circumvent them. Those that can afford it will fly to a country with very gentle weather conditions, go for a very easy check flight and will have gained nothing to make them safer. it will just have cost money to prop up a bureaucratic nonsense.

The current UK PPL (b) rule for recency should remain the proficiency check should be scrapped.

Flying a balloon is safer than driving a car. There is no proficiency check to drive a car. DO NOT IMPOSE IT on ballooning.

Flying a balloon is safer than riding a cycle. There is no proficiency check to cycle a bike DO NOT IMPOSE IT on ballooning.

Flying a balloon is safer than being a pedestrian. There is no proficiency check to be a pedestrian DO NOT IMPOSE IT on ballooning.

	<p>Please use some COMMON SENSE!</p> <p>This rule will kill the sport of ballooning - or just leave it open to the very very rich. I regard it as a direct infringement on my civil liberties.</p> <p>Because it will be so impossible to exercise I believe the rule will lead to a change from fully licensed and insured pilots to the current mess on the roads with drivers having no license and no insurance - I think you will only encourage anarchy.</p>
response	<p><i>Noted</i></p> <p>The Agency acknowledges the opinion expressed. However, the Agency would like to highlight that the comment given is a duplicate of comment No. 2888 with a link to the BPL. See response to your comment No. 2888 in the same segment above.</p>
comment	<p>2942 comment by: <i>RG Carrell</i></p> <p>Instructors should be able to check for proficiency.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	<p>2958 comment by: <i>tobydavis</i></p> <p>regarding the proficiency check with the examiner every 6 years, due to the small number of examiners perhaps a check flight with a qualified instructor would be better as there are many more instructors.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	<p>2988 comment by: <i>Julia WILKINSON</i></p> <p>What data suggests that balloon pilots need proficiency checks every 6 years? If we must have this unnecessary enforcement, why not use Instructors instead of Examiners? In the UK we simply do not have enough Examiners available. There are barely enough Instructors. Our instructors, who are very experienced pilots, are certainly able and competent enough to carry out such checks.</p>
response	<p><i>Noted</i></p>

The Agency acknowledges the opinion expressed but cannot see any additional issue which was not already mentioned before. See the response provided to your comment No. 2991 in the same segment below.

comment

2991

comment by: *Julia WILKINSON*

As noted above, there are simply not enough Examiners to conduct all these checks. It would make far more sense - and increase the likelihood of pilots doing these checks - if Instructors were asked to do the checks. The danger of insisting on Examiners is that many pilots will be unable to get their checks done in time (don't forget English weather limitations as well) - and therefore 'lapsing' for even longer periods.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided already to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("...there are simply not enough examiners ..") will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

3012

comment by: *Richard ALLEN*

Proficiency check with examiner - at present there are not enough examiners to sensibly examine the number of licence holders once every six years. If there were enough, the majority of these examiners would then not examine any individuals until 6 years later, when the majority of pilots have to undertake their next proficiency check. It would seem more sensible to allow this to be conducted by a LAFI or a FI as well as an examiner.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("...there are not enough examiners ..") will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

3025

comment by: *Frank Schweppe*

FCL 140 B under a) 2) : recency requirements for both LPL(B) and BPL insist on a check flight with an examiner.
Presently there is a huge shortage of certified examiners and it will take a lot of time to train the many dozens a country will need to execute all those check flights (in practice we are now talking about 1 examiner at 100 pilots at best, and they also have to perform exams on new pilots). A proficiency flight with an instructor (FI) would be preferable.

Proposed text:

Holders of a LPL(B) shall only exercise the privileges of their licence when they have:

(1) completed in one class of balloons in the last 24 months, at least:

(i) 12 hours of flight time as pilot-in-command, including 8 take-offs-and landings; or

(ii) 6 hours of flight time as pilot-in-command and one training flight with an instructor.

(2) At least once every six years, a balloon pilot shall execute one training flight with a certified instructor, independent of his/her number of hours flown.

response *Partially accepted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("...there is a huge shortage of certified examiners ..") will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment 3043

comment by: *Peter Kenington*

If a pilot has met all of the recency requirements outlined in 1(i) or 1(ii), it should be sufficient for a recency check to be conducted by an instructor rather than an examiner. This is a matter of practicality, since there are far more balloon instructors than there are examiners and all that is required is a simple check of on-going competence and not a formal flight test.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 3060

comment by: *PAL-V Europe*

Addition: **SECTION 7**

Specific requirements for the LPL for gyroplanes – LPL (G)

Remark: We think that there are or will be specific requirements for gyroplanes. Therefore this addition is needed.

FCL.105.G LPL(G) - Privileges

The privileges of the holder of a LPL for gyroplanes are to fly single-engine piston gyroplanes with a maximum certificated takeoff mass of 2000 kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board of the aircraft.

FCL.110.G LPL(G) – Experience requirements and crediting

(a) Applicants for a LPL(G) shall have completed at least 30 hours flight time in gyroplanes, including at least:

- (1) 20 hours of dual instruction;
- (2) 6 hours of supervised solo flight time, including at least 3 hours of solo cross-country flight time with at least 1 cross-country flight of at least 150 km, during which 1 full stop landing at an aerodrome different from the aerodrome of departure shall be made.

(b) *Specific requirements for applicants holding a basic LPL for gyroplanes.* Applicants for a LPL(G) holding a Basic LPL for gyroplanes shall complete 10 hours of flight instruction, including at least 5 hours of solo flight, including 1 cross-country flight of at least 150 km, during which 1 full stop landing at an aerodrome different from the aerodrome of departure shall be made

(c) *Crediting.* Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot-in-command in such aircraft, up to a maximum of 6 hours, towards the requirement in (a).

FCL.135.G LPL(G) – Extension of privileges to another class of gyroplane

The privileges of a LPL(G) shall be limited to the class of gyroplanes in which the skill test was taken. This limitation may be withdrawn when the pilot complies with the requirements in FCL.135.BA/H.

FCL.140.G LPL(G) - Recency requirements

(a) Holders of a LPL(G) shall only exercise the privileges of their licence when they have:

- (1) completed, in the last 24 months, as pilots of gyroplanes at least:
 - (i) 12 hours of flight time as pilot-in-command, including 12 takeoffs and landings; or
 - (ii) 6 hours of flight time as pilot-in-command, including 6 takes offs and landings, and 1 training flight of at least one hour with an instructor;
- (2) passed a proficiency check on a gyroplane with an examiner, at least once in every 6 years.

(b) Holders of a LPL(G) that do not comply with the requirements in (a) shall undertake a proficiency check with an examiner before they can resume the exercise of the privileges of their licence.

response

Not accepted

Thank you for providing this comment.

So far gyroplanes have to be considered as Annex II aircraft. Due to the fact that the licensing requirements for Annex II aircraft will remain in the responsibility of the Member States the Agency does not see a need at this stage to develop specific requirements for an LPL (Gyroplanes).

comment

3089

comment by: *Rory Worsman*

I do not support these recency/currency requirements. The cost of this rule will make the sport too expensive for me to continue.

The nearest examiner to me is 400km away. These proposals will decrease the number of balloonists and as a result decrease the number of examiners. It is highly probable that my nearest examiner will be further than 400km away. With decreasing balloonists due to EASA killing off the sport with unsafe and dangerous legislation, examiners will have to charge even more for their services to make the job financially viable.

I found it very, very difficult to book an examiner for my flight test. To do it every 6 years will make ballooning impossible. I have to judge weather 400km + away, wasted expensive journeys will result.

I live in rural Scotland. Did EASA consider what impact this proposal would have on people of the EU living in remote rural areas or did they just think of life in the big cities?

For the rich ,that can afford it, they will just travel to areas where weather is good and flying is not challenging, they will get their 6 year pass with no problem but then have to return to fly in areas that are much more meteorologically challenging. This is a very false system for trying to improve pilot skill and safety.

The 6 yearly examination must be removed from these proposals - it's a very bad idea.

If you introduce a rule that is out of proportion to that required (the 6 yearly exam) you will encourage anarchy. You will encourage law breaking. You will end up with the situation on the roads with pilots with no license or no valid license flying with no insurance.

There is no 6 yearly exam for driving a car, to introduce one for a balloon is entirely laughable. Please get a grip with reality.

response

Noted

Thank you for providing this comment.

Please see response provided already to comment No. 2888 (Robert Worsman) in the same segment above.

comment

3108

comment by: *Rory Worsman*

I make this comment for BPL also:

I do not support these recency/currency requirements. The cost of this rule will make the sport too expensive for me to continue.

The nearest examiner to me is 400km away. These proposals will decrease the number of balloonists and as a result decrease the number of examiners. It is highly probable that my nearest examiner will be further than 400km away. With decreasing balloonists due to EASA killing off the sport with unsafe and dangerous legislation, examiners will have to charge even more for their services to make the job financially viable.

I found it very, very difficult to book an examiner for my flight test. To do it every 6 years will make ballooning impossible. I have to judge weather 400km + away, wasted expensive journeys will result.

I live in rural Scotland. Did EASA consider what impact this proposal would have on people of the EU living in remote rural areas or did they just think of life in the big cities?

For the rich ,that can afford it, they will just travel to areas where weather is good and flying is not challenging, they will get their 6 year pass with no problem but then have to return to fly in areas that are much more meteorologically challenging. This is a very false system for trying to improve pilot skill and safety.

The 6 yearly examination must be removed from these proposals - it's a very bad idea.

If you introduce a rule that is out of proportion to that required (the 6 yearly exam) you will encourage anarchy. You will encourage law breaking. You will end up with the situation on the roads with pilots with no license or no valid license flying with no insurance.

There is no 6 yearly exam for driving a car, to introduce one for a balloon is entirely laughable. Please get a grip with reality.

I may consider a 6 yearly exam for pilots carrying out commercial flights. I would not support this rule being attached to a BPL license. If it applied to commercial flights it should be preformed by instructors and **not** examiners

response

Noted

The Agency acknowledges the opinion expressed. However, it seems to be a duplicate of your comment No. 3089 with a link to the BPL.

See also the response to your comment No. 3089 and for the comments sent by Robert Worsham (No. 2894/2888).

comment

3179

comment by: *Derek Maltby*

Such a check with an examiner is unnecessary and expensive. Sufficient safeguards are in place for this check to be carried out by instructors.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **3183**

comment by: *Richard Sargeant*

I'm broadly in agreement with this paragraph since it's close to the existing regulations. I would however certainly prefer that any proficiency checks could be completed with an instructor rather than an examiner. By far the majority of ballooning is a leisure and not a commercial activity. Examiners and instructors (myself included) mostly provide their services free of charge and are not employees at a full-time facility like GA. There are far fewer examiners than instructors and their time/availability is very limited. Instructors currently have very high standards and in the UK are solely responsible for recommending readiness for a PPL flight examination. Thus I consider instructors more than qualified to conduct such checks. I am not satisfied that the insistence on an examiner carrying out such checks would improve safety and it would certainly increase costs and be less convenient.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("...time/availability is very limited..") will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or your case by the organisation) than today.

comment **3191**

comment by: *Stephen LAW*

It concerns me whether there are enough examiners to conduct the 6 years proficiency tests, I feel it would be better if instructors received enough training to perform this test.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **3372** ❖

comment by: *Richard DUMAS, PPL(A)*

Retirer l'exigence (b) (2)

1. Cette exigence n'est pas logique :

- si l'EASA juge trop légères les conditions actuelles de prorogations, qu'elle propose alors de les renforcer, par exemple en ajoutant au vol d'entraînement avec un FI un briefing - façon BFR FAA - ou en permettant au FI de prescrire un ré-entraînement ;
- sinon, pourquoi et comment un pilote jugé alors apte pendant 6 ans - via 2 revalidations selon l'exigence (b) (1) (ii) – deviendrait-il au-delà de la 6^{ème} année subitement inapte en remplissant cette seule exigence?

2. Cette exigence va être très pénalisante à mettre en œuvre :

- Elle va coûter cher, d'autant que l'offre ne va pas suivre la demande (cf. infra)
- Sa mise en œuvre est difficile : par exemple, pour ~ 30.000 PPL(A) actifs en France, cela fait ~5.000 tests à faire passer par an. Or, la DGAC faisait état de 2.200 à 2.300 PPL(A) délivrés par an vers 2002-2003. Pour avoir la même (faible) flexibilité qu'aujourd'hui, il faudra donc **augmenter de 150% le nombre de FE**. En plus, il aura une vague de 30.000 tests à faire passer entre 2014 et 2015 (= 2009 + 5 ou 6 ans)

3. Si le nouveau théorique PPL(A) - inutilement plus fouillé que sa version JAR.FCL - était entériné par L'EASA, l'exigence (b) (2) permettra alors de fait de ne pas revalider le PPL(A) de n'importe quel pilote qui - au plan théorique - aura uniquement fait l'effort de se tenir correctement au courant des évolutions techniques et réglementaires.

Hors le 3), ce commentaire s'applique à l'ensemble des licences privées et de loisir

response *Noted*

Thank you for providing your opinion.

However, it seems that the comment should have been addressed to another segment (aeroplane). This paragraph is dealing with the recency requirements for the LPL(B).

However, as the system of the proposed proficiency check is the same and the Agency has decided to change all the recency requirements please see the response to comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **3385**

comment by: *Peter MEECHAM*

It should not be necessary to have a six yearly proficiency test with an examiner. This will created a great strain on the number of examiners available.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

3421

comment by: *Royal Danish Aeroclub*

Flight instructors should be able to renew already granted rights.

Granting initial rights should be done by examination with an examiner but renewing rights should be done with flight instructors or flight examiners.

Training = Flight instructor
Renewal of rights = Flight instructor
Granting of rights = Flight examiner

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

3440

comment by: *Nina Bates*

I have serious reservations about the practicality of this recommendation in relation to Leisure Pilot Licences. Those holding Leisure Pilot Licences fly in their leisure time, which restricts their opportunities to fly to when they are not working. Similarly many people do not fly during the winter months due to the inclement weather in the United Kingdom, thus reducing the time scale in which they can log their required flying hours. The proficiency check, whilst being sound in principle, raises two concerns; 1) The number of examiners required to undertake such checks and 2) the sheer volume of proficiency tests that would be required every six years.

Possible solutions would be to allow Instructors to undertake the responsibility of proficiency tests and to phase in their introduction to prevent a logjam of tests occurring on a six year cycle. Perhaps existing licence holders could defer the proficiency test for a period based on the length of time they have held their licence?

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("...the number of examiners required.." will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment **3513** comment by: *Graham CANNON*

Instructors should be allowed to conduct these tests

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **3516** comment by: *Graham CANNON*

It would be better if Instructors could do these proficiency tests

response *Noted*

The Agency acknowledges the opinion expressed but cannot see any additional issue which was not already mentioned by you before.

See the response provided already to your comment No. 3513 in the same segment above.

comment **3566** comment by: *Francesca WORSMAN*

Ballooning is a safe sport.

These proposals are not practical, reasonable or make common sense.

I will not be able to continue with the sport of ballooning due to the dramatic increase in cost if I have to find an examiner for a proficiency check every 6 years. I do not need this for a car and I certainly do not need this for a balloon.

The nearest examiner lives 400km away. I would have to travel 800km to fly in different climatic conditions - perhaps not fly if the weather was bad. I would need hotel costs, travel costs, costs for crew etc.

Ordinary people would be forced to stop ballooning only the very rich would continue.

They could fly to an examiner in an area outside Scotland with very gentle weather conditions, take a check flight and then return to Scotland to fly in much harsher conditions. How has this made the flying process safer?.it has definitely not.

The current UK PPL(B) rule for recency should remain.

This proficiency rule must be scrapped. I find it a severe restriction on my civil liberties.

response *Noted*

Thank you for providing your opinion.

See response provided already to comment No. 2888 in the same segment above.

comment **3671** comment by: *Sarah Bettin*

Reference the proficiency check with an examiner once every 6 years - if instructors were able to conduct this check as well as examiners it would mean that there would be more people qualified to carry out the check.

response **Noted**

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **3758** comment by: *Robert Cross - BBAC*

I do not believe that there will be sufficient examiners to be able to conduct the 6 year proficiency check - it would be better if Instructors can conduct this task.

response **Noted**

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("...I do not believe that there will be sufficient examiners ..") will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment **4146** comment by: *Medical Officer BBAC*

There are 1000 licensed balloon pilots and 13 examiners. The latter undertake 50 check outs per year (average 4 per year) and would then have to additionally carry out a further 10-12 proficiency checks per year. As ballooning tends to be a summer activity this would mean 2-4 examiner flights per month. These are all volunteers and have other jobs.

As instructors can sign off a pilot with only 6 hours flying in 2 years then an instructor should be capable of the proficiency check every 6 years.

response **Noted**

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment 4224

comment by: *Cary Crawley*

I believe 5 hours a year was a previous standard in some states. However as all balloon flight hours are pilot certified, as only A.O.C. regulated flights might offer a chance of a cross-reference system and therefore potential complicity of others to defraud them-how does the agency propose to monitor this?

response *Noted*

Thank you for providing your opinion and the related question.

The pilot's logbook is (and was) together with the aircraft logbook always the pilot's document to record and prove the flying hours/activities. The Agency is not aware of any problem or "potential complicity" which could be caused by this. A specific monitoring system is not envisaged.

As the now introduced training flight with the instructor will also identify possible training needs or deficiencies the Agency does not see a need to change this requirement or introduce additional requirements.

However, it should be highlighted that the competent authorities will have a monitoring and oversight function (see Part on Authority Requirements). This will certainly lead to NAA initiatives to check if the logbook entries are correct or not.

comment 4929

comment by: *Hugh STEWART*

This requirement for an examination every six years will place a considerable burden on the comparatively limited number of examiners. I would suggest that it would be better if this criteria be extended / changed to include instructors who are qualified appropriately for such a role.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of

examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment 4936 comment by: *Graham PHILPOT*

2) Once qualified I believe that pilots should only need to have a proficiency check with an Instructor qualified to make 'Recommendation for Flight Test'. This would make it much easier to do as there will be more Instructors than Examiners.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that by definition a proficiency check cannot be conducted by an instructor. This is also one of the reasons why the Agency will introduce a training flight only.

comment 4944 comment by: *Hugh STEWART*

I feel that instrciutoirs should be able to carry out this proficiency check rather than limiting the capability of doing these check to examiners.

response *Noted*

The Agency acknowledges the opinion expressed but cannot see any additional issue which was not already mentioned before.

See the response provided already to your comment No. 4929 in the same segment above.

comment 4945 comment by: *Graham PHILPOT*

2) As stated previously I believe this should only apply to 'Commercial' flights with 'fare paying passengers'.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 5069 comment by: *Lindsay Sadler*

Under the present system there will not be enough examiners in the UK to carry out the proficiency checks every six years, could instructors be allowed to carry out these checks. Instructors already recommend pupils for check flights and a proficiency test should be no more complicated or demanding.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("...there will be not enough examiners ..") will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

5078

comment by: *Lenny Cant*

(a) (2)

What's the use of the proficiency check with an examiner? What will the pilots need to do? I think this maybe can be catigorized.Maybe every 10 years (eg. age 20 - 30 - 40 - 50 - 60 - 70) but sooner when you get older. I think six years is a strange time and it will also create pressure on the pilots.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

5102

comment by: *Ciers Gino*

proficiency check. This proposition is completely unusable for balloonist who flies a lot every year. I can understand that someone who fly's less than 25 h a year with a CPL has to do this check every 6 years, but someone who flies more than 50 hours a year proves he is a very good pilot. A proficiency check should only take place when a commercial pilot has for example more than 2 accidents a year (flying in bad weather, hard landings, etc) In Belgium it's proven that only 5 % of the pilots make 95 % of the accidents... usualy because they take to much risks and a bad flight preparation.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

However, the Agency does not agree at all with the proposal to introduce training or check flights only for pilots when they had "more than two accidents a year" or if they have completed only 25 hours of flight time. The Agency is of

the opinion that such a training flight could also help to identify possible training needs for pilots with a higher level of experience. The example provided (5% of the pilot population causing 95% of the accidents) does not prove anything because the actual experience level of the pilot's involved in the accidents is missing.

comment

5106

comment by: UK CAA

Paragraph:

FCL.140.B(a)(2)

Page No*: 17**Comment:**

See comment on FCL. 140.A/H and on FCL.040

Justification:

Inconsistency between (possible) validity of licence and proficiency check requirement.

Proposed Text:**(if applicable)**

Depending on intention New FCL.140.B(a)(2):

Passed a proficiency check on the category of aircraft engaged with an examiner authorised to conduct examinations on the aircraft category at least once every 5 years.

response

Not accepted

Thank you for providing your opinion.

However, as the Agency has decided to delete the proficiency check entirely but to introduce a mandatory training flight with an instructor every two years the issue mentioned in your comment (different validity periods - inconsistency) does not any longer exist.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

5287

comment by: AEPA (Spanish Balloon Pilots Association)

AEPA (Spanish Balloon Association) means it's not necessary to do the proficiency check with FE every 6 years if a pilot is flying between 50 and 100 hours for year.

An option is to make a proficiency check to the pilots who are flying between 12 and 20 hours every 24 months.

response

Noted

Thank you for providing your opinion. The Agency has carefully reviewed all the comments received on this issue and has decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

However, the Agency does not agree at all with the proposal to introduce training or check flights only for pilots when they have completed only 20 hours of flight time. The Agency is of the opinion that such a training flight could also help to identify possible training needs for pilots with a higher level

of experience and will introduce this system of training flights for all private pilots.

comment

5335

comment by: *Guy GEERAERTS*

The required number of flights in the last 24 months should be raised. The number of hours flown is of less importance. It's the number of take-offs and landings that count. I think a minimum of 20 flights in 2 years is reasonable without having to pass a check.

A proficiency check every 6 years might not be needed for pilots showing enough experience (more than 25 flights EACH year).

response

Partially accepted

Thank you for providing your opinion. The Agency has carefully reviewed all the comments received on this issue and has decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

The issue of the required number of flights was discussed again during the review period. The Agency agrees partially and will raise the number of flights slightly (10 take-offs). This should be also an acceptable level required for the recent experience of gas-balloon pilots. The training flight with an instructor will provide the opportunity to identify possible other training needs if the pilot has deficiencies in the take-off and/or landing phase.

comment

5367

comment by: *Aerovision*

The prof check should be required for all balloon pilots every 12 months. It must be with an examiner, not an instructor. The Basic Regulation requires an examiner to examine.

response

Noted

Thank you for providing your opinion.

However, as your comment was the only one being in favour with the proficiency checks for private balloon pilots the Agency has carefully reviewed this issue and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor for all private licences.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

5494

comment by: *R Gyselynck*

A proficiency check with an examiner is unnecessary for LPL holders. If absolutely necessary it should be done by an instructor not an examiner.

response

Noted

The Agency acknowledges the opinion expressed but cannot see any additional issue which was not already mentioned in your comment No. 5524. See the response provided already to your comment No. 5524 in the same segment

above.

comment **5512** comment by: *Ted Moore*

For many private pilots the addition of a six year proficiency check will be a positive bar to their continued flying as the expense of an examination flight on top of the other increases in flying costs is likely to persuade them to give up altogether. I suggest that the six year check should not apply to pilots that have maintained their recency during that period.

response *Noted*

Thank you for providing your opinion. The Agency has carefully reviewed the comments received on this issue and has decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **5524** comment by: *R Gyselynck*

Again I do not consider a six year proficiency check with an examiner will add measurably to safety in ballooning in proportion to the time, cost and inconvenience caused. If the requirement is imposed it should at least be set at the level of an instructor check not an examiner flight

response *Noted*

The Agency acknowledges the opinion expressed but can again not see any additional issue which was not already mentioned in your comments No. 5524 and No. 5494. See the response provided to your comment No. 5524 in the same segment above.

comment **5536** comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

response *Noted*

No text provided with this comment.

comment **5644** comment by: *Robert Harris 7699*

I believe that UK instructors are adequately qualified to undertake a proficiency check. There are more instructors than examiners and therefore if this requirement is restricted to examiners there will be a serious difficulty in finding a reasonably local examiner to carry out the assessment. Assuming that all existing pilots will fall under the regulations at the same time there will be a major 'logjam' every 6 years as all of our proficiency tests become due

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that by definition a proficiency check cannot be conducted by an instructor. This is the reason why the Agency will introduce a training flight only.

comment

5660

comment by: *Peter VAN DEN NOORTGATE*

Taking a proficiency check every 6 years with an examiner is a real example of EASA over-regulating. For ballooning performing a proficiency check on a regular basis is not a current/common practice in the member states unless you would have been involved in an incident and/or have made an infringement of the air law. I don't see the reason why this practice should be changed or how this would more improve the already very safe ballooning activity. There are almost no mortal incidents in European ballooning.

Just like in many of my other comments to this NPA (see comments on FCL.060 and FCL.065) ballooning is not to be compared with other fixed-wing/helicopter activities as we operate mainly at lower speed in low (mostly uncontrolled) airspace where rules almost do not change. Also the technical complexity and handling of ballooning rarely changes over time unless one would change group or class. There is almost no evolution on instruments or equipment.

The only ones that benefit (mainly financially) of such a rule are the examiners (scarce in number), training centres/instructors upon test failure, as well as the local bureaucratic authorities issuing licences at an administrative (but not to be neglected) price. The safety nor the balloonist with sufficient experience shall benefit from this 6-years proficiency check.

Considering the above comments I propose that for keeping a ballooning (LPL or BPL) licence a regular proficiency check would only be required for those that (1) have insufficient takeoffs and landings in 24 months of a given class. (2) been involved in one or more incidents/infringements in the last 24 months.

Since in ballooning almost nothing changes in practical flying, I recommend that the 6-years proficiency check should be dropped for those that have an extended (constant) experience of at least 20 takeoff/landings in the last 12 months. Thus much, much more than the minimum of 8 per 24 month depicted in FCL.140.B (a)(1). I believe that such an extended/constant experience of minimal 20 takeoffs per year will be as efficient, if not being more effective, as making a 30-minute proficiency check every 6 years. Demanding and experience and making regular tests is really overkill for a slow evolving and easygoing discipline as ballooning in low airspace.

Furthermore, if EASA anyhow would stick to the introduction of such a proficiency check, it should be taken with a flight instructor (FI) instead of an examiner. Examiners are scarce due to the more complicated EASA rules and will not be able to handle this large number of repetitive checks.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and

decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

However, the Agency does not agree at all with the proposal to introduce training or check flights only for pilots when they had "one or more incidents" or if they have "insufficient take-offs". The Agency is of the opinion that such a training flight could also help to identify possible training needs for pilots with a higher level of experience.

The second issue of increasing the required amount of take-offs (your proposal: 20 take-offs per year) was discussed again with the experts. It seems that especially for the gas-balloon licence holders such an increased number of flights (unfortunately is in some European countries more than one landing during one balloon flight not allowed) proposed by you cannot be fulfilled. The Agency decided to raise the number required only slightly (to 10 take-offs) having in mind that the training flight with an instructor will be also an opportunity to identify possible training needs.

comment

5673

comment by: *Jeff Roberts*

I do not agree that the proficiency check should be with an examiner. The number of examiners available is generally limited therefore a better solution would be for instructors to carry out this check.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country ("..the number of examiners available is generally limited..") will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

5675

comment by: *Jeff Roberts*

I do not agree that the proficiency test should be with an examiner as the number of examiners is rightly limited. A better solution would be for the proficiency check flights to be done with an instructor who is equally qualified to perform this task.

response

Noted

The Agency acknowledges the opinion expressed but cannot see any additional issue which was not already mentioned before.

See the response provided already to your comment No. 5673 in the same

segment above.

comment 5831 comment by: AA Brown BBAC # 3448

FCL.140.B LPB(B) - Recency requirements

I agree entirely with (a)(1)(i). With regard to (a)(1)(ii) 6 hours of flight could be completed in just one or two flights. It is the beginning and end of the flight that are the most important and this requirement should therefore include **4 take-offs and landings**.

With regard to (a)(2) the wording should be altered to "passed a proficiency check with an examiner **or instructor**....." as there would be a requirement every six years for a large number of examiners to complete the proficiency checks. There would be very little for the examiners to do in the interim periods making it difficult for them to maintain their certificates. Throughput of new pilot candidates is very low in the UK and allowing instructors as well as examiners to conduct these checks would help them to maintain their ratings.

response *Partially accepted*

Thank you for providing your opinion. The Agency has carefully reviewed the comments received on this issue and has decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

As the requirement in (a)(1)(ii) will be deleted in total (only one requirement including the training flight with an instructor) the comment is not any longer valid. But the Agency agrees that in the original version a certain amount of take-offs should have been mentioned.

comment 5883 comment by: Professional Balloonists Netherlands

FCL.140.B

Every 2 years there must be a minimum of 12 hours with at least 8 take-offs and landings or 6 hours and 1 training flight with one instructor and 1 proficiency-check each 6 years.

HOWEVER: In case a pilot also has his licence for a gasballon or airship, the requirements are less all of a sudden: only 2 flights per year on airship or the gasballon. So if you have a 'hot air licence' you only have to make 2 flights each 2 years when you poses another licence (gasballon, airship). This is the opposite of the rule that you have to get experience in ballooning every 90 days.

Comment: this is no equal measuring. If a pilot makes 1 flight with an air-ship or a gas balloon per year, he or she also gets rid of the skill and experience. But if he or she satisfies to the for example hot-air balloon remunerations requirements all of a sudden these rules would not apply? For the good order: hot-air-balloon, gas-balloon and air-ship are not similar.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not know if the requirement in FCL.140.B was

understood the way it is meant.

Using the example of a hot-air balloon pilot with an extension to fly also hot-air airships FCL.140.B the proposed rules will require to fulfill the recency requirement in (a) in one of the two classes (hot-air balloon or hot-air airship) and to fulfill the recency requirement in (b) in the other class.

The drafting group proposed this rule knowing that the three balloon classes have some specific characteristics but based on the assumption that a certain amount of actual experience in hot-air balloons allows also to fly a hot-air airship safely with a reduced amount of actual training.

Based on the comments received the Agency carefully reviewed this issue and came to the conclusion that a certain amount of take-offs and landings in the second class should be incorporated and the required amount of flight time should be also raised slightly. The Agency will therefore require at least 4 hours and 4 take-offs and landings on the other class.

comment

5948

comment by: *Luftsport-Verband Bayern*

Die Bedingungen zur Ausübung der Rechte aus der Lizenz sind u.a. an eine Befähigungsüberprüfung mit einem Prüfer (alle 6 Jahre) geknüpft. Die Basic-Regulation 216/2008 formuliert in Anhang III, 1.e.2: "Die praktischen Fertigkeiten müssen in angemessenem Umfang aufrechterhalten werden. Die Erfüllung dieser Anforderung ist durch regelmäßige Bewertungen, Prüfungen, Tests oder Kontrollen nachzuweisen. Die Häufigkeit von Prüfungen, Tests oder Kontrollen muss dem mit der Tätigkeit verbundenen Risiko angemessen sein."

Aus dieser Formulierung lässt sich die Notwendigkeit einer zusätzlichen Überprüfung durch einen Prüfer nicht ableiten. Die alle zwei Jahre durchzuführenden Flüge mit Fluglehrer sind ausreichend im Sinne o.g. Vorgabe.

Eine ausreichende Anzahl von Prüfern würde eh nicht zur Verfügung stehen oder kurzfristig berufen werden können.

response

Noted

The Agency acknowledges the opinion expressed.

As this comment seems to be a copy of your comment No. 5940 please check the response provided already to this comment.

Please see also the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

6228

comment by: *Broadland Balloon Flights*

Will there be sufficient examiners for the six-yearly proficiency checks? How will this requirement be phased in such that there is not a volume of pilots needing checks in the same year? Otherwise how will the large number of examiners needed keep current in other years? Will existing Type Rating Examiners be permitted to conduct these tests?

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training

flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

6274

comment by: *Barry Bower*

Why does this have to be a Proficiency Check every 6 years? Why not a "Flight Review" as exists at the moment with a UK fixed wing PPL?

There are not enough examiners in the British Balloon and Airship Club (BBAC) to be able to support this requirement. If it is implemented, then why not a "Flight Review" with an Instructor rather than a check with an examiner?

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

6409

comment by: *Sam Sexton*

Reference FCL140
the 6 yearly proficiency check..

Don't think this has been thought through properly by EASA. I.e. cost, this one rule alone will probably mean a considerably drop in pilot numbers as pilots give up fly altogether.

Reasons: -
Cost.

Examiners charge excessive fee for a proficiency check/General flight test(GFT).

-I was charged approx 200 euro just as a test fee.

- pilots would feel they would need to do several hours with an instructor prior to a test again additional cost.
-
- I fly microlights and annex 2 aircraft. To do this proficiency test I would have to join a flying club additional fees. Pay aero club rates for hire of their aircraft currently around 200 euros and hour with an instructor

- again the hire of the aircraft for the test itself. Which could take up to 2 hours with the additional costs.
- this will therefore require a RIA.
-

Suggest that the current bi-annual flight with an instructor is now made a test flight with any instructor (not just an examiner). Where the instructor can refuse to sign of the pilots log books etc. if the instructor is unhappy with the pilots general flying.

Generally this flight is used by pilots to freshen up on certain areas of flying with an instructor. EFATO, Practice force landings. Stalls etc. etc.

Additionally there is some queries amongst instructor whether this flight can be split i.e. if I we fly to another airfield have a brake and fly back as long as the total flight time is more than one hour.

Seem certain NAA,s interrupt this different and require a flight of 1 hour with no brakes/stops.

response *Partially accepted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment 6496

comment by: *Peter Mossman*

I understand and agree these provisions including the proficiency check every 6 years except that the number of balloon examiners in the UK is small and there is some delay in obtaining one for normal check flights without adding a huge workload to them. I believe a flight with another pilot is good for you, however this check could be done by an instructor, perhaps there should be an endorsement to an instrutors rating to enable him to do these checks which will then avoid the appointment of many new examiners.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the

amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

6506

comment by: *Kevin Ison*

It would be better if instructors were allowed to conduct a proficiency check, as there are insufficient numbers of examiners! (There are none in my area).

BPL Balloon pilots licence (summary)

It would make more sense to be able to use instructors for this, as there are insufficient examiners.

response

Accepted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

6536

comment by: *Luftfahrtbehörde Schleswig-Holstein Landesbetrieb Straßenbau und Verkehr*

Die Befähigungsüberprüfung im sechs Jahresrhythmus ist abzulehnen. Sie ist nicht erforderlich, da unter der Voraussetzung des FCL.140.B (a) (1) eine ausreichende Überprüfung gewährleistet ist. Die geforderte Befähigungsüberprüfung führt zu unnötigem Bürokratismus und birgt die Gefahr, dass zahlreiche Privatpiloten keine Verlängerung ihrer Lizenz beantragen werden.

Nach FCL.140.B (a) (1) (ii) wird u. A. „*a training flight of at least one hour with an instructor*“ gefordert.

Um sicherzustellen, dass der Fluglehrer auch die Kompetenz hat festzustellen, dass der Bewerber den Fluganforderungen genügt/nicht genügt, sollte (sprachlich) formuliert werden, dass der Übungsflug nicht nur „mit“, sondern „unter Aufsicht“ des Fluglehrers erfolgt.

Vorschlag:

(a) (1) (ii) 3. Spiegelstrich

„*a training flight of at least one hour **under the survey of a flight instructor** [...]*“

Streichung von (a) (2)

response

Noted

Thank you for providing your opinion. The Agency has carefully reviewed the

comments received on this issue and has decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response to comment No. 1531 (Danish Balloon Organisation) in the same segment above.

The wording proposed in your comment ("under the survey") was discussed but the Agency does not see a need to change the wording here. Please see also the wording used for the PPL licences as this is based on JAR-FCL where the same wording was already used without such an additional explanation. As the definition of a proficiency check allows only the examiner to conduct such a flight, the characteristics of the training flight with an instructor cannot be changed by introducing such a wording (under the survey).

comment

6705

comment by: *Lubbock Edward*

Proposal FCL 110B requires all training to be with an instructor. At present in the UK many instructional hours are experienced with a licensed pilot who does not have an instructor rating. This allows trainees to gain invaluable experience. Supervised instructor flights are a requirement for any trainee pilot - but that is not necessary for every flight undertaken by a trainee. The standards of training by other pilots who are not instructors has proved its worth over many years, producing UK pilots who are competent and confident. It is not in my view necessary to dictate that ALL flights for a pilot under training MUST be with an instructor.

response

Noted

Thank you for providing your opinion.

However, it seems that your comment should be addressed to another paragraph as FCL.140.B is dealing with the recency requirements.

Your comment is dealing with the issue of allowing licence holders not being an instructor to provide flight instruction. The Basic Regulation 216/2008 and its Annex III provide the legal framework for these Implementing Rules drafted by the Agency. As this Regulation clearly defines that all kind of instruction for pilot licences must be provided by appropriately qualified instructors this issue cannot be discussed or changed.

comment

6720

comment by: *Tom Donnelly*

(c) Instructors rather than **Examiners** would be better suited to conduct proficiency checks.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

6928

comment by: *Tom Bourgoy*

a proficiency check every 6 year is a stupid idea! the best way to keep your ballooning skills under control is to fly a minimum number of flights every year. I suggest to go from 12 hours flight time as PIC to 18 hours and a minimum of 12 take-offs and landings.

Ballooning is just like swimming, when you do this on a regular base, you will keep your skills. Please don't compare airline pilots with ballooning pilots!

response *Noted*

Thank you for providing your opinion. The Agency has carefully reviewed the comments received on this issue and has decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response to comment No. 1531 (Danish Balloon Organisation) in the same segment above.

The second issue of increasing the required amount of take-offs (your proposal: 18 hours and 12 take-offs per year) was discussed again with the experts. It seems that especially for the gas-balloon licence holders such an increased number of flights (unfortunately is in some European countries more than one landing during one balloon flight not allowed) like proposed by you cannot be fulfilled. The Agency decided to raise the number required only slightly (to 10 take-offs) having in mind that the training flight with an instructor will be also an opportunity to identify possible training needs.

Regarding your statement "...don't compare airline pilots with ballooning pilots..", it must be highlighted that it was never the Agency's aim to introduce the same level of requirements for ATPL/CPL pilots and for BPL or LPL(B) pilots. Please study the requirements in the subpart for the CPL/ATPL and the different class- and type ratings in order to discover the differences. To make this clear the Agency would like to highlight some of the main features of the proposed balloon licences which are completely different from the ones for the commercial licences and which were chosen also in order to limit the administrative burden:

- LPL medical with GMP involvement
- Class II medical for BPL (and commercial privilege)
- unlimited licence validity (recency requirements but no revalidation)
- competency based approach for the training
- extension for other classes and groups

comment 7050

comment by: *claire WATERS*

Proficiency check with an instructor rather than examiner because of limited amount of examiners could be restrictive to the sport

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response to comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment 7097

comment by: *Lesley ASHBURNER*

	<p>Proficiency with instructor should be sufficient - there are not enough examiners.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response to comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	<p>7117 comment by: <i>Finnish Aeronautical Association - Kai Mönkkönen</i></p> <p>FCL 140.B FCL 230.B</p> <p>Every sixth year a proficiency check with an examiner makes too much work for limited number of examiners</p> <p>Proposed text: ... passed a proficiency check with an instructor at least ...</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p> <p>It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or by an organisation) than today.</p>
comment	<p>7150 comment by: <i>Professionele Ballonvaarders Nederland</i></p> <p><u>FCL 140 B Page 17 Currency :</u></p> <p>Good intentions and even better that this will count for LPL as well. In Holland we had much lower standards for LPL pilots. The recruitment for examiners however will be a huge problem for Holland. Unlike Germany with some 30 ? examiners , we have only 3 active examiners for first time pupils and no other kind of certified type. With the proposed new standards for examiners this will be very hard to implant the coming years. We will need a pardon from our national authority to turn 20 to 30 wide experienced pilots into examiners without all the requirements that are proposed now, but with a shortcut and less theoretical training in didactics and so on. e.g. ; the requirements for examiners must be much lower, but be based on much experience and a limited doses' of theory. (less than proposed.) Since examiners are necessary for many other tasks in the new regulations this problem needs to be addressed properly.</p>

response

Noted

Thank you for providing this comment.

However, it seems that the comment should be addressed to another segment. FCL.140.B contains the recency requirements for LPL(B) pilots.

As the comment is mainly addressing the pre-requisites for examiners the Agency would like to mention that the minimum experience required to become an examiner is contained in FCL.1005.FE.

Please check the responses given on the comments received for the segment on the pre-requisites for examiners. The Agency is going to review these requirements carefully. However, it should be highlighted that the Agency does not understand what is meant by saying: "without all the requirements that are proposed now, but with a shortcut and less theoretical training" and "the requirements for examiners must be much lower" without any further specification or justification.

FCL.1015 requires a one day standardisation course and the observation of a skill test or proficiency check. This initial standardisation training is absolutely necessary and cannot be shortened. The Agency does not understand in which way these requirements could be lowered. As no justification or explanation is provided the proposals will not be changed.

comment

7213

comment by: *Klaus HARTMANN*

Es gibt in diesem Dokument unter FCL und AMC/GM keine festgelegten Inhalte zum proficiency check und ebenso kein entsprechendes Formblatt. Wann und wo wird das zum Kommentieren veröffentlicht ?

response

Noted

Thank you for providing your opinion. The Agency has reviewed the comments received dealing with the proficiency check and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

This means also that there is no need any more to introduce a certain proficiency check form or list of contents.

comment

7247

comment by: *JOSEP LLADO-COSTA*

I understand that to make it easier, it could be enough that an instructor makes the proficiency check. It will be difficult that are enough examiners to do this job.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation)

in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or by an organisation) than today.

comment

7331

comment by: *Volker Loeschhorn*

It is requested to pass for every licence and rating you are holder of, an extra proficiency check? For example, you are pilot and instructor, do you need an proficiency check as pilot and an proficiency check as instructor separately? My proposal is, that it should be sufficient, if you have passed succesfully the proficiency check in your highest qualification.

response

Noted

Thank you for providing your opinion. The Agency has reviewed the comments received dealing with the proficiency check and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

As these proficiency checks will be deleted the issue of crediting certain proficiency checks for other checks does not any longer exist.

comment

7403

comment by: *Peter van Harten*

There is a big, really big difference is a hotair balloon, gas balloon and an airship. I suggest that it is better to make a diference in experience aswell. If the rules as suggested will apply, a pilot can have his licence for both a gas balloon and a hotair balloon and does not need the hotairballoon experience to keep his licence. I suggest that for each type of balloon there will be a specific rule for experience. So if you hold two licences, you will need both the requirements of the experience.

response

Noted

Thank you for providing your opinion.

However, as this issue was already addressed by your organisation please see the response to comment No. 5833 (Professional Balloonists Netherlands).

comment

7418

comment by: *Ann Herdewyn*

(a) it is highly exagerated to redo an examination flight every 6 year! I understand that flying a balloon should be safe and I do agree that a pilot who is ignoring the regulations should be punished. But, if a pilot received his LPL afther the procedure in this text suggested, and fullfills all the other requirements, he is an experienced pilot who knows how to fly.

response

Noted

Thank you for providing your opinion. The Agency has carefully reviewed all the comments received on this issue and has decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

However, the Agency does not agree at all with the statement provided which says that "if a pilot received his LPL,.... , he is an experienced pilot and knows how to fly" in order to prove that such a pilot does not need a check or training flight. The training flight with an instructor will provide the opportunity to identify possible other training needs if the pilot has deficiencies regardless his/her actual flight experience. This system is already in place in a lot of countries for all kind of licences with quite a positive impact on flight safety.

comment

7426

comment by: *Jaime Stewart*

Since I gained my LPL in 2000 currency requirements have been 5 flights of not less than 5 minutes duration in the previous 13 months. This is very different to insisting on a number of flying hours, even if the period of time involved is expanded to 24 months. A balloon pilot will invariably attempt to fly for longer than 5 minutes on nearly every flight undertaken, but since flying time is so restricted by weather conditions and the time of day, the great majority of LPL flights last between 20 and 40 minutes. This is quite enough time in which to keep one's skill up to the mark, and in a country such as the UK, where weather conditions are unstable, a currency requirement counted in hours may actually endanger pilots by tempting them to fly on longer than would be sensible in an effort to "keep current". The last couple of years in the UK the weather has been so bad that many pilots have struggled to keep up with requirements as they stand. The new recommendations increase the pressure enormously. They effectively suggest that a pilot has to fly 6 hours a year in order to remain current. At an average of 30 minutes a flight, that works out at 12 flights. Much of the skill in ballooning resides in the ability to make a good decision about when to land; a pilot does not enhance his skills by staying in the air longer than is appropriate. Suggesting currency be defined in hours like this, although doubtless well-intentioned, reveals a lack of understanding of both the skill set peculiar to balloon flying and the difficulties peculiar to flying balloons in the UK, whose weather system is more volatile than those of its continental neighbours. No balloonist desires to fly only the minimum permitted hours each year; he or she is just sometimes compelled to do so by meteorological and other conditions.

As long as the pilot has kept current, there can be no reason why a 6-year proficiency check with an Examiner should be necessary for an LPL. Is it to be suggested that anyone who drives a car on a non-commercial basis should have to be re-examined every 6 years? That is the parallel, and it is nonsensical. Is it thought that balloon pilots are going to become less accomplished as they gain flying experience over the years?

However, if a check flight must be done at these intervals, then this should be with a qualified Instructor rather than an Examiner. There are not enough Examiners to cope comfortably with the workload, and the qualification of Instructor ably fits a pilot to oversee this sort of check flight.

response

Noted

Thank you for providing your opinion.

The Agency has received a lot of comments dealing with the proposed proficiency check. It agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

The first part of your comment is dealing with the weather related problems to fulfill the required amount of flight time. Based on the comments received on this issue the Agency has decided to lower the amount of hours (6 hours of flight time) but to raise the amount of take-offs slightly (10 take-offs and landings). The Agency did not follow the proposals to raise these numbers dramatically (see other comments in this segment) but can also not see a problem with the now proposed 5 take-offs required every year (in average). An additional paragraph will be introduced allowing to complete the missing hours or take-offs under the supervision of an instructor.

comment

7442

comment by: *Holger Scheibel*

Hier fehlt die geforderte Fahrdauer für die Fahrt mit Lehrer!

Diese Forderung dürfte mit der geringen Anzahl der Prüfer in der Bundesrepublik kaum umsetzbar sein und verursacht unnötige Kosten!

response

Noted

Thank you for your comment and the proposal to introduce a minimum flight time for the training flight with an instructor. The Agency has discussed this issue again during the review phase but cannot see a need to define this. Due to the fact that the landing place is always in a certain way unpredictable it should be up to the instructor's discretion and responsibility to decide when the necessary training elements are carried out and the landing can be commenced. The Agency will therefore not require a certain minimum time for this flight.

Regarding your second issue the Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or by an

organisation) than today.

comment

7447

comment by: *Don Brown*

Whilst accepting the need for a periodic proficiency check, to have to have this performed by an examiner would be logistically very difficult, in the UK there are simply not enough Balloon Pilot Examiners to cope with the demand. I suggest that this proposal be amended to allow periodic proficiency checks to be performed by an Instructor or Examiner.

response

Partially accepted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

7469

comment by: *Nevill Arms BC*

Six year proficiency checks with an Instructor rather than an Examiner should be sufficient and more practical as the number of examiners for balloon pilots will be a limiting factor.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

7486

comment by: *Luc Herdewijn*

When I must confirm myself to all the requirements suggested, I cannot become unexperienced. I understand that flying must be safe, and I'm sure this will be as every pilot does the amount of flights as suggested.

response

Noted

Thank you for providing this comment.

comment

7600

comment by: *nigel carr*

I do not agree that a LPL pilot who has complied with the recency rules then also needs a proficiency test

if a test must be enforced then would it not be wiser to let Instructors also conduct these tests given examiners limited availability or is it envisaged that 6 years after the start of these rules over 300 uk pilots will need to be tested by less than 10 examiners ?

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

7619

comment by: *Aero-Club of Switzerland*

The Swiss Ballooning Federation thinks that the proficiency check Of (a)(2) is not necessary and wants it to be deleted.

Justification: The balloonists competence and proficiency are demonstrated by the trips made.

response

Partially accepted

Thank you for providing your opinion.

The Agency has received a lot of comments dealing with the proposed proficiency check. It agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment

7693

comment by: *BBAC 6824*

It is not necessary to have a proficiency check every 6 years with an Examiner. A pilot flying regularly for previous 24 months as specified will be proficient.

response

Noted

Thank you for providing your opinion.

The Agency has received a lot of comments dealing with the proposed proficiency check. It agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **7698** comment by: *BBAC 6824*

It is not necessary to have a proficiency check every 6 years with an Examiner. A pilot flying regularly for previous 24 months as specified will be proficient.

response *Noted*

The Agency acknowledges the opinion provided. However, it seems to be only a duplicate of your comment No. 7693. Please see the response provided to your comment No. 7693 in the same segment above.

comment **7734** comment by: *Anglian Countryside Balloons Ltd*

On this basis every six years large numbers of Examiners will be needed to conduct the proficiency testss. It would be better if Instructors were allowed to conduct these tests as and when there are more Instructors available.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment **7764** comment by: *Chris Smart*

I think it is good science to confirm the on-going proficiency of pilots because it is very easy for bad habits to become second nature. However I do not think it is realistic to expect the limited number of available examiners in an area of the country to be able to reverify all LPL(B) pilots every six years.

If this rule is introduced almost all pilots will require a proficiency test immediately because they qualified more than 6 years ago. Such a test for LPL(B) is very weather dependant and so difficult to schedule in a short period of time, so I would suggest that this task be performed by the larger number of quailified Instructors.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and

decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

7871

comment by: *Svenska Ballongfederationen*

FCL.140.B LPL(B) – Recency requirements

(a) (2): To have all LPL (B) certificate holders perform a PC every six years puts an enormous work load on Swedish examiners. To be able to handle this our opinion is that a LAFI or FI should also be able to do this. This is the case today with the Swedish system and that works well. See also comments about examiners for a better understanding of the examiner/instructor/training situation in Sweden.

(b): If the flight time is achieved in group medium the recency requirement for group small should also be considered fulfilled. If the flight time is achieved in group large the requirement for groups small and medium should also be considered fulfilled. If a pilot is able to handle a large balloon he/she will also be able to handle a smaller size balloon.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

Regarding your second issue it has to be highlighted that there are no such groups foreseen for the LPL holder. The LPL holder will be allowed only to fly balloons with a maximum envelope size of 3400m³ and up to 4 persons on board. The mentioned differentiation between balloons of an envelope size of more than 3400m³ will be introduced only for the BPL holder. Please see the responses and the resulting text for FCL.225.B and FCL.230.B.

comment

7942

comment by: *Wolfgang Lamminger*

According to today's applicable regulations JAR-FCL 1.245 (c) (1) (ii), the

renewal of the rating should also in future be carried out only by a training flight or "flight review" with a flight instructor."

The in the NPA mentioned proficiency-check every 6 years

- brings up a needless bureaucracy for the holder
- brings up a needless raise of cost for renewal of the rating
- brings a needless delay for the renewal of the rating, because the current organisation of the local aviation authorities is not almost able to represent the necessary number of Flight-Examiners (FE) and it will not be able to do so in future, because of the relation of the number License holders and Flight examiners. The way, private aviation is nowadays organized in Germany and adjacent countries, is oriented in a considerable extent in voluntary and unsalaried staff.
- does not at all raise safety by carrying out a checkflight every 6 years. In fact, security only can be achieved by practise and training. A checkflight with an "authorized" examiner will never reach the quality of a training within a trustfully "trainer-trainee" relation.
- it is in question, if in areas where today already periodical checkflights for rating prolongation take place, a significant raise of safety is achieved. (e. g. instrument ratings, type ratings), or if not practise and training are exclusive crucial for today's standard.

It is suggested to replace the regulation as follows:

"passed a training-flight of a minimum of 1 hour with a FI(A) or CRI(A) within the last 24 month"

A reduction of the period to the last 12 month would not be suggestiv, because the general validity of the rating is 24 month and different time ranges would be in dissent to the general validity of the rating/license.

Alternatively it could be suggestive to include the requirement of theory training into the regulation as follows:

„passed a training-flight of a minimum of 1 hour and 1 hour ground training with a FI (A) or CRI (A) [...]“

According to the regulations for the renewal of ratings/licenses it has to be referred to the for decades proven praxis of "flight reviews" according FAR-AIM § 61.56.

It can be assumed, that currently rated and trained flight instructors have the necessary sense of responsibility, to conduct the renewal of ratings/licenses. If EASA couldn't decide to lapse the periodical proficiency checks, the qualification of flight instructors should anyway be expanded to the privilege of an "examiner", according to the mentioned rule.

response *Noted*

The Agency acknowledges the opinion expressed. However, the comment seems to be a duplicate of your comments No. 7920, 7938 and 7939. See response provided already to your comment No. 7920 in the same segment above.

comment	7955 comment by: <i>Graham HALLETT</i>
	<p>I wish to comment on the proficiency check. Firstly, I would take issue that it is necessary every 6 years. More importantly, with the introduction of these regulations on a given date and with all existing licence holders presumably grandfathered through the system, there will be a large bulge of pilots every 6 years needing this proficiency check at approximately the same time. This will be hugely difficult in practical terms to manage. I believe some consideration should be given to allow the first proficiency check to be delayed to allow some phasing in of this requirement. Also, this proficiency check should be allowed to be undertaken by an instructor rather than an examiner.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p> <p>It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.</p>
comment	7997 comment by: <i>Olivier CUENOT</i>
	<p><i>Every six years, it will be better if checks are conduct by instructors rather than examiners.</i></p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p> <p>Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.</p>
comment	8006 comment by: <i>Rupert STANLEY</i>
	<p>Whilst I agree with the underlying sentiment for a 6 yearly check with a suitably qualified individual, I feel the requirement to use an examiner will cause a logistical problem as there are relatively few examiners, so strongly suggest that an instructor would be a more suitable alternative.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.</p>

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

8007

comment by: *Dave Turner*

The six yearly check flight with an examiner will cause considerable inconvenience and cost for balloon pilots. The safety record of ballooning does not justify this extra burden. In the UK there are not a large number of examiners and being such a weather dependent activity it is likely that pilots will experience problems in getting a check flight. Balloon examiners are unlikely to be able to carry out more than 2 flights in a day with say 2 check pilots on each giving just 4 checks per examiner per day and this is only on suitable days. Compare that with light aircraft where flights begin and end at the same runway and an examiner can carry out far more check flights in a day and weather conditions whilst important are not such a problem. Ballooning is being unfairly treated if this proposal goes ahead. If it is felt that a check flight every 6 years is required then instructors should also be able to perform them.

response

Noted

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment

8053

comment by: *Rowland Benbrook*

Since I gained my LPL in 1983, currency requirements have been 5 flights of not less than 5 minutes duration in the previous 13 months. This is very different to insisting on a number of flying hours, even if the period of time involved is expanded to 24 months. A balloon pilot will invariably attempt to fly for longer than 5 minutes on nearly every flight undertaken, but since flying time is so restricted by weather conditions and the time of day, the great majority of LPL flights last between 20 and 40 minutes. This is quite enough time in which to practice one's skills and keep them up to the mark, and in a country such as the UK, where weather conditions are unstable, a currency requirement counted in hours may actually endanger pilots by tempting them to fly on longer than would be sensible in an effort to "keep current". The last

couple of years in the UK the weather has been so bad that many pilots have struggled to keep up with requirements as they stand. The new recommendations will increase the pressure and stress enormously. They effectively suggest that a pilot has to fly 6 hours a year in order to remain current. At an average of 30 minutes a flight, that works out at 12 flights. A pilot maintains his flying skills by making the decision on when to take off and more importantly when to land, he does not add anything to his skills by staying in the air longer than is needed. Suggesting currency be defined in hours like this, although doubtless well-intentioned, reveals a lack of understanding of both the skill set peculiar to balloon flying and the difficulties peculiar to flying balloons in the UK, whose weather system is more volatile than those of its continental neighbours. No balloonist desires to fly only the minimum permitted hours each year; he or she is just sometimes compelled to do so by meteorological and other conditions.

response *Noted*

The Agency acknowledges the opinion expressed. However, the comment seems to be only a duplicate (changing only 2000 and 1983) of the first part of comment No. 7426 sent by another stakeholder already. Please see the response provided already to comment No. 7426 (J. Stewart).

comment *8083*

comment by: *George Ibbotson*

The requirement for a proficiency check with an examiner at least once every six years is excessive. The UK has operated its private balloon licence for many years with no requirement for a proficiency check. The safety record for private balloons in the UK is excellent. There are insufficient examiners for balloons in the UK for this to be implementable. If a proficiency check is insisted upon it should be with an instructor not an examiner. Once every six years is excessive. Once every 10 years would be better.

response *Noted*

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment *8118*

comment by: *Alan Turner*

The six yearly check flight with an examiner will cause considerable inconvenience and increase the cost for balloon pilots. The safety record of balloon does not justify this extra cost or hassle. In the UK there are not a large number of examiners and being such a weather dependent activity it is likely that pilots will experience problems in getting a check flight. Balloon examiners are unlikely to be able to carry out more than 2 flights in a day with

say 2 check pilots on each giving just 4 checks per examiner per day and this is only on suitable days. Compare that with light aircraft where flights begin and end at the same runway and an examiner can carry out far more check flights in a day and weather conditions whilst important are not such a problem. Ballooning is not being fairly treated if this proposal goes ahead. If it is felt that a check flight every 6 years is required then instructors should also be able to perform them.

response **Noted**

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

comment **8125**

comment by: *Gareth Davies*

Undertaking proficiency checks with Examiners at 6 yearly intervals is unnecessary. Providing the pilot's medical circumstances have not changed and they continue to meet currency requirements i.e. for number of hours flown over the last 24 months, then a proficiency check with an Examiner should not be necessary.

response **Noted**

Thank you for providing your opinion.

The Agency has received a lot of comments dealing with the proposed proficiency check. It agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

comment **8140**

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

The proposals on Recency for LPL pilots are reasonable as in general these are often low annual hours pilots. A regular proficiency check is also reasonable but from a practical point of view this could be carried out by Instructors where geographic spread and numbers are better than Examiners.

response **Noted**

Thank you for providing your opinion. The Agency agrees in general and decided to delete the proficiency check but to introduce a mandatory training flight with an instructor.

Please see the response for comment No. 1531 (Danish Balloon Organisation) in the same segment above.

It should be mentioned also that the system actually in place in your country will not be the same in the future. Please check the subpart on examiners to understand that the Agency proposes a different examiner system which, if needed, will allow to have in some areas more examiners (the amount of examiners will not any longer be "defined" by the NAAs or in this case by the organisation) than today.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL)

p. 18

comment	<p>208 comment by: <i>Bernhard Blasen</i></p> <p>The requirements for LPL(S) and SPL are so similiar, that it makes no sense to make a difference between both of them.</p> <p>So only one licence according to the ICAO standards should be established.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion but the Agency does not agree with your proposal. The creation of the LPL was agreed by the European legislator in the Basic Regulation.</p> <p>Provisions for the issuance of the LPL are specifically required by Article 7(5) of the Basic Regulation. Consequently the Agency has developed requirements for a future licence for leisure pilots.</p> <p>The main differences between the LPL(S) and the SPL are the different medical systems (please check Part MED) and the commercial privilege of the SPL. As a lot of countries have a different medical system for their national sailplane licence actually in place the ICAO Class II requirement for the SPL would cause a lot of additional costs and problems. With the proposed LPL(S) medical system no major changes must be introduced. This is one element of the basic idea to create a licence with less administrative burden and costs.</p>
comment	<p>522 comment by: <i>Christian Befeld</i></p> <p><u>PPL-IR rating:</u></p> <p>Referring the PPL-Licence item I like to suggest making the education for an IFR-Rating (PPL-IR) less difficult as it is in the moment. Only 4-6% of the German PPL licences are upgraded to an IR rating. To improve the general aviation, by using piston engine powered aircrafts below 2000kg MTOW to an accepted and interesting logistic solution beside cars and railway in business it is recommended to simplifies these regulations. My opinion is that it should be more attractive by cost and complexity reasons to achieve a PPL-IR rating.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>It was already indicated in NPA 2008-17a that the issue of qualifications for</p>

flying in Instrument Meteorological Conditions (IMC) is currently being discussed in a separate Rulemaking task, FCL.008. One objective of this task is to review the JAR-FCL requirements for the Instrument Rating (IR) with the aim to make the IR more accessible for the PPL licence holder.

The comments received on A-NPA 14-2006 and on this NPA dealing with the issue of the Instrument 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.

comment

888

comment by: *Geschäftsführer Luftsportverband RP*

Dieser Subpart entspricht beim PPL dem 2003 eingeführten Regeln der JAR-FCL. Diese JAR-FCL Regeln sind für den Luftsport in Deutschland derart schädlich geworden, dass unsere Organisation keinen einzigen neuen Fluglehrer für motorgetriebene Flugzeuge neu hinzu gewinnen konnten und auch dass der Scheinerwerb für Piloten auf 1/3 bis 1/4 in den letzten Jahren geschrumpft ist gegenüber den Zeiten vor 2003. In den Folgejahren wird sich dieser Niedergang fortsetzen und die neuen Regeln ab 2012 werden diesen Niedergang weiterhin beschleunigen.

Eine Förderung oder Belebung des Luftsports zur Gewinnung jüngerer Leute für fliegerische Berufe -wie es sich die Kommission auf ihre Fahnen geschrieben hat- wird mit diesem Superüberwachungssystem im Luftsport nicht erreicht. Weiterhin besteht eine große Gefahr, dass Piloten Ihre Altrechte einklagen werden.

response

Noted

Thank you for providing your opinion.

The Agency agrees that subpart C is mainly based on the existing JAR-FCL requirements for the PPL(A) / (H). It was agreed on this transfer of the existing requirements in the beginning of the drafting phase and only a few changes have been introduced by the experts involved. Examples are the proposed privilege for the instructor to provide instruction against remuneration, the deletion of the CPL theoretical knowledge for the instructor or the introduction of a new class II medical based on the ICAO class II level.

The Agency will very carefully review the comments received on this subpart with the aim of keeping a high level of safety on one hand but also by trying to facilitate the access to a private pilot licence for the General Aviation Community on the other hand. In general the requirements for the PPL(A) and (H) should stay as close to the existing JAR-FCL requirements as possible.

comment

1461

comment by: *Volker ENGELMANN*

The abbreviation of **SPL** Sale Plane License shall not be used in this document. SPL is a used acronym for Sport Pilot License in Germany. This License enables the user to fly Microlight/Ultralight Aircraft with a maximum Take off weight of 472,5 Kg.

European Law should not affect existing Laws which will then require to change hundreds of already existing Licenses throughout Germany and other Countries. Pilot as well as agencies shall not be influenced by European Law if there is no essential need.

Further more a common used word for the mentioned sort of planes is Glider Aircraft.

	<p>Proposal: Change SPL into GPL for Glider Pilot License. This comment is essential and not negotiable.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion but the Agency cannot agree.</p> <p>The term "sailplane" is used already in the certification specifications for sailplanes (CS 22). To use a consistent wording the term sailplane must be used also for licensing. The Agency cannot check all the existing abbreviations for pilot licences in all the different Member States in order to avoid a possible misinterpretation in a certain country.</p> <p>The German licence for the mentioned category of Annex II aircraft (microlight) is called "Luftfahrerschein für Luftsportgeräteführer" which is translated on the licence itself as "Sport Pilot Licence". In the German regulation (LuftPersV) the term SPL is not mentioned. The Agency cannot see a problem if the future European Pilot licence for sailplane pilots will be called Sailplane Pilot Licence (SPL).</p>

comment	<p>3349 comment by: <i>Luftsportgruppe Breitscheid Haiger e.V.</i></p> <p>"Beginn der Segelflugschulung erst 16 Jahren"</p> <p>Nein. Das Einstiegsalter sollte europaweit wie in Deutschland bei 14 Jahren liegen !</p> <p>Begründung: Die Luftsportgruppe Breitscheid-Haiger e.V. hat in den letzten 10 Jahren 7 PPLC Schüler im Alter von 14-17 Jahren erfolgreich und ohne nennenswerte Zwischenfälle ausgebildet. Die meisten dieser Piloten sind heute aktive Segelflieger und nehmen unter anderem an Segelflugwettbewerben teil. Ein Schüler hat weiterhin die JAR-FCL SEP Ausbildung sowie eine Kunstflugausbildung erfolgreich absolviert, ein weiterer befindet sich noch in der JAR-FCL SEP Ausbildung. Derzeit befinden sich 4 Schüler im Alter von 14 Jahren in der Segelflugausbildung. Fast alle diese Schüler haben bereits sehr viel früher am Segelflugbetrieb teilgenommen und somit auch einen wesentlichen Teil dazu beigetragen, das überhaupt ein Segelflugbetrieb stattfinden konnte. Es hat sich gezeigt, dass es außer ordentlich wichtig ist, dass die Schüler, beziehungsweise angehenden Schüler, möglichst früh am Segelflugbetrieb sowie am ganzen sozialen Umfeld auf dem Flugplatz und im Vereinsleben teilnehmen. Dies ist nicht nur für die Flugausbildung der Schüler wichtig sondern hat auch einen entscheidenden positiven Einfluss auf Ihr soziales Verhalten. Die Schüler lernen sehr früh sich in einem Team zu integrieren und gemeinsam erfolgreich zu sein. Klare Aufgaben und Ziele motivieren sie und lassen sie zu verantwortungsvollen Mitmenschen werden. Sollte die Segelflugausbildung erst mit 16 Jahren beginnen, so befürchte ich, das es noch viel schwerer sein wird Nachwuchsakadidaten zum Segelflug zu bewegen. Im Internet Zeitalter bekommen die jungen Menschen so viele Freizeit Möglichkeiten geboten, dass es ohnehin schon sehr schwer ist Nachwuchs zu bekommen. Mit 16 Jahren haben junge Menschen bereits eine sehr ausgeprägte Persönlichkeit entwickelt, die sich im sozialen Rahmen einer Segelflugausbildung nur noch sehr schwierig beeinflussen lässt.</p>
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Es hat sich gezeigt, dass der Ausbildungsbeginn mit 14 Jahren sowie eine noch frühere Teilnahme am Segelflugbetrieb einen außerordentlich positiven Einfluss auf die Entwicklung junger Menschen parallel zur Schulausbildung hat. Aus diesen positiven Erfahrungen heraus, kann ich nur sehr stark dafür plädieren, den Beginn der Segelflugausbildung auf jeden Fall bei 14 Jahren zu belassen sowie Europaweit einzuführen.

Ein Segelflugverein ist wie eine große Familie. Je früher ein junger Mensch in diesem sozialen Umfeld aufwächst desto größer sind die Chancen, dass aus ihr/ihm ein verantwortungsvoller, erfolgreicher und selbstbewusster Mensch wird. Gerade für die Kandidaten, die aus schwierigen familiären und/oder sozialen Umfeldern zu uns kommen ist das eine große Chance.

Breitscheid, den 15.02.2009

Peter Schönauer

response *Noted*

Thank you for providing your opinion. It seems that the comment is based on a misinterpretation of FCL.200.

Please see the requirement for the minimum age to fly solo in FCL.020 which is in the case of sailplanes 14 years of age.

The minimum age to hold an SPL will be 16 years of age.

comment

3547

comment by: *Swiss Power Flight Union*

We repeat our idea to change these licence designators in

PPL(A)

PPL(B)

PPL(S)

PPL(As)

LPL(H)

throughout the whole document.

response

Noted

Thank you for providing your opinion.

The Agency is already using the following designators:

PPL(A)

PPL(As)

LPL(H).

During the review of the document the consistent use of these designators will be checked again.

The proposed designators for the sailplane pilot licence and the balloon pilot licence cannot be used as the Agency has foreseen a commercial privilege for both licences. With these privileges the wording "private" cannot be used any longer as the privileges for a private pilot licence would exclude any commercial activity. This is the reason why the designators PPL(S) or PPL(B) were not introduced.

comment

4539

comment by: *Klaus Schneider-Zapp*

	<p>The LPL-S and SPL are very similar, except for the medical requirements. We very much appreciate the facilitated medical requirements of the LPL. Due to the similarity of the licenses, we propose to only keep one ICAO-conform SPL license which, however, only requires a class III medical. As shown in several studies the requirement of class II medicals does not improve the safety in general aviation.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion but the Agency does not agree. The creation of the LPL was agreed by the European legislator in the Basic Regulation.</p> <p>Provisions for the issuance of the LPL are specifically required by Article 7(5) of the Basic Regulation. Consequently the Agency will develop requirements for a future licence for leisure pilots.</p> <p>The main difference between the LPL(S) and the SPL are not only the different medical systems (please check Part MED) but also the commercial privilege of the SPL.</p> <p>The Agency does not agree with the proposal to develop only an SPL but based on the medical system of the LPL. The SPL should be at least ICAO level which requires the ICAO class II medical conformity.</p>
comment	<p>7022 comment by: <i>neil mcaulay</i></p> <p>LPL(S) & SPL I believe that the proposed differences between the two licences based on medical differences makes no logical sense. As a light sporting licence, this should be kept as simple as possible and as low-cost and widely available as possible providing that safety is not affected. Instructors with either medical should be able to instruct on LPL(S) or SPL.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion but the Agency cannot agree with it. The creation of the LPL was agreed by the European legislator in the Basic Regulation.</p> <p>Provisions for the issuance of the LPL are specifically required by Article 7(5) of the Basic Regulation. Consequently the Agency will develop requirements for a future licence for leisure pilots.</p> <p>The main difference between the LPL(S) and the SPL are the different medical systems (please check Part MED) and the commercial privilege of the SPL. The SPL will be ICAO compliant.</p> <p>Instructors holding only an LPL(S) will not be allowed to instruct for an SPL because one of the main criteria for an instructor will be the requirement to hold at least the licence he/she is instructing for.</p>
comment	<p>7219 comment by: <i>Aero-Club of Switzerland</i></p> <p>We repeat our idea to change these licence designators in PPL(A) PPL(B)</p>

	PPL(S) PPL(As) LPL(H) throughout the whole document.
response	<i>Noted</i> Thank you for providing your opinion. As this comment is a copy of comment No. 3547 (Swiss Power Flight Union) please see the response already provided to comment No. 3547 in the same segment above.
comment	7353 comment by: <i>Gerrit Dekimpe</i> Please keep ballooning alive !There ara already more than enough rules . What is wrong with the actual instructors?
response	<i>Noted</i> Thank you for providing your opinion. The Agency does not understand the meaning behind this statement. No clear explanation or reference is given to specify the concerns. It seems that the pre-requisites or the privileges for the balloon instructors should be addressed but without any details the Agency is not able to provide a substantiated response.
comment	7993 comment by: <i>Dr. Christoph Larisch</i> Die Unterschiede zwischen LPL(S) und SPL sind so gering, daß zwei verschiedene Lizenzen keinen Sinn machen. Es sollte eine ICAO konforme Lizenz eingeführt werden.
response	<i>Noted</i> Thank you for providing your opinion but the Agency cannot agree with it. The creation of the LPL was agreed by the European legislator in the Basic Regulation. Provisions for the issuance of the LPL are specifically required by Article 7(5) of the Basic Regulation. Consequently the Agency will develop requirements for a future licence for leisure pilots. The main difference between the LPL(S) and the SPL are the different medical systems (please check Part MED) and the commercial privilege of the SPL. The SPL will be ICAO compliant.
comment	8216 comment by: <i>Airsport Sweden</i> Previous experience of flying UL, Ultra Light Aircraft should be accounted for when training to LPL and PPL if this is not regulated by EASA. Even if EASA would issue regulations for this, the number of flight hours and how the previous experience can be accounted for should be the decision of each nation. The UL of today are indeed very similar to older standard, normal category, aircraft in regard of flight characteristic and performance.
response	<i>Noted</i>

Thank you for providing your opinion.

The Agency discussed the issue raised with the experts and came to the conclusion that the crediting system which will be introduced for the LAPL (please see FCL.110.A) will provide the necessary entry level for pilots with prior flight time on Annex II aircraft wishing to obtain an LAPL.

This system will not be introduced for the PPL, SPL and BPL as these licences are based on the ICAO requirements and should stay also as close as possible with JAR-FCL. The published wording will be kept unchanged as it is based on the JAR-FCL system of 10% of the total flying time up to a maximum of 10 hours for the PPL(A).

With the module to up-grade the LAPL later on into a PPL, former microlight pilots will be able to enter the European system for private aeroplane pilot licences easily.

comment

8218 comment by: *Swedish Seaplane Association (SSA) and Seaplane pilot Associations Federation of Europe (SAFE)*

In this NPA there is nothing mentioned about seaplane ratings, not normal ratings or LPL.

"Swedish Seaplane Association, SSA" and "Seaplane pilot Associations Federation of Europe, SAFE" point out that previous experience of flying UL, Ultra Light Aircraft should be accounted for when training to LPL and PPL, both on land and on sea, if this is not regulated by EASA. Even if EASA would issue regulations for this, the number of flight hours and how the previous experience can be accounted for, should be the decision of each nation. The UL of today are indeed very similar to standard, normal category, aircraft in regard of flight characteristic and performance.

response

Noted

Thank you for providing your comment.

However, the statement provided that the NPA does not contain the requirements for the seaplane rating is not right. Please see FCL.725.A. Please check the responses provided for this segment.

Regarding the second issue mentioned (crediting of flight time on Annex II aircraft) the Agency discussed it with the experts and came to the conclusion that the crediting system which will be introduced for the LAPL (please see FCL.110.A) will provide the necessary entry level for pilots with prior flight time on Annex II aircraft wishing to obtain an aeroplane licence (or other aircraft categories).

This system will not be introduced for the PPL, SPL and BPL as these licences are based on the ICAO requirements and should stay also as close as possible with JAR-FCL. The published wording will be kept unchanged as it is based on the JAR-FCL system of 10% of the total flying time up to a maximum of 10 hours for the PPL(A).

With the module to up-grade the LAPL later on into a PPL, former microlight pilots will be able to enter the European system for private aeroplane pilot licences easily.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 1: Common Requirements - FCL.200 Minimum age

p. 18

comment	<p>181 comment by: <i>Aero-Club of Switzerland</i></p> <p>We repeat our idea to change these licence designators in PPL(A) PPL(B) PPL(S) PPL(As) throughout the whole document.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. As this comment is a copy of comment No. 3547 please see response provided to comment No. 3547.</p>
comment	<p>321 comment by: <i>Rod Wood</i></p> <p>A new sub para should be introduced stating minimum age for training to be undertaken to count towards the licence. For PPL I believe this should be 15.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not see a need to introduce such an additional requirement as FCL.020 is defining already the minimum age to fly solo (in the case of aeroplanes it will be 16 years of age).</p> <p>The Agency discussed the issue of introducing a specific age limit for starting with the flight training for the PPL or the LPL with the experts during the review phase of these comments. As the instructor (or the ATO) must always decide if a student pilot is mature enough to start and continue with the initial flight training and as additionally the instructor will always be on board of the aircraft until authorising the student to fly solo the Agency cannot see the need to introduce a specific minimum age for starting with the flight training. No justification is provided with this comment why such an additional age limitation should be necessary.</p>
comment	<p>620 comment by: <i>British Microlight Aircraft Association</i></p> <p>Disagree. There is no logical reason that the PPL minimum age should be 17 if the LPL minimum age is 16. There should be standardisation of age requirements across the all the licences.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees to a certain extent with your proposal and will align the minimum age for the LPL(A)/(H) and the PPL(A)/(H). Following ICAO Annex I (2.3.1.1), the applicant for a PPL(A) shall not be less than 17 years of age.</p>

FCL.200 already contains such a requirement. No change is needed.

Regarding your second issue that there should be a standardisation of age limits across all the licences the Agency does not agree. ICAO Annex I requires in 2.9.1.1 a minimum age of 16 for the "Glider Pilot Licence" (in 2.10.1.1 also for the "Free Balloon Pilot Licence"). Based on this and the fact that such an age limit is actually in place in several Member States (no safety related problems are known) the Agency will also keep the proposed age of 16 for an applicant for a BPL or an SPL. No justification is provided why such a standardisation should be introduced.

comment

1013

comment by: *George Rowden*

Comment: The rules on minimum age do not show any consistency and are not based upon any evidence of maturity by the pilot. There is no objective evidence that a first flight in a modern two seat sailplane is any less demanding than a similar flight in a powered training aircraft. In some respects the sailplane is more demanding and less forgiving of error. In many countries the minimum age to fly sailplanes solo is 16 based on experience of problems with younger pilots. There is a need for EASA to review minimum ages and establish a coherent and common policy for all classes of aircraft.

If the proposals in NPA17c become law then any aspiring young pilot will have to spend a significant amount of money on a medical clearance. This must be unacceptable as it is a barrier to young people's involvement in flying. Evidence from the UK's Air Cadets gathered over many years proves that a health declaration signed by a parent is entirely adequate. Even severely disabled applicants are accepted although inevitably their training opportunities are limited. The risk of a young person suffering a disabling attack when airborne is almost zero, for the only diseases in young persons that are likely to cause an accident are epilepsy or juvenile onset Type 1 diabetes. Neither of these conditions is apparent on examination. The best way to safeguard young people's safety in a flying environment is to provide them with knowledgeable oversight and supervision within an Approved Training Organisation until experience and maturity is gained. This is what happens in Germany and explains the good safety record of young people there.

I propose that that common minimum ages be established for all classes of aircraft with 16 years for first solo in a sailplane.

All young pilots have to remain under the supervision of an Approved Training Organisation until the age of 18 years, at which point their Licences can be validated.

No person under the age of 18 should be permitted to carry passengers.

The medical requirements for young people below the age of responsibility be via a simple health declaration signed by parents or guardian and endorsed [if required by 216/2008] by a GMP with access to the young person's records.

It is noted that there are no references in the NPA to any maximum ages for non professional pilots. As the risk of a disabling cardio-vascular event increases rapidly with age in older pilots, and such events are difficult to predict, even via examination, a maximum age for instructors needs to be considered. This is particularly important for instructors when flying with inexperienced students who would be unable to take over control in the event the instructor took ill. This problem is significantly less serious when the student is experienced and receiving advanced training. In the UK, the BGA adopted a policy of restricting instructors over the age of 70 years from flying with early students, but allowed experienced older instructors to continue training at an advanced level, contributing to overall club safety.

There is increasing evidence that aviation insurance companies are imposing their own age related limitations which, in the absence of any regulation may prove to be needlessly severe.
It is therefore proposed that the UK BGA policy in relation to older instructors is incorporated into the document

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to introduce a minimum age of 16 for the first solo flight for all aircraft categories and the age of 18 to hold a PPL or LPL licence.

You propose a general standardisation of age limits across all the licences but it has to be highlighted that ICAO Annex I requires in 2.9.1.1 a minimum age of 16 for the "Glider Pilot Licence" (in 2.10.1.1 also for the "Free Balloon Pilot Licence") and in 2.3.1.1 a minimum age of 17 years for the PPL(A). Based on this and the fact that exactly these age limits are actually in place in several Member States (no safety related problems are known), the Agency will keep the proposed age of 16 for an applicant for a BPL or an SPL and the minimum age of 17 for the PPL(A) and PPL(H). No justification is provided with your comment why such a standardisation should be introduced and why a general age of 16 for the first solo flight and the age of 18 for holding a licence should be introduced. The example provided ("This is what happens in Germany and explains the good safety record of young people there") supports the Agency's decision because Germany requires a minimum age of 14 for flying solo in a sailplane and the age of 16 for holding a sailplane licence (without any further supervision required).

Based on the comments received the Agency will align the minimum age for the LPL(A)/(H) and the PPL(A)/(H) and follow ICAO Annex I (2.3.1.1). No change is needed here in FCL.200.

Regarding your comment on the medical check of a young pilot please be aware that this kind of comment has to be addressed to NPA 2008-17c. Please check the responses provided by the Agency to the comments on this NPA.

Your next issue, the proposal to introduce a maximum age for instructors, was discussed during the review phase of this NPA. As there are no specific safety related problems known, the Agency will not introduce a maximum age for instructors. No justification is provided that such a change would be necessary.

comment

1296

comment by: *George Knight*

(b) Minimum age for glider licence. 16 is too low. Propose:

- 15 to start training.
- 16 for supervised solo.
- 17 to hold a licence.

Modern gliders are at least as difficult to fly as a light aeroplane.

response

Not accepted

Thank you for providing your comment.

However, the Agency does not agree with the proposed age limits as no minimum age for starting with the flight training should be introduced (there is no justification provided with your comment why a 14 year old boy/girl should not be able to start with the flight training - it will be the instructor's decision and responsibility to start and continue with the training or not).

The supervised solo flight and the minimum required age is contained in FCL.020. Please see the responses provided to this paragraph. It should be pointed out already that the minimum age of 14 will be kept as no safety related problems are known in the countries where such a requirement is already in place.

The minimum age mentioned in FCL.200 is the age of an applicant for holding a licence. The Agency discussed this issue and will keep a minimum age of 16 for the SPL based on ICAO Annex I (see also response to comment No. 1013 above) and national regulations actually in place in several Member States.

comment **1481** comment by: *Keith WHITE*

(b) See previous [020 (b) (2)], suggest considering 17 years for glider solo minimum age.

response *Noted*

Thank you for providing your opinion.
However, the minimum age for flying solo is described in FCL.020. This paragraph FCL.200 is dealing with the minimum age to hold a licence. Please see the responses in the appropriate segment and check also the responses provided to comment No. 1296 and No. 1013 above.

comment **1695** comment by: *Sven Koch*

Für PPL 17 Jahre; für SPL 16 Jahre

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 the requirement contained in FCL.200.

comment **1754** comment by: *Martin HOHLNEICHER*

The minimum age of applicants to begin training for a SPL should be 14 years of age.

The current air law in Germany allows to begin sailplane-training at the age of 14. Also solo flights can be made already of 14 years old people. Only to get the licence you have to be 16 years old. This regulation has been existing in Germany that way for decades. It always appeared to be an advantage to begin flying at the age of 14, never a disadvantage. There are no examples or evidences that accidents happened because of the young age. 14 years old are just as reliable and careful as 16 years old. (notice also: they are already of the same responsible age with regard to criminal law)

With 14 the applicants normally are still pupils, which means they have more

	<p>time to begin flying as a hobby. That is an important advantage for aviation, as they could later search jobs in aviation. That all is not so easy for 16 years old, as they already have more duties and obligations. Finally it must be clear that giving 14 year old the chance of beginning sailplane flying brings more skilled people into aviation. Many German airliner pilots started flying at the age of 14.</p>
response	<p>Noted</p> <p>Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.</p> <p>FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.</p>
comment	<p>1797 comment by: <i>Sebastian Grill</i></p> <p>Das Mindestalter sollte bei 14 Jahren bleiben, da es einen positiven Effekt auf die Entwicklung der Jugendlichen hat. In diesem Alter sind die Jugendlichen sehr offen und wenn die Möglichkeit genommen wird bald den "Schein zu machen", werden sie sich anderen Dingen zuwenden (z.B. Party machen)</p>
response	<p>Noted</p> <p>Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.</p> <p>FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.</p>
comment	<p>1812 comment by: <i>Matthias SIEBER</i></p> <p>Das Minimum Alter sollte für Segelflug (LPL(S))bereits ab 14 Jahre möglich sein. Diese Regelung galt bislang und es resultierten daraus keine signifikanten Unfallzahlen. Auch zu betrachten sind die soziale Aspekte die heutzutage immer wichtiger werden. Die notwendigerweise Ausübung des Segelflugsports im Gruppenrahmen hat bewiesenermaßen einen positiven Einfluss auf die Entwicklung Jugendlicher. Die frühzeitige Bindung an den Verein und die Vermittlung von Werten (Loyalität, Zuverlässigkeit, Einsatz für den anderen usw.) ist ein weiterer Punkt für das Eintrittsalter von 14 Jahren.</p> <p>Siehe auch Kommentar zu FCL.100</p>
response	<p>Noted</p> <p>Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.</p> <p>FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.</p>
comment	<p>1828 comment by: <i>Bruha Oliver</i></p>

Wie oben bereits erläutert ist das Mindestalter von 14 gut. Es gibt keine signifikanten Unfallzahlen, der Flugschüler lernt Verantwortung zu übernehmen, eine gute Jugendarbeit ist ab 16 Jahren nicht mehr möglich.

response *Noted*

Thank you for providing this comment but it seems that the comment is based on a misinterpretation of FCL.200.

FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.

comment

1833

comment by: *Georg Schott*

Die Regelung sieht ein Minimumalter von 16 Jahren für den LPL vor. Es gibt keinen vernünftigen Grund das bisherige Anfangsalter von 14 Jahren heraufzusetzen. Meines Wissens gibt es keinerlei statistische Information darüber, dass es im Ausbildungsbetrieb mit 14-16 jährigen Jugendlichen zu erhöhten Zwischenfällen bzw. Unfällen gekommen ist. Andererseits ist es nur positiv, wenn man bereits 14 Jährige an verantwortungsvolle Tätigkeiten heranzuführt und diese frühzeitig eine sinnvolle Freizeitbeschäftigung im Verein wahrnehmen.

response *Noted*

Thank you for providing this comment but it seems that the comment is based on a misinterpretation of FCL.200.

FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.

comment

1854

comment by: *Dr. Schreck*

FCL.200
Ebenso wie unter FCL.100 sollte auch hier das Mindestalter 14 Jahre betragen. Jugendlichen wird durch die soziale Einbindung in den Verein ein großes Verantwortungsbewusstsein vermittelt. Auch hier gibt es keinen Zusammenhang zwischen dem Alter und den Unfallzahlen. Die Erfahrung, die sie im Führen eines Flugzeuges erlernen, kommt ihnen später z.B. beim Führen eines Kraftfahrzeuges zu Gute.

response *Noted*

Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.

FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.

It should be pointed out that the comment is wrong when stating that FCL.100 contains a minimum age of 14 years. FCL.100 contains the minimum age to hold an LPL licence and the requirement defines: Applicants for the LPL shall be at least 16 years of age".

comment	<p>1876 comment by: <i>Markus Malcharek</i></p>
	<p>Das Mindestalter im Segelflug soll bei 14 Jahren bleiben! Es gibt in Deutschland keinerlei signifikanten Unfallzahlen für Jugendliche im Segelflug, dagegen aber viele positive Jahrzehnte Erfahrung! Jugendliche Segelflugschüler sind erheblich verantwortungsbewußter, verhalten sich sozial Kmpetenter, verursachen weniger Unfälle im Straßenverkehr etc. Und durch die frühe Bindung im Verein kann positiver Einfluss genommen werden und Umgang mit Vearntwortung erlernt werden. Siehe FCL.100!</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.</p> <p>FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.</p>
comment	<p>2047 comment by: <i>Thomas SIEWERT</i></p>
	<p>FCL.200: Minimum age PPL/SPL</p> <p>Auch hier gelten meine Ausführungen zu FCL.100: Es sollte möglich sein, Flugschüler für den Segelflug bereits ab deren 14.Lebensjahr ausbilden zu können. Wir haben in den Vereinen beste Erfahrungen hinsichtlich der sozialen Bindung der Jugendlichen an eine Gruppe Gleichgesinnter feststellen können. Eltern werden entlastet, da wir die Jugendlichen frühzeitig z. B. auch in Veranstaltungen wie „Fluglager“ oder andere Ferienprogramme einbinden können. Diesem bislang praktizierten Vorgehen sprechen insbesondere keine signifikanten Unfallzahlen im Schulbetrieb entgegen.</p> <p>Es sollte daher für den Segelflug (SPL) die Regelung aufgenommen werden, die Ausbildung bereits mit 14 Jahren beginnen zu können.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.</p> <p>FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.</p>
comment	<p>2870 comment by: <i>Jeremy Hinton</i></p>
	<p>(b) Isnt the BPL a more advanced licence than the LPL? If a person can get an LPL qualification at age 16, it might be reasonable to gain a year's experience before obtaining the BPL. I suppose of the reason for wanting a BPL is the geographical restriction on the LPL, and skill doesnt come into it, then having the same age requirement does make sense.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p>

However, the Agency does not agree that a BPL (normally with the smallest group in the beginning) is a "more advanced licence" compared with the LPL(B). The training contents are nearly the same and the required training (numbers/hours/inflations) is exactly the same.

The privileges are similar and based on the fact that ICAO requires the same age limit for the "Free Balloon Licence" the Agency decided to keep the age of 16 for holding a BPL or an LPL(B). No justification is provided why a student pilot who will be trained directly for the BPL should wait until reaching the age of 17 (as proposed by you) whereas the LPL(B) pilot would be allowed to hold a licence already when reaching the age of 16.

comment

3259

comment by: *Matthias Heine*

Das Mindestalter für den Beginn der Ausbildung sollte zumindest für den Bereich Segelflug auf 14 Jahre gesetzt werden. Die Erfahrungen in Deutschland habe gezeigt, dass mit diesem Alter keine Reduzierung der Flugsicherheit zu erwarten ist.

Gerade für die Segelflugvereine in Deutschland ist es von großer Bedeutung Jugendliche in geringem Alter für den Luftsport zu begeistern. Mit höherem Alter steigen die Anforderungen in Schule und Beruf sowie die "Konkurrenz" anderer Hobbies, so dass der aufwendige Segelflug dann kaum noch eine Chance hat als Beschäftigung aufgenommen zu werden. Damit wird aber das bereits bestehende Problem des fehlenden Nachwuchses verschärft.

response

Noted

Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.

FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.

comment

3397

comment by: *Markus Dold*

in our sailing plane sports here in germany it is a great thing that the applicant is avaiable to start the training at 12 years, and can apply for the final exams at 14 years. we prohibt our childs from watching television, playing with computer games and give them an idea of our great nature.

to move the startup age to 16 we loose 4 years of aquiring new young pilots. at the age of 16 the already learned other stuff. to do so, we will loose so much young people!

response

Noted

Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.

FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.

comment	<p>3520 comment by: <i>Geschäftsführer Luftsportverband RP</i></p> <p>Der Scheinerwerb für Segelflieger mit vollendetem 16. Lebensjahr und für Motorflieger mit vollendetem 17. Lebensjahr ist jahrzehnte bewährte Praxis in Deutschland und hat zu keinem Sicherheitsproblem geführt. Die jungen Leute sind engagiert und offenherzig sowie begeistert für fliegerische oder nahverwandte Berufe.</p> <p>Die große Einschränkung wird sich jedoch im Motorflug zeigen, dass nur noch sehr wenige Personen den PPL (A) aus Kostengründen machen können.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p>
comment	<p>4145 comment by: <i>Max Heinz Katzschke</i></p> <p>(a) Jahrelange Erfahrung beim Beginn der Ausbildung zum PPL mit 16 Jahren haben gezeigt, dass dieses Alter ausreichend ist.</p> <p>(b) Für den Bereich des SPL und LPL(S) hat sich das Mindestalter von 14 Jahren als gut erwiesen. Einige Länder gestatten für diese Ausbildung sogar ein Mindestalter von 13 Jahren und reglementieren für den ersten Alleinstart das Mindestalter von 14 Jahren.</p> <p>Dies halte ich im Zug der immer jüngeren Acceleration körperlicher und geistiger Fähigkeiten für sinnvoll - die Fluglehrer können im Laufe der Ausbildung sehr wohl die Fähigkeiten der Schüler richtig einschätzen. Ausserden wird vor dem ersten Alleinflug ein Checkflug mit einem zweiten, erfahrenen Fluglehrer gefordert, der die Fähigkeiten beurteilt und erforderlichenfalls den ersten Alleinflug zurück stellt.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.</p> <p>FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.</p>
comment	<p>5336 comment by: <i>Guy GEERAERTS</i></p> <p>I think there's no need to allow someone at the age of 16 to fly solo in a balloon. That's asking for accidents! Even in calm weather there's a possibility of dangerous situations in approach or landing. The risk is even far greather than for an airplane where landings allways take place on an airfield. In ballooning, you'll never know exactly where to end up. It takes "adult" judgment to react in abnormal situations. So I think for balloons you should even think about a higher minimum age than for aeroplanes! I think a minimum age of 18 for solo flight in a balloon is reasonable.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>First of all it should be mentioned that FCL.200 is not dealing with the minimum age for the first solo flight. This is defined in FCL.020. Please check the responses provided to this segment.</p>

However, the Agency does not agree with your proposal to raise the minimum age for flying solo in a balloon to 18 years. First of all, it should be pointed out that the Agency strongly believes that the instructor (and the ATO) should be (and will be) qualified in a way that allows him/her to judge safely if a certain student pilot is sufficiently trained and able to perform his/her first solo flight. This is mainly not an age related issue but a competency related issue. No training organisation will send a student pilot solo if he/she is not mature enough or trained sufficiently to perform such a flight. The Agency does not understand the statements that this proposal is "asking for accidents" or that "it takes "adult" judgement to react in abnormal situations". No justification is provided with this thesis.

Another reason for keeping here the minimum age of 16 for holding a licence is that ICAO Annex I requires the same age for the "Free Balloon Pilot Licence" in 2.10.1.1.

comment	5950	comment by: <i>Luftsport-Verband Bayern</i>
	Diese Regelung wird ausdrücklich begrüsst. Das Einstiegsalter für die Ausbildung und den Erwerb von Fluglizenzen sollte dem Vorschlag entsprechend beibehalten werden.	
response	<i>Noted</i>	
	Thank you for your opinion and the positive feedback.	

comment	6356	comment by: <i>Johann Friedrich</i>
	<p style="text-align: center;">SUBPART C PRIVATE PILOT LICENCE (PPL), SAILPLANE PILOT LICENCE (SPL) AND BALLOON PILOT LICENCE (BPL) SECTION 1 Common Requirements</p> <p>FCL.200 Minimum age [JARFCL 1.100/2.100]</p> <p>(a) An applicant for a PPL shall be at least 17 years of age;</p> <p>(b) An applicant for a BPL or an SPL shall be at least 16 years of age.</p> <p>Comment: Delete FCL.200 (a) completely, amend FCL.200 (b) as follows: "An applicant for a PPL for a BPL or an SPL shall be at least 16 years of age"</p> <p>Reason: FCL.200 (a) violates Anti-discrimination Law. It is unjustified to discriminate applicants for a PPL compared to applicants for a BPL or an SPL .</p>	
response	<i>Not accepted</i>	
	<p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree with your statement that differences in age limits would "violate anti-discrimination law". The Agency would like to highlight that there are differences between the different aircraft categories. This will be easily seen when checking the experience and training requirements or the revalidation criteria for different licence categories. The minimum flight training for a PPL(A) is defined with 45 hours of training whereas the requirement for the flight training on balloons (BPL) asks only for</p>	

16 hours. This shows clearly that there are differences which can also result in different age limits.

Furthermore, it should be highlighted that these age requirements for holding a licence are fully in line with ICAO Annex I (please check 2.3.1.1 and 2.9.1.1).

comment

6593

comment by: *Kevin Van Dessel*

I would suggest to set the minimum age to 18 years, which is the age that a person is recognized as adult and also the minimum age to drive a car.

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to introduce a minimum age of 18 to hold a PPL or SPL/BPL licence.

It has to be highlighted that ICAO Annex I requires in 2.9.1.1 a minimum age of 16 for the "Glider Pilot Licence" (in 2.10.1.1 also for the "Free Balloon Pilot Licence") and in 2.3.1.1 a minimum age of 17 years for the PPL(A). Based on this and the fact that exactly these age limits are actually in place in several Member States (no safety related problems are known) the Agency will keep the proposed age of 16 for an applicant for a BPL or an SPL and the minimum age of 17 for the PPL(A) and PPL(H). No justification is provided with your comment why such a change should be introduced now.

comment

6824

comment by: *Michael Heiß*

An applicant for a SPL shall be at least **14** years of age.

The minimum age of 16 would destroy the structure most of the glider clubs in germany.

The minimum age of 14 works over more than 50 years in these clubs. The young people are highly integrated in the clubs and not only learn to fly but also to behave on the airfields and in the air. I would say that a young person who learns soaring over 2-3 years has a better involvement in the terms of flying than a person who trains these skills in a few weeks at a soaring center for example.

At the age of 14, these people have a lot of time to spend not only fro flying but also to be on the airfield and participate on the daily business of flying. As they can spend more time, they can help the clubs to minimize the costs of flying. Therefore, when the minimum age is increased, soaring will become affordable for rich people only.

response

Noted

Thank you for providing your opinion but it seems that the comment is based on a misinterpretation of FCL.200.

FCL.200 is dealing with the age of the applicant to hold a licence. The proposed minimum age for the first solo flight (14 for sailplanes and balloons) is already contained in FCL.020.

comment

7194

comment by: *Professionele Ballonvaarders Nederland*

FCL.200 minimum age (b)

The minimum age for a BPL is proposed at 16 years which will mean that pilots that do pass can fly with paying passengers or do aerial work short thereafter. I do think that this is very young and will put persons in harm. At this young age the pressure of paying passengers or sponsors can be way over the limit that these youngsters can resist to.

To keep this limit at 18 years as it is with our Dutch CPL at this time is more suitable. In relation to other types of aviation this is more necessary because balloon pilots fly acting as P1 from the first day whereas young pilots in commercial flying act as co or co-co pilot for longer periods before they have so much responsibility.

response *Noted*

Thank you for providing your opinion but it seems that the comment is based on a misunderstanding of the requirement.

The age limit given in FCL.200 is only the minimum age to hold a BPL. To fly commercially (as mentioned: transport of passengers against remuneration) will require the pilot to hold the BPL with a commercial privilege.

Please check FCL.205.B (b) in which it is defined that the BPL holder will only be allowed to act against remuneration in commercial operations when he/she has attained the age of 18 years. Additionally, a certain amount of flying experience is required and the pilot has to pass a specific proficiency check.

comment 7586

comment by: *Leiter LTB LSVRP*

Das vorgesehene Alter von 17 Jahren hat sich über Jahrzehnte in Deutschland bewährt, es soll so verbleiben.

response *Noted*

Thank you for providing your opinion but the Agency does not understand the meaning behind this comment. It seems that the proposed age of 17 years for the PPL is accepted.

comment 7882

comment by: *MOTORFLUGUNION FTO A117*

Alle Flugschüler sollten gleich behandelt werden!
Ein Unterschied im Alter ist aus unserer Sicht nicht nachvollziehbar.

Vorschlag: Gleichbehandlung betreffend Alter für alle Kategorien 16 Jahre. Sollte über die Eignung Zweifel bestehen, so wäre die Meinung des Fliegerarztes ausschlaggebend.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to introduce a minimum age of 16 to hold a PPL or SPL/BPL licence.

It has to be highlighted that ICAO Annex I requires in 2.9.1.1 a minimum age of 16 for the "Glider Pilot Licence" (in 2.10.1.1 also for the "Free Balloon Pilot Licence") and in 2.3.1.1 a minimum age of 17 years for the PPL(A). Based on

this and the fact that exactly these age limits are actually in place in several Member States (no safety related problems are known) the Agency will keep the proposed age of 16 for an applicant for a BPL or an SPL and the minimum age of 17 for the PPL(A) and PPL(H). As it was decided to stay as close as possible with the ICAO requirements this proposal will not be changed. No justification is provided with your comment why such a change should be introduced now.

comment

7907

comment by: RSA

FCL.200 Minimum Age

FCL.200 (a).

To be consistent with the change to FCL.020 (b) (1), proposed by the RSA, the minimum age for applications for the PPL should be set at 15 years.

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to introduce a minimum age of 15 to hold a PPL.

It has to be highlighted that ICAO Annex I requires in 2.9.1.1 a minimum age of 16 for the "Glider Pilot Licence" (in 2.10.1.1 also for the "Free Balloon Pilot Licence") and in 2.3.1.1 a minimum age of 17 years for the PPL(A). Based on this and the fact that exactly these age limits are actually in place in several Member States (no safety related problems are known) the Agency will keep the proposed age of 16 for an applicant for a BPL or an SPL and the minimum age of 17 for the PPL(A) and PPL(H). As it was decided to stay as close as possible with the ICAO requirements this proposal will not be changed. No justification is provided with your comment why such a change should be introduced now.

comment

7988

comment by: *Professionele Ballonvaarders Nederland***FCL.200 minimum age (b)**

The minimum age for a BPL is proposed at 16 years, and 18 years for commercial work, which will mean that pilots that do pass can fly with paying passengers or do aerial work short thereafter. (as long as the definition of aerial work is not clear and excludes flying with advertisement at the balloon totally.) I do think that this is very young and will put persons in harm. At this young age the pressure of paying passengers or sponsors can be way over the limit that these youngsters can resist to.

Proposal ;

To keep this limit at 18 years as it is with our Dutch CPL at this time is more suitable. In relation to other types of aviation this is more necessary because balloon pilots fly acting as P1 from the first day whereas young pilots in commercial flying act as co or co-co pilot for longer periods before they have so much responsibility. And in relation to that ; "ban all commercial activities, aerial work and advertisement at balloons out of LPL and BPL flying without commercial rating."

response

Noted

Thank you for providing your opinion.
See the response already provided to your comment No. 7194 which is dealing with the same issue.

comment **8015** comment by: *Ingo Wiebelitz*

Volle Zustimmung!

response *Noted*

Thank you for your positive feedback.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 1: Common Requirements - FCL.205 Conditions

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comment **124** comment by: *Aero-Club of Switzerland*

What is the accepted definition of a "training course"? Has it to do with "contents" only or "contents within a time frame"?

response *Noted*

Thank you for providing your comment. However, it seems that this comment should be addressed to another paragraph as the term "training course" is not used in FCL.205.

So far no definition for the term "training course" is provided with this NPA. As it is a general term which is already used in JAR-FCL, the Agency cannot see a need to define this term specifically.

Some elements or explanations can be taken from the wording used in this NPA:

- a training course has to be completed by the applicants for a licence;
- the training course will be provided by an approved training organisation;
- the training course shall include theoretical knowledge and flight instruction;
- the contents of the training course are contained in the AMCs;
- no specific time limit or time frame is given for the training course LPL / PPL / SPL / BPL.

comment **1482** comment by: *Keith WHITE*

FCL.700 (a) seems to exempt SPL holders from the provisions of subpart H. The impression therefore is that there is considered to be no TYPEs of glider.
Remove SPL from this para.

response *Partially accepted*

Thank you for providing your opinion.

The comment is right when stating that there are no such type- or class ratings for the SPL and BPL. A system of extensions to other groups or classes is established. The requirements in subpart H do not apply to the SPL and the BPL.

The wording used "when applicable" was chosen to exempt the BPL and SPL from this requirement. FCL.700 (a) does specify and clarify this issue.

The Agency agrees that this might cause some irritation and will delete the SPL and the BPL here.

comment **1696** comment by: *Sven Koch*

Der Scheininhaber muss Bedingungen aus Subpart H für Klassen-und Typenrating erfüllen

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 the requirement contained in FCL.205.

However, it should be pointed out that the SPL and BPL is exempted from the requirements in subpart H as defined in FCL.700(a).

comment **1855** comment by: *Dr. Schreck*

FCL.205.S

Die Vorgabe, dass ein Passagier erst nach 10 Stunden Flugerfahrung nach Scheinerwerb mitgenommen werden darf, kann als sinnvoll erachtet werden und soll somit in diesem Zusammenhang positiv kommentiert werden.

response *Noted*

Thank you for providing this positive feedback but it seems that the comment should be addressed to FCL.205.S.

comment **4191** comment by: *Bart Sebregts*

FCL205 refers to Subpart H which doesn't tell anything about specific requirements to BPL ratings.

response *Noted*

Thank you for providing your opinion.

The comment is right when stating that subpart H does not contain any requirements for the BPL (or the SPL) as there are no such type- or class ratings for the SPL and BPL. A system of extensions to other groups or classes is established. The requirements in subpart H do not apply to the SPL and the BPL.

The wording used here in FCL.205 "when applicable" was chosen to exempt the BPL and SPL from this requirement. FCL.700 (a) does specify and clarify this issue.

The Agency agrees that this might cause some irritation and will delete the SPL and the BPL here.

comment	<p>4485 comment by: <i>Max Heinz Katzschke</i></p>
	<p>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 Konformität 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 but the Agency cannot agree with it. The creation of the LPL was agreed by the European legislator in the Basic Regulation.</p> <p>Provisions for the issuance of the LPL are specifically required by Article 7(5) of the Basic Regulation. Consequently the Agency will develop requirements for a future licence for leisure pilots.</p> <p>The main difference between the LPL(S) and the SPL are as mentioned the different medical systems and the commercial privilege of the SPL which cannot be linked to the LPL.</p>
comment	<p>6359 comment by: <i>Johann Friedrich</i></p> <p style="text-align: center;">SECTION 2</p> <p style="text-align: center;">Specific requirements for the PPL aeroplanes PPL(A)</p> <p>FCL.205.A PPL(A) Privileges</p> <p>(a) The privileges of the holder of a PPL(A) are to act without remuneration as pilot in command or copilot of aeroplanes engaged in noncommercial operations and in providing flight instructions.</p> <p>(b) Notwithstanding the paragraph above, the holder of a PPL(A) may receive remuneration for the provision of flight instruction for the LPL(A) or the PPL(A).</p> <p>Comment: In FCL.205.A (a) delete "Without remuneration" add: "and in providing flight instructions" Delete FCL.205.A (b) completely.</p> <p>Reason: FCL.205.A (a) violates the Anti-Discrimination Law insofar as it discriminates pilots engaged in non-commercial operations against those providing flight instruction.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, it seems that the comment is addressed to the wrong segment as this segment is dealing with the requirement FCL.205 "Conditions".</p> <p>FCL.205.A is dealing with the privileges of the PPL(A). The Agency does not agree with your first proposal to delete "without remuneration" as this licence will be based on ICAO Annex 1 which defines clearly in 2.3.2.1 that the holder of a private pilot licence ".....shall be to act,</p>

but not for remuneration as pilot in command in non-revenue flights". The CPL will provide the privilege required in your comment.

Furthermore the Agency also does not agree with the proposal to add "and in providing flight instruction" because this would automatically include the privilege to provide flight instruction for every PPL holder. As this is clearly not envisaged the text will be kept as proposed by the Agency. To clarify the issue the Agency will add: "the holder of a PPL(A) with instructor privileges..".

The third issue is the proposal to delete (b) completely. The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. It seems that a certain amount of stakeholders (mainly National Aviation Authorities) do not agree with this proposal. Based on this input received the issue was discussed again during the review phase and although the Agency cannot see any safety justification for this it was decided to delete this requirement. See also the responses to the comments for FCL.205.A.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 1: Common Requirements - FCL.210 Training course

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comment	313	comment by: <i>CAA Belgium</i>
	Also a training course at a <u>registered facility</u> should be acceptable. Limit PPL training to approved training organisations only is a too great burden for the competent authorities.	
response	<i>Noted</i>	
	Thank your for providing this comment. However, it should be noted that the issue of the type of training organisation will be further addressed in NPA 2008-22 and cannot be further explained in these requirements.	
	It has to be highlighted that the EASA proposals for the approved training organisations (ATO) tried to establish proportionate requirements for ATOs only providing LPL, PPL, SPL and BPL training. The wording "Training Organisation" is a general term and the Basic Regulation clearly states in Article 7 that every training organisation has to be approved in compliance with Annex III.	
comment	621	comment by: <i>British Microlight Aircraft Association</i>
	Accepted	
response	<i>Noted</i>	
	Thank you for providing this feedback.	
comment	848	comment by: <i>Luftsportverband Rheinland Pfalz</i>
	FCL 210 bitte `approved training organisation´ in den Definitionen FCL 10 entsprechend	

Kommentar 838 definieren und folgendes berücksichtigen
 In Deutschland unterhalten viele Landesverbände Flugschulen mit einer globalen Ausbildungsgenehmigung für die Luftsport treibenden Vereine in ihren Bundesländern. Diese globale Ausbildungsgenehmigung erspart den Vereinen viel Bürokratie. Fluglehrer und Flugschüler können ohne großen Aufwand zwischen den verschiedenen Vereinen des Bundeslandes wechseln. Diese Flugschulen müssen in den Definitionen für eine "Approved training organisation" aufgenommen werden bzw. enthalten sein.

response *Noted*

Thank you for providing your comment.

However, it should be noted that the issue of the type of training organisation or a further specification of the main elements for such an approved training organisation will be further addressed in NPA 2008-22 and cannot be further explained in these requirements. The Agency cannot see the need to further specify in FCL.010 what an approved training organisation is.

It has to be highlighted that the EASA proposals for the approved training organisations (ATO) tried to establish proportionate requirements for ATOs only providing LPL, PPL, SPL and BPL training. The wording "Training Organisation" is a general term and the Basic Regulation clearly states in Article 7 that every training organisation has to be approved in compliance with Annex III.

The Agency does understand the system you are explaining (one "head training organisation" and several "satellite ATOs"). The Agency does not know which requirement in NPA 22 should prevent ATOs from organising it in such a way.

comment *881*

comment by: *ASW-27B*

Nur dann , wenn auch die Flugvereine über die Landesluftfahrtorganisationen als Flugschule anerkannt werden. Das Ausbildungssystem hat sich über Jahrzehnte bewährt und es besteht kein Grund, dieses durch ein überteuertes System der Ausbildung an kommerziellen Flugschulen zu ersetzen.

response *Noted*

Thank you for providing your comment.

Please see the response to comment No. 848 (Luftsportverband Rheinland Pfalz) in the same segment above.

comment *1146*

comment by: *Schäfer*

Hier muß nach wie vor gewährleistet sein, das der Zusammenschluß von Vereins-Ausbildungsbetrieben in einem Landesverband (globale Ausbildung) als " approved training organisation " zugelassen ist.

response *Noted*

Thank your for providing this comment.

However, it should be noted that the issue of the type of training organisation will be adressed in NPA 2008-22 and cannot be further explained in these requirements.

It has to be highlighted that the EASA proposals for the approved training organisations (ATO) tried to establish proportionate requirements for ATOs only providing LPL,PPL,SPL and BPL training. The wording "Training Organisation" is a general term and the Basic Regulation clearly states in Article 7 that every training organisation has to be approved in compliance with Annex III.

The Agency can actually not see any problem why several club based training organisations in the future should not be able to fulfill the requirements to be approved as some kind of a joint training school organisation.

comment

1170

comment by: *Thomas Reusch*

Mehrere Ausbildungsbetriebe müssen in einer globalen Ausbildung zusammengeschlossen werden können und zugelassen werden

response

Noted

Thank you for providing your comment.
Please see the responses to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment

1196

comment by: *Karge*

Zusammenschluss von örtlichen Ausbildungsbetrieben (Verein) in einer z.B. Landesverbandsorganisation (globale Ausbildung) muss zugelassen sein.

response

Noted

Thank you for providing your comment.
Please see the responses to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 in the same segment above.

comment

1259

comment by: *Günter End*

Globale Ausbildungsgenehmigung wie bisher hat sich bewährt. Der Luftsportverband ist der Ausbildungsbetrieb. Die Vereine sind Niederlassung unter Aufsicht des Verbandes.

response

Noted

Thank you for providing your comment.
Please see the responses to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 in the same segment above.

comment

1337

comment by: *Gerhard Hehl*

Es sollte verifiziert werden, was eine approved training organisation ist (FTO und/oder RF?). Es muss zugelassen werden, dass Teile der Ausbildung (z.B. Theorie) in einem anderen Verein oder einer anderen Schule möglich sind.

response

Noted

Thank you for providing your comment.

Please see the responses to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

Additional issues like the question raised in your comment if the training for a certain student pilot could be provided by different ATOs will be clarified in NPA 2008-22b. At the moment the Agency does not see which requirement should prevent the student pilot from receiving parts of the training in a different ATO or from changing the ATO during his/her training.

comment **1395** comment by: *Wilfried Müller*

Clubs should be allowed to cooperate in student training (need to become a FTO). More clubs could organise themselves in a larger group for flight training for instance on a county basis. This so formed and organised training syndicate would also get a permission to be a FTO.

Wilfried Müller 11-27-2008

response *Noted*

Thank you for providing this comment.
See the response provided to your comment No. 1392 and the responses to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment **1697** comment by: *Sven Koch*

Nur an einer zugelassenen Flugschule, die Theorie und Praxis anbietet. Zusammenschluss von örtlichen Ausbildungsbetrieben (Verein) in einer z.B. Landesverbandsorganisation (globale Ausbildung) muss zugelassen sein.

response *Noted*

Thank you for providing this comment.

However, it should be noted that the issue of the type of training organisation will be addressed in NPA 2008-22 and cannot be further explained in these requirements.

It has to be highlighted that the EASA proposals for the approved training organisations (ATO) tried to establish proportionate requirements for ATOs only providing LPL,PPL,SPL,BPL training.

comment **1744** comment by: *Stephan Johannes*

Sehr geehrte Damen und Herren,

bitte lassen Sie den Zusammenschluss von örtlichen Ausbildungsbetrieben z.B. von Vereinen in einer Verbandsorganisation zu. Vereine, die ehrenamtlich ausbilden, brauchen Kooperationspartner für den theoretischen Unterricht oder um eine Trudeleinweisung fliegen zu können, im Sinne der Kosteneinsparung ohne den Sicherheitsaspekt zu vernachlässigen.

Mit freundlichem Gruß

Stephan Johannes

response

Noted

Thank you for your providing your comment.
See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment

2173

comment by: *Oelschlaeger, Harald*

Zusammenschluss von örtlichen Ausbildungsbetrieben (Verein) in einer z.B. Landesverbandsorganisation (globale Ausbildung) muss zugelassen sein.

Dies ist die Zukunft der Vereine und gefährdet die Überlebenschance der deutschen Vereine.

response

Noted

Thank you for your providing your comment.
See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment

2377

comment by: *Arnold Klapp*

Der Zusammenschluss von mehreren örtlichen Ausbildungsbetrieben (Vereine) in einer gemeinsamen Organisation, z.B. in einem Landesverband (Globale Ausbildung) muss erlaubt werden.

Dies wird in mehreren Bundesländern der BRD seit Jahrzehnten erfolgreich praktiziert.

response

Noted

Thank you for your providing your comment.
See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment

2439

comment by: *Dr. Horst Schomann*

Problem: This NPA requires "approved training organization" as the same entity for LPL students up to airline pilots.

Proposed solution: Introduce different levels of "approved training organization" according to the demands of the different classes of pilot licenses.

Justification: Since many years the DAeC in Germany with its province organization performed training on private pilot level very successfully. This is the major way to recruit new blood in aviation and should be continued under European law.

response

Noted

Thank your for providing this comment.
However, it should be noted that the issue of the type of training organisation will be further addressed in NPA 2008-22 and cannot be further explained in these requirements.

It has to be highlighted that the EASA proposals for the approved training

organisations (ATO) tried to establish proportionate requirements for ATOs only providing LPL, PPL, SPL and BPL training. The proposed introduction of different levels of training organisations is already contained in the above mentioned NPA.

The wording "Training Organisation" is a general term and the Basic Regulation clearly states in Article 7 that every training organisation has to be approved in compliance with Annex III.

comment

2493

comment by: *mfb-bb*

**Mindestalter LPL-S 14 Jahre / Mindestalter SPL 16 Jahre
Mindestalter LPL-A 16 Jahre / Mindestalter PPL-A 17 Jahre**

In Deutschland hat die Praxis gezeigt, dass durch das niedrige Mindestalter zu Beginn der Segelflugausbildung (14 Jahre / Ausnahme 13 Jahre) der Luftsport durch die aktive Jugendförderung gestärkt wurde. Junge Menschen werden frühzeitig an verantwortungsvolles Handeln herangeführt und in Ihrer persönlichen Entwicklung gefördert und gestärkt.

Da Segelflug/ Motorflug im Verein durchgeführt wird, existiert eine hohe soziale Kontrolle und Sozialkompetenz.

Es ist nicht nachvollziehbar, dass ein Pilot, der ein Segelflugzeug/ Motorflugzeug in Europa fliegt ein Mindestalter von 14/ 16 Jahren hat und ein Pilot, der weltweit fliegt 16 / 17 Jahre alt sein muss.

Vorschlag: Gleiches Mindestalter für die Ausbildung zum LPL(S) und SPL von 14 Jahren.

Gleiches Mindestalter für die Ausbildung zum LPL(A) und PPL-A von 16 Jahren.

In Germany he wave good experience with the Minimum age of 14 years for applicants for SPL / 16 years for applicants for PPL-A

Young people are promoted for aviation. They get in touch with other interested people and because they are trained in a group they get a high social competence.

It is not understandable, that pilots of sailplanes / of aeroplanes for a licence for Europe (LPL (S)) / LPL-A must have a minimum age of 14 / 16 years and applicants for a SPL / PPL-A must be minimum 16 / 17 years old.

Proposal: Same minimum age of 14 years for both licences (LPL-S and SPL)
Same minimum age of 16 years for both licences (LPL-A and PPL-A)

response

Not accepted

Thank you for providing your opinion. However, it seems that this comment should be addressed to FCL.200 (Minimum Age).

The comment is dealing with different age limits. It seems that the comment is mainly aiming on the minimum age to fly solo because it is proposed to introduce the age of 14 for sailplane pilots and 16 for aeroplane pilots.

These minimum age limits are contained in FCL.020 requiring already a minimum age of 14 for sailplane or balloon solo flights and 16 for solo flights on aeroplanes, helicopters or airships. For both licences, the leisure pilot licence and the PPL or the SPL these general requirement must be fulfilled.

The age limits to hold a licence were reviewed based on the comments

received and changed in order to align the LPL(A) and the PPL(A) requirements with the ICAO requirement.

comment

2965

comment by: *FEDERATION FRANCAISE D'AEROSTATION*

Organismes de formation licences ballons

A ce jour en France, la qualification d'instructeur délivrée par la DGAC vaut agrément. Exiger des organismes de formations agréés avec des infrastructures d'accueil, va entrainer une diminution considérable du nombre d'instructeur, et par conséquent nuire au développement de l'Aérostation. La formation de pilotes de ballon se fait principalement sur le terrain en dehors d'aérodromes, peu de clubs possèdent des locaux, et la majorité des instructeurs reçoivent chez eux leurs élèves pour la formation théorique. **Nous proposons que la fédération soit l'organisme pédagogique et qu'elle soit responsable de mettre en place des règles simples qui répondent aux critères proposés. Par exemple, l'instructeur devra démontrer l'utilisation d'outils pédagogiques (un cartable avec le manuel de pilotage, des planches PPT, des articles, documents, schémas, ...).**

response

Noted

Thank you for your providing your comment.

See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

It is the intention of EASA that a federation/organisation should be allowed to act as the "head ATO" or responsible body for the club ATOs as explained in your comment. Please study the CRD for the NPA on organisations (NPA 2008-22).

comment

3407

comment by: *NACA*

FCL.210

1. According to JAR-FCL part C PPL(H) training may be completed at a Flight Training Organisation (FTO) or a Registered Facility (RF). A RF must continue to exist under EASA.
2. Does a PPL(H) training course have to include theoretical knowledge instruction (including classrooms, instructional aids, qualified instructors etc.) or is individual (home) study permitted? FCL.025(2) seems to allow for this possibility on condition that the training organisation recommends the applicant to take the examination once the level of theoretical knowledge has been regarded as satisfactory. We support this position and suggest to state clearly that individual (home) study is allowed.

Note:

Most PPL students do not have the ambition to become professional pilots but regard flying as a very enjoyable past-time hobby in addition to their own business' and/or other obligations. Following classroom instruction (sometimes only once a week) plus just a few hours of actual flying a month generally results in an extremely lengthy training course. Individual (home) study, with some additional help if required, will shorten the required total training time considerably.

3. Is it permitted to follow theoretical instruction at an other approved training organisation? If permitted this should be stated in this article.

response

Noted

Thank you for providing your opinion.

Regarding the first issue (registered facility) please study the response to comment No. 313 in the same segment above.

The question if a certain amount of "individual (home) study" as part of the theoretical knowledge instruction of the training course should be allowed for the PPL or the LPL was discussed during the review phase. The comment is right when stating that FCL.025 requires only a recommendation given by the training organisation when the applicant has completed the appropriate elements of the training course of theoretical knowledge instruction to a satisfactory standard. 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. The Agency will therefore add an AMC to FCL.210 which will clarify that not all parts of the theoretical instruction must be provided by using the classroom teaching technique. If the ATO allows some kind of "home-study", it has to conduct continuous assessments of the student pilots' progress and actual level of knowledge.

The third part of the comment is asking if parts of the training (here: theoretical knowledge instruction) could be provided by another training organisation. The Agency is of the opinion that the student pilot should be allowed to change the training organisation if he/she wishes or to undergo a part of the training in a different training school (e.g. theoretical instruction). Checking the proposed requirements the Agency could not identify any requirement which would prevents the student pilot from doing this. The text in FCL.210 will not be amended or changed as the expression: "a training course at an approved training organisation" does not exclude this.

comment

3570

comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

FCL. 210 Training Course

Unfortunately there is no credit for applicants holding a LPL (B) licence like it is for the experience mentioned in FCL.210.B (b) although the contents is the same as mentioned in AMC No. 3 to FCL 210 and 215.

response

Noted

Thank you for providing your opinion.

However, FCL.210 is dealing with the common requirements for the training course. Crediting of theoretical knowledge is described in Appendix 1. In A. 1.1.2 of this Appendix it is stated that a holder of an LPL in the same category of aircraft (here: balloons) shall be credited in full for the issue of a BPL.

comment

4084

comment by: *Bob Berben*

What will be the requirements of an "approved training organisation" ???

Please keep it simple and do not kill Ballooning.

There are already far too much over-regulated EASA requirements coming up. See for example my comments on FCL.930

If you will impose too much requirements for training you will demotivate most

of the actual well-experienced instructors and at the end only a few bureaucrats instructors/examiners will survive. Will that be better ?? I don't think so and by the way: what is wrong in your opinion with the actual instruction level ?

response *Noted*

Thank you for your providing your comment.
See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment **4092**

comment by: *SFVHE*

Die bisher erfolgreiche Lösung: Zusammenschluss mehrerer Ausbildungsbetrieb – Vereine – zu einer großen Organisation, Verband zu einer globalen Ausbildungsgenehmigung sollte weiter erhalten bleiben.

response *Noted*

Thank you for your providing your comment.
See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment **4112**

comment by: *Bernd Hein*

Zusammenlegung bzw. Zusammenschluß von Vereinen in einem Ausbildungsbe-
trieb mit Ausbildungsgenehmigung muß möglich bleiben.

response *Noted*

Thank you for your providing your comment.
See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment **4542**

comment by: *FFK*

I think the level here is ok with Registrated Facility. I has been working in Sweden for many years. It will probably kill eduacation at our flight clubs when it will cost to much in fees.

I think we have in Sweden a correct level for eduacation for PPL. We can also fly at night with night permission. And we can edeuacate this in the flight clubs. It works fine.

response *Noted*

Thank you for your providing your comment.
See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

The Agency cannot see why night flying training should not be provided in the future by clubs.

comment **4592**

comment by: *Diether Memmert*

Siehe REGULATION (EC) No 216/2008, Annex III, Article 7, 1.:

A pilot must acquire and maintain a level of knowledge... practical skill... appropriate to the functions exercised on the aircraft ...The frequency of examinations...must be proportionate to the level of risk associated with the activity.

Aenderungen:

Umarbeiten, streiche bei SPL: "training course at ATO"

response *Not accepted*

Thank you for providing your "standard comment".

Please see the responses provided to your other comments as this comment is not specifically written to deal with the requirement in FCL.210.

Your short proposal at the end cannot be accepted as the Basic Regulations asks clearly for training organisations. Furthermore, such a system of training organisations is in most Member States already in place. The term used "approved training organisation" is taken from the Basic Regulation and is further specified in NPA 2008-22.

comment

4611

comment by: *Patrick Diewald*

Ausbildung sollte nicht nur an Flugschulen, sondern auch in Vereinen möglich sein. Abschnitt muss umformuliert werden.

response

Noted

Thank you for your providing your comment.

See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

The Agency does not understand why and how (no specific proposal or justification is provided) the text should be changed because using the term ATO does not exclude a club to provide flight training.

comment

4996

comment by: *Prof. Dr. Alexander Bubenik*

Regional amalgamations of aero club flight schools (e.g. in Germany are LVRP, HLB ...) should be considered as approved flight training organisations to keep bureaucratic efforts for a single aero club (as a non-profit organisation) low.

Refer also to comment #4997

response

Noted

Thank you for your providing your comment.

See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment

5096

comment by: *Ciers Gino*

What is wrong with the kind of instructions we have in Belgium? The instruction levels are OK .

response

Noted

Thank you for providing your opinion.

The Agency does not understand the meaning behind this comment. The requirement FCL.205 "Conditions" is only aiming on the fact that the applicant has to complete a training course at an approved training organisation as required by the Basic Regulation (see (EC) 216/2008).

The Agency does not know how the training for PPL, SPL or BPL pilots in Belgium is organised nowadays and what the reasons for the raised concerns are. As the justification or any specific proposal for a change is missing the Agency cannot provide you with a substantiated response.

comment

5146

comment by: *Dieter Zimmermann*

Zu FCL.210:

Wie schon bemerkt ist der Ausdruck "Training course" mißverständlich und durch "Ausbildung" (Training) sowohl in der überschrift als auch im Text zu ersetzen.

response

Not accepted

Thank you for your providing your comment.

See the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

The text will not be changed as this wording is the wording used in the Basic Regulation.

comment

5274

comment by: *Rita Marshall*

As balloon crew and PUT with 25+ years in the sport I prefer that the system of training with any P1 and 4 flights with an instructor continue, because:

a) Balloon piloting is very different from other aviation piloting, in that the balloon is individual in the way it flies and the burner (or engine) is different in every balloon(Aircraft) so even flying 4 different balloons of the same size and manufacture will need slightly different flying techniques, a flight is also affected by the wind, temperature (gas pressure and lift), body weight of basket occupants., and many more facts. As this doesn't apply to other aviators, ballooning trainee pilots need to fly as many balloons as possible during training and with a group of instructing pilots, not as you are suggesting 1 instructor and 1 balloon for all training.

b) Ballooning is an activity sport and as a guest passenger I have often been allowed some "burner time" by a P1 to just add a little something to the flight or to encourage a person to perhaps become a PUT, you will end all this, and I believe that the number of new pilots coming to the sport will decline because of this rule.

c) Ballooning doesn't have any specific building or meeting place, or central centres where non-flyers can go to and get informal training or regular crewing/flying,. Many crew don't get or want any financial reward but do "earn their passage" after crewing for perhaps 10 flights they get to fly, your system would put an end to this valuable intro into balloon Piloting, make any "burner time" "PUT training/introduction", and reduce the numbers of new Pilots coming in the sport.

d) Because of the unique structure of an envelope, burner and basket it is possible for the P1 to always override a "PUT" without having to have dual controls or to move his position in the basket, to take control of the aircraft. This has not been recognised and I request that this aspect be considered when introducing Instructor only training.

response **Noted**

Thank you for providing your comment.

However, it seems that the comment should be addressed to another segment in the section for the BPL as FCL.210 is dealing only with the common requirements for the training course.

For the issue mentioned in your comment please check the responses and the resulting text provided for FCL.210.B. Be aware that the Agency will not allow a licence holder not holding an instructor certificate to provide instruction because this is required by the Basic Regulation.

Regarding your comments:

a. The Agency does not require to use only one balloon and one instructor only. Furthermore the Agency does not agree at all with the statement provided saying that: "ballooning training pilots need to fly as many balloons as possible during training". This is simply not true.

b./c. The Agency does not understand why a passenger or crew member should be allowed by the PIC to operate the balloon or to support him/her. This seems not to be necessary neither useful. Flight training should be provided by an instructor only.

d. The Agency does not understand this argument as the instructor also has the possibility to "override" the student pilot.

comment **5677**

comment by: *barry birch*

Can we have the LPL Balloons included in the accreditation of Training Course as it is mentioned in AMC No.3 FCL 210 AND 215

response **Noted**

Thank you for providing your opinion.

However, the Agency does not understand the meaning behind your proposal. FCL.210 is a general paragraph about the training course (meaning also the training course for the BPL). AMC 3 to FCL.210 states only that the syllabus for the TK instruction for the LPL(B) is the same as for the BPL.

The Agency cannot see a reason why the LPL should be mentioned in FCL.210 as this issue is addressed in the appropriate subpart under FCL.115.

comment **6138**

comment by: *Belgium*

An approved training organisation is not possible in little countries. The costs to set up a training organisation will be very expensive, in Belgium we maybe have approx. 10 pilots in training every year. So you will understand that this will cost the organisation money so nobody will start with it!

This will demotivate most of the actual instructors. What is wrong with the actual instruction level?

response

Noted

Thank you for providing your opinion.

However, the Basic Regulation (EC 216/2008) has set up the framework for these Implementing Rules. The concept of the ATO is already defined in this Basic Regulation. The term "training course" is also defined already in the Basic Regulation and has to be kept.

Nothing will prevent a small club to set up a training organisation for the LPL(B) and/or BPL. They have to fulfill the requirements for ATOs which are contained in NPA 2008-22.

Please see also the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment

6360

comment by: *Johann Friedrich*

FCL.210.A PPL(A) Experience requirements and crediting

~~(a) Applicants for a PPL(A) shall have completed at least 45 hours of flight time in aeroplanes, 5 of which may have been completed in a FSTD, including at least:~~

~~(1) 25 hours of dual instruction; and~~

~~(2)~~

~~10 hours of supervised solo flight time, including at least 5 hours of solo cross-country flight~~

~~time with at least 1 cross-~~

~~country flight of at least 270 km (150 NM), during which full stop~~

~~landings at two aerodromes different from the aerodrome of departure shall be made.~~

~~(b)~~

~~Specific requirements for applicants holding a LPL(A). Applicants for a PPL(A) holding a LPL(A) shall~~

~~have completed at least 15 hours of flight time after the issue of the LPL(A), of which at least 10~~

~~shall be dual instruction completed in a training course at an approved training organisation.~~

~~(c) Crediting. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot in command in such aircraft up to a maximum of 10 hours. In this case, the requirement for dual instruction in (a)(1) shall be reduced proportionally, but in any case to not less than 20 hours.~~

Comment: Delete FCL.210.A (a), (b) and (c) completely, amend FCL.210.A (a) as follows:

"(a) Applicants for a PPL(A) shall have completed adequate hours of flight time in aeroplanes and/or FSTDs, to achieve the required skills, including several hours of dual instruction and supervised solo flight time, with at least 1 crosscountry flight during which full stop landings at two aerodromes different from the aerodrome of departure shall be made.

The number of flight hours to achieve the required skills is assessed by a competent flight instructor for every applicant on an individual basis."

Reason: FCL.210.A (a, b, and c) violate the principles of subsidiarity, economy and ecology: There are student pilots who need only some hours of flight

training due to their natural abilities or previous experience and there are pilots who need many more hours of training to develop the required flying skills. The objectives of the Commission regarding subsidiarity, economy and ecology are better served by delegating more responsibility to flight instructors and abolishing rigid training regulations.

response *Not accepted*

Thank you for providing your comment.

However, it seems that the comment should be addressed to another segment as FCL.210 is dealing with the common requirements on the training course.

Regarding your proposal on FCL.210.A the Agency will not delete the wording as proposed by you because the PPL(A) is based on the JAR-FCL requirements and ICAO Annex I. The Agency is in favour to introduce more and more competency based concepts but as long as the ICAO standards contain a certain amount of hours or flights the Agency has to keep it also.

comment **6827**

comment by: *Ives Lannoy*

I am affraid that an "approved training organisation" will be something which is almost impossible to create in little countries, as for instance Belgium. We risk that, on the long term, a lot of trainings (not to say all) will happen in other countries where flight circumstances are always different, and not often as difficult!) We also risk that a lot of instructors stop their instructor activity and that we create a shortness of instructors. This can never be a good thing. Conclusion : please try to simplefy the definition of an approved training organisation so instructors (a lot of them are absolutely very experienced in Belgium) dont stop are get too demotivated and get the possibility to operate on teir own.

response *Noted*

Thank you for providing your opinion.

However, the Basic Regulation (EC 216/2008) has set up the framework for these Implementing Rules. The introduction of ATOs is already required by the Basic Regulation. The terms "training course" and "approved training organisation" are general terms and will be kept.

Nothing will prevent a small club to set up a training organisation for the LPL(B) and/or BPL. They have to fulfill the requirements for ATOs which are contained in NPA 2008-22. Please see this NPA and you will discover that certain alleviations are foreseen for small training organisations providing training only for the LPL or PPL, SPL or BPL.

Please see also the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment **6962**

comment by: *peter DE BOCK*

What or who will be an "appoved training organisation."

The more paperwork the better? Or the actual well-experienced instructors who can continue their job?

response *Noted*

Thank you for providing your opinion.

However, the Basic Regulation (EC 216/2008) has set up the framework for these Implementing Rules. The introduction of ATOs is already required by the Basic Regulation. The terms "training course" and "approved training organisation" are general terms and will be kept.

Nothing will prevent a small club to set up a training organisation for the LPL(B) and/or BPL. They have to fulfill the requirements for ATOs which are contained in NPA 2008-22. Please see this NPA and you will discover that certain alleviations are foreseen for small training organisations providing training only for the LPL or PPL, SPL or BPL.

Please see also the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment

6986

comment by: *European Balloon Corporation*

There are already not a huge amount of possibility to get instruction in Belgium, if EASA is requesting a FTO, there will be such a limited possibility, that the chance to get new pilot will become near to 0.

For example there is no FTO available or open for new student (well 2 on paper) but NOT 1 available in helicopter sector for Belgium.

Please keep it simple and avaoir red tape were not necessary

response

Noted

Thank you for providing your opinion.

First of all, it should be clarified that the Agency is not asking for an FTO because this term (or category of training organisation) does not any longer exist in the future system. Please study the NPA 2008-22 and you will find out that two different levels of ATOs are proposed.

The Basic Regulation (EC 216/2008) has set up the framework for these Implementing Rules. The introduction of ATOs is already required by the Basic Regulation. The terms "training course" and "approved training organisation" are general terms and will be kept.

Nothing will prevent a small club to set up a training organisation for the LPL(B) and/or BPL. They have to fulfill the requirements for ATOs which are contained in NPA 2008-22. Please see this NPA and you will discover that certain alleviations are foreseen for small training organisations providing training only for the LPL or PPL, SPL or BPL.

Please see also the response to comment No. 848 (Luftsportverband Rheinland Pfalz) and comment No. 1146 (Schäfer) in the same segment above.

comment

7759

comment by: *Europe Air Sports, VP*

While it is accepted that the training course has to be given by a FTO, we strongly advise that the present requirements as published in NPA 2008 -22 are much to stringetn for the training up to the PPL A. It was understood that Member States wanted for legal reasons to discontinue the system of registered facilities, the reason being mainly the problem of supervision and

revoking a registration.

Again, concerning FTOs the principle of proportionality and risk involved has to be applied. The all in one approach - common requirements - is not appropriate for all categories of aircraft and flight instruction.

response *Noted*

Thank your for providing this comment.

However, it should be noted that the issue of the type of training organisation will be adressed in NPA 2008-22 and cannot be further explained in these requirements.

It has to be highlighted that the EASA proposals for the approved training organisations (ATO) tried to establish proportionate requirements for ATOs only providing LPL, PPL, SPL and BPL training. The wording "Training Organisation" is a general term and the Basic Regulation clearly states in Article 7 that every training organisation has to be approved in compliance with Annex III.

The term FTO is not any longer used and the ATOs providing training for the LPL, PPL, SPL or BPL are designed as a substitute for the former registered facility.

comment *7854*

comment by: *Ulrich Ablassmeier*

A training course for theory should not be mandatory. It is not important how a student gets the knowledge but that he has the knowledge. This is tested in the theoretical examination.

At many flight schools there are no courses. They sell special and very expensive books which are acknowledged as courses for self study. If the course is not mandatory cheaper books would do. This would reduce cost and the student is free to learn as he likes.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No. 3407 (NACA) in the same segment above.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 1: Common Requirements - FCL.215 Theoretical knowledge examination

p. 18

comment *334*

comment by: *Michel Lacombe AF TRTO*

Numbering error

FCL.215 Theoretical knowledge examination

~~(a)~~ Applicants for a BPL, SPL or PPL shall have demonstrated to the competent authority a level of theoretical knowledge appropriate to the privileges granted through examinations in the following subjects:

- Air law;
- Aircraft general knowledge;

	<ul style="list-style-type: none"> • Flight performance and planning; • Human performance; • Meteorology; • Navigation; • Operational procedures; • Principles of flight; • Communications.
response	<p><i>Accepted</i></p> <p>Thank you for providing your comment. The Agency agrees and will correct this editorial mistake.</p>
comment	<p>488 comment by: <i>FOCA Switzerland</i></p> <p>C/Section 1 FCL.215 (a)</p> <p>Proposal:</p> <p>The requirement "Communication" shall not be mandatory.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The proposal was discussed during the review of the comments but the Agency decided not to change the list of subjects based on the fact that the mentioned subjects are also required by the Basic Regulation, the ICAO Annex 1 and they were introduced already with JAR-FCL.</p> <p>As no justification was provided why the subject "communication" should be deleted the text will be kept as proposed.</p>
comment	<p>622 comment by: <i>British Microlight Aircraft Association</i></p> <p>Accepted</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this feedback.</p>
comment	<p>1698 comment by: <i>Sven Koch</i></p> <p>Luftrecht, Technik, Flugleistung u -planung, menschl Leistungsvermögen, Meteorologie, Navigation, Flugbetrieb, Aerodynamik, Flugfunk</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 the theoretical knowledge subjects mentioned in FCL.215.</p>
comment	<p>1927 comment by: <i>Gloucestershire Airport</i></p>

	<p>These Operational Procedures should include an element related to Runway Incursion awareness and specific reference to the meanings of surface markings and signage</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, these detailed proposals have to be addressed in the segment dealing with the AMCs. As this is only a list of the relevant subject such a specific item cannot be addressed here in the Implementing Rules.</p> <p>Please check the AMC with the syllabus for the theoretical knowledge and the syllabus for the practical flight training. In "Flight Planning" you will find items like Aerodrome Charts and Aerodrome Directory as a part of the practical training (for the PPL(A)/(H)/(As)) you will discover that several exercises are foreseen for the navigation training. One issue is the training for approaches and take-offs on other airfields. Such a training will include also the behaviour while taxiing, the markings and the runway incursion awareness.</p> <p>Based on your comment and the importance of the issue mentioned, the Agency will add an additional training item in the AMC.</p>
comment	<p>2093 comment by: <i>Stefan JAUDAS</i></p> <p>FCL.215</p> <p>The theoretical knowledge examination should be uniform in format as well as contents throughout all Member States.</p> <p>It should be presented in form of a multiple choice test with 4 possible and 1 correct answer for each question.</p> <p>Questions and answers should be unambiguous.</p> <p>Questions and answers should be updated at least once a year, at least when new aeronautical charts are published.</p> <p>The number of "local" questions (e.g. due to design and make-up of charts, navigation, etc.) in each test should be limited, and the permissible scope of such local questions should be precisely defined.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>As you might know a Central Data Question bank exists for all the commercial licences and the Instrument Rating. Most of the elements mentioned in your comment are already in place for this CQB.</p> <p>For the private licences this kind of question bank is actually not available and must be developed. So far the Agency does not envisage producing such a question bank as it would require a lot of work to produce such a question bank for all the different licence categories. It might be a future rulemaking task to evaluate the possible options for this proposal.</p>

comment	<p>2770 comment by: <i>David COURT</i></p> <p>I would prefer to see the written exams set out in the same format as FCL 115 to make it clear which exams are common subjects and which are aircraft specific.</p> <p>The exams for LPL(B) and BPL are exactly the same so should be set out the same.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that this paragraph FCL.215 should be structured in the same way as FCL.115 to make clear that the theoretical knowledge examination for a BPL will be the same as for the LPL(B). (the same for the other aircraft categories). In order to use the same wording the Agency will also introduce the term "common subjects" for the following subjects to clarify that these are the subjects which are exactly the same for all aircraft categories:</p> <ul style="list-style-type: none"> - Air law - Human Performance - Meteorology - Communications. <p>Furthermore, Appendix 1 will be reviewed and changed with the aim to use the same structure and order. General Navigation will be added as one of the subjects to be examined. If possible only one AMC should be used for the theoretical knowledge of both licences.</p>
comment	<p>3127 comment by: <i>FTO 09-157 FRENCH AIR FORCE</i></p> <p>An applicant for a "theoretical" PPL shall have demonstrated to the Authority a level of communications appropriate to the privileges granted. However the subject "communications" is too general. For the safety, it's better that an applicant shall have demonstrated the same level as an applicant for a CPL. It could be better to write "VFR communications".</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The proposal was discussed during the review of the comments but the Agency decided not to change the list of subjects or add specific additional requirements for certain subjects (as proposed in your comment) based on the fact that the mentioned subjects are also required by the Basic Regulation, the ICAO Annex 1 and they were introduced already with JAR-FCL.</p> <p>As no justification was provided why the subject "communication" should be up-graded to CPL level the text will be kept as proposed.</p>
comment	<p>3740 comment by: <i>ANPI</i></p> <p><i>This list is vague. ANPI would recommend to revisit this list with consideration of flight safety issues that are common to any type of aircraft.</i></p>

We repeat here what was mentioned for FCL.120 LPL Theoretical knowledge examination

We consider that necessary simplification shall be driven in any case by Safety considerations. Accident statistical data provide the basis for a "Safety Criticality Ranking" permitting to isolate Safety Critical Items applicable to training and to knowledge examination. This process will certainly simplify a lot NON Safety Critical domains, but will probably reinforce others.

response *Noted*

Thank you for providing your opinion.

However, it must be highlighted that exactly this list of subjects is required by the Basic Regulation (see EC 216/2008 Annex III 1.j.1), ICAO Annex 1 and was already introduced with JAR-FCL.

At this stage the Agency cannot see a need to change these subjects based on a "Safety Critically Ranking" as proposed in your comment. Please see also the responses and the resulting text on the AMCs for the theoretical knowledge as most of the specific safety related contents are provided with the AMCs.

See also the Agency's response to your comment on FCL.120.

comment

3800

comment by: *DGAC FRANCE*

FCL 215

Appendix 1, **A 1** paragraph 1.1.2 : gives credit in full of theoretical knowledge for the issue of a PPL to the holder of a LPL of the same category.

Therefore, it will avoid an unnecessary burden (for the regulator and for the executive bodies) to reach the same result.

Have the same theoretical knowledge instruction and examination for LPL(A) and PPL(A), and for LPL(H) and PPL(H).

As it is already the case in the NPA for the theoretical knowledge instruction and examination for respectively LPL (B)and BPL, LPL(S) and SPL.

response *Noted*

Thank you for providing your opinion.

The Agency agrees that Appendix 1 gives full credit of the theoretical knowledge for the issue of a PPL in the same category (for LPL licence holders). This will reduce the administrative burden and will also establish the same level of theoretical knowledge.

To make this even more clear also in FCL.215, the Agency will restructure the text in order to be in line with FCL.120.

comment

4565

comment by: *CTC Aviation Services Ltd*

(a) item 4 -- the correct term is Human Performance **and Limitations**

response

Not accepted

Thank you for providing your opinion.

The Agency checked again the wording used for this subject. The comment is right in a certain way because the term "human performance and limitations" is used in the Basic Regulation (Annex III 1.b.1).

However, as the term "Human Performance" is used in the ICAO SARPS (Annex 1 2.3.1.2 Private Pilot Licence / Knowledge) and also in the Appendices in JAR-FCL the Agency will keep the wording in this paragraph as proposed. To use a consistent wording this term will be used throughout the whole Part FCL. The "limitations" will not be excluded from the theoretical knowledge instruction as they are anyway contained in the syllabus. The definition for "human performance" provided by the ICAO SARPS is as follows:
"Human capabilities and limitations which have an impact on the safety and efficiency of aeronautical operations".

comment

5252

comment by: CAA Belgium

It is necessary to ***have the same theoretical knowledge instruction and examination for LPL(A) and PPL(A), and for LPL(H) and PPL(H)***.
As it is already the case in the NPA for the theoretical knowledge instruction and examination for respectively LPL (B)and BPL, LPL(S) and SPL.

response

Noted

Thank you for providing this comment.
Please see response to comment No. 3800 in the same segment above.

comment

7168

comment by: Finnish Aeronautical Association - Kai Mönkkönen

(a)

Demonstration of theoretical ability for SPL on the subjects listed under FCL.215 shall be able to be made, not only to "competent authority" ("CAA") but also to "a qualified entity" approved to issue and revalidate licences. Such possibility is raised in our comment on Subpart A subclause FCL.015 (a) related to the planned possibility to empower national sports aviation bodies (Aviation Federations) to issue and revalidate licences etc. on behalf of the competent authority.

Justification:

Limiting of these actions to competent authorities ("CAAs") only – as it according to the texts is now proposed – is not justified.

Proposed text:

Change text of the first paragraph of FCL.215 (a) to read:

Applicants for a BPL, SPL or PPL shall have demonstrated a level of theoretical knowledge appropriate to the privileges granted, through examinations on the following:

In related to change on FCL.215 (a) above, change the text under "AMC to FCL.120 and FCL.125" (as they are referred in AMC No 3 to FCL.210 and FCL.215)

by adding the following item:

1.0: The examination may be arranged by an *a qualified entity* or by competent authority.

and by changing the item 1.3 to read:

1.3: The *qualified entity* or competent authority arranging the examination

should inform applicants of the language(s) in which the examinations will be conducted

response *Partially accepted*

Thank you for providing your opinion.

The Agency is aware that in certain Member States organisations, specific bodies or entities are actually tasked to issue licences or certificates. The Agency is in general in favour to keep such a possibility for certain organisations/bodies being assigned by the Competent Authority to do this certification or examination tasks. The Basic Regulation contains an Annex dealing with qualified entities. The National Aviation Authorities have to decide which tasks they might give in the future to such a qualified entity.

Based on comments received in other segments the Agency decided to delete the term "to the competent authority" in FCL.215 and similar paragraphs for other licences. Nevertheless the NAAs will be responsible for the theoretical knowledge examinations.

The Agency does not see a need to change the AMC material as it does not exclude the competent authorities to involve qualified entities for this task. The rules state that the competent authority is the authority designated by the Member State. This allows the State to designate more than one authority. It also does not prevent the possibility of an authority to allocate certain tasks to other qualified entities, in accordance with national law, and if the requirements of the Basic Regulation are followed.

<p>B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 1: Common Requirements - FCL.235 Skill Test</p>	<p>p. 18-19</p>
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comment 125

comment by: *Aero-Club of Switzerland*

The Aero-Club of Switzerland would like to know how many failures should be accepted, looking at (4)!

response *Noted*

Thank you for providing your comment and the question how many attempts will be accepted.

FCL.235 (c)(4) says clearly that a "failure to achieve a pass in all sections of the test in 2 attempts will require further training". This means that an applicant who does not manage to pass in all sections with his/her second attempt will be send back to his/her training organisation in order to receive further training. This training will be based on the proposals and the feedback provided by the examiner who was involved in the skill test. Based on this additional training the applicant should be able to pass the skill test in his/her next attempt (could be named attempt 3).

As it is not foreseen to regulate the maximum amount of attempts this procedure will continue without a certain limitation on the maximum number of attempts. The Agency does not see a need for any limitation as this system was already introduced with JAR-FCL and no specific safety related problems were identified.

comment	<p>227 comment by: <i>Irish Aviation Authority</i></p> <p>FCL.205H (b) Guidance material on page 170 contradicts. Namely PPL prohibited from receiving remuneration. JS 21 8 08</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the comment seems to be addressed to the wrong segment as this segment is dealing with the paragraph FCL.235 Skill Test.</p> <p>FCL.205.H (b) is dealing with the privilege of an FI to receive remuneration for providing flight training. There is no contradiction with the AMCs or the Guidance Material because the wording used in (b) states clearly that the proposed remuneration for instructors is an exceptional case by using the term "notwithstanding".</p> <p>It seems that your proposal is to delete the privilege in (b) completely (the intention of the comment is not fully understood). The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. Although a certain number of stakeholders do not agree with this proposal the Agency cannot see any safety justification. Based on the discussions with the experts during the review phase it was decided to keep the requirement and add an additional requirement for the PPL based examiner. See also the responses to the comments for FCL.205.A.</p>
comment	<p>314 comment by: <i>CAA Belgium</i></p> <p>(a) imposes the skill test within 6 months of completing the flight instruction. QUESTION: how to determine exactly when the flight instruction has been completed ?</p> <p>(b) is not clear about how much of the instruction has to be done on the same class of type to be used for the skill test. PROPOSAL:shall have received <u>all the</u> instruction...</p> <p>(c) a common standardized skill test report form is necessary</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>The first question refers to FCL.235(a) and asks how to determine the 6 months period. A similar requirement was already in place with JAR-FCL (see JAR-FCL 1.240) and no specific problems with this requirement are known. This was the reason to transfer it to Part-FCL.</p> <p>The general paragraph FCL.030 (Practical Skill Test) requires a recommendation provided by the organisation/person responsible for the training for the skill test application. Normally this recommendation will be done when the training has been completed. Therefore the date of this recommendation could be used by the Competent Authority to determine the 6</p>

months period. However, based on the comments received on this issue the Agency reviewed the text and decided to delete this requirement as the training organisation will in any case ask the applicant for further training if the skill test is not taken in a certain time period after having completed the training.

Regarding your second item to change the text in (b) the Agency does not agree. The Agency will address the issue of flight instruction provided on TMGs in the appropriate requirement (FCL.210.A). This will require that not all the instruction flights have to be completed in one type or class only. The Agency does not see the safety case and would like to refer also to JAR-FCL (Appendix 1 to JAR-FCL 1.130 & 1.135) where exactly this wording was already used.

Regarding your third comment the Agency does not understand the proposal as all the skill test forms for PPL, SPL and BPL are already published with this NPA. The reason why you could not identify them might have been the wrong numbering system which was used. Please check the following AMC:

- AMC No 1 to FCL.220 Content skill test for the issue of a PPL(A)
- AMC No 2 to FCL.220 Content skill test for the issue of a PPL(H)
- AMC No 3 to FCL.220 Content skill test for the issue of a PPL(As)

comment

367

comment by: *REGA***FINDING**

The Practical Skill Test for the issue of a PPL(H) doesn't exist in the present document.

PROPOSAL

Develop a practical skill test for the PPL(H).

response

Noted

Thank you for providing this comment but the skill test for the PPL(H) is contained in AMC No 2 to FCL.220.

The Agency will change the AMC number because it has to be linked clearly to FCL.235.

comment

623

comment by: *British Microlight Aircraft Association*

Accepted

response

Noted

Thank you for providing this feedback.

comment

1452

comment by: *Anja Barfuß*

a) 'the skill test shall be taken within 6 month...'

In gliding clubs in Germany it is common to start theoretical and practical training in parallel. Due to club based and voluntary training operation the training took mainly place on weekends of the gliding season. So it is common that the training needs more time. According my experience as trainer it is normal to send trainees solo within one year and apply for examination after 2-3 years. In case of individual interruptions like other priorities like schooling,

work or private problems it is not seldom that such a volunteer training took also 4-5 years. A skill test within 6 months is with this constrains not realistic for gliding and other club based volunteering training. But to be fair: for our training we also need more instruction time due to the longer period and a complex trainings program. So please

1) skip this sentence

2 or change to 'The skill test shall be taken at latest 6 month after flight instruction is completed.'

3) or change 6 month to 4 years (according current German regulation)

4) or change to 'the minimum defined flight instruction time should be taken place not more than 6month before skill test (exception for gliding to 1 year due to winter break)'

response *Partially accepted*

Thank you for providing your comment.

The Agency understands the specific circumstances and needs for the sailplane flight training (seasonal periods and weather related problems). However, the Agency does not understand the problem with the proposed wording in (a) which says: "The skill test shall be taken within 6 months of completing the flight instruction". It might be only a misinterpretation of the wording but it is exactly the meaning proposed with your comment. Usually the required recommendation for the skill test provided by the organisation or by the instructor will define the end of the training. To clarify this issue: there is no pre-defined maximum flight instruction time for the PPL, SPL and BPL.

However, based on the comments received on this issue the Agency reviewed the text and decided to delete this requirement as the training organisation will in any case ask the applicant for further training if the skill test is not taken in a certain time period after having completed the training.

comment *1483*

comment by: *Keith WHITE*

235 (a) Gliding instruction is generally carried out as a continuous process, with one instructor [of many, and following discussion between instructors] taking the decision as to when the student is adequately prepared to fly solo. Gliding instruction is not generally done on the basis of a set of instructions followed by a skill test, but typically as an accumulation of skill and experience until a number of instructors are satisfied with performance. For gliders, therefore, this para should read that **the skill test and the corresponding theoretical test should be tied to some time frame.**

response *Not accepted*

Thank you for providing your comment.

Please see the response provided to comment No. 1452 in the same segment above. The wording proposed by you ("to some time frame") cannot be used in a legal text.

However, based on the comments received on this issue and the fact that FCL.030 (practical Skill Test) requires a recommendation provided by the organisation/responsible person for the training for the skill test application the Agency reviewed the text and decided to delete this requirement. The training organisation will in any case ask the applicant for further training if the skill test is not taken in a certain time period after having completed the training.

comment	<p>1484 comment by: <i>Keith WHITE</i></p> <p>(1) to (4). This does not seem to represent well the gradual progression and accumulation of skill and experience during typical glider training. Having taken up gliding again after a break of some 30 years, it took me 60 launches over 4 months to re-solo, during which time there was continual assessment of my progress by many instructors.</p>
response	<p><i>Noted</i></p> <p>Thank you for your additional explanations.</p> <p>Please see also the response provided already to your comment No. 1483 above. The Agency does not understand why the items (1) to (4) under "pass marks" should not apply for such a mentioned case. At the end of the training a skill test has to be completed (see content of the skill test in the appropriate AMC). As this skill test is divided in several sections the procedures to follow if a candidate fails in one or more sections has to be identified in order to have a standardised approach for the examinations. Otherwise the skill test would not be an objective and reliable process.</p> <p>The explanation provided does not contain any justification why the items in "pass marks" should not apply as the mentioned continual assessment of the training progress (which is clearly an important issue) by the instructor has no relevance for the final skill test with the examiner.</p>
comment	<p>1533 comment by: <i>Danish Balloon Organisation</i></p> <p>FCL.235 (b):</p> <p>We suggest the wording in item (b) to be as follows: "An applicant for the skill test shall have received instruction on the same class, type or group of aircraft to be used for the skill test."</p> <p>Justification: The wording should be in line with FCL.125 LPL - Skill Test</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing this comment.</p> <p>The Agency fully agrees with your proposal and will add the term "groups" as there will be different groups (envelope size related) of balloons and the applicant should have received a certain amount of flight training in the specific group also.</p> <p>Paragraph FCL.125 (LPL Skill test) is also mentioned in your comment. The Agency has decided to delete the term "or groups" in this paragraph as there are no different groups introduced for the LPL(B) holder. The LPL(B) holder will only be allowed to fly balloons with a maximum envelope size of 3400m³ (changed on the basis of the comments received).</p>
comment	<p>1599 comment by: <i>Helikopter Air Transport GmbH / Christophorus Flugrettungsverein</i></p> <p>FINDING</p>

	<p>The Practical Skill Test for the issue of a PPL(H) doesn't exist in the present document.</p> <p>PROPOSAL Develop a practical skill test for the PPL(H).</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment but the skill test for the PPL(H) is contained in AMC No 2 to FCL.220.</p> <p>The Agency will change the AMC number because it has to be linked clearly to FCL.235.</p>
comment	<p>1699 comment by: <i>Sven Koch</i></p> <p>Innerhalb 6 Monaten nach Abschluss der Ausbildung; Mehrphasenprüfung. Durchfall in einem Abschnitt kann wiederholt werden; bei zwei Abschnitten Wiederholung ganzer Prüfung.</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 requirements contained in FCL.235 (pass marks).</p>
comment	<p>2117 comment by: <i>Heliswiss AG, Belp</i></p> <p>FINDING The Practical Skill Test for the issue of a PPL(H) doesn't exist in the present document.</p> <p>PROPOSAL Develop a practical skill test for the PPL(H).</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. As it is a copy of other comments received please see the response already provided to the comments No. 367 and No. 1599 in the same segment above.</p>
comment	<p>2716 comment by: <i>Terry Maycock</i></p> <p>I would recomend that an insstructor be allowed to carry out the six yearly skill test for the LPL license</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment.</p> <p>However, it seems that the comment has been addressed to the wrong segment as this paragraph FCL.125 is not dealing with the revalidation procedure or recency requirement.</p> <p>Please check the responses provided to the comments in the appropriate</p>

segments and see also the resulting text. Based on the comments received it was decided to delete the proficiency check but to introduce a biennial training flight with an instructor for all the private licences.

comment 2871 comment by: *Jeremy Hinton*

As above. The outline for the skill test appears satisfactory.

response *Noted*

Thank you for providing your positive feedback.

comment 3144 comment by: *FOCA Switzerland*

C/Section 1
FCL.235 (a)

Since there is no reason for it:
> **delete last sentence with the 6 months rule**

response *Accepted*

Thank you for your opinion.

As most of the requirements contained in section 1 of subpart C are based on JAR-FCL this 6 months period introduced in (a) was already in place (see JAR-FCL 1.240) under the JAR system and no specific problems with the 6 months period are known. The idea behind is that this period should force the training organisation and the applicant not to wait for a too long time after completing the flight training to undergo the skill test.

However, based on the comments received on this issue and the fact that FCL.030 (practical Skill Test) requires a recommendation for the skill test provided by the organisation/responsible person for the training the Agency reviewed the text and decided to delete this requirement. The training organisation will in any case ask the applicant to undergo further training if the skill test is not taken in a certain time period after having completed the training.

comment 3436 comment by: *Royal Danish Aeroclub*

We support this time limitation of six months.

response *Noted*

Thank you for this positive feedback on the proposal to introduce a 6 months period (maximum) between the completion of the training and the skill test.

However, based on the comments received on this issue and the fact that FCL.030 (practical Skill Test) requires a recommendation provided by the organisation/responsible person for the training for the skill test application the Agency reviewed the text and decided to delete this requirement. The training organisation will in any case ask the applicant for further training if the skill test is not taken in a certain time period after having completed the training.

comment	<p>3438 comment by: <i>Susana Nogueira</i></p> <p>(a) Delete 'The skill test shall be taken within 6 months...'</p> <p>Justification: No sense</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your response. Please see the response provided to comment No. 3144 (FOCA Switzerland).</p>
comment	<p>3548 comment by: <i>Swiss Power Flight Union</i></p> <p>We would like to know how many failures should be accepted, looking at (4)!</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. As it is only a duplicate of comment No. 125 (Aero Club of Switzerland) no further response is required. Please check the response provided in the same segment above to comment No. 125.</p>
comment	<p>3741 comment by: <i>ANPI</i></p> <p><i>Making sure that critical Items are covered may require examination guides listing applicable Pilots Performance criteria and acceptability limits. These so called passed marks should be published, possibly attached to this NPA.</i></p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees in general with your proposal to develop some guidance material for the examiners in order to assist in deciding about pilot's performance criteria or something like the mentioned "acceptability limits". However, these additional guidelines for the examiner and information for the applicant (some of them are already contained in the AMCs for the Skill Tests) will be contained in a separate document called the "Examiner Handbook". Such a handbook was already introduced by JAR-FCL and has to be adapted to the new system and the new licences. It will be part of a future rulemaking task to develop such these guidelines.</p>
comment	<p>4397 comment by: <i>Chris Gowers</i></p> <p>Para (4) Change to" Failure to achieve a pass in all sections of the test in 2 attempts will require further mandatory training as directed by the flight examiner."</p> <p>Who decides on the training was not defined in the original rule.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not see the need to add "as directed by the</p>

...examiner". The additional training will be provided by a training organisation and has to concentrate mainly on the issues/exercises in which the applicant failed. In order to decide which training items should be repeated, an exchange between the ATO and the examiner or may be also with the Competent Authority will be absolutely necessary. But this should be a normal procedure - no specific requirement is needed to explain or require this. The skill test form will also help to identify the additional training needs. Certainly no training will be required which was "not defined in the original rule".

comment

4621

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!

Ein modernes, auf Förderung und Wachstum des Luftsports gerichtetes Regelwerk muß sich am Autoführerschein für Erwerb und Erhalt orientieren. Nur so kann sich auch erfolgreich eine Hinführung des Nachwuchses zum Interesse an direkten und indirekten fliegerischen Berufen entwickeln.

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

Aenderungen:

(1) Ersetze 'six months' durch 12 Monate

response

Not accepted

The Agency acknowledges your comment.

However, as it is again your standard comment which has been entered several times for other segments and requirements and dealing mainly with

general and political issues which have no relevance for this paragraph FCL.235 the Agency will not provide a specific response to the main part of this comment. Please see all the other responses provided to your comments.

With the last sentence only the comment is proposing to change the requirement in (a) and to incorporate 12 months without providing a justification for this. The Agency will delete the whole requirement based on the comments received. Please see the response provided to comment No. 3144 in the same segment above.

comment 4766 comment by: *CAA Belgium*

(a) 6 months rule to be deleted; no sense.

response *Accepted*

Thank you for providing your response.
Please see the response provided to comment No. 3144 (FOCA Switzerland).

comment 4779 comment by: *Chris Gowers*

The details of skill tests for other licences appear as appendices to the section. The PPL Skill Test appears as an entry in the ACMs. For consistency the detail of the PPL Skill Test and other non-professional licences should be included as appendices.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency will keep the skill tests for the private licences in AMC's in order to provide some flexibility if the contents of these skill tests have to be changed and to allow Member States to develop alternative AMC's if necessary.

Please check also the responses and the resulting text for the mentioned skill tests for the commercial licences. Some of them (e.g. the skill test and proficiency check for instructors/Appendix 12) will be also transferred to AMC material.

comment 5081 comment by: *Lenny Cant*

(4) I believe that applicants who are unable to pass their theoretical part ask subscribe should be forbidden to continue in their attempts to obtain a license. Currently we have that system in Belgium and I believe that's a good system. You can maximum have 4 attempts to pass your theoretical exams. If you fail after the 4th time, you cannot continue and cannot become a balloon pilot anymore. An advantage of this system is that not everyone will automatically become a pilot and also it displays the skills of the student. If you aren't able to obtain your theoretical results after 4 times I truly don't think you belong in the airspace.

response *Noted*

Thank you for providing your opinion.

However, it seems that the comment has been addressed to the wrong

segment as FCL.235 is dealing with the skill test. Based on JAR-FCL no specific maximum amount of attempts is foreseen for the practical skill test.

Your comment is dealing with the theoretical examination. You will find further requirements dealing with this issue in FCL.025 (Theoretical Knowledge examinations for the issue of licences). Please see the responses and the resulting text provided to this segment.

comment

5159

comment by: *sattel*

I have a PPL since 1991 and logged more than 900 hours, including various trips in different countries including Pacific region (Australia & New Zealand).

I can accept the 2 years skill test as it is practised with the JAR license as a measure to enhance the safety in private flying.

However when EASA will take over the responsibility for FCL, it is intended that every Private Pilot has to conduct a full fledged flight examination with all administrative and bureaucratic efforts every 6 years. Such flight examination will only increase the bureaucracy and will not contribute at all to any increase in safety. For sure it will reduce the number of active private pilots because of the unjustifiable efforts and it will stop younger people to learn to fly.

Nowadays it is anyway an extremely difficult (because of totally overloaded administration) and costly hobby to fly and with the EASA intended examination every 6 years the craziness of overadministration will even increase.

Stop this in any case and make flying affordable and enjoyable again, instead flying schools should engage in safety courses and training tours. This will bring a lot more safety in the sky than completely overboarding administration and further regulations.

In this sense I apply to a sound and adequate judgement of the situation in relation of imposed security risk.

gerhard sattel, rifferswilerstrasse 8, ch 8926 hauptikon gsattel@datazug.ch

response

Noted

Thank you for providing your opinion.

However, it seems that the comment should have been addressed to another segment as this requirement is dealing with the skill test for licence issue.

Your comment is dealing with the revalidation criteria or the recency requirement. The Agency has already decided to delete the proposed proficiency check and to introduce a biennial training flight with an instructor. Please see the responses provided in the appropriate segments.

comment

5326

comment by: *UK CAA***Paragraph:**

FCL.235-Skill Test

Page No:

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Comment:

- Does not state validity period of the skill test for licence/rating issue.
- No mention of number of attempts allowed.

Once all items of the skill test have been successfully completed how long does the applicant have to apply for the licence/rating. There is no mention of any corrective action (i.e training/testing) if the time period is not met.

Justification:

Clarification.

response

Noted

Thank you for providing your feedback.

However, the Agency cannot see a need for introducing an additional validity period of the skill test for licence issue. In most of the Member States there seems to be an automatic procedure which will allow the Competent Authority to issue the licence when the skill test has been successfully completed.

Regarding your second issue no maximum number of attempts is foreseen (a similar procedure was already in place with JAR-FCL). See also the response to comment No. 125 in the same segment above.

comment

5955

comment by: *Luftsport-Verband Bayern*

1. Wie wird das Ende der Ausbildung definiert? Ist es die Anmeldung zur praktischen Prüfung? Wenn ja, darf der Schüler noch weiter "innerhalb der Ausbildung" doppelsitzig oder im Soloflug bis zur Prüfung fliegen?

2. 6 Monate können aus praktischer Erfahrung heraus zu knapp bemessen sein, wenn die meteorologischen Bedingungen (z.B. im Winter) nicht ausreichen oder auch keine Prüfer zur Verfügung stehen oder auch eine Kombination dieser Erschwernisse. Wir schlagen einen Zeitraum von 9 bzw. 12 Monaten vor. Dies hat keine negativen Auswirkungen auf die Sicherheit.

response

Not accepted

Thank you for providing your opinion.

Your first question is dealing with the date when the flight instruction is completed. As there is no specific definition this should normally be the moment when all the contents of the training syllabus are satisfactorily completed and the recommendation for the skill test (which should be the same as the mentioned registration for the skill test "Anmeldung zur Prüfung") as required in FCL.030 is done. As it can last weeks or months until the skill test can be taken, the applicant should have the opportunity to continue with some flight training under supervision in order to stay current. At this stage the Agency does not see a need to specify this in the licensing requirements.

Regarding to your second proposal the Agency has decided to delete the 6 months period. Please see the response provided to comment No. 3144 (FOCA Switzerland).

comment

6191

comment by: *CAA Finland*

FCL.235(a) skill test 6 months:

If time between the end of training and skill test would be 7 months, what to do? New text proposal:

The skill test shall be taken within 6 months of completing the flight instruction. Otherwise the applicant shall undertake further training at an approved training organisation. The extent and scope of the training needed shall be agreed by the training organisation, based on the needs of the applicant. The training organisation shall give a certificate of the additional training.

response *Not accepted*

Thank you for providing your response.
Please see the response provided to comment No. 3144 (FOCA Switzerland).

comment **6194**

comment by: *CAA Finland*

FCL.235(c)(4), additional training:
It is unclear who defines the additional training. New text proposal after existing text:

... will require further practical training at an approved training organisation. The extent and scope of the training needed shall be agreed by the training organisation, based on the needs of the applicant. The training organisation shall give a certificate of the additional training.

response *Not accepted*

Thank you for providing your response.
Please see the response provided to comment No. 3144 (FOCA Switzerland).

comment
t

6358

comment by: *Johann Friedrich*

FCL.235 Skill Test

(a)

Applicants for a BPL, SPL or PPL shall demonstrate through the completion of a skill test the ability to perform, as pilot-in-command of the appropriate aircraft category, the relevant procedures and manoeuvres with competency appropriate to the privileges granted.
~~The skill test shall be taken within 6 months of completing the flight instruction.~~

Comment: Delete last sentence of FCL.235 Skill Test (a)

Reason: This restriction is inadequate

response *Accepted*

Thank you for providing your response.
Please see the response provided to comment No. 3144 (FOCA Switzerland).

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 2: Specific requirements for the PPL aeroplanes

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comment **5798**

comment by: *UK Department for Transport*

FCL.205.A and 205.H The UK Department supports the proposal that holders of a PPL(A) and PPL(H) may receive remuneration for the provision of flight

	instruction for the LPL and PPL.
response	<p><i>Noted</i></p> <p>Thank you for providing this positive feedback.</p> <p>The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.</p>

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 2: Specific requirements for the PPL aeroplanes - FCL.205.A PPL(A) - Privileges

p. 19

comment	<p>112 comment by: <i>Nick Wilcock</i></p> <p>FCL.205.A (b) is a very welcome proposal and I give it my fullest support.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this positive feedback.</p> <p>The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation, the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.</p>
comment	<p>126 comment by: <i>Aero-Club of Switzerland</i></p> <p>To (a): Is there a difference between "engaged in non-commercial operations" and "not engaged in commercial operations"?</p> <p>Proposal: Please define the terms around the "commercial" as precisely as possible at the uppermost level for the whole of "EASA-Land".</p> <p>Justification: It is, for historical reasons, painfully difficult to define "commercial operations" country by country.</p> <p>To FCL.205.A (b): Does the Agency really want to have PPL holders as "narrow gauge" FI?</p> <p>Justification: We think, this is not a good idea, unless the Agency adds minimum requirements for these providers of flight instruction.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency's understanding is that there is no difference between the two</p>

terms. The Agency will try to be consistent by using the same wording throughout the whole Part-FCL.

The term "commercial" will not be defined in Part-FCL as this is already provided by the Basic Regulation. Please check the definitions in Article 3 (EC 216/2008).

Your second comment seems to be based on a misunderstanding. FCL.205.A (B) only defines the possibility for the PPL holder to receive remuneration for providing flight instruction. Nothing is said that the privilege of a PPL automatically includes the instructor certificate. Please check also FCL.900 in which it is clearly stated that a person shall not carry out flight instruction unless he/she holds an instructor certificate. In order to make this even more clear the wording will be changed into: "the holder of a PPL(A) with instructor privileges..".

comment

289

comment by: CAA Belgium

(a) to be added: privilege of receiving flight training for other class/type of aeroplanes and other categories of aircraft

(b) **should be deleted for not being in conformity with Annex 1.**

NOT ACCEPTABLE

response

Not accepted

Regarding your first proposal the Agency cannot see the need for this additional "privilege". Receiving flight instruction for other classes or types of aeroplanes or other categories of aircraft should not be an additional privilege as this is regulated already in other paragraphs.

The second part of your comment is dealing with FCL.205.A (b) and proposes to delete (b) completely. The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment

392

comment by: Peter SCHMIDLEITNER

As "FCL.205.A (PPL(A) - Privileges" para (b) is phrased it could be interpreted that a Flight Instructor holding a PPL is permitted to instruct for the LPL or PPL "licence" only, or instruct a LPL-holder or PPL-holder for a new rating to be entered into the licence.

This interpretation would prohibit an instructor holding a PPL with a SEP or MEP rating to instruct a holder of a CPL or ATPL for obtaining this SEP or MEP rating.

Experience shows that there are many CPL or ATPL licenced pilots without a SEP or MEP rating who want to obtain such SEP or MEP rating for pleasure flying.

It is, therefore, proposed to amend FCL.205A (b) as follows:

(b) Notwithstanding the paragraph above, the holder of a PPL(A) may receive remuneration for the provision of flight instruction for the LPL(A), the PPL(A) or any rating he holds.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not agree as the overall requirement of this Part FCL is that the instructor has to hold at least the licence he/she is instructing for. Please see FCL.915 which contains the appropriate requirements.

An additional item as proposed by you would not change anything because it will not "overrule" FCL.915. It would only allow the PPL holder with an instructor certificate to receive remuneration for providing flight training for a rating which is already allowed with the wording used. No text change is required.

However, the Agency agrees with this proposal in order to allow some kind of remuneration for providing training for the ratings but it will not allow a PPL FI to provide instruction for the MEP rating on a CPL or ATPL.

comment 624 comment by: *British Microlight Aircraft Association*
Accepted

response *Noted*

Thank you for providing this feedback.

comment 790 comment by: *Geschäftsführer Luftsportverband RP*

Für die Akzeptanz des Luftsports und Jugendförderung im Hinblick auf Werbung für die Luftfahrt ist es ungeheuer wichtig, dass Vereine mit ihren Flugzeugen Passagierflüge durchführen können.

Hier muss mit aufgenommen werden, dass Piloten ohne zusätzliche Prüfung Passagierflüge bis max 4 Personen an Bord im nicht gewerblichen Bereich durchführen können. Die Bezahlung geht dabei nicht an den Piloten, sondern an den Verein.

response *Noted*

Thank you for providing your opinion.

However, several similar comments with the proposal to add some specific privileges which will allow the LPL or PPL holder to conduct passenger flights against some kind of remuneration where placed by you to other segments. Please see the responses provided to these comments. As explained before the Agency will not add any other specific privilege against remuneration or any commercial activity because of the framework provided by ICAO Annex 1 and

the Basic Regulation.

comment **849** comment by: *Luftsportverband Rheinland Pfalz*

Bitte in den Definitionen FCL 10 "Non commercial operations" entsprechend Kommentar 838 definieren und dabei berücksichtigen:

Selbstkostenflüge mit maximal 4 Personen müssen in der Definition nichtgewerblich enthalten sein. Mit diesen Flügen wird vielen Bürgern, kostengünstig ermöglicht an einem sehr individuellen Erlebnis "Fliegen" teilzuhaben. Es wäre sehr schade und dem Luftsportgedanken abträglich, wenn solche kostengünstige Selbstkostenflüge nicht mehr möglich wären oder nur noch durch einen kleinen Kreis von Piloten durchgeführt werden können.

response *Noted*

Thank you for your opinion.

However, this kind of comment was already addressed by you in several other segments. Please see the responses provided in the appropriate segments and check also the response to comment No. 790 above or No. 867 below.

Again: The definition of a commercial operation is contained in the Basic Regulation 216/2008. This Part FCL has to be written within the given limits of the Basic Regulation. As the licence should be also based on ICAO there is no way to incorporate such an additional privilege.

comment **867** comment by: *Stefan Kramer*

Die Berechtigung zu Gastflügen gegen Erstattung der Selbstkosten muss durch die Lizenz weiterhin abgedeckt sein. Ein Wegfall würde Betrieb und Erhalt von Flugzeugen, insbesondere von gemeinnützigen Vereinsmaschinen erheblich erschweren. Dies bedeutet einen nicht hinnehmbaren Eingriff in die wirtschaftlichen Verhältnisse.

response *Noted*

Thank your for your opinion and the proposal to add the privilege "to carry passengers against remuneration or some kind of cost sharing".

The definition for commercial operation given by the EU regulation 216/2008 uses the term "remuneration". In addition to this ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL:
"the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as ..."

Taking this into account it leads to the conclusion that a pilot needs a commercial privilege (e.g. CPL for aeroplanes or a BPL with commercial privilege for balloons) for flights against remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

comment	882	comment by: <i>ASW-27B</i>
	Passagierflüge zum Selbstkostenpreis im Verein durch W"normale" scheininhaber müssen nach wie vor möglich sein. Sie sind ein nicht ersetzbares Element, um die Akzeptanz der Fliegerei in der Bevölkerung zu erhöhen und Nachwuchs zu rekrutieren.	
response	<i>Noted</i>	
	Thank you for providing your opinion. Please see the response for comment No 867 in this segment.	
comment	1147	comment by: <i>Schäfer</i>
	Es muß für einen Luftsportverein möglich sein Passagierflüge zum Selbstkostenpreis und zur Förderung des Luftsports weiterhin durchführen zu können. Schließlich rekrutiert sich eine große Anzahl der gwerblichen Piloten aus den Luftsportvereinen	
response	<i>Noted</i>	
	Thank you for providing your opinion. Please see the response for comment No 867 in this segment.	
comment	1171	comment by: <i>Thomas Reusch</i>
	Pilot muß Selbstkostenflüge durchführen können zur In Übung Haltung und Förderung des Luftsports	
response	<i>Noted</i>	
	Thank you for providing your opinion. Please see the response for comment No 867 in this segment.	
comment	1260	comment by: <i>Günter End</i>
	Es sollte jedoch beibehalten werden, dass Selbstkosten für das Flugzeug berechnet werden können.	
response	<i>Noted</i>	
	Thank you for providing your opinion. Please see the response for comment No 867 in this segment.	
comment	1339	comment by: <i>Gerhard Hehl</i>
	Es muss möglich sein, dass ein PPL-Inhaber sog. Selbstkostenflüge bis max. 4 Personen an Bord für einen Verein durchführen darf. Der Text muss dahingehend geändert werden. Eine zusätzliche Prüfung für Passagierflüge ist zu streichen - dies würde nur wieder die Kosten hoch treiben.	
response	<i>Noted</i>	
	Thank your for your opinion and the proposal to add the privilege "to carry passengers against remuneration or some kind of cost sharing".	

The definition for commercial operation given by the EU regulation 216/2008 for uses the term "remuneration". In addition to this ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL:

"the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as ..."

Taking this into account, it leads to the conclusion that a pilot needs a commercial privilege (e.g. CPL for aeroplanes or a BPL with commercial privilege for balloons) for flights against remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

The Agency has not proposed an additional examination or proficiency check for carrying passengers in aeroplanes.

comment

1357

comment by: *George Knight*

This section fails to state the flight conditions which apply. They should be:

"Unless his license includes an instrument rating (aeroplane) or an instrument meteorological conditions rating (aeroplanes), fly as pilot in command of such an

aeroplane:

(i) on a flight outside controlled airspace when the flight visibility is less than 3 km;

(ii) on a special VFR flight in a control zone in a flight visibility of less than 10 km except on a route or in an aerodrome traffic zone notified for the purpose of this sub-paragraph.

Fly as pilot in command of such an aeroplane at night unless his licence includes

a night rating (aeroplanes) or a night qualification (aeroplane).

Unless his licence includes an instrument rating (aeroplane), fly as pilot in command or co-pilot of such an aeroplane flying in Class A, B or C airspace in circumstances which require compliance with the Instrument Flight Rules.

Unless his licence includes an instrument rating (aeroplane) or an instrument meteorological conditions rating (aeroplanes), fly as pilot in command or co-pilot of such an aeroplane flying in Class D or E airspace in circumstances which require compliance with the Instrument Flight Rules."

response

Noted

Thank you for providing this comment.

The mentioned flight conditions as night VFR or IFR flights are contained in the requirements for these ratings. See FCL.600 and FCL.605 in subpart G. Therefore the Agency cannot see the need to add "in VMC only" here or to specify any of the mentioned VFR conditions as mentioned in your comment. The weather minima for VMC in different airspace categories should not be mentioned in Part FCL but will be mentioned in the rules of the air or in the operational requirements.

FCL.605 contains the privileges if the pilot holds an instrument rating.

FCL.705 contains the privileges of a class- or type rating

Subpart I contains the privileges of the holder of an aerobatic rating, a towing

rating, a night rating and a mountain rating.

comment **1396** comment by: *Wilfried Müller*

Sightseeing flights on no profit basis should be for LPL allowed.

These flights are non commercial and based upon cost of fuel, insurance and aircraft depreciation. Such flights are important to help to finance our clubs cost budget. Additionally it helps to keep good neighbourhood to avoid or reduce anti airfield activities.

LPL sightseeing flights should be limited to a maximum of 4 persons per aircraft.

Wilfried Müller 11-27-2008

response **Noted**

Thank you for providing your opinion.
See response for your comment No 1390.

comment **1431** comment by: *Aero Club Oppenheim e. V.*

Text sollte so gefasst werden, dass ein Pilot für seinen Verein oder anderen Institutionen „Selbstkostenflüge“ bis maximal 4 Personen an Bord zur Förderung des Luftsports durchführen kann (Passagierflüge)

Eine weitere oder regelmäßige Prüfung für den Passagierflug ist mit der Scheinprüfung abgedeckt.

response **Noted**

Thank you for providing your opinion.
Please see the response for comment No 1339 in this segment.

comment **1639** comment by: *Neil RATHBONE*

There is no provision here for cost-sharing flights and no definition of 'remuneration' in the definitions section. In the absence of this I would assume that remuneration means 'valuable consideration' and so sharing of the cost of the flight between pilot and passengers is allowed.

response **Noted**

Thank you for providing your opinion.
Please see the response for comment No 1339 in this segment.

comment **1700** comment by: *Sven Koch*

Ausübung als PIC oder Co-Pilot ohne Bezahlung im nicht gewerblichen Bereich. Fluglehrer für LPL(A) oder PPL(A) können Bezahlung erhalten. Text muss so gefasst sein, dass ein Pilot für seinen Verein „Selbstkostenflüge“ bis maximal 4 Personen an Bord zur Förderung des Luftsports durchführen kann (Passagierflüge) Keine weitere Prüfung für Passagierflüge

response **Noted**

Thank you for providing this comment.

See our response provided for your comment No 1678.

comment **1745** comment by: *Stephan Johannes*

Sehr geehrte Damen und Herren,

hier gilt das Gleiche, wie ich schon im Kommentar zu FCL.105 eingegeben habe. Selbstkostenflüge bis maximal 4 Personen, sind wichtig zu Förderung des Luftsports und zum Anwerben von fliegerischem Nachwuchs.

Eine zusätzliche Prüfung für Passagierflüge ist m.E. nicht notwendig, die Bedingungen zur Erlangung und Verlängerung, sollten für einen Passagierflug ausreichend sein.

Mit freundlichem Gruß

Stephan Johannes

response **Noted**

Thank you for providing your opinion.
Please see the response for comment No 1339 in this segment.

comment **1967** comment by: *Dr. Tobias MOCK*

English version of the German comment: see below

Das Fliegen ist eine kostspielige Angelegenheit. Bislang sind in Deutschland so genannte "Selbstkostenflüge" möglich - man darf die Passagiere also durchaus an den Kosten für einen Rundflug beteiligen. Was man nicht darf: Gewinn dabei erzielen.

Diese Regelung halte ich durchaus für sinnvoll - sie ermöglicht es Privatpiloten, die Kosten für ihre Flüge etwas einzugrenzen, und sie ermöglicht es flugbegeisterten "Fußgängern", gelegentlich einen Rundflug mit einem fliegenden Bekannten zu machen - aus meiner Erfahrung kann ich sagen, dass solche Flüge für Piloten wie Passagiere phantastische und teils unvergessliche Erlebnisse sind!

Wenn mein Passagier mich nur ungern allein auf den nicht unerheblichen Kosten eines solchen Flugs (z. Zt. ca. 160 Euro pro Stunde) sitzen lassen will, dann halte ich das für völlig normal. Nach den vorgeschlagenen Regeln müsste ich jedoch schon Zweifel haben, ob es überhaupt legitim ist, mich von ihm aus Dankbarkeit auf ein Mineralwasser einladen zu lassen - und diese Vorstellung ist nichts anderes als grotesk. Es ist mir schlicht kein einziger Grund vorstellbar, warum ich einen Passagier, der mich freiwillig und im Wissen um meinen Privatpilotenstatus um einen Flug bittet, nicht an den Kosten für diesen Flug beteiligen können soll, solange ich dabei lediglich entstehende Kosten kompensiere, also keinen Gewinn mache. Sagte ich schon, dass ich glaube, dass das Fliegen durch das Fliegen sicherer wird? Selbstkostenflüge sind ein hervorragendes Mittel, die Piloten in der Luft zu halten! Dass die Möglichkeit von Selbstkostenflügen erhalten bleiben muss, steht für mich so eindeutig außer Frage, dass ich mir erlaube, hierzu direkt weitergehende Gedanken zu äußern:

Es ist auch nach der derzeitigen (meines Wissens nationalen) Regelung immer wieder strittig, was Selbstkosten eigentlich sind. Nehmen wir an, ich bezahle für Charter, Sprit, Öl, Lande- und Anfluggebühren in der Stunde 160 Euro. Darf ich meinem Passagier die 160 Euro abnehmen? Oder nur 80 Euro, weil ich ja

mit im Flugzeug sitze? Andererseits hätte der Flug ja vielleicht gar nicht stattgefunden, hätte mein Passagier mich nicht darum gebeten. Ein anderer Pilot ist vielleicht besonders clever und rechnet gleich noch einen Anteil an der teuren EASA-Sprachprüfungsgebühr mit in die Selbstkosten ein (ach nein, die entfällt ja hoffentlich) - legitim? Oder unverfroren?

Worauf ich hinaus will: Es sollte, wenn die Selbstkostenflüge erhalten bleiben (was ich, wie gesagt, für unabdingbar halte), auch geklärt werden, woraus sich die Selbstkosten zusammensetzen.

Flying is expensive. In Germany, pilots are allowed to conduct passenger flights at cost price - it is possible to share the costs of, e. g., a sightseeing flight with the passengers. One thing, however, is strictly prohibited: to gain profit from it.

I consider this regulation reasonable - it enables private pilots to limit their own expenses, and it enables aviation enthusiasts that do not hold a pilot's license to eventually take a sightseeing flight with a pilot they know - from my own experience, I can say that these flights constitute phantastic and sometimes unforgettable experiences for both pilots and passengers!

If my passenger does not want to leave all the expenses of such a flight (currently about € 160) to me, then I consider that to be rather normal. But, according to the proposed regulations, I would have to act "without remuneration", so I would even have to doubt the legitimacy of accepting the post-flight soda water my passenger pays for me at the airport bar - this scenario is nothing but absurd. I cannot imagine one single reason why I should not be allowed to share the costs of a flight my passenger has voluntarily asked me to conduct with him, well knowing about my private pilot status, as long as I restrict this to compensating the arising costs (and do not gain any additional financial profit). Did I mention that I am convinced that the most efficient way to keep aviation safe is to keep the pilots in the air? Cost sharing is an excellent instrument to keep pilots flying! I am so convinced that cost sharing is indispensable, that I take the liberty to instantly utter some further thoughts:

Even with the (as far as I know, national) possibility of cost sharing, it is still controversial how the cost price is defined exactly. Let us assume that I pay € 160 for charter, gasoline, oil, landing and approach fees: Am I allowed to charge my passenger the whole amount of € 160? Or maybe only € 80, because I am on board as well? On the other hand, the flight might not even have taken place at all, had the passenger not asked for it. Another pilot may be extraordinarily clever and add a fraction of the expensive EASA language proficiency check fee to the calculation (ah, no, that will hopefully not apply) - legitimate? Or impertinent?

What I am trying to say: If flights at cost price will still be possible (which, as stated, I consider absolutely indispensable), then it should be clear just how the cost price is defined exactly.

response

Noted

Thank your for your opinion and the proposal to add the privilege "to carry passengers against remuneration or some kind of cost sharing".

The definition for commercial operation given by the EU regulation 216/2008 for uses the term "remuneration". In addition to this ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL:

"the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as ..."

Taking this into account it leads to the conclusion that a pilot needs a

commercial privilege (e.g. CPL for aeroplanes or a BPL with commercial privilege for balloons) for flights against remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

comment

2174

comment by: *Oelschlaeger, Harald*

Der Text muss so gefasst sein, dass ein Pilot für seinen Verien "selbstkostenflüge" bis maximal 4 Personen an Bord zur Förderung des Luftsport durchführen kann (Passagierflüge)

Keine weitere Prüfung für Passagierflüge.

response

Noted

Thank you for providing your opinion.
Please see the response for comment No 1339 in this segment.

comment

2440

comment by: *Dr. Horst Schomann*

Problem: (a).... to act without remuneration

Proposed solution: (a) to act non-commercially as PIC

Justification: The PPL license holder as member of an aviation club (non-commercial entity) should be allowed to perform "net cost flights" in order to support the aviation as sport and the entrance to it.

response

Not accepted

Thank you for providing your opinion.
Please see the response for comment No 1339 in this segment.

Check also the wording in the Basic Regulation EC 216/2008 and you will discover that your proposal "non-commercially" would not change anything because any kind of remuneration would automatically classify this flight as commercial operation.

comment

2478

comment by: *mfb-bb*

Flüge gegen Entgelt / berufliche Tätigkeit

Gängige Praxis zur Förderung des Luftsportes und zur Stärkung der Akzeptanz der Luftfahrt in der Bevölkerung ist die Durchführung von Flügen auf max. 4sitzigen Luftfahrzeugen gegen Kostenbeteiligung.

Die rigorose Definition dieser Praxis als gewerbliche Aktivität führt zu einer Wettbewerbsstärkung der gewerblichen Anbieter, zu einem Preisanstieg der Rundflüge für den Bürger (gewerbliche Gewinnerzielungsabsicht) und damit zu verringerter Förderung der Luftfahrt im privaten/ ehrenamtlichen Bereich, im Bereich des Luftsportes von Privatpiloten und Vereinen und der Jugendförderung (Luftsport zB Segelflug)

Ferner ist der Bedarf nach Rundflügen durch die Bevölkerung auf vielen kleinen Flugplätzen nicht mehr zu erfüllen, da es dort keine gewerblichen Anbieter gibt. Die für einen gewerblichen Betrieb notwendige Nachfrage wird dort nicht

erfüllt. Die Akzeptanz der Fliegerei und des Luftsportes wird dort stark leiden. Flugtage oder Tage der offenen Tür sind dann dort nicht mehr durchführbar.

Bei privat durchgeführten Rundflügen hat der Fluggast (Kunde) bei Luftfahrzeugen bis max. 4 Sitzplätze und Flüge von nur einem Piloten (Betreiber des Fluges) eine Einflussmöglichkeit zur Durchführung des Fluges auf den Piloten. Das bedeutet er kann vor und während des Fluges unmittelbar Einfluss nehmen auf zB die Flugstrecke.

Sollte die Flugstrecke durch die besonderen Luftfahrzeugbedingungen nicht frei wählbar sein (zB Segelflugzeug), so hat der Fluggast immer noch die Einflussmöglichkeit auf zB den Zeitpunkt des Startes und / oder der Landung.

Somit stellen die Flüge zur Förderung des Luftsportes / Akzeptanz in der Bevölkerung und Werbung von neuen Flugschülern keine gewerbliche Tätigkeit dar, da diese Flüge nicht wetterunabhängig und garantiert durchgeführt werden.

Vorschlag : Alle Flüge, die zur Förderung des Luftsportes lediglich gegen eine **Kostenbeteiligung**, wetterabhängig im VFR-Bereich in Luftfahrzeugen bis max 4 Sitzplätze, die keine Gewinnerzielungsabsicht haben, müssen von der gewerblichen Regelung freigestellt sein und ausgenommen werden.

Scenic flights / pleasure flights / sightseeing flights conducted under VFR-conditions with the intention to strengthen the acceptability of aviation

In several countries it is usually practice that scenic or pleasure flights conducted on airplanes up to 4 seats under VFR conditions are conducted by private pilots (sailplanes / powered sailplanes / touring motor gliders / aircrafts / balloons etc) . The intention of these private pilots is to keep in practice, to show other people the fascinating world of flying and **not** to earn money. Therefore the pilots only take the costs of the airplane divided trough the number of passengers.

In consequence oh this, a synergetic effect is that a lot of people support the general aviation, and they the do not act against it by e.g. filing noise complaints.

A lot of younger people get in touch with the general aviation and perhaps decide to become a private pilot first and second get into the commercial flying business by themselves.

It is a very good publicity for aviation itself and a lot of non-profit flying association get new members and flight students by this kind of non-commercial advertisement.

If this membership promotion is generally designated as "commercial flights" these flights cannot be conducted any longer.
This decision weaknesses the general aviation

Another fact is, that a lot of these non commercial scenic flights are conducted on smaller airfields during the normal flight operation. The enquiry of these flights are too less for a commercial operator. For example during an ordinary summer weekend on a small airfield there is the demand for only a few flights / round about 2 hours per day.

On this small airfields the same problem will occur on "open days" or air shows. The consequence is that theses open days cannot be conducted any longer.

It strengthens the commercial aviation only.**Proposal:**

All pleasure flights conducted on airplanes up to 4 seats under VFR conditions conducted by private pilots (sailplanes / powered sailplanes / touring motor gliders / aircrafts / balloons etc)

With the objective of promotion the general aviation should be possible as non commercial flights

response *Noted*

Thank your for your opinion and the proposal to add the privilege "to carry passengers against remuneration or some kind of cost sharing".

The definition for commercial operation given by the EU regulation 216/2008 for uses the term "remuneration". In addition to this ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL:

"the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as ..."

Taking this into account, it leads to the conclusion that a pilot needs a commercial privilege (e.g. CPL for aeroplanes or a BPL with commercial privilege for balloons) for flights against remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing or sightseeing flights) cannot be provided by the Implementing Rules.

comment

2747 comment by: *French Fédération Française Aéronautique groups the 580 French powered flying aer-clubs and their 43 000 private pilots*

FCL 205 A (b) :

Fully aware of the decreasing individual involvement of our human resources that are mostly volunteers, FFA recognises that the proposed rule permitting PPL holders to receive remuneration to provide flight instruction would facilitate the evolution and contribute to the permanence of training in the future of our associations and clubs.

FFA supports this innovative rule (for PPL holders only) but will pay attention to possible excess or abuse in implementing it.

response *Noted*

Thank you for providing this positive feedback.

The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment

2815

comment by: *Clare GRANGE*

It is inappropriate for a PPL holder to receive remuneration for the giving of flight instruction. Flight instructors need to be qualified above the level of PPL and to have undertaken further study. Having said that the "hours builders", with CPLs and just biding time until they go to the airlines, are not always appropriate either. Flying instruction needs to be a better defined career path and include training at a professional level combined with the flight instructor course. Flying is a serious undertaking and should always be conducted in a professional fashion even when flying for a hobby. Allowing PPL holders to gain a living this way is not appropriate and very frustrating for all the commercial pilots, having spent hours upon hours training and at huge cost, who have been unable to gain employment. Consideration also needs to be given to all the very experienced pilots out there who are then faced with an inexperienced flying instructor for their biennial checks! I have met too many instructors who are not professional and get lost when taken outside their comfort zone e.g. one particular person was fine if he went west from Bournemouth but completely fazed when going east. This almost resulted in infringing the London LTMA but I corrected him and rectified the situation. This is just one example.

Any potential flying instructor should be able to demonstrate a good level of experience, particularly in relation to navigation and cross country flights, before being able to undertake the course.

response

Noted

Thank you for providing your opinion.

The first part of your comment is dealing with FCL.205.A (b) and proposes to delete (b) completely. The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

It should be highlighted that the example provided in the second part of your comment might be true but it should be an absolutely rare case in the future. Please check the pre-requisites and the content of the training course for the FI as well as the level of the skill test and you will immediately understand that your statement saying "... consideration also needs to be given to all the very experienced pilots out there who are then faced with an inexperienced flying instructor for their biennial checks!.." is not understood. The future system will not allow inexperienced pilots to be a flying instructor.

comment

2906

comment by: *AECA(SPAIN)*

(b) Delete.

Justification: Not in conformity with Annex 1

response

Not accepted

Thank you for providing this comment.
Please see the response to comment No. 289.

comment **3137** comment by: *Jim Ellis*

The proposal to allow PPL FI's to be remunerated for instructing for LPL(A) or PPL(A) is good and should be implemented as soon as possible

response *Noted*

Thank you for providing this positive feedback.

The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment **3147** comment by: *FTO 09-157 FRENCH AIR FORCE*

More details are necessary to clarify this paragraph.

It seems that the privileges of the holder of a PPL are not to exercise the privileges of the holder of LPL.

this privilege could be added as follows:

"The privileges of the holder of a PPL are to, within the appropriate aircraft category, exercise the privileges of the holder of a LPL. "

response *Not accepted*

Thank you for providing your opinion.

However, the Agency does not understand the meaning behind your comment. The privileges of the PPL(A) are clearly defined as "act... as pilot-in-command or co-pilot of aeroplanes". The Agency does not understand to which specific LPL privileges you are referring to and cannot see a need to add anything.

comment **3162** comment by: *Susana Nogueira*

(b) Delete the paragraph.

Justification:

Is not in ccordance with ICAO Annex 1.

response *Not accepted*

Thank you for providing this comment.

Please see the response already provided to comment No. 289.

comment **3393** comment by: *Richard DUMAS, PPL(A)*

Le PPL ne doit pas permettre d'être rémunéré comme instructeur LPL ou PPL.

	Le PPL ne doit pas devenir une licence professionnelle. Cependant le PPL doit permettre l'instruction bénévole.
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. Please see the response to comment No. 289.</p>
comment	<p>3549 comment by: <i>Swiss Power Flight Union</i></p> <p>To (a): Is there a difference between "engaged in non-commercial operations" and "not engaged in commercial operations"? Poposoal: Please define the terms around the "commercial" as precisely as possible at the uppermost level for the whole of "EASA-Land". Justification: It is, for historical reasons, painfully difficult to define "commercial operations" country by country. To FCL.205.A (b): Does the Agency really want to have PPL holders as "narrow gauge" FI? Justification: We think, this is not a good idea, unless the Agency adds minimum requirements for these providers of flight instruction.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. See response to identical comment No. 126 (Aero Club of Switzerland) above.</p>
comment	<p>3742 comment by: <i>ANPI</i></p> <p>We would recommend that remuneration issues remain in the hands of National Authorities that should be responsible Acceptable Means of Compliances in line with their National Law concerning employment and social matters.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not know if the meaning behind your comment is understood. It is a matter of fact that ICAO Annex 1 which provides the basis for this licence also excludes remuneration for the PPL(A) holder. Additionally the Basic Regulation EC 216/2008 defines that commercial operation is connected to remuneration.</p> <p>Therefore the Agency will not delete the term here and cannot see how National Authorities should be responsible for this kind of definitions.</p>
comment	<p>4093 comment by: <i>SFVHE</i></p> <p>Passagierflüge bzw. Selbstkostenflüge müssen weiterhin ermöglicht werden. Vergleiche Kommentar zu Passagierflügen der Klasse bis 2000 kg.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. See response for comment No 867.</p>

comment	<p>4114 comment by: <i>Bernd Hein</i></p> <p>Selbstkostenflüge mit Flugzeugen, die für max. 4 Personen zugelassen sind, müssen möglich bleiben. Es mu eine Aussge getroffen werden, dass bei Kindern unter 10 Jahren 2 auf einem Sitz geflogen werden dürfen.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. See response for comment No 867.</p> <p>The requirement if two children can be seated on one seat in specific conditions has to be clarified in the operational requirements but not in the licensing requirements.</p>
comment	<p>4302 comment by: <i>Baden-Württembergischer Luftfahrtverband</i></p> <p>FCL.205.A(a) Wording in the NPA (a) The privileges of the holder of a PPL(A) are to act without remuneration as pilotincommand or copilot of aeroplanes engaged in noncommercial operations..</p> <p>Our Proposal Change: (a) The privileges of the holder of a PPL(A) are to act without remuneration as pilotincommand or copilot of aeroplanes engaged in noncommercial operations. Costs may be shared.</p> <p>Issue with current wording Non commercial operations need the possibility to share costs when taking passengers.</p> <p>Rationale Non commercial operations mainly clubs need a good relationship to the communities that they belong to. It is expected that residents of these communities are given the opportunity to take advantage of the capabilities of the flying club in their vicinity. If these opportunities are not accessible the clubs will have difficulties operating in the community. It will be too costly for the club to give away rides for free. Despite of Article 3 (i) of the basic regulation this minimum non profit activity should not be in conflict with the basic regulation. It is unrealistic to forbid any kind of compensation and it jeopardizes non commercial operations. See also our general comment 3250 Nr. 1. and 4. .</p>
response	<p><i>Not accepted</i></p> <p>Thank your for your opinion and the proposal to add the privilege "to carry passengers against some kind of cost sharing".</p> <p>The definition for commercial operation given by the EU regulation 216/2008 for uses the term "remuneration". In addition to this ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL: "the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as ..."</p>

Taking this into account it leads to the conclusion that a pilot needs a commercial privilege (e.g. CPL for aeroplanes or a BPL with commercial privilege for balloons) for flights against remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

Therefore, the proposed term "costs may be shared" cannot be incorporated as it would circumvent the requirements mentioned above.

comment

4550

comment by: *FFK*

I must say I am sceptic to let a normal PPL-pilot charge for flight instruction. A PPL-licence should have some kind of instructor licence. CRI, FI otherwise this will not be good.

response

Noted

Thank you for providing your opinion.

However, it seems that your comment is based on a misunderstanding of the wording used in (b).

The requirement in (b) clarifies only that the PPL(A) holder may receive remuneration for providing flight instruction. It does not state that the PPL(A) holder automatically has the privilege to instruct.

Please check Subpart J and especially FCL.900 to understand that a person shall not carry out flight instruction until he/she holds an instructor certificate.

To make this issue even more clear the Agency has added the following explanation: "the holder of a PPL(A) with instructor privileges..".

comment

4776

comment by: *ECA- European Cockpit Association*

Comment: delete the paragraphs:

~~(a) The privileges of the holder of a PPL(A) are to act without remuneration as pilot in command or copilot of aeroplanes engaged in noncommercial operations.~~

~~(b) Notwithstanding the paragraph above, the holder of a PPL(A) may receive remuneration for the provision of flight instruction for the LPL(A) or the PPL(A).~~

Justification:

To deliver an acceptable level of Training, an Instructor shall hold at least a C.P.L. in any case. This text is non ICAO compliant, differs from JARs with no safety justification. Private is private. That is why we have professional licenses.

EASA needs, on the RIA about social aspects, to check legality of the paragraph. Same for FCL.205.H b) and 205.As b). This provision is illegal in many countries in the EU, not only by a safety law, but also other labour and social laws. All pilots who wish to be paid for their work have to have at least a CPL. ECA thinks that EASA cannot just derogate all these laws without justification.

See ECA general comments on Subpart J. Instructors

response

Not accepted

Thank your for providing your opinion.

However, the Agency does not understand your proposal of deleting all the privileges for the PPL(A) holder. FCL.205.A (a) is a direct transfer from JAR-FCL and in conformity with ICAO Annex 1 (2.3.2.1). As the privileges of the PPL holder have to be defined (a) will be kept and not changed.

The additional remark on the issue of the CPL must be addressed in the subpart J "Instructors". It has clearly nothing to do with the PPL privileges itself. As you have addressed this issue several time please check the other responses provided in the appropriate segment.

The second part of your comment is dealing with FCL.205.A (b) and proposes also to delete (b) completely. The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The comments received were carefully reviewed and the Agency is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment 5855 comment by: EFLEVA

EFLEVA are fully supportive of the expansion of the PPL privileges.

response *Noted*

Thank you for providing this positive feedback.

The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment 5956 comment by: *Luftsport-Verband Bayern*

Eine Klarstellung ist erforderlich, dass unter "Remuneration" lediglich die Entlohnung der Dienstleistung und nicht ein Kostenbeitrag zu den Betriebskosten des Lfz. zu verstehen ist. Eine Erstattung tatsächlich entstandener Kosten muß möglich sein. Außerdem müssen Absetzflüge für Fallschirmspringer gegen Entgelt weiterhin möglich gemacht werden ohne dass heirfür ein CPL erforderlich wird.

response *Noted*

Thank your for your opinion and the proposal to add a term allowing some kind of cost sharing for guest flights or for carrying parachutists.

The definition given by the EU regulation 216/2008 for commercial operation uses the term "remuneration". Furthermore ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL: "the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as ..."

Taking this into account it leads to the conclusion that a pilot needs a commercial privilege (e.g. BPL with commercial privilege) or a CPL for flights against remuneration.

For the PPL such a commercial privilege is not intended to be introduced which will lead to the conclusion that no flight against remuneration can be performed with it.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by Implementing Rules.

comment 6279 comment by: DCAA

Remuneration for PPL is not in accordance with the ICAO standard

response *Noted*

Thank you for providing this comment.
Please see the response already provided to comment No. 289.

comment 6487 comment by: IAOPA Europe

It is unclear if "without remuneration" also excludes cost sharing between pilots and passengers.

It should be clarified that cost-sharing is allowed. This is common and necessary practice in General Aviation.

IAOPA strongly support the initiative to allow the holder of a PPL to receive remuneration for the provision of flight instruction for the LPL and PPL.

This will attract more people into General Aviation and help provide more instructors. Further it may even improve the quality of instruction, since people instructing based on their PPL will typically be more experienced and instruct out of dedication.

response *Noted*

Thank you for providing this comment.

Regarding the first issue of "cost sharing" please see the response provided to comment No. 867.

The Agency has carefully reviewed the comments received on the issue of remuneration for instructors and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment	<p>6555 comment by: <i>Light Aircraft Association UK</i></p> <p>Paragraph b). The LAA are ever conscious of the shortage of FI holders with their ultimate route being to the airlines and therefore fully endorses the expansion of the PPL privileges.</p> <p>The LAA fully supports this innovative rule amendment.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your positive feedback.</p> <p>The Agency has carefully reviewed the comments received on the issue of remuneration for instructors and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.</p>
comment	<p>6716 comment by: <i>Dave Puleston</i></p> <p>I strongly support the view that PPL Instructors should be remunerated; however, not only whilst instructing ab-initio students for the LPL(A) or PPL(A). This should be extended to CRIs and TRIs whilst exercising the privileges of their qualification. Many excellent PPL instructors and CRIs instruct only on a part-time basis, purely for enjoyment. They frequently travel long distances to indulge their passion and have the additional expense of renewing their instructor qualification. If they cannot amortise these costs by charging for their services many may not continue instructing and that would be a great loss to the industry.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your positive feedback.</p> <p>The Agency has carefully reviewed the comments received on the issue of remuneration for instructors and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.</p>
comment	<p>7016 comment by: <i>CAA Norway</i></p> <p>FCL.205.A(b) The possibility for a PPL holder to receive remuneration is not in line with ICAO, and should be deleted.</p> <p>It is also unclear why the proposal is limited to instructing for the LPL(A) and PPL(A). If the proposal stays in, why is it excluding instruction for other</p>

ratings? E.g. aerobatic rating, mountain rating, class ratings, difference training, etc?

response *Not accepted*

Thank you for providing your positive feedback.

The Agency has carefully reviewed the comments received on the issue of remuneration for instructors and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

Regarding your second question it should be highlighted that providing instruction for a rating will also be included.

comment *7071* comment by: *Peter Holland*

FCL.205.A PPL(A) Privileges

Allowing a PPL to instruct is a very good idea - it was too onerous to have to first achieve a CPL if one simply wanted to instruct. Similarly, it removed the opportunity for hour building that those wanting to reach CPL and ATPL traditionally used instructing to do, and once they have their CPL or ATPL why would they work as an instructor, the remuneration does not compare.

However, I am struggling to see the benefit of holding a PPL(A) over an LPL(A). Very few private pilots will fly aircraft of over 2000kg, nor carry more than 3 passengers.

response *Noted*

Thank you for providing your opinion.

However, it seems that the comment is based on a misunderstanding. The prerequisites for taking part in the instructor training course are contained in subpart J Instructors and not in FCL.205.A. This paragraph only describes the privileges of the PPL holder. Please check the resulting text for subpart J to see the pre-requisites. As a huge amount of stakeholders claimed that the CPL theoretical knowledge has to be required (like in JAR-FCL) the Agency was forced to put this requirement back and require it for the FI.

Your second part is asking for the differences between the LPL and the PPL. Two issues are already mentioned. Another one is that the LPL holder will only be allowed to fly within Europe as only the PPL is ICAO based.

comment *7100* comment by: *DGAC FRANCE*

FCL 205.A (b) PPL(A)

Justification :

This paragraph is without any doubt in deviation with ICAO Annex 1.
This deviation is not suggested in the basic regulation 216/2008 ; this subject

	exceeds the EASA prerogatives. Modification : Deleted paragraph (b)
response	<i>Not accepted</i> Thank you for providing this comment. Please see response already provided to comment No. 289.
comment	7371 comment by: <i>Prof. Dr. Alexander Bubenik</i> FCL.205.A (a) The ... non-commercial operations. Flights carrying passengers in order to attract them to aviation, only compensating prime costs within the scope of a non-profit organisation should be considered permitted under this provision. Based on the fact that aero clubs quite often acquire new members by providing short test rides, I strongly recommend a more liberal provision. As far as I know this has never been a mentionable safety hazard to anybody.
response	<i>Noted</i> Thank you for providing this comment. See response for comment No 867.
comment	7650 comment by: <i>Cristian Olinescu</i> (b) <u>should be deleted for not being in compliance with Annex 1.</u>
response	<i>Not accepted</i> Thank you for providing this comment. Please see the response to comment No. 289 in the same segment above.
comment	7718 comment by: <i>Reinhard Heineking</i> Einem PPL Piloten muss es erlaubt sein, Gastflüge bzw. Passagierflüge durchzuführen, bei denen er selbst kein Einkommen erzielt (daher nicht kommerziell), obwohl die Gäste einen Beitrag zur Kostendeckung durch Ticketkauf beim Verein leisten. Der Preis des Tickets muss nachweislich so kalkuliert sein, dass die tatsächlich entstehenden Sachkosten des LFZ gedeckt werden, aber kein Gewinnanteil für den Halter/Betreiber/Verein vereinnamt wird. Unter dieser Voraussetzung liegt kein gewerbl. Betrieb des LFZ vor. Dieser Sachverhalt sollte in FCL.205.A zum Ausdruck gebracht werden. Reinhard Heineking FI JAR_FCL PPL(A), TMG, GPL
response	<i>Noted</i> Thank you for providing this comment. See response for comment No 867.
comment	7763 comment by: <i>Europe Air Sports, VP</i> EAS is grateful to the Agency for coming to the conclusion that a PPL A FI may receive remuneration for the instruction given. We strongly support the Agency

to initiate a change to ICAO Annex I
 Qualification to instruct does not depend on remuneration.
 A PPL A FI instructing as a voluntary instructor in his local club will not, should he receive remuneration, suddenly become a bad instructor.

response *Noted*

Thank you for providing your positive feedback.

The Agency has carefully reviewed the comments received on the issue of remuneration for instructors and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment *8020*

comment by: *Ingo Wiebelitz*

Selbstkostenflüge müssen möglich sein! Dies liegt im ureigenen Interesse der deutschen Vereine zur Mitgliederfindung und Mitgliederbindung.

Selbstkosten sind in diesem Sinne keine "Commercial Costs".

response *Noted*

Thank you for providing this comment.
 Please see the response provided to comment No. 867.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 2: Specific requirements for the PPL aeroplanes - FCL.210.A PPL(A) - Experience requirements and crediting

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comment *141*

comment by: *GFD-OES*

The recency requirements in this section are missing. I know, there are none, but to make it more clear, like in the following sections, make this one to read:

FCL.2xx PPL(A) - Revalidation of class and type ratings
For revalidation of class and type ratings comply with the requirements in FCL.740.A

response *Not accepted*

Thank you for providing your comment.

However, as you already indicated in your comment the Agency followed JAR-FCL and decided to create a separate subpart for the class- and type ratings which is subpart H. This means that all the specific requirements for the different class- and type ratings including the requirements for the revalidation of these ratings are contained in subpart H.

Your proposal to incorporate a specific sentence explaining only where to find the revalidation criteria was discussed during the review of the comments but

the Agency came to the conclusion that such a clarification is not needed.

comment **315** comment by: *CAA Belgium*

(c) to be deleted: "shall be reduced proportionally"
because not quite clear: proportionally to what ?

(c) the wording should be the same as in FCL.210.H (c).

response *Accepted*

Thank you for providing your opinion.

The last sentence in (c) was based on JAR-FCL 1.125. The Agency agrees that the wording used ("shall be reduced proportionally") does not provide any clarification and should be deleted. The requirement could be aligned with the wording used in FCL.210.H.

To comply with the ICAO SARPS the Agency will add a sentence to clarify that this credit will not reduce the required solo flight time specified in (a) (2). The cross country flight time will also be kept. The text will be changed accordingly.

comment **316** comment by: *CAA Belgium*

TO BE ADDED IN SECTION 2: recency requirements for PPL(A)

response *Not accepted*

Thank you for providing your opinion.

However, the Agency followed JAR-FCL and decided to create a separate subpart for the class- and type ratings which is subpart H. This means that all the specific requirements for the different class- and type ratings including the requirements for the revalidation of these ratings are contained in subpart H.

Your proposal to incorporate specific additional "recency requirements" was discussed during the review of the comments but the Agency came to the conclusion that such an additional paragraph is not needed based on the fact that the revalidation for class and type ratings is sufficiently explained in Subpart H.

comment **360** comment by: *Michal Orlita*

The current system used for PPL(A) trainign crediting - 10% of PIC time but not more that 10 hours is not enough in many cases. Experience with cross-country flights should be evaluated, basic rule might look - pilot having 50+ hours of cross country might be credited all of cross-country flight time provided they sucessfully pass cross-country check flight and flight into controlled airspace. this will reduce the training syllabus by approx. 10 hours.

Crediting of experience with ultralights/microlights must be possible as well. However, it should not be credited automaticaly, it must be based in instructor assesment. case by case It must be explicitly mentioned in this document as in some countries ULs are not considered airplanes.

response *Noted*

Thank you for providing your input.

However, the Agency would like to highlight that the crediting system proposed is taken over from JAR-FCL. No specific problems are known.

The Agency agrees that certain experience on specific aircraft categories (e.g. TMGs, (powered) sailplanes, other fixed-wing aircraft like) will allow to reduce the training syllabus. In specific cases (e.g. pilots with a high amount of flight time in specific fixed-wing aircraft) the crediting could be even more as proposed in (c). This is the reason why the Agency will introduce a new, more competency based approach for the crediting in the LPL subpart. Please see the responses and the resulting text for FCL.110.BA.

As the PPL is mainly based on JAR-FCL and has to comply also with the ICAO SARPS the proposed crediting requirement of 10% of the total flight time up to a maximum of 10 hours will be kept.

The proposal to give credit also for certain elements of the requirement in (a)(2) is not acceptable as ICAO Annex 1 in 2.3.3.1.2. clearly defines that:
"The applicant shall have completed in aeroplanes not less than 10 hours of solo flight time appropriate to the class rating sought, under the supervision of an authorized flight instructor, including 5 hours of solo cross-country flight time with at least one cross-country flight totalling not less than 270 km (150 NM) in the course". To be ICAO compliant there is no credit foreseen for (a)(2).

comment

625

comment by: *British Microlight Aircraft Association*

(a) accepted

(b) Disagree. The holder of the BLPL(A) or LPL(A) should only be required to complete the elements of the training syllabus for the PPL that were not included in the BLPL/LPL and have completed at least the minimum total dual training and solo training required for the grant of a PPL, otherwise no credit is given to the holder of the BLPL/LPL for the experience gained when flying as a BLPL/LPL holder.

(c) accepted

response

Partially accepted

Thank you for providing your opinion.

The Agency agrees in general with the statement provided that the LPL(A) holder should only be asked to complete the missing flight time and flight instruction. As the Agency has also the task to ensure that the PPL(A) holder has received all the training required by the ICAO SARPS some other elements have to be taken into account.

The proposal in (b) was based on the fact that for the PPL(A) the following elements are required:

- 45 hours flight time in total
- 25 hours dual instruction
- 10 hours solo flight time under supervision

For the LPL(A) the following is required:

- 30 hours flight training in total
- 15 hours dual instruction
- 6 hours supervised solo flight time

The proposal in (b) originally asked for 15 hours flight time after licence issue (difference between 45 and 30 hours) including 10 hours dual time (difference between 25 and 15 hours). This was exactly the amount of training time missing as proposed in your comment.

Based on the comments received and on further review, the Agency decided to change some of the mentioned elements slightly in order to concentrate more on the syllabus differences between the LPL(A) and the PPL(A). The requirement for 15 additional hours of flight time on aeroplanes after licence issue will be kept, including 10 hours of flight instruction completed in a training course. The specific requirement for a certain amount of dual flight time will be deleted due to the fact that the ICAO SARPS do not ask for a specific amount of dual flight time. The solo cross country flight time including a cross country flight of at least 270 km with two full-stop landings will be addressed.

The text will be changed accordingly.

comment

1061 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Comment:

The holder of a PPL-FI for LPL and/or PPL should only receive remuneration for flight instructions if the holder has passed the theoretical examination for CPL in the appropriate category of aircraft.

If the holder has passed a CPL theoretical examination, he/she has the same education as an FI who holds a CPL except, perhaps, medical certificate class 1. In JAR-FCL 1 and 2, an FI shall have passed the theoretical examination for a CPL and we should keep that requirement. The only reasons for allowing an FI to hold a PPL is due to medical reasons, where an FI has lost his/hers medical class 1.

Proposal:

FCL.205.A (b) Notwithstanding the paragraph above, the holder of a PPL(A) may receive remuneration for the provision of flight instruction for the LPL(A) or the PPL(A) if the holder has passed the theoretical examination for a CPL (A).

FCL.205. H (b) Notwithstanding the paragraph above, the holder of a PPL(H) may receive remuneration for the provision of flight instruction for the LPL(H) or the PPL(H)) if the holder has passed the theoretical examination for a CPL (H).

response

Partially accepted

Thank you for providing your opinion.

It should be mentioned that this comment should have been addressed to the different segment as FCL.210.A is dealing with the experience requirements for the PPL(A). It seems that this comment is dealing with the requirement in FCL.205.A (b).

Your proposal is to allow a PPL holder with FI certificate to receive remuneration for providing flight instruction only if he/she has passed the theoretical examination for the CPL.

The Agency has added this requirement in (b) during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. It has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation, the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

Furthermore, the Agency will incorporate the CPL theoretical knowledge requirement for FIs based on the amount of comments received asking for this and based also on the fact that the ICAO SARPS ask for such a level of theoretical knowledge for the instructor.

comment 1093 comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Comment: 270 km = 146 NM. Consequently, this is two different values.

Proposal: Exclude the value expressed in km, and just use NM.

response *Not accepted*

Thank you for providing your opinion.

The Agency is aware that 150 NM are not exactly 270 Km. However, as these two numbers are already used in the ICAO SARPS and in JAR-FCL and it might be useful to have a km value for instructors and applicants in certain Member States the Agency does not see a real need to change this requirement at this stage.

comment 1430 comment by: *Aero Club Oppenheim e. V.*

Zusammenschluss von örtlichen Ausbildungsbetrieben (Verein) in einer z.B. Landesverbandsorganisation (globale Ausbildung) muss zugelassen sein. Die Gründe wurden bereits genannt.

||

response *Noted*

Thank you for providing your comment.

However, the Agency does not understand what this comment has to do with the requirement in FCL.210.A containing the privileges of the PPL(A). It seems that this comment has been addressed to the wrong segment as it is commenting on the German system with a kind of "head-training organisation" with several satellite ATOs on club level.

Please see the responses provided in other segments (e.g. FCL.210 Training Course) dealing with this topic.

comment

1504

comment by: *Volker ENGELMANN*

25 hrs of dual flight instructions seem to be a fictive number which does not influence any safety matter. The number should be deleted or decreased down to 10 hrs.

The Flight Instructor is a well trained and experienced specialist on flight training. He must have the right and ability to decide whether a pilot requires more or less dual instruction hours rather than to increase the number in the document so all students must pay for additional training although they may be perfect in skills and knowledge.

TZhsi comment must be seen similar to all other "hard wall requirements" in flight hours "dual instruction"

response

Not accepted

Thank you for providing your input.

The 25 dual hours requirement was a transfer of the JAR-FCL requirements but there is not such a specific requirement in ICAO Annex 1. The Agency discussed the issue with licencing experts during the review phase and it seems that such a flexibility for the instructor is not needed. In order to stay as close as possible with JAR-FCL the Agency decided to keep the proposed numbers of required flight training at this stage.

comment

1576

comment by: *Strasser*

Der

response

Noted

Thank you for trying to send us your opinion.

However, it seems that something went wrong as only one German word was entered.

comment

1701

comment by: *Sven Koch*

45 Std in Flugzeugen, davon 25 Std

Doppelsteuer mit Fluglehrer, 10 Std überwachter Alleinflug, davon 5 Std Überland mit einem Flug über 270 km mit zwei Landungen auf anderen Flugplätzen.

Erleichterungen für LPL(A): 15 Std nach Scheinerhalt, davon 10 Std mit Fluglehrer

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 the experience requirements contained in FCL.210.A.

comment	<p>3145 comment by: <i>FOCA Switzerland</i></p> <p>C/Section 2 FCL.210.A (c)</p> <p>Proposal</p> <p>Indication for credit is clear. There is no need for last sentence in this para. To be deleted.</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. See the response to comment No. 315 (CAA Belgium).</p>
comment	<p>3223 comment by: <i>Susana Nogueira</i></p> <p>(c) Delete last sentence: 'In this case...'</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion. See the response to comment No. 315 (CAA Belgium).</p>
comment	<p>3380 comment by: <i>Christian Körner</i></p> <p>Crediting.</p> <p>Ten years ago I did the flight training and passed the practical test for the german PPL(A) in less then two month. At this time 40 hours of flight training were required to get the license. My glider license was credited with 15 hours and because I passed the test in less than 5 months another 5 hours were credited.</p> <p>Therefore I think that 20 hours flight training are more than enough for a glider pilot to get used to operate the engine. Because there was no second flight instructor available for the check-out for the first solo on a powered airplane, I did my first solo one week after starting the training and did my solo cross-country flight of 300 km with full stop landings at two aerodromes the day after the first solo.</p> <p>I suggest the following add on. "If the training is completed and the practical flight test is passed in less than 5 months additional 5 hours shall be credited." I suggest to remove the 10 % rule. "Applicants holding a pilot license for another category of aircraft, with the exception of balloons, shall be credited with 15 hours.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your input.</p> <p>However, the Agency would like to highlight that the crediting system proposed is taken over from JAR-FCL. No specific problems are known.</p> <p>The Agency agrees that certain experience on specific aircraft categories (e.g.</p>

TMGs, (powered) sailplanes, other fixed-wing aircraft like) will allow to reduce the training syllabus. In specific cases (e.g. pilots with a high amount of flight time in specific fixed-wing aircraft) the crediting could be even more as proposed in (c). This is the reason why the Agency will introduce a new, more competency based approach for the crediting in the LPL subpart.

As the PPL is mainly based on JAR-FCL and has to comply also with the ICAO SARPS, the proposed crediting requirement of 10% of the total flight time up to a maximum of 10 hours will be kept.

comment 3521 comment by: *Geschäftsführer Luftsportverband RP*

Sofern man von der Behörde aus Interesse hat, dass der PPL (A) Bereich gefördert wird muss es unter (c) erhebliche Erleichterungen geben für den z.B. Ultraleichtpiloten Anrechnung von 25 Flugstunden.
oder beim Segelflieger: Anrechnung von 20 Flugstunden.

response *Noted*

Thank you for your feedback.
Please see the response provided to comment No. 3380 in the same segment above.

comment 3550 comment by: *Swiss Power Flight Union*

In (b) the word hours is missing after "at least 10..."

response *Noted*

Thank you for providing your opinion but the Agency does not agree.

The requirement as proposed reads as follows:
"...have completed at least 15 hours, of which at least 10 shall be dual..."

The word "hours" must not necessarily be added as this is clearly specifying only the amount of 15 hours mentioned before.

comment 3744 comment by: *ANPI*

Proposal is in RED Font

FCL.210.A PPL(A) Experience requirements and crediting p19

(a) Applicants for a PPL(A) shall have completed at least 45 hours of flight time in aeroplanes, 5 of

which may have been completed in a FSTD, including at least:

(1) 25 hours of dual instruction; **including at least 5 hours instrument dual instruction time** (like for helicopters) and

(2) 10 hours of supervised solo flight time, including at least 5 hours of solo crosscountry flight time with at least 1 crosscountry flight of at least 270 km (150 NM), during which full stop landings at two aerodromes different from the aerodrome of departure shall be made.

(b) *Specific requirements for applicants holding a LPL(A)*. Applicants for a PPL(A) holding a LPL(A) shall

have completed at least 15 hours of flight time after the issue of the LPL(A), of which at least 10

shall be dual instruction **including at least 2 additional hours instrument**

dual instruction time completed in a training course at an approved training organisation.

Withdrawal of Instrument dual instruction would be a dramatic step back in terms of Safety

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with your proposal to require also 5 hours instrument instruction time. There are several reasons not to introduce such a requirement:

- JAR-FCL never required instrument training for the PPL(A) (it is not a "withdrawal" as mentioned in your comment)
- the 180° turn as an "escape exercise" for IMC conditions is contained
- ICAO SARPS do not require such an additional training

Furthermore, it should be highlighted that the Agency has initiated a task (FCL.008) in order to review the existing Instrument Rating and to develop solutions which will allow the PPL holder to gain some IFR privileges. The proposed 5 hours training will not allow a PPL holder to fly safely in IMC conditions. An additional rating with a more detailed training syllabus and definitely more than 5 hours instrument training seems to be the more safe solution for the PPL holders.

comment

3772

comment by: *DGAC FRANCE*

FCL 210.A (c)

These requirements don't exist for the other categories and it is not necessary to be so precise because the cases can be very various.

(c)~~In this case, the requirement for dual instruction in (a) (1) shall be reduced proportionally, but in any case to not less than 20 hours.~~

response

Accepted

Thank you for providing your opinion.

See the response to comment No. 315 (CAA Belgium).

comment

4053

comment by: *Michael Schlotter*

NPA 17b, Subpart C, Section 2, FCL.205.A, paragraph (b)

The requirements to convert a LPL(A) to a PPL(A) should reflect the experience of the applicant. The stated 10 hours of dual instruction are likely to be excessive for LPL(A) pilots who have a lot of PIC time in SEP aeroplanes. The Agency should add a clause which allows LPL(A) licence holders with a set number of hours as PIC in SEP aeroplanes (e.g >100h) to acquire a PPL(A) based on a personalised training plan issued by an authorised organisation without specified minimum training and dual instruction time.

response

Not accepted

Thank you for providing your opinion.

Please see the response to comment No. 625 in the same segment above.

comment	<p>4144 comment by: <i>Elmar KUEMMEL</i></p> <p>Zusammenschluss von örtlichen Ausbildungsbetrieben (Verein) in einer z.B. Landesverbandsorganisation (globale Ausbildung) muss zugelassen sein.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this comment. However, the Agency does not understand why this comment (like some other comments with a similar content) is addressed to this segment.</p> <p>Please see the response to comment No. 1430 in the same segment above.</p>
comment	<p>4227 comment by: <i>Cary Crawley</i></p> <p>I may have misunderstood this and my comment may be inappropriate. However it seems it might suggest a reduction in training hours for pilots of other aircraft whilst training for a licence to fly balloons. As a balloon instructor who has enjoyed some considerable experience training fixed wing pilots, military, large-airline and private enthusiasts, the only benefit I have observed from training pilots of other aviation disciplines is that their navigation skills are usually good, their R.T. is practised and they learn preflight checks more readily than students with no previous aviation training. These advantages however do not compensate for any loss in potential training hours.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>It seems that the comment is based on a slight misinterpretation of (c). Applicants for a PPL (Aeroplanes) will receive a certain credit if they hold a licence for another category of aircraft like helicopters or sailplanes. There will be no such crediting for a pure balloon pilot as the practical skills seem to be too different from the skills needed to fly safely an aeroplane.</p> <p>However, it seems that you agree with this statement above.</p>
comment	<p>4303 comment by: <i>Baden-Württembergischer Luftfahrtverband</i></p> <p>FCL.210.A(c) Wording in the NPA (c) <i>Crediting</i>. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot in command in such aircraft up to a maximum of 10 hours. In this case, the requirement for dual instruction in (a)(1) shall be reduced proportionally, but in any case to not less than 20 hours.</p> <p>Our proposal Add: Applicants for a PPL(A) holding a license for Sailplanes or 3 axis micro lights shall be credited with up to 20 hours against the requirements of (a). Dual instruction should be not less than 15 hours.</p> <p>Issue with current wording The skills of holders of sailplane licenses or 3 axis microlight licenses are under rated</p>

Rationale

The required skill sets for aeroplanes, sailplanes and 3 axis micro lights are extremely similar. Crediting must be proportionate to the skill gap. See detailed rationale in our general **comment 3250 Nr. 2 and 3**

response *Not accepted*

Thank you for providing your input.

However, the Agency would like to highlight that the crediting system proposed is taken over from JAR-FCL. Most of the Member States have implemented such a procedure and no specific problems are known so far.

The Agency agrees that certain experience on specific aircraft categories (e.g. TMGs, (powered) sailplanes, other fixed-wing aircraft like) will allow to reduce the training syllabus. In specific cases (e.g. pilots with a high amount of flight time in specific fixed-wing aircraft) the crediting could be even more as proposed in (c). This is the reason why the Agency will introduce a new, more competency based approach for the crediting in the LPL subpart. Please see the responses and the resulting text for FCL.110.BA.

As the PPL is mainly based on JAR-FCL and has to comply also with the ICAO SARPS the proposed crediting requirement of 10% of the total flight time up to a maximum of 10 hours will be kept.

comment *4564*

comment by: *FFK*

If a pilot has a national Microlight certificate for planes like Jabiru (not trikes) he or she should at least have a possibility to reduce their education to minimum 15 hours like LPL(A)

response *Noted*

Thank you for providing your opinion.
Please see the response to comment No. 4303 in the same segment above.

comment *4767*

comment by: *CAA Belgium*

(c) last sentence to be deleted, no sense.

response *Accepted*

See the response to your comment No. 315 in the same segment above.

comment *4925*

comment by: *ECA- European Cockpit Association*

Comment: delete paragraph (b):

(a) Applicants for a PPL(A) shall have completed at least 45 hours of flight time in aeroplanes, 5 of which may have been completed in a FSTD, including at least:

(1) 25 hours of dual instruction; and

(2) 10 hours of supervised solo flight time, including at least 5 hours of solo crosscountry flight time with at least 1 crosscountry flight of at least 270 km (150 NM), during which full stop landings at two aerodromes different from the aerodrome of departure shall be made.

~~(b) Specific requirements for applicants holding a LPL(A). Applicants for a PPL(A) holding a LPL(A) shall have completed at least 15 hours of flight time after the issue of the LPL(A), of which at least 10 shall be dual instruction completed in a training course at an approved training organisation.~~

(c) Crediting. Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot in command in such aircraft up to a maximum of 10 hours. In this case, the requirement for dual instruction in (a)(1) shall be reduced proportionally, but in any case to not less than 20 hours.

Justification:

It was clear from the beginning that the LPL was not going to receive credits towards the PPL. This is not acceptable as a shorter and less safer (as there is less training required) route is open to get a JAR license. ECA therefore requests to delete paragraph (b).

The same comment will be done for FCL.210.H, including that the training must be done in a training course in a ATO, same as for aeroplane.

Credits for higher licenses could only be granted if the training was done by professional pilots, not by LPL instructors, as a safety guaranty that the instructor has the competency necessary so when credits to instruction are given for a specific requirement, everything is taken into account. You cannot ask requirements for the instructors on parts of the PPL or CPL training (being CPL, certain amount of experience, ratings and training), when in another paragraph credits are given to training done by lower competent instructors, no matter if the type of training was the same, which actually is not even the case. This regulation lacks of consistency on the instructors requirements, just because of a wrong philosophy of letting each license to have its own instructors. Leadership, respect, liability and responsibility of the instructor cannot be achieved when you allow instructors holding such little amount of training, compared to the student.

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with your proposal and will keep paragraph (b) in order to allow an LPL(A) holder with this "up-grade" to step into the PPL-CPL system.

There is no safety related reason provided so far which could be used to justify why an experienced LPL(A) licence holder should not be allowed to receive further training and undergo the same skill test as the PPL(A) pilot in order to receive the full PPL privileges. It should be highlighted that this route will not be "shorter and less safer" as it will require at least the same amount of training (and all the contents) like for the PPL(A). In most cases these pilots will have completed a lot more flying hours when applying for the PPL licence.

Furthermore, the Agency would like to highlight that this option of giving credits for the LPL against the PPL was never excluded during the drafting process of these Implementing Rules. The subgroup developing the LPL asked the Agency explicitly to create a modular approach which will allow to start with an LPL and continue with other "higher" licences.

comment

5333

comment by: UK CAA

Paragraph:

	<p>210.A(c) Page No: 19 Comment: No extra credit is given for SPL holders with TMG extension. Justification: Extra credit was given to LPL(S) holders with TMG extension upgrading to LPL(A) Proposed Text: (if applicable) Consider extra credit in line with 110.A(c)</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees with your proposal to add an additional crediting requirement for the LPL(S) holders with a TMG extension and will incorporate a specific paragraph. The text will read as follows:</p> <p>(c) Applicants holding an LPL(S) with a TMG extension shall have completed at least 24 hours of flight time as PIC on TMGs after the endorsement of the TMG extension. Additionally, the applicants shall have completed 15 hours of flight instruction on aeroplanes in a training course at an approved training organisation including at least the required training in (a)(2).</p>
comment	<p>5338 comment by: UK CAA</p> <p>Paragraph: 210.A(b) Page No*: 19 Comment: Upgrade from LPL(A) to PPL(A) is unclear. Do the requirements of 210.A(a) have to be met in addition to 210.A(b)? Justification: If not then the upgrade does not include a 150NM cross-country flight and so the licence will not be in accordance with ICAO Annex 1 requirements Proposed Text: (if applicable) Amend 210.A(b) to read: In addition to the requirements of 210.A(a), applicants for a PPL(A) holding a . . .</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>For the "upgrade" from an LPL(A) to an PPL(A) only the requirements in FCL.210.A (b) have to be met and not the requirements in (a).</p> <p>The comment is right when stating that some of the solo time requirements are missing in this proposal. The Agency decided therefore to redraft (b) in order to address this and to include at least the missing 4 hours of solo flight time, the 2 hours solo cross country flight time and the cross country flight of at least 270 km with two full stop landings in between.</p> <p>The same will be done with the additional paragraph for the upgrade of an</p>

LPL(S) holder with TMG extension.

comment

5339

comment by: UK CAA

Paragraph:

FCL.210(a)

Page No:

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Comment:

Requirement should be specific about the proportion of the 5 hours Instrument Flying requirement that can be completed on an FSTD.

Justification:

JAR FCL precluded any of the Instrument Flying to be conducted on an FSTD in that it was included in the 35 hours requirement to be flown on the aircraft. EASA FCL infers it can all be flown on a FSTD. The FSTD is useful for simulating poor weather/Uas; However, as it is not type specific, it is suggested that 3 out of 5 hours can be on a FSTD.

Proposed Text:

(if applicable)

3 hours of the 5 hours IF requirement may be conducted on an FSTD

response

Noted

Thank you for providing your opinion.

However, the Agency does not understand the meaning behind this comment as there was no requirement in JAR-FCL for the PPL(A) for a specific 5 hours instrument training. Such a requirement is only required for the PPL(H).

The comment might have been addressed to the wrong segment only. Please see the responses on this subject in the appropriate segment.

comment

5360

comment by: CAA Belgium

Comment: 270 km = 146 NM. Consequently, this is two different values.

Proposal: Exclude the value expressed in km, and just use NM.

response

Not accepted

Thank you for providing your opinion.

Please see the response to comment No. 1093 in the same segment above.

comment

6200

comment by: CAA Finland

FCL.210.A(a)(1):

Harmonization with better defined text on helicopter:

(1) 25 hours of dual instruction, **including at least 5 hours instrument dual instruction time**; and

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree and will not introduce specific instrument

training for the PPL holder. Please see also the response provided to the comment No. 3744 (ANSI) in the same segment above.

comment 6267 comment by: *Werner LADNER*

Refer to FCL.210.A (c)

The skill sets for sailplane, aeroplane, TMG and 3-axis control microlight are similar. So crediting can be increase up to maximum of 20 hours.

I suggest to change FCL.210.A(c)

Crediting. Applicants hold a pilot licence for **sailplane, TMG or 3-axis control microlight** shall be credited with 10% of their total flight time as pilot-in-command up to maximum of **20 hours**. In this case, the requirement for dual instruction in (a)(1) shall be reduced proportionally, but in any case to not less than **15 hours**.

response *Not accepted*

Thank you for providing your opinion on the crediting for specific aircraft categories. Please see the response provided to comment No. 4303 in the same segment above.

comment 6283 comment by: *Axel Schwarz*

5 hours of instrument dual instruction time are missind (cf. FCL.210.H).

response *Noted*

Thank you for your opinion and the proposal to add 5 hours dual instrument instruction. Please see the response to comment No. 6200 (CAA Finland) in the same segment above.

comment 6480 comment by: *Royal Swedish Aeroclub*

A limit of 6 hour cross-credit is far to low.

A pilot who has flown several hundred hours in an other category has an appreciable experience and would only need

a check out flight on the new aircraft. In KSAK's view that 10% cross credit flying time, even though low could be the baseline. It should be up to the flying school that determine how extensive an additional training is needed. Microlights are not mentioned. Our decided opinion is that microlight flying experience should be treated in the same manner as "experience from any other category aircraft" In Sweden the number of PPL holders are decreasing. Increasing costs play a big role. An increasing number of flying clubs are substituting normal category aeroplanes for microlight aeroplanes . Microlight pilots therefore form a very important recruiting entity. A high-time microlight pilot, will easily be turned into a very experienced Basic LPL pilot.

response *Noted*

Thank you for providing your opinion.

However, the Agency would like to highlight first that a maximum amount of 10 hours credit is proposed in FCL.210.A.

Please see the response provided to comment No. 4303 in the same segment

above.

comment **6490** comment by: *IAOPA Europe*

Crediting of holders of other licenses should be competency based. A pilot with thousands of hours flying a glider will relatively easy be able to convert to a powered aircraft and should get credited accordingly.

The current proposal with just 10 percent of the total flight time required is way too rigid.

response *Noted*

Thank you for providing your opinion.

Please see the response provided to comment No. 4303 in the same segment above.

comment **6990** comment by: *AOPA Germany*

EASA FCL .210.A (a)

Taking into account the high realism and training effect of these devices we recommend the number of hours that may be completed on a FSTD is increased from 5 to 10.

response *Not accepted*

Thank you for providing your opinion.

Although the Agency in general agrees that the use of FSTDs has certain advantages, it will not change the maximum acceptable amount of instruction on FSTDs based on the fact that ICAO Annex 1 limits this also to 5 hours only (2.3.3.1.1.). This PPL should be ICAO compliant - therefore the requirement will be kept.

comment **7662** comment by: *Otto Fahsig*

I recommend that applicants for PPL(A) may complete up to 10 h in a FSTD. This will make the training more cost effectively, will save the environment and will avoid unnecessary CO₂-emissions. Nowadays FSTDs are very realistic and helpful for flight instructors.

response *Not accepted*

Thank you for providing your opinion.

Please see the response provided to comment No. 6990 in the same segment above.

comment **8022** comment by: *Ingo Wiebelitz*

Der TMG muß berücksichtigt werden.

response *Noted*

Thank you for your comment.

However, as your statement "do consider the TMG" is very general without providing any clarification or justification the Agency does not know how to address it.

It should be highlighted that an additional crediting requirement for the LPL(S) holder with TMG extension will be incorporated.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 3: Specific requirements for the PPL helicopters - FCL.205.H PPL(H) - Privileges

p. 19

comment 127 comment by: *Aero-Club of Switzerland*

To (a): Same remark as for PPL(A)

response *Noted*

Thank you for providing your opinion.

Please see the response provided to your comment in the segment for FCL.205.A.

comment 290 comment by: *CAA Belgium*

(b) should be deleted for not being in conformity with Annex 1

response *Not accepted*

Thank you for providing your opinion.

Your proposal is to delete the privilege in (b) based on the fact that this would be in contradiction with the ICAO SARPS.

The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation, the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment 322 comment by: *Rod Wood*

I positively endorse the return to allowing a PPL with FI to receive remuneration for instructing. This route to hours building available in the UK before 2000 allows pilots to gain a great deal of experience through instruction whilst studying for the CPL ground exams prior to completing the modular CPL course. The end result is a pilot eminently employable in the on-shore or off-shore environment.

response

Noted

Thank you for providing this positive feedback and support for the Agency's proposal to allow a PPL holder with FI certificate to receive remuneration for providing flight instruction.

The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation, the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment

626

comment by: *British Microlight Aircraft Association*

Accepted

response

Noted

Thank you for providing this feedback.

comment

1061 ❖

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)***Comment:**

The holder of a PPL-FI for LPL and/or PPL should only receive remuneration for flight instructions if the holder has passed the theoretical examination for CPL in the appropriate category of aircraft.

If the holder has passed a CPL theoretical examination, he/she has the same education as an FI who holds a CPL except, perhaps, medical certificate class 1. In JAR-FCL 1 and 2, an FI shall have passed the theoretical examination for a CPL and we should keep that requirement. The only reasons for allowing an FI to hold a PPL is due to medical reasons, where an FI has lost his/hers medical class 1.

Proposal:

FCL.205.A (b) Notwithstanding the paragraph above, the holder of a PPL(A) may receive remuneration for the provision of flight instruction for the LPL(A) or the PPL(A) if the holder has passed the theoretical examination for a CPL (A).

FCL.205. H (b) Notwithstanding the paragraph above, the holder of a PPL(H) may receive remuneration for the provision of flight instruction for the LPL(H) or the PPL(H)) if the holder has passed the theoretical examination for a CPL (H).

response

Partially accepted

Thank you for providing your opinion.

Your proposal is to allow a PPL holder with FI certificate to receive

remuneration for providing flight instruction only if he/she has passed the theoretical examination for the CPL.

The Agency has added this requirement in (b) during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation, the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

Furthermore, the Agency will incorporate the CPL theoretical knowledge requirement for FIs based on the amount of comments received asking for this and based also on the fact that the ICAO SARPs ask for such a level of theoretical knowledge for the instructor.

comment **3163** comment by: *Susana Nogueira*

(b) Delete the paragraph.

Justification: Is not in accordance with ICAO Annex 1

response *Not accepted*

Thank you for providing your opinion.

Please see the response provided to comment No. 290 (CAA Belgium).

comment **3315** comment by: *DGAC FRANCE*

FCL 205.H

Justification :

The number of hours required to obtain the licence doesn't allow to acquire the skills for performing safely landings and take off on and from confined areas. These areas can be near metropolitan area, the regulations must also preserve people on the ground.

After an accident with several victims, our accident investigation inspector recommended to create a specific authorisation.

This authorisation is given when the applicant has gained flight experience (70 h) to be considered as mature enough and completed an additional training (theoretical training and 5 dual flight instruction hours).

Modification :

FCL.205.H PPL(H)- Privileges

The privileges of the holder of a PPL for helicopters are to act without remuneration as pilot-in-command or co-pilot of helicopters engaged in non-commercial operations, **using aerodromes only for take off and landing.**

response *Not accepted*

Thank you for providing your opinion.

The Agency has discussed and reviewed the issue of introducing a limitation

excluding operations from and to confined areas. As there cannot be introduced another specific rating or authorisation for operations from and to confined areas, the Agency will keep it as a privilege of the PPL. The "confined area" training was already part of the JAR-FCL training syllabus and no other comment is proposing a change. Based on discussions with helicopter experts, the Agency decided to keep the requirement as it is but to emphasise the training for confined areas in the AMC material containing the training syllabus. As this exercise will be also part of the skill test the Agency is of the opinion that the issue is already addressed in the right way.

comment **4194** comment by: *SFG-Mendig*

Selbstkostenflüge müssen wieder möglich sein, dies erhöht die currency und somit die Sicherheit.

response **Noted**

Thank you for providing your opinion.

However, as already stated in several responses provided to your comments on the same issue in other segments the Agency would recommend studying the responses provided.

As already stated before the Agency cannot solve in FCL.205.H the problem if certain kind of operations (e.g. the so called "cost sharing flights") must be treated as commercial flights or remunerated flights or not. Based on the ICAO definition for the privilege of a Private Pilot Licence, the wording ("act without remuneration ... in non-commercial operations") proposed will be kept unchanged.

comment **4919** comment by: *ECA- European Cockpit Association*

Comment: delete paragraph:

~~(a) The privileges of the holder of a PPL(H) are to act without remuneration as pilot in command or copilot of helicopters engaged in noncommercial operations.
(b) Notwithstanding the paragraph above, the holder of a PPL(H) may receive remuneration for the provision of flight instruction for the LPL(H) or the PPL(H).~~

Justification:

Same justification as for comment 4776.

To deliver an acceptable level of Training, an Instructor shall hold at least a C.P.L. in any case. This text is non ICAO compliant, differs from JARs with no safety justification; private is private. That is why we have professional licenses.

EASA needs, on the RIA about social aspects, to check legality of the paragraph. This provision is illegal in many countries in the EU, not only by a safety law, but also other labour and social laws. All pilots who wish to be paid for their work have to have at least a CPL. ECA thinks EASA cannot derogate all these laws without justification.

See ECA general comments on Subpart J. Instructors

response **Not accepted**

Thank you for providing your comment.

However, the Agency does not agree with the proposal to delete (a) because this is based on the wording used in the ICAO SARPS and was also used in JAR-FCL. As the PPL(H) has to have some privileges (a) will be kept unchanged.

Regarding your proposal to delete (b), please see the response provided to comment No. 290 (CAA Belgium).

Furthermore, the Agency would like to highlight that the issue of holding a CPL when providing flight instruction for the PPL is a different issue. This has to be clarified in Subpart J where you will find the prerequisites for the FI. Please see also the responses provided for the comments in the appropriate segment. The Agency will re-introduce the CPL TK requirement but will not require a full CPL to provide flight training for the PPL because this is not seen as necessary.

comment

5330

comment by: UK CAA

Paragraph:

FCL.205.H – PPL(H) Privileges

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Comment:

There is no mention of the type of helicopter or certificated seating capacity of the helicopter used for PPL(H) training. JAR-FCL 2 was quite specific that the training must be completed on a single-engine helicopter with a certificated seating capacity of not more than 4 persons.

Justification:

Clarification

response

Not accepted

Thank you for providing your opinion.

However, JAR-FCL 2.110 does not mention any specific limitation of the privileges of the PPL(H) to SE helicopters or a specific maximum seating capacity.

In JAR-FCL 2.125 (Training Course) it is mentioned that a registered facility is limited to provide training only on such helicopters but no general limitation for the flight training is given.

The Agency cannot see a reason why the wording used in FCL.210.H or FCL.205.H should be amended in such a way as it was not the case under the JAR system and complies with the ICAO SARPs.

The issue might be discussed again during the review phase of the requirements for training organisations (Part OR).

comment

5332

comment by: UK CAA

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Comment:

Does not list requirement to hold an FI Certificate to give instruction.

Justification:

Clarification

Proposed Text:**(if applicable)**

	<p>..... above, a PPL(H) holder with a FI certificate may..... (Also applies to FCL.205A)</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for your opinion.</p> <p>The Agency realised that the wording used in (b) could lead to the interpretation that a PPL holder without an additional FI certificate would be allowed to provide flight instruction. This is definitely not the case as FCL.900 clearly states that "a person shall not carry out flight instruction in aircraft unless he/she holds ... an instructor certificate..".</p> <p>In order to make this even more clear, the Agency will add the following wording: "..PPL(H) with instructor or examiner privileges..".</p>
comment	<p>5957 comment by: <i>Luftsport-Verband Bayern</i></p> <p>Eine Klarstellung ist erforderlich, dass unter "Remuneration" lediglich die Entlohnung der Dienstleistung und nicht ein Kostenbeitrag zu den Betriebskosten des Lfz. zu verstehen ist. Eine Erstattung tatsächlich entstandener Kosten muss möglich sein.</p>
response	<p><i>Not accepted</i></p> <p>The Agency acknowledges they opinion expressed. Please see the response to your comment No. 5956 and the response provided to comment No. 4194 in the same segment above.</p>
comment	<p>6282 comment by: <i>DCAA</i></p> <p>Remuneration for PPL is not in accordance with the ICAO standard</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response provided to comment No. 290 (CAA Belgium).</p>
comment	<p>6362 comment by: <i>Johann Friedrich</i></p> <p style="text-align: center;">SECTION 3 Specific requirements for the PPL helicopters – PPL(H)</p> <p>FCL.205.H PPL(H) Privileges</p> <p>(a) The privileges of the holder of a PPL(H) are to act without remuneration as pilot incommand or copilot of helicopters engaged in noncommercial operations and in providing flight instructions.</p> <p>(b) Notwithstanding the paragraph above, the holder of a PPL(H) may receive remuneration for the provision of flight instruction for the LPL(H) or the PPL(H).</p> <p>Comment: FCL.205.H (a) Delete "Without remuneration" add: "and in providing flight instructions"</p>

Delete FCL.205.H (b) completely.

Reason: FCL.205.H (a) violates the Anti-Discrimination Law insofar as it discriminates pilots engaged in non-commercial operations against those providing flight instruction.

response *Not accepted*

Thank you for providing your opinion.

Please see the response provided to comment No. 290 (CAA Belgium).

comment 6487 ❖

comment by: *IAOPA Europe*

It is unclear if "without remuneration" also excludes cost sharing between pilots and passengers.

It should be clarified that cost-sharing is allowed. This is common and necessary practice in General Aviation.

IAOPA strongly support the initiative to allow the holder of a PPL to receive remuneration for the provision of flight instruction for the LPL and PPL.

This will attract more people into General Aviation and help provide more instructors. Further it may even improve the quality of instruction, since people instructing based on their PPL will typically be more experienced and instruct out of dedication.

response *Noted*

Thank you for providing your opinion.

Regarding your first comment, please see the response to comment No. 4194 in the same segment above. Based on this the text in (a) will be kept unchanged.

Thank you also for providing the positive feedback on the Agency's proposal to introduce the new requirement in (b) which will allow the PPL-FI to receive some remuneration for providing flight instruction. The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will revitalise General Aviation, the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment 7017

comment by: *CAA Norway*

FCL.205.H(b)

The possibility for a PPL holder to receive remuneration is not in line with ICAO, and should be deleted.

It is also unclear why the proposal is limited to instructing for the LPL(H) and PPL(H). If the proposal stays in, why is it excluding instruction for other ratings? E.g. mountain rating, type ratings, difference training, etc?

response *Not accepted*

Thank you for providing your opinion.

Please see the response provided to comment No. 290 (CAA Belgium). Regarding your question on remuneration for providing the training for ratings, it should be highlighted that this will be included.

comment

7101

comment by: *DGAC FRANCE*

FCL 205.H (b) PPL(H)

Justification :

This paragraph is without any doubt in deviation with ICAO Annex 1.

This deviation is not suggested in the basic regulation 216/2008 ; this subject exceeds the EASA prerogatives.

Modification :

Deleted paragraph (b)

response *Not accepted*

Thank you for providing your opinion.

Please see the response provided to comment No. 290 (CAA Belgium).

comment

7267

comment by: *Peter Holland*

FCL.205.H PPL(H) Privileges

Allowing a PPL to instruct is a very good idea - it was too onerous to have to first achieve a CPL if one simply wanted to instruct. Similarly, it removed the opportunity for hour building that those wanting to reach CPL and ATPL traditionally used instructing to do, and once they have their CPL or ATPL why would they work as an instructor, the remuneration does not compare.

However, I am struggling to see the benefit of holding a PPL(H) over an LPL(H). Very few private pilots will fly aircraft of over 2000kg, nor carry more than 3 passengers. So really it will only be the turbine/multi engine pilots that pursue a PPL. But in FCL.720.H you make the multi-engine rating very difficult to achieve thus both the above will encourage the use of the less safe single engine piston machines on an LPL.

Maybe there should not be an LPL for helicopters. There is no question they are more difficult to learn, are intrinsically unstable and require a far greater technical knowledge, experience level and currency level than aeroplanes.

response *Noted*

Thank you for providing your comment. As this comment is a copy of other comments you addressed already to other sections, please refer to the

responses given in the other segments.

Please read the responses to comment No. 7071 or No. 6206 and to comment No. 290 (CAA Belgium) in the same segment above.

comment	7652	comment by: <i>Cristian Olinescu</i>
	(b) <u>should be deleted for not being in compliance with Annex 1.</u>	
response	<i>Not accepted</i>	
	Thank you for providing your opinion.	
	Please see the response provided to comment No. 290 (CAA Belgium).	

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 3: Specific requirements for the PPL helicopters - FCL.210.H PPL(H) - Experience requirements and crediting

p. 20

comment	230	comment by: <i>Irish Aviation Authority</i>
	FCL 210 H, Exercise 28a syllabus, page 348, includes night flying. For single engine helicopters, Class 3, this contravenes National legislation and ICAO Annex 6 Part III Attachment A page ATT A 5 paragraph 2.3.2. JS 21 8 08	
response	<i>Noted</i>	
	Thank you for providing your comment.	
	However, the comment seems to be addressed to the wrong segment as FCL.210.H is dealing with the experience requirements and night flying is definitely not mentioned as a mandatory training item for the PPL(H).	
	It seems that you are referring only to the AMC to FCL.210.H. Please check also the responses provided to that segment and the resulting text.	
	The mentioned AMC contains the flight instruction for the PPL(H). Exercise 28a and 28b deal with Night Flying but the text clearly states: "if night rating required". As the night rating will not be part of the normal training syllabus, the PPL training can be provided on a single-engine helicopter (Class 3). If a certain aircraft class or type is excluded from certain kind of operations based on national legislation, this aircraft cannot be used for the specific training. This means in your case that the training for the night rating (see also FCL.810 (b) on helicopters has to be provided with a different helicopter type.	
	No text change is therefore required in FCL.210.H or in FCL.810.	

comment	317	comment by: <i>CAA Belgium</i>
	TO BE ADDED IN SECTION 3: recency requirements for PPL(H)	
	(c) no such credit should be given, the flight time minimum already being quite low.	

Furthermore, what is the meaning of "proportionally" ? Proportional to what ?

response *Not accepted*

Thank you for providing your opinion.

Regarding your first comment, please see also the response provided to your comment on FCL.210.A as the same issue is addressed. Because of the fact that all the revalidation criteria are contained in Subpart H (class- and type rating) the Agency does not see a need to incorporate an additional requirement in this subpart.

The second comment is questioning the proposed 6 hours credit. As this credit is taken over from JAR-FCL and no specific problems are known, the requirement will stay as it is.

The third comment is not understood as the word "proportionally" is not used in this requirement FCL.210.H.

comment 323

comment by: *Rod Wood*

In (a) (1) remove the 5 hours IF requirement from the syllabus. It has already been omitted from the (A) syllabus. IF has proved to be of no benefit during its period of inclusion during the JAR years and indeed may have been a contributory factor in some accidents through inducing a degree of over confidence. I do believe that one hour of IF experience with no instruction trying to clarify the ease with which disorientation is achievable would be of benefit and actively discourage flying in marginal conditions. By removing it of course enables the helicopters to return to one simple non-professional licence - the PPL(H).

See also comment 274 against FCL 105.H LPL(H)

response *Accepted*

Thank you for providing your opinion.

Based on the fact that a lot of comments are addressing this issue, the Agency discussed the topic of instrument instruction again during the review phase.

The requirement proposed is based on JAR-FCL 2 and you will also find a recommendation in the ICAO SARPs asking for some dual instrument instruction but not specifying the amount of hours to be provided. ICAO Annex 1 further specifies that this training should ensure that the applicant has operational experience in flight by reference solely to instruments, including the completion of a level 180° turn, in a suitably instrumented helicopter. As the proposed 5 hours instrument training will definitely not qualify the student pilot to fly a helicopter safely in IMC but could lead to a certain complacency and misjudgement by the student pilot believing that such a situation could be handled with this training, the Agency came to the conclusion that the training requirements for the PPL(A) and PPL(H) should be aligned.

The proposed requirement for 5 hours instrument instruction will be deleted but an additional exercise will be added to the training syllabus in the AMC material requiring the instructor to perform with the student at least one flight by reference solely to instruments, including the completion of a level 180° turn, in a suitably instrumented helicopter.

comment	<p>627 comment by: <i>British Microlight Aircraft Association</i></p> <p>(a) accepted (b) Should include a credit for BLPL(H) holders. (6) Credit for other licences should be more than 6 hours. Minimum of 10 hours credit.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your input.</p> <p>It was decided to delete the Basic LPL for the category helicopter. Please see the responses provided to the appropriate segment for FCL.105.BA/H and the resulting text. This will mean that there is no need for a specific crediting any more (as proposed with your comment).</p> <p>Your third comment on the general crediting rule was discussed with the helicopter experts when reviewing the comments. It seems that experience on other aircraft categories might be credited but not to a higher extent as already proposed. Based on this the Agency decided not to change the numbers provided in (c) and to keep the numbers which were introduced with JAR-FCL.</p>
comment	<p>3252 comment by: <i>PPL/IR Europe</i></p> <p>As commented on in the LPL(H) section, we believe the credit for flight in other categories of aircraft should be 10% of total flight time up to a maximum of 15hrs</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your input.</p> <p>Your comment on the general crediting rule (which is based on JAR-FCL 2) was discussed with the helicopter experts when reviewing the comments. It seems that experience on other aircraft categories might be credited but not to a higher extent as already proposed. Based on this, the Agency decided not to change the numbers provided in (c).</p>
comment	<p>3406 comment by: <i>NACA</i></p> <p>FCL.210.H (a)</p> <p>1. The term FSTD is not defined in this Part. Suggest to define and state which STD's may be used (FNPT 1 or 2, A/H etc).</p> <p>FCL.210.H (a) (1) and (b)</p> <p>1. Most helicopters used for PPL training are not fully equipped for instrument training making those 5 hours dual instrument instruction time extremely suited for STD training. To make this clear and to prevent future discussions we suggest to amend those two article likewise.</p>
response	<p><i>Partially accepted</i></p>

Thank you for providing your opinion.

The term FSTD is already defined in the Basic Regulation EC 216/2008. This is the reason why the definition was not repeated within these Implementing Rules.

However, the comment is right when stating that the expression "FNPT or flight simulator" was used in JAR-FCL 2 in regards to this requirement. The Agency will change the wording used and will go back to the expression used already in the JARs in order to clarify the issue.

Regarding your second comment, the Agency does understand that your proposal is to specify that the required 5 hours dual instrument instruction time can be completed in a flight simulator or FNPT. As the text was proposed this would have been possible as the 5 hours which may be completed in an FNPT or flight simulator are mentioned in the general paragraph (a) which includes (1).

However, based on the fact that a lot of comments are addressing the issue of the required 5 hours instrument training the Agency discussed the topic again during the review phase.

The requirement proposed is based on JAR-FCL 2 and you will also find a recommendation in the ICAO SARPs asking for some dual instrument instruction but not specifying the amount of hours to be provided. ICAO Annex 1 further specifies that this training should ensure that the applicant has operational experience in flight by reference solely to instruments, including the completion of a level 180° turn, in a suitably instrumented helicopter. As the proposed 5 hours instrument training will definitely not qualify the student pilot to fly a helicopter safely in IMC but could lead to a certain complacency and misjudgement by the student pilot believing that such a situation could be handled with this training the Agency came to the conclusion that the training requirements for the PPL(A) and PPL(H) should be aligned.

The proposed requirement for 5 hours instrument instruction will be deleted but an additional exercise will be added to the training syllabus in the AMC material requiring the instructor to perform with the student at least one flight by reference solely to instruments, including the completion of a level 180° turn , in a suitably instrumented helicopter.

comment

3649

comment by: *Helicopter Club of Great Britain*

In FCL.210.H Helicopters (a) (1) There should NOT be 5 hours instrument instruction time for the PPL(H).

In its place should be 5 hours of training in the recognition of deteriorating weather conditions of cloudbase and visibility, and training in the necessary actions such as to turn around 180 degrees, divert or make a precautionary landing.

Reason: There are increasing numbers of light helicopter accidents, usually fatal, caused by visual flight into IMC. It may be that pilots think they can handle IMC because of their 5 hours training. IMC helicopter flight is ALWAYS avoidable if the pilot is trained in weather recognition and avoidance action as detailed above.

Training PPL(H) students in instrument flight is extremely dangerous as it gives

them the impression that it is acceptable to enter IMC conditions. The strict training should be to avoid IMC helicopter flight at all costs.

This is different from fixed wing flight, because the helicopter can always stop and land.

response *Partially accepted*

Thank you for providing your comment on the required instrument instruction time.

Please see the response provided to comment No. 323 (R. Wood) in the same segment above.

Your additional proposal of adding exercises addressing training in the recognition of deteriorating weather conditions or how to make a precautionary landing was also discussed during the review. Most of the mentioned items are already mentioned in the AMC material. Please check the AMC to this requirement and you will discover in exercise 22a (Navigation) and in exercise 22b (which is "Navigation problems in reduced visibility") the following training items:

- minimum weather conditions to continue the flight
- in flight decisions
- bad weather circuits
- appropriate procedures and choice of landing area

Comparing the syllabus for the PPL(H) with the one for PPL(A), only the exercise "precautionary landing" is missing. The issue was reviewed carefully and the Agency decided to incorporate an additional exercise in the AMC with the title "precautionary landing" also for the PPL(H) syllabus.

comment 3697

comment by: *John Matchett*

Suggest " 5 hours training in deteriorating weather conditions of visibility such that it is necessary to undertake a 180 degree turn, or make a precautionary landing " replaces "instrument instruction time". Pilot need training in weather recognition and rules for avoiding IMC flight. Student helicopter pilots need to learn IMC flight is extremely dangerous and needs to be avoided at all times.

response *Partially accepted*

Thank you for providing your comment on the required instrument instruction time.

Please see the responses provided to comment No. 323 (R. Wood) and to comment No. 3649 (Helicopter Club of Great Britain) in the same segment above.

comment 4022

comment by: *Jonathan Schenck*

The requirement for 5 hours instrument dual instruction time can I feel lead to PPL pilots gaining the impression that it is acceptable to occasionally fly in IMC. Such flight is exceedingly dangerous and is to be avoided at all costs.

The time would be better spent in teaching PPL students how to recognise

	approaching IMC and what to do to avoid entering it.
response	<p><i>Noted</i></p> <p>Thank you for providing your comment on the required instrument instruction time.</p> <p>Please see the responses provided to comment No. 323 (R. Wood) and to comment No. 3649 (Helicopter Club of Great Britain) in the same segment above.</p>
comment	<p>4043 comment by: <i>Paul Arditti</i></p> <p>Because helicopters are so versatile the leisure pilot should not stray in to IMC or should be able to remedy such a mistake IMMEDIATELY. The answer to weather related accidents lies therefore in practical training in weather recognition and avoiding action; not instrument instruction time. A helicopter can always stop and land and therefore the 5 hours training should be devoted to exploiting these attributes of the heliopter.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment on the required instrument instruction time.</p> <p>Please see the responses provided to comment No. 323 (R. Wood) and to comment No. 3649 (Helicopter Club of Great Britain) in the same segment above.</p>
comment	<p>4065 comment by: <i>Q Aviation Ltd</i></p> <p>In FCL.210.H Helicopters (a) (1) There should NOT be 5 hours instrument instruction time for the PPL(H). In its place should be 5 hours of training in the recognition of deteriorating weather conditions of cloudbase and visibility, and training in the necessary actions such as to turn around 180 degrees, divert or make a precautionary landing.</p> <p>Reason: There are increasing numbers of light helicopter accidents, usually fatal, caused by visual flight into IMC. It may be that pilots think they can handle IMC because of their 5 hours training. IMC helicopter flight is ALWAYS avoidable if the pilot is trained in weather recognition and avoidance action as detailed above.</p> <p>Training PPL(H) students in instrument flight is extremely dangerous as it gives them the impression that it is acceptable to enter IMC conditions. The strict training should be to avoid IMC helicopter flight at all costs.</p> <p>This is different from fixed wing flight, because the helicopter can always stop and land.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment. As it is a copy of comment No. 3649, please see the response provided already to comment No. 3649 in the same segment above.</p>

comment	<p>4178 comment by: <i>jara aviation ltd</i></p>
	<p>In FCL.210.h Helicopters (1)(A). The instrument training time of 5 hours should be dropped. It is an encouragement for a pilot to enter IMC because he/she believes they have been trained to cope, instead of turning 180 degrees or making a precautionary landing. In it's place should be 5 hours comprehensive training for the early recognition of IMC and how to avoid entry. This is different to fixed wing aircraft because a helicopter can terminate its flight and land before entry into IMC</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the required instrument instruction time.</p> <p>Please see the responses provided to comment No. 323 (R. Wood) and to comment No. 3649 (Helicopter Club of Great Britain) in the same segment above.</p>
comment	<p>4263 comment by: <i>Leisure and Retail Helicopters</i></p> <p>In FCL.210.H Helicopters (a) (1) There should NOT be 5 hours instrument instruction time for the PPL(H). In its place should be 5 hours of training in the recognition of deteriorating weather conditions of cloudbase and visibility, and training in the necessary actions such as to turn around 180 degrees, divert or make a precautionary landing.</p> <p>Reason: There are increasing numbers of light helicopter accidents, usually fatal, caused by visual flight into IMC. It may be that pilots think they can handle IMC because of their 5 hours training. IMC helicopter flight is ALWAYS avoidable if the pilot is trained in weather recognition and avoidance action as detailed above.</p> <p>Training PPL(H) students in instrument flight is extremely dangerous as it gives them the impression that it is acceptable to enter IMC conditions. The strict training should be to avoid IMC helicopter flight at all costs.</p> <p>This is different from fixed wing flight, because the helicopter can always stop and land.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing this comment. As it is a copy of comment No. 3649 please see the response already provided to comment No. 3649.</p>
comment	<p>4464 comment by: <i>Dragonfly Aviation</i></p> <p>In FCL.210.H Helicopters (a) (1) There should NOT be 5 hours instrument instruction time for the PPL(H). In its place should be 5 hours of training in the recognition of deteriorating weather conditions of cloudbase and visibility, and training in the necessary actions such as to turn around 180 degrees, divert or make a precautionary landing.</p> <p>Reason: There are increasing numbers of light helicopter accidents, usually</p>

fatal, caused by visual flight into IMC. It may be that pilots think they can handle IMC because of their 5 hours training. IMC helicopter flight is ALWAYS avoidable if the pilot is trained in weather recognition and avoidance action as detailed above.

Training PPL(H) students in instrument flight is extremely dangerous as it gives them the impression that it is acceptable to enter IMC conditions. The strict training should be to avoid IMC helicopter flight at all costs.

This is different from fixed wing flight, because the helicopter can always stop and land.

response *Partially accepted*

Thank you for providing this comment.

As it is a copy of comment No. 3649 please see the response already provided to comment No. 3649 in the same segment above.

comment

4926

comment by: *ECA- European Cockpit Association*

Comment: delete paragraph (b):

(a) Applicants for a PPL(H) shall have completed at least 45 hours of flight time in helicopters, 5 of which may have been completed in a FSTD, including at least:

(1) 25 hours of dual instruction, including at least 5 hours instrument dual instruction time; and

(2) 10 hours of supervised solo flight time, including at least 5 hours of solo crosscountry flight time with at least 1 crosscountry flight of at least 185km (100 NM), with full stop landings at two aerodromes different from the aerodrome of departure.

~~(b) Specific requirements for applicant holding a LPL(H). Applicants for a PPL(H) holding a LPL(H) shall complete 5 hours of dual instrument instruction time.~~

(c) Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot in command in such aircraft up to a maximum of 6 hours.

Justification:

It was clear from the beginning that the LPL was not going to receive credits towards the PPL. This is not acceptable as a shorter and less safer (as there is less training required) route is open to get a JAR license. ECA therefore requests to delete paragraph (b).

This is the same comment as for FCL.210.A, including that the training must be done in a training course in a ATO, same as for aeroplane.

Credits for higher licenses could only be granted if the training was done by professional pilots, not by LPL instructors, as a safety guaranty that the instructor has the competency necessary so when credits to instruction are given for a specific requirement, everything is taken into account. You cannot ask requirements for the instructors on parts of the PPL or CPL training (being CPL, certain amount of experience, ratings and training), when in another paragraph credits are given to training done by lower competent instructors, no matter if the type of training was the same, which actually is not even the case. This regulation lacks of consistency on the instructors requirements, just because of a wrong philosophy of letting each license to have its own instructors. Leadership, respect, liability and responsibility of the instructor cannot be achieved when you allow instructors holding such little amount of

	<p>training, compared to the student.</p>
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 and will keep paragraph (b) in order to allow an LPL(H) holder with this "up-grade" to step into the PPL-CPL system.</p> <p>There is no safety related reason provided so far which could be used to justify why an experienced LPL(H) licence holder should not be allowed to receive further training and undergo the same skill test as the PPL(H) pilot in order to receive the full PPL privileges. It should be highlighted that this route will not be "shorter and less safer" as it will require nearly the same amount of training (40 hours instead of 45 - the only exercise missing is the 180° by reference solely to instruments) like for the PPL(H). In most cases these pilots will have completed a lot more flying hours when applying for the PPL licence.</p> <p>Furthermore the Agency would like to highlight that this option of giving credits for the LPL against the PPL was never excluded during the drafting process of these Implementing Rules. The subgroup developing the LPL asked the Agency explicitly to create a modular approach which will allow to start with an LPL and continue with other "higher" licences.</p> <p>The second issue mentioned, the qualification of the instructor, is not covered in this paragraph FCL.210.H as it is not addressing the prerequisites of the FI. You will find all these requirements in Subpart J. Please see also the responses provided to your comments in these segments. The question of competency of an instructor and needed experience will be answered there.</p>
comment	<p>5341 comment by: UK CAA</p> <p>Paragraph: FCL.210H (a)</p> <p>Page No: 20 of 647</p> <p>Comment: Requirement should be specific on the minimum amount of instruction required on the aircraft type to be used for the test.</p> <p>Justification: JAR FCL was specific on the minimum training to be completed on one type i.e. 35 out of the 45 training hours required</p> <p>Proposed Text: (if applicable) at least, on one type;</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees with your proposal to introduce a minimum amount of flight time on the type used for the skill test and will incorporate a new requirement which will clarify that 35 hours shall be completed on the type used for the skill test.</p>

comment	<p>5370 comment by: <i>Aerovision</i></p> <p>Why "except balloons"? There is no safety justification in excluding balloons, but not, say, airships and sailplanes on this matter.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency transferred most of the JAR-FCL requirements into the new system. The requirements describing the rules for the crediting are taken from there. Discussing this issue with the helicopter experts, it seems that previous flight experience on balloons does not really have an impact on the abilities to fly a helicopter whereas some kind of experience on sailplanes or airships do have an impact and should be therefore credited. This is the reason why the Agency will keep the requirement unchanged.</p>
comment	<p>5627 comment by: <i>Chris Fox</i></p> <p>There should not be a requirement for five hours instrument instruction time for the PPL(H).</p> <p>This training may well give rise to a false sense of competence in instrument flight, resulting in a propensity to press on into deteriorating conditions and eventual IMC, usually with fatal consequences.</p> <p>The time should instead be used for training in the recognition and avoidance of 'incipient IMC' conditions, and using the unique capability of the helicopter to divert or land almost anywhere. The emphasis should be on the avoidance of entering IMC conditions at any time.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment on the required instrument instruction time.</p> <p>Please see the responses provided to comment No. 323 (R. Wood) and to comment No. 3649 (Helicopter Club of Great Britain) in the same segment above.</p>
comment	<p>6364 comment by: <i>Johann Friedrich</i></p> <p>FCL.210.H PPL(H) Experience requirements and crediting [JARFCL 2.120]</p> <p>(a) Applicants for a PPL(H) shall have completed at least 45 hours of flight time in helicopters, 5 of which may have been completed in a FSTD, including at least:</p> <p>(1) 25 hours of dual instruction, including at least 5 hours instrument dual instruction time; and</p> <p>(2) 10 hours of supervised solo flight time, including at least 5 hours of solo cross-country flight time with at least 1 cross-country flight of at least 185km (100 NM), with full stop landings at two aerodromes different from the aerodrome of departure.</p>

~~(b) Specific requirements for applicant holding a LPL(H). Applicants for a PPL(H) holding a LPL(H) shall complete 5 hours of dual instrument instruction time.~~
~~(c) Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot in command in such aircraft up to a maximum of 6 hours.~~

Comment: Delete FCL.210.H (a), (b) and (c) completely

Amend FCL.210.H (a) as follows:

“(a) Applicants for a PPL(H) shall have completed adequate hours of flight time in helicopters and/or FSTDs, to achieve the required skills, including several hours of dual instruction, instrument dual instruction time and supervised solo flight time, with at least 1 crosscountry flight during which full stop landings at two aerodromes different from the aerodrome of departure shall be made.

The number of flight hours to achieve the required skills is assessed by a competent flight instructor for every applicant on an individual basis.”

Reason: FCL.210.A (a, b, and c) violate the principles of subsidiarity, economy and ecology: There are student pilots who need only some hours of flight training due to their natural abilities or previous experience and there are pilots who need many more hours of training to develop the required flying skills. The objectives of the Commission regarding subsidiarity, economy and ecology are better served by delegating more responsibility to flight instructors and abolishing rigid training regulations.

response *Not accepted*

Thank you for providing your opinion.

As you sent similar comment to other segment, please see also the responses provided to these comments.

The Agency is generally in favour with a more competency based approach like the one proposed in your comment. However, as long as the ICAO SARPs ask for a specific amount of hours or take-offs the Agency has to keep the numbers to be ICAO compliant. Based on this the text will be kept unchanged.

comment 6490 ❖

comment by: *IAOPA Europe*

Crediting of holders of other licenses should be competency based. A pilot with thousands of hours flying a glider will relatively easy be able to convert to a powered aircraft and should get credited accordingly.

The current proposal with just 10 percent of the total flight time required is way too rigid.

response *Noted*

Thank you for providing your input.

Your comment on the general crediting rule (which is based on JAR-FCL 2) was discussed with the helicopter experts when reviewing the comments. It seems

that experience on other aircraft categories might be credited but not to a higher extent as already proposed. Based on this, the Agency decided not to change the numbers provided in (c).

comment

6966

comment by: *Arno Glover*

There has long been discussion as to whether or 5 hours instrument training is beneficial to a PPL H holder - my view is that this encourages PPL pilots (usually low time, low experience) to fly outside of the remit of their licence ie; non vmc - helicopters pilots should be taught awareness of what constitutes a non vmc flight and what actions should be taken if they find themselves in that situation (ie, land immediately is an option) - the AAIB accident logs prove this - 5 hours should be spent of awareness techniques and recovery back to VMC flight - there is a material risk that some PPL will think of the 5 hours a proven (licenced) capability to fly in IMC conditions - we should not encourage instrument training in single engine helicopters as part of a PPL H syllabus.

response

Partially accepted

Thank you for providing your comment on the required instrument instruction time.

Please see the responses provided to comment No. 323 (R. Wood) and to comment No. 3649 (Helicopter Club of Great Britain) in the same segment above.

comment

7777

comment by: *Julian darker*

In FCL 210H Helicopters (a) (1)

It is a bad idea to mandate 5 hours instrument instruction time for the PPL (H) as it can never be enough to guarantee getting out of IMC safely. In its place should be 5 hours of training in recognising deteriorating weather conditions and acting upon such recognition such as returning to start point, diverting or making a precautionary landing until the weather improves.

We keep hearing about even experienced pilots flying into cloud near high ground and then hitting it at high speed having lost control due to disorientation.

The relevant training in avoidance of IMC in a single engine helicopter should be the way to go and of course the helicopter can always land which is why we like them for this huge safety characteristic.

response

Partially accepted

Thank you for providing your comment on the required instrument instruction time.

Please see the responses provided to comment No. 323 (R. Wood) and to comment No. 3649 (Helicopter Club of Great Britain) in the same segment above.

comment

7859

comment by: *William Harford*

This proposal has been transferred over from the PPL(A) requirements without due thought being given to the essential differences between aeroplanes and helicopters.

Once trimmed, light aeroplanes are generally stable and will return to the stable state when disturbed. Helicopters are dynamically unstable and all flight path divergences need to be corrected by the pilot.

Thus it is much easier for the pilot of a light aeroplane flying a stable platform to execute a 180 degree turn to escape from instrument flight conditions should they be encountered unexpectedly.

It is much more difficult for the pilot of a helicopter to execute a 180 degree turn in IMC as the helicopter is an unstable platform and control is very easy to lose.

The proposal does not recognise the helicopter's unique ability to land in a very small area before flight conditions deteriorate to the point of IMC.

Pages 344/345/346 detail the instruction syllabus to be followed and whilst 5 hours of instruction are given to Instrument Flight training the ability to recognise deteriorating weather conditions and take effective action is only a short subsection of Exercise 22.

Instrument flight in a helicopter is very difficult and including it in the training syllabus can give a student pilot a false sense of his ability in this demanding flight regime. During flight training the student will have been carefully briefed, the hand over of control is very carefully done and the student has the security of knowing that the instructor will recover any situation before it becomes catastrophic. Loss of visual reference in flight is sudden and will induce panic and over controlling of the helicopter.

Teaching a student helicopter to fly on instruments has the potential to kill them. Teaching a pilot practical means of setting visibility limits, how to recognise the onset of these limits and make a precautionary landing has the potential to save the pilot's life.

response

Noted

Thank you for providing your comment on the required instrument instruction time.

Please see the responses provided to comment No. 323 (R. Wood) and to comment No. 3649 (Helicopter Club of Great Britain) in the same segment above.

It should be highlighted that this requirement has not been transferred from the PPL(A) requirements as such a requirement does not exist for the PPL(A). It was a transfer of the JAR-FCL requirements.

comment

7960

comment by: *Barrie Christie*

In FCL.210.H Helicopters (a) (1)

There should not be 5 hours of instrument instruction time for the PPL(H).

In its place should be 5 hours of training in the recognition of deteriorating weather conditions of VFR minimums, and training in the necessary actions such as to turn around 180 degrees, divert or make a precautionary landing.

Reason: There are increasing numbers of light helicopter accidents, usually fatal, caused by visual flight into IMC. Some new pilots think they can handle IMC because of their 5 hours training. IMC helicopter flight is ALWAYS avoidable if the pilot is trained in weather recognition and avoidance action as detailed above.

Training PPL(H) students in instrument flight is extremely dangerous as it gives

them the impression that it is acceptable to enter IMC conditions. The strict training should be to avoid IMC helicopter flight at all costs.

This is different from fixed wing flight, because the helicopter can always stop and land.

response *Partially accepted*

Thank you for providing this comment.

As it is a copy of comment No. 3649 please see the response already provided to comment No. 3649.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 5: Specific requirements for the PPL airships - FCL.205.As PPL(As) - Privileges

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comment

291

comment by: *CAA Belgium*

(b) should be deleted for not being in conformity with Annex 1

response

Not accepted

Thank you for providing your opinion on the Agency's proposal to allow a PPL holder with FI certificate to receive remuneration for providing flight instruction.

The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will support to revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

comment

3164

comment by: *Susana Nogueira*

(b) Delete paragraph.

Justification: Is not in accordance with ICAO Annex 1

response

Not accepted

Thank you for providing your opinion.

Please see the response to comment No. 291 (CAA Belgium) in the same segment above.

comment

4617

comment by: *Patrick Diewald*

Ich betreibe Luftsport im Verein. Passagierflüge stellen für unseren Verein ein wichtiges Standbein dar und sichern damit auch die Existenz unseres Vereins.

	<p>Daher muss meiner Meinung nach der Abschnitt "are to act without remuneration" umformuliert werden. Es sollte mit aufgeführt werden, das "Flüge mit bis zu drei Passagieren, zu Selbstkostenpreisen, zur Förderung von Vereinen, erlaubt sind.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, as already stated in several other responses provided to comments dealing with the privileges of private licences in other segments the Agency would recommend to study the responses provided (e.g. FCL.205.A/FCL.205.H).</p> <p>The Agency is not able to solve in FCL.205.As the problem if certain kind of operations (e.g. the so called "cost sharing flights") must be treated as commercial flights/remunerated flights or not. Based on the ICAO SARPs definition for the privilege of a Private Pilot Licence and JAR-FCL, the wording ("act without remuneration ... in non-commercial operations") proposed will be kept unchanged.</p>
comment	<p>4921 comment by: <i>ECA- European Cockpit Association</i></p> <p>Comment: delete paragraph (a) The privileges of the holder of a PPL(As) are to act without remuneration as pilot in command or copilot of airships engaged in noncommercial operations. (b) Notwithstanding the paragraph above, the holder of a PPL(As) may receive remuneration for the provision of flight instruction for the PPL(As).</p> <p>Justification: Same justification as for comment 4776. To deliver an acceptable level of Training, an Instructor shall hold at least a C.P.L. in any case. This text is non ICAO compliant, differs from JARs with no safety justification; private is private. That is why we have professional licenses. EASA needs, on the RIA about social aspects, to check legality of the paragraph. This provision is illegal in many countries in the EU, not only by a safety law, but also other labour and social laws. All pilots who wish to be paid for their work have to have at least a CPL. ECA thinks EASA cannot derogate all these laws without justification. See ECA general comments on Subpart J. Instructors</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the responses provided to your comments on FCL.205.A/FCL.205.H (e.g. to comment No. 4776) dealing with the same issues.</p>
comment	<p>7102 comment by: <i>DGAC FRANCE</i></p> <p>FCL 205.As (b) PPL(As)</p> <p>Justification :</p>

This paragraph is without any doubt in deviation with ICAO Annex 1.

This deviation is not suggested in the basic regulation 216/2008 ; this subject exceeds the EASA prerogatives.

Modification :

Deleted paragraph (b)

response *Not accepted*

Thank you for providing your opinion.

Please see the response to comment No. 291 (CAA Belgium) in the same segment above.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 5: Specific requirements for the PPL airships - FCL.210.As PPL(As) - Experience requirements and crediting

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comment

210

comment by: CAA - The Netherlands

FCL.210.As

(a)(2): it is not clear if the 5 take-offs and landings to a full stop are dual instruction or solo under supervision.

At FCL.210.A, FCL.210.H, FCL.210.B there is the clear distinction between (1) dual instruction and (2) supervised solo flight.

In the case of FCL.210As there is only the dual instruction

response

Noted

Thank you for providing your opinion.

The comment is asking if the required 5 take-offs in (2) are to be completed as dual training flights or supervised solo flights. Furthermore, the comment states that in this paragraph only dual instruction would be required. This is not right.

(a)(1) clearly asks for dual instruction whereas (3) contains the supervised solo flight time requirement. (a)(2) containing the 5 take-offs and landings is mentioned separately and can therefore be completed either as dual instruction flights or as solo flights under supervision.

It should be mentioned that the amount of take-offs required in (a)(2) will be raised slightly.

comment

318

comment by: CAA Belgium

TO BE ADDED TO SECTION 5: recency requirements for PPL(As)

response

Not accepted

Thank you for providing your comment.

However, the Agency does not agree to add a recency requirement. You will find the revalidation procedures in the appropriate Subpart H for Class - and Type ratings (section 5) as it is done also for the PPL(A) and the PPL(H). This system was already introduced with JAR-FCL and should be kept.

comment

450

comment by: *João Duarte*

Dear all,

About this point,

I want to know if it is possible to give theoretical crediting to Aeronautical engineers. An Aeronautical engineer study deeply almost of the matter described in the syllabus. Each matter is taught intensively in the university at least 4 hour per week during 5 months or 1 year plus the home study.

Not being directly possible, this requirement should permit that any aeronautical engineer could send their documentation to their country aviation authority or better to EASA for evaluation, being this authority obligated to do the evaluation and crediting those matters if OK during the evaluation. The authority should also be obligated to publish the results allowing the applicant to comment the evaluation and try a new application for crediting.

The applicant should go throughout an examination also on those matter but without going again to a school spending more money and where they will teach and correct the teachers.

Please comment what is written above.

Best Regards,
João Duarte
Aeronautical Engineer

response

Noted

Thank you for providing your opinion.

However, it seems that this comment addressing crediting for flight engineers should have been addressed to another paragraph. FCL.205.As is dealing with the privileges of the airship licence holder and has no link at all to flight engineer licences.

Regarding the issue of flight engineers, it should be highlighted that the Basic Regulation (EC 216/2008) also mandates the adoption of Implementing Rules for the conversion of national flight engineers licences into pilot's licences. The Agency considers that the best way to deal with this transition will be on the basis of a conversion report. The procedures and further elements have to be drafted in a separate document which is not part of this NPA.

comment

890

comment by: *Dr.-Ing.Gebel*

L.a.G., is it possible to introduce at the EU

1. a student license (SL) for PPLH students analog to the US education of helicopterpilot students ?

The student has to have 10-15 hr dual and 10 hr solo to get the permission

(SL) to practise extended hovering solo.
The max alt.for hovering maneuvers is limited to 18" to 24 ".
At the dual training the student is learning Basic Hovering,Air Taxi,Autorotations,Wind effect on hovering,Emergency Procedures, T/O Landings, Running T/O and finally has the flight Check for the SL. After this flight training the student my practise hovering solo.

2. a regulation for owners/producers/pilots(OPP) of ExperimentalHelicopters (EH) to extend the PPLH Licens on her own registered helicopters.

My Proposal:

Licensed examiners are allowed to extend the Licens of EH OPP's if the examiner is licensed for a similar commercial EH type (R22 - RW EXEC).

Kind Regards
Dr.-Ing.Gebel

response

Not accepted

Thank you for providing your opinion.

However, it seems that this comment should have been addressed to another segment as FCL.210.As is dealing with the experience requirements for airship pilots.

In the first part of your comment you propose to introduce a student pilot licence with limited privileges. A similar approach was taken when the Agency started to develop the Basic Leisure Pilot Licence. During the consultation period and the following review the Agency came to the conclusion that such a "lower level" basic licence for helicopters will not be accepted. The final decision taken is that the Basic LPL for helicopters will be deleted. Therefore, no additional student licence will be developed at this stage.

Regarding your second proposal to develop a specific licence or authorisation for holders of an experimental helicopter, it has to be pointed out that the licensing system for Annex II aircraft (see the Basic Regulation EC 216/2008) is under national competence of each Member State. The Agency is therefore not allowed to develop any requirements for this. (Please see the flight test proposals in FCL.820 for helicopter which do not fall under Annex II)

comment

2872

comment by: *Jeremy Hinton*

Part (b) That's an interesting little wrinkle. I wonder how useful it will prove :*)

response

Noted

Thank you for providing your opinion.

comment

3146

comment by: *FOCA Switzerland*

C/Section 5
FCL.210.As

(2) " at an aerodrome" to be deleted.

response

Accepted

Thank you for providing your opinion.

The Agency has carefully reviewed the comments received on this segment and discussed again with the experts the issue of requiring to operate on an aerodrome for the take-offs and landings required in (2).

It agrees with the proposal and will delete the term "at an aerodrome". However, based on some other comments received the term "including masting/unmasting procedures" will be added. The text will be changed accordingly.

comment 3224 comment by: *Susana Nogueira*

(a)(2) Delete 'at an aerodrome'.

Justification: The As not need an aerodrome to operate

response *Accepted*

Thank you for providing your opinion.

The Agency does agree that there is no need to do the required 5 take-offs and landings to a full stop at a specific aerodrome. This element of the training (mainly the masting/unmasting procedures) can be done also at an appropriate operating site.

The text will be changed accordingly.

comment 4768 comment by: *CAA Belgium*

(2) "at an aerodrome" to be deleted

response *Accepted*

Thank you for providing your opinion.

Please see the responses to the comments No. 3146 (FOCA CH) and 3224 (S. Nogueira) in the same segment above.

comment 6210 comment by: *CAA Finland*

FCL.210.As(a)(2):

Comment: Is there a specific need for aerodrome? In Finnish language aerodrome = controlled airfield.

response *Noted*

Thank you for providing your opinion.

Please see the responses to the comments No. 3146 (FOCA CH) and 3224 (S. Nogueira) in the same segment above.

comment 7747 comment by: *Christophe Saeys*

5 take-offs and landings: 5 take-offs AND 5 landings, or 5 in total ? Anyway 5 is very little, considering the complexity of lifting-off with an airship. Suggest 7 to 10. But why the necessity of doing this on an AERODROME ?? Most places suitable for hot air balloons are suitable for hot-airships too.

response *Partially accepted*

Thank you for providing your opinion.

With the first part of your comment you propose to raise the numbers of take-offs and landings to a full stop slightly. The Agency reviewed this issue carefully and came to the conclusion that the training of the full stop landing including the masting/unmasting procedures (see item 2) is clearly a safety related training item for the operation of an airship. The Agency agrees with your proposal and will raise the required number to read "8 take-offs and 8 landings". The number of landings will be also specified as the proposed wording used before could cause some irritation.

Regarding your second issue (at an aerodrome), please see the responses to the comments No. 3146 (FOCA CH) and 3224 (S. Nogueira) in the same segment above.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 6: Specific requirements for the sailplane pilot licence

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comment 2479

comment by: *mfb-bb*

Flüge gegen Entgelt / berufliche Tätigkeit

Gängige Praxis zur Förderung des Luftsportes und zur Stärkung der Akzeptanz der Luftfahrt in der Bevölkerung ist die Durchführung von Flügen auf max. 4-sitzigen Luftfahrzeugen gegen Kostenbeteiligung.

Die rigorose Definition dieser Praxis als gewerbliche Aktivität führt zu einer Wettbewerbsstärkung der gewerblichen Anbieter, zu einem Preisanstieg der Rundflüge für den Bürger (gewerbliche Gewinnerzielungsabsicht) und damit zu verringerter Förderung der Luftfahrt im privaten/ ehrenamtlichen Bereich, im Bereich des Luftsportes von Privatpiloten und Vereinen und der Jugendförderung (Luftsport zB Segelflug)

Ferner ist der Bedarf nach Rundflügen durch die Bevölkerung auf vielen kleinen Flugplätzen nicht mehr zu erfüllen, da es dort keine gewerblichen Anbieter gibt. Die für einen gewerblichen Betrieb notwendige Nachfrage wird dort nicht erfüllt. Die Akzeptanz der Fliegerei und des Luftsportes wird dort stark leiden. Flugtage oder Tage der offenen Tür sind dann dort nicht mehr durchführbar.

Bei privat durchgeführten Rundflügen hat der Fluggast (Kunde) bei Luftfahrzeugen bis max. 4 Sitzplätze und Flüge von nur einem Piloten (Betreiber des Fluges) eine Einflussmöglichkeit zur Durchführung des Fluges auf den Piloten. Das bedeutet er kann vor und während des Fluges unmittelbar Einfluss nehmen auf zB die Flugstrecke.

Sollte die Flugstrecke durch die besonderen Luftfahrzeugbedingungen nicht frei wählbar sein (zB Segelflugzeug), so hat der Fluggast immer noch die Einflussmöglichkeit auf zB den Zeitpunkt des Startes und / oder der Landung.

Somit stellen die Flüge zur Förderung des Luftsportes / Akzeptanz in der Bevölkerung und Werbung von neuen Flugschülern keine gewerbliche Tätigkeit dar, da diese Flüge nicht wetterunabhängig und garantiert durchgeführt werden.

Vorschlag : Alle Flüge, die zur Förderung des Luftsportes lediglich gegen eine

Kostenbeteiligung, wetterabhängig im VFR-Bereich in Luftfahrzeugen bis max 4 Sitzplätze, die keine Gewinnerzielungsabsicht haben, müssen von der gewerblichen Regelung freigestellt sein und ausgenommen werden.

Scenic flights / pleasure flights / sightseeing flights conducted under VFR-conditions with the intention to strengthen the acceptability of aviation

In several countries it is usually practice that scenic or pleasure flights conducted on airplanes up to 4 seats under VFR conditions are conducted by private pilots (sailplanes / powered sailplanes / touring motor gliders / aircrafts / balloons etc) . The intention of these private pilots is to keep in practice, to show other people the fascinating world of flying and **not** to earn money. Therefore the pilots only take the costs of the airplane divided trough the number of passengers.

In consequence oh this, a synergetic effect is that a lot of people support the general aviation, and they the do not act against it by e.g. filing noise complaints.

A lot of younger people get in touch with the general aviation and perhaps decide to become

a private pilot first and second get into the commercial flying business by themselves.

It is a very good publicity for aviation itself and a lot of non-profit flying association get new members and flight students by this kind of non-commercial advertisement.

If this membership promotion is generally designated as "commercial flights" these flights cannot be conducted any longer.

This decision weaknesses the general aviation

Another fact is, that a lot of these non commercial scenic flights are conducted on smaller airfields during the normal flight operation. The enquiry of these flights are too less for a commercial operator. For example during an ordinary summer weekend on a small airfield there is the demand for only a few flights / round about 2 hours per day.

On this small airfields the same problem will occur on "open days" or air shows. The consequence is that theses open days cannot be conducted any longer.

It strengthens the commercial aviation only.

Proposal:

All pleasure flights conducted on airplanes up to 4 seats under VFR conditions conducted by private pilots (sailplanes / powered sailplanes / touring motor gliders / aircrafts / balloons etc)

With the objective of promotion the general aviation should be possible as non commercial flights

response

Noted

Thank your for your opinion and the proposal to define that a certain kind of "pleasure flights" against remuneration should not be categorised as "commercial operation".

The definition for commercial operation given by the EU regulation 216/2008

uses the term "remuneration". In addition to this ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL:
 "the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as pilot-in-command in non-revenue flights."

Taking this into account, it leads to the conclusion that a pilot needs a commercial privilege (e.g. CPL if an aeroplane is used or an SPL/BPL with commercial privilege if a sailplane or balloon is used) for flights against remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing or a pleasure flight) cannot be provided by these Implementing Rules.

comment

3062

comment by: PAL-V Europe

For specific requirements for PPL-Gyroplanes we suggest to insert a new section 6 and rename the old section 6 to 7 and further section consequently.

SECTION 6

Specific Requirements for the PPL – Gyroplanes

FCL.205.G PPL(G) - Privileges

The privileges of the holder of a LPL for gyroplanes are to fly single-engine piston gyroplanes with a maximum certificated takeoff mass of 2000 kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board of the aircraft.

FCL.210.G PPL(G) – Experience requirements and crediting

(a) Applicants for a PPL(G) shall have completed at least 45 hours flight time in gyroplanes, 5 of which may have been completed in a FSTD, including at least:

- (1) 25 hours of dual instruction;
- (2) 10 hours of supervised solo flight time, including at least 5 hours of solo cross-country flight time with at least 1 cross-country flight of at least 185 km (100 NM), during which 1 full stop landing at an aerodrome different from the aerodrome of departure shall be made.

(b) *Specific requirements for applicants holding a LPL(G).* Applicants for a PPL(G) holding a LPL(G) shall have completed at least 15 hours of flight time after the issue of the LPL(G), of which at least 10 shall be dual instruction completed in a training course at an approved training organization.

(c) *Crediting.* Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time as pilot-in-command in such aircraft up to a maximum of 10 hours, towards the requirement in (a).

Remark: No recency requirements for PPL(A) and PPL(H) etc.?

FCL.240.G PPL(G) - Recency requirements

- (a) Holders of a PPL(G) shall only exercise the privileges of their licence when they have:
- (1) completed, in the last 24 months, as pilots of gyroplanes at least:
 - (i) 12 hours of flight time as pilot-in-command, including 12 takeoffs and landings; or
 - (ii) 6 hours of flight time as pilot-in-command, including 6 takes offs and landings, and 1 training flight of at least one hour with an instructor;
 - (2) passed a proficiency check on a gyroplane with an examiner, at least once in every 6 years.
- (b) Holders of a LPL(G) that do not comply with the requirements in (a) shall undertake a proficiency check with an examiner before they can resume the exercise of the privileges of their licence.

response *Not accepted*

Thank you for providing your comment. However, the Agency will not add an additional section or specific licensing requirements for pilots of gyroplanes because so far this kind of aircraft falls clearly under the Annex II definition of the Basic Regulation.

comment **3947** ❖

comment by: *David Lisk*

Two licences appear to exist: the LPL(S) and SPL. It seems that the only difference is the medical requirements yet the criteria for each are identical. This does not make any sense and will cause confusion about which license to complete.

response *Noted*

Thank you for providing your comment.

The comment is right when stating that the technical requirements for the LPL(S) and the SPL are nearly identical. There are only four main differences:

1. The LPL(S) will be an sub ICAO licence and will be valid only in the EU Member States whereas the SPL is an ICAO compliant licence
2. The medical standard of the SPL will be the ICAO Class II standard whereas for the LPL(S) a different medical standard is proposed (GMP based)
3. There is no commercial privilege foreseen for the LPL(S)
4. The instructor holding an SPL (LAFI(S)) will be allowed to instruct against remuneration

The SPL has to be kept in order to have an European ICAO compliant glider licence. Following your proposal (delete the LPL(S)) would mean that only Class II medical standard would be acceptable and the proposed medical for the LPL based on an examination by a GMP would be not any longer allowed. For some Member States this would cause a huge change for the sailplane community.

The Agency does not agree that these two systems will cause confusion because the training organisation and the student pilot have to decide latest with the medical (which has to be done before the first solo flight) for which kind of licence the training is provided. As most of the instructors will hold a medical class II and an SPL anyway they will hold also the FI(S) certificate and are allowed to provide training for both licences.

comment

4703

comment by: *Peter Kynsey*

The regulation of gliding should be left in the hands of National gliding clubs who have managed to do this perfectly successfully without the degree of bureaucracy that EASA is now proposing. The economic viability of gliding is in question and EASA's proposals will be one more nail in the coffin without improving safety at all. EASA should have to put up a safety case before proposing any new legislation but never does.

There is no mention of being allowed to fly gliders in cloud. Pilots in UK have been doing this successfully since World War 2. Why should we have this right removed when EASA has provided no safety argument to support its case? Flying a glider in cloud is no different from flying a light aeroplane in cloud, there is no reason to stop it. EASA should use the experience gained in the UK with flying sailplanes in cloud and with using the UK IMC rating to enable other European pilots to improve their skills, not bring everyone down to the lowest standard in Europe.

response

Noted

Thank you for providing your comment.

The Basic Regulation (EC) No. 216/2008 asks for the development of the future requirements for flight crew licensing. The Agency has drafted these Implementing Rules together with the national licensing experts. The question if the competent authorities in the different Member States will use qualified entities for some kind of certifications tasks will be answered in the future on a national level.

The EU regulations do not allow to exclude one kind of operation (e.g. gliding) from these Implementing Rules.

Regarding the cloud flying qualifications it was indicated already 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.

comment

5573

comment by: *Belgian Gliding Federation*

FCL.205.S SPL Privileges and conditions para (a)

FCL 210.S SPL Experience requirements and crediting para (a)

Comment:

Same remark as for FCL.105.S and FCL 110.S

Proposal:

FCL.205.S

- a) **The privileges of the holder of a SPL for sailplane are to fly sailplanes and powered sailplanes.**

FCL 210.S

- a) **Applicants for an SPL shall have completed at least 10 hours of**

flight time in sailplanes or powered sailplanes.

response *Partially accepted*

Thank you for providing your opinion.
This comment was addressed also to some other segments. Please see therefore also the responses provided by the Agency to your other comments.

The Agency will change the text to make clear that TMGs are a specific class of powered sailplanes but that the licence SPL holder needs an extension in order to act as pilot in command on TMGs.

The maximum amount of training on TMGs will be limited. Please see the resulting text in the appropriate section.

comment **7561** comment by: *Royal Netherlands Aeronautical Association*

The KNVvL supports the comments made on behalf of the European Gliding Union.

response *Noted*

Thank you for providing your opinion.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 6: Specific requirements for the sailplane pilot licence - FCL.205.S SPL – privileges and conditions

p. 21

comment **54** comment by: *Dr. Trautenberg*

FCL.205.S(c) As there was no need to define the content of the proficiency check, there seem to be no requirements beyond the proficiency requirements for non commercial operations. It is therefore proposed to remove the proficiency check FCL.205.S(c) as a requirement for exercising commercial privileges.

response *Not accepted*

Thank you for providing your comment.

However, the Agency does not agree and will not delete the proposed proficiency check in order to extend the LPL(S) privileges to commercial operations.

The comment is wrong when stating that "was no need to define the content of the proficiency check" because the AMC material to this requirement contains the contents of this skill test.

As this is an important extension of the privileges the experts involved in the review of the comments agreed to keep this check.

comment **55** comment by: *Dr. Trautenberg*

FCL.205.S(b)(2) It is proposed to add a minimum number of landings as pilot-

in-command for commercial privileges. This number should be in the range from 200 to 300. In addition a minimum number of take-offs in the used launch method should be required, where a number in the range from 100 to 200 should be sufficient.

A number of landing and number of launches requirement will address the required experience in the most critical phases of flight, which are take-off and landing.

response *Partially accepted*

Thank you for providing your opinion.

The Agency agrees that a certain number of launches should be added in (b)(2) as an additional requirement (by adding "and 100 launches"). Based on the input received and the discussions with the experts as well as the decision to lower the requirement for the commercial privilege of the BPL, the Agency decided to lower the amount of flight time required for the commercial privilege SPL as well. The proposed amount of 75 hours will be lowered to 35 hours. Together with the introduction of the 100 launches this will ensure that a sufficient level of experience is reached before extending the privileges. The Agency will add "after licence issue".

The second issue of adding also a specific requirement for a number of launches using a certain launch method was discussed during the review phase but the Agency believes that the requirements in FCL.060 (recent experience) and in FCL.130.S (launch methods/maintain privileges) are sufficient. The proposal to add here a number of 100-200 launches was not accepted.

comment 292

comment by: *CAA Belgium*

(b)(2) should be limited to "be restricted to act without remuneration in non-commercial operations" full stop.

**No commercial privileges may be given to an SPL.
NOT IN CONFORMITY WITH ANNEX 1.**

There is twice a paragraph (c).

The second (c) concerning remuneration should and be deleted.

response *Partially accepted*

Thank you for providing your opinion on the Agency's proposal to allow an SPL holder with FI certificate to receive remuneration for providing flight instruction.

The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to provide a solution for the shortage of instructors for General Aviation in Europe. The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements should not be implemented.

The Agency does not agree. No justification was provided why the proposal to allow the SPL instructor to receive remuneration for the provision of flight instruction should be in deviation from ICAO Annex 1. Paragraph 2.9.2.1 defines the privileges of the glider pilot licence without excluding flights against remuneration. (For the free balloon pilot licence 2.10.1.3.4 mentions the option

flights against remuneration or hire)

The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will support to revitalise General Aviation the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

Your second comment is accepted. The order will be changed and the numbering adjusted accordingly.

comment

786

comment by: *Robert Cronk*

This seems to be a very practical solution to the current (British) situation where trial lessons are provided by gliding clubs as a means to attract new members and gain revenue for the club; at present, we have a Basic Instructors rating for the purpose.

response

Noted

Thank you for providing this positive feedback. However, it seems that the comment is based on a misunderstanding.

FCL.205.S (c) allows that "the holder of an SPL may receive remuneration for the provision of flight instruction". This does not exclude the licence holder from holding also a FI(S) certificate. FCL.900 defines clearly that "a person shall not carry out flight instruction....unless he/she holds ... an instructor certificate...". To make this even more clear the Agency added: "the holder of an SPL with instructor privileges".

The Agency does not know what is meant by the term "trial flights". If these flights are pure passenger flights, no instructor certificate is needed and only FCL.205.S (b) applies (10 hours experience). If a trial flight should be categorised as flight training, the pilot-in-command has to hold an FI certificate.

comment

789

comment by: *Stefan JAUDAS*

FCL.205.S

The privileges of SPL holders should include the possibility to conduct flight in cloud.

Being a common practice in various EU member states, this privilege should be subject to the appropriate respective training, examination, subsequent entry into the SPL and recency.

Certified SPL privilege aside, the execution of such cloud flying would also be subject to the availability of a respective airspace, ATC clearance, meteorological conditions, sailplane equipment. But these points are not subject to the FCL.

response

Noted

Thank you for providing your opinion.

It was already indicated in NPA 2008-17a that the issue of cloud flying with sailplanes 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.

comment **797** comment by: *Geschäftsführer Luftsportverband RP*

Für die Akzeptanz des Luftsports und Jugendförderung im Hinblick auf Werbung für die Luftfahrt ist es ungeheuer wichtig, dass Vereine mit ihren Flugzeugen Passagierflüge durchführen können.

Hier muss mit aufgenommen werden, dass Piloten ohne zusätzliche Prüfung Passagierflüge bis max 2 Personen an Bord im nicht gewerblichen Bereich durchführen können. Die Bezahlung geht dabei nicht an den Piloten, sondern an den Verein.

response **Noted**

The definition given by the EU regulation 216/2008 for commercial operation leads to the conclusion that a pilot needs a commercial privilege or a CPL for flights against remuneration.

The definition of the privileges for the PPL(A) is based on the ICAO provisions which define clearly that no flight against remuneration can be conducted without a CPL. Therefore, such a commercial privilege is not intended to be introduced with the PPL(A) or (H). This leads to the conclusion that no flight against remuneration can be performed with it. For the BPL and the SPL a commercial privilege is foreseen. Please see FCL.205.S (c).

A definition of the term "remuneration" or the decision if a certain flight or kind of operation (like passenger flight on the basis of sharing costs) must be defined as commercial operation or not cannot be provided by the Implementing Rules.

comment **817** comment by: *Robert Corbin*

At present in this draft of the implementing rules there is no mention of the special requirement for gliders to be able to fly in clouds.

The flight characteristics of unpowered sailplanes are quite different to all the other categories of aircraft in that they can not maintain a level or direction as they use altitude (potential energy) as their fuel. They need it to get from one area of rising air to the next. If they have insufficient height then an out-landing not on an airfield may result. Such an event will significantly increase the risk of an accident due to the possibility of landing onto an unsuitable surface or hitting an unseen obstruction.

In the UK there tends to be much lower cloud bases than found on the continent of Europe and there are few suitable mountains and ridges to use hill soaring techniques to sustain flight so it is common to fly in IMC conditions within 1000 feet of cloud base to maximise the available potential energy.

Statistics over the past 10 years have shown that there have been no mid air collisions near cloud between gliders and any other sort of aircraft whereas there are on average about 3 serious field landing accidents per year in the UK. (Glider Accidents in 2007, British Gliding Association)

SPL privileges must therefore include:

(a) (2) The holder of an SPL is permitted to fly in IMC conditions but clear of cloud and in sight of the ground at any height unless the pilot holds an additional cloud flying rating.

response *Not accepted*

Thank you for providing your opinion.

It was already indicated in NPA 2008-17a that the issue of cloud flying with sailplanes 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.

The proposed wording cannot be included as this permission to fly in IMC conditions but clear of clouds would mean a general exemption from the ICAO airspace classification. The Agency is of the opinion that such an alleviation from the VMC minima cannot be provided by the licensing rules but only by the appropriate airspace regulations.

comment 921

comment by: *Rory OCONOR*

this demonstrates where the whole philosophy of this approach deviates from current sailplane training. A glider pilot may start flying solo at quite an early stage in their training. But there are many further stages to becoming a proficient, expert glider pilot.

At 10 hrs solo on gliders, unless an experienced pilot from other aircraft, a pilot is a relatively low hours beginner, and should not be taking passengers especially unknowing members of the public without further assessment.

The BGA basic instructor requirement is very sensible, although that should not exclude high hours, experienced non-instructors from taking passengers.

response *Noted*

Thank you for providing your comment on the requirements for carrying passengers.

However, the Agency would like to highlight that the comment is wrong when stating that a pilot would be allowed to carry passengers when having done 10 hours solo flight time. The proposal was to have at least 10 hours flight time completed in order to get the licence and additionally another 10 hours are required to carry passengers (see FCL.205.S (b)(1)). Based on some other comments and a further evaluation of the national requirements in place nowadays the Agency decided to raise the required training requirement for the licence to 15 hours.

The comment mentions the BGA basic instructor and asks for not excluding "experienced non-instructors from taking passengers". The specific requirements for the BGA basic instructor and the privileges are not known in detail but by evaluating the existing national requirements the Agency got the

impression that there seems to be a specific check or rating for the carriage of passengers only in one Member State. The proposal was discussed during the review phase but the need for such an additional rating or check could not be justified as there are no specific problems known connected with the carriage of passengers in sailplanes in Member States where no specific training, rating or check is required.

See also the response provided to comment No. 983 below.

comment **983** comment by: *Zeljko Roskar*

(1) I suggest that to carry passengers you need at least 80 hours. With 10 hours you are too inexperienced.

response *Not accepted*

Thank you for providing this comment. However, the Agency does not agree with the proposal to raise the amount of flight hours.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the SPL or LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours), the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S)/SPL holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

To make sure that the item "passenger handling" will specifically be covered during the flight training the Agency will add the item: "passenger handling" in AMC to FCL.110.S and to FCL.210.S (Flight Instruction for the LPL(S) and the SPL).

The text will be changed accordingly.

comment **1011** comment by: *George Rowden*

Comment: the proposed training for a LPL(s) and SPL licence do not provide the necessary skills for introducing a passenger to flying sailplanes. In addition, most if not all solo flying will have been done in a single seat sailplane. Consequently, further checks and training is required before the LPL(S) or SPL licence holder should be allowed to carry passengers.

I therefore propose that passenger flying is only allowed after the P1 pilot has completed 10 hours of flight time as pilot-in-command of two seat sailplanes, powered sailplanes or TMG and passed a proficiency check with an instructor,

demonstrating appropriate passenger handling skills

response

Not accepted

Thank you for providing this comment. However, the Agency does not agree with the proposal to ask for further training or to create a specific additional proficiency check for this purpose.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the SPL or LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours), the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S)/SPL holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

The text will be changed accordingly.

Additional information:

The Agency is aware that there are some differences between single seater and double seater sailplanes but it is also true that there are a lot of differences between different types of two-seaters (e.g. modern open class sailplanes compared with Bergfalke or K 7). The Agency's opinion is that the differentiation proposed or a proficiency check on only one type of double seater will not change the situation significantly. The Agency considers a licence holder having received already quite a lot of training on double-seaters during his/her instruction flights, having demonstrated his/her abilities through the completion of the skill test on a double-seater, fulfilling the recent experience requirements defined in FCL.060 and having completed the recency requirements contained in FCL.140.S as sufficiently trained and experienced for carrying passengers safely. Therefore the Agency cannot see the need to change this requirement completely and to introduce a specific proficiency check with an examiner. To make sure that the item "passenger handling" will specifically be covered during the flight training the Agency will add the item: "passenger handling" in AMC to FCL.110.S and to FCL.210.S (Flight Instruction for the LPL(S) and the SPL).

Please take also into account that this kind of proposed class specific proficiency check for carrying passengers is not foreseen for any other future licence (PPL/SPL/BPL). Checking the national requirements for carrying passengers by sailplane licence holders in the different Member States it is obvious that only a few Member States (mainly stakeholders from one Member State have commented on this issue) require additional checks or training for carrying passengers. The Agency is not aware of any safety case.

comment	<p data-bbox="351 201 422 235">1299</p> <p data-bbox="1037 201 1449 235" style="text-align: right;">comment by: <i>George Knight</i></p> <p data-bbox="351 257 1037 291">(b) (1) Carriage of passengers after 10 hours solo.</p> <p data-bbox="351 324 1449 414">This is an unsafe proposal because the pilot will not have flown two-seater gliders from the rear seat. The 10 hours will probably have been done in single seated gliders.</p> <p data-bbox="351 448 1449 548">Propose that prior to passenger carrying the pilot must receive instruction in the rear seat on the type to be used prior to carrying passengers and have a logbook entry to indicate successful completion of that training.</p>
response	<p data-bbox="351 571 438 604"><i>Noted</i></p> <p data-bbox="351 627 861 660">Thank you for providing your opinion.</p> <p data-bbox="351 694 1449 784">As this comment is dealing also with the minimum experience for carrying passengers in a sailplane please see the responses to comments No. 1011 and to No. 983 above.</p> <p data-bbox="351 817 1449 952">The issue of training in the rear seat is not understood because generally there is no need to sit in the rear seat when carrying passengers. The pilot-in-command has to be seated in the seat which is described by the flight manual as the PIC seat. If there is no definition the pilot may choose where to sit.</p> <p data-bbox="351 985 1449 1299">In most of the sailplanes the front seat will be the one equipped with all the necessary controls. As the pilot (if not holding also an instructor certificate) usually has more experience from the front seat, he/she will anyway choose to sit in the front seat when carrying passengers. As all the sailplanes are one class and no specific type training or rear seat training is required for specific sailplanes, this should not be implemented for carrying passengers. If a pilot intends to fly a specific sailplane, he/she has never flown before or if he/she decides to fly the aircraft from the rear seat, he/she should ask an instructor for some familiarisation training on this specific sailplane. No additional requirement is necessary to cover this.</p>
comment	<p data-bbox="351 1366 422 1400">1325</p> <p data-bbox="1037 1366 1449 1400" style="text-align: right;">comment by: <i>George Knight</i></p> <p data-bbox="351 1422 1449 1579">The privileges section for all PPL/LPL type licences fail to state the flight conditions under which flights may be conducted. By default this is assumed to be Day VFR in VMC. For gliding - particularly where flight in IMC and in cloud has been permitted since the inception of gliding in the 1930s this will have major impacts.</p> <p data-bbox="351 1612 1449 1713">If the assumptions above are correct then a glider pilot will not be able to fly within 1500 metres horizontally of cloud and within 1000 feet vertically when above 3000 feet.</p> <p data-bbox="351 1747 1449 2004">Now most gliders when soaring and on cross-country flights fly in the top third of the height band between ground level and the cumulus cloud base. This is the area where the best conditions occur and is the safest since the chances of land outs are reduced and the time to find a landing area if a land out is necessary is maximised. If the 1000 feet vertical separation above 3000 feet is implemented then with a typical UK cloud base altitude of 3500 to 4000 feet then gliders would be prohibited from climbing above 3000 feet. This will have a disastrous negative impact on cross country glider flight feasibility and safety.</p>

The other problem is the 1500 metres horizontal separation from cloud. This will impact two main situations. Mountain wave flight and see breeze and other frontal clouds cases. Mountain wave flight is frequently undertaken in gaps in cloud or a short distance upwind of lenticular clouds (as little as a few tens of metres). A glider attempting to remain 1500 metres from such a cloud would not be in lift but most probably in strong sink. This would make much wave flight illegal.

Frontal situations may give lift up one side of a band of cloud. A sea breeze front will often have different cloud bases on each side since the two air masses have different characteristics. Long distance flight is possible today running under the higher cloud base - very close horizontally to the lower cloud in the wetter air. The loss of permission to fly in IMC, albeit clear of cloud is a huge disadvantage.

On some days where there are large gaps between areas of thermals the best way to cross it to perform a cloud climb before setting off to cross the gap. The proposed changes will make that impossible.

The gliding badges require gains of height of 3,000 feet for the Silver badge, nearly 10,000 feet for the Gold and over 16,000 for the Diamond. Only the silver is routinely gained over most of the UK while clear of cloud. The Gold height is achievable in cloud over most of the UK - but not in VFR. The Diamond is usually achieved in wave. Loss of access to cloud will be a significant disadvantage to glider pilots.

There are two cases that need to be considered separately.

1. Flight in cloud.
2. Flight in IMC but clear of cloud.

Flight in cloud.

I realise that this is a separate debate and that the UK IMC rating is not currently planned to exist after about 2012. For glider pilots there are three groups who wish to fly in cloud.

- a. Glider pilots with an instrument rating or IMC rating gained on aeroplanes. (Gliding is undertaken by many professional pilots.)
- b. Glider pilots who have been taught on gliders in the past and wish to continue to exercise this privilege in the future.
- c. Glider pilots who want to learn to fly in cloud.

I believe that for pilots who today have an Instrument or IMC rating on aeroplanes that they should be permitted grandfather rights to fly in cloud.

I believe that existing glider pilots with cloud flying skills should be given grandfather rights.

A glider cloud flying rating should be introduced to allow new pilots to undertake this activity.

Flight in IMC but clear of cloud.

Glider pilots should be permitted to fly in IMC outside controlled airspace as long as they remain clear of cloud. The rules to remain 1000' vertically and 1500 metres horizontally when above 3000 feet should not be applied. This has been the case for many years and should not be changed.

response

Noted

Thank you for providing your opinion.

It was already indicated in NPA 2008-17a that the issue of cloud flying with sailplanes 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.

It should be already mentioned at this stage that this future rating will aim only at the privilege to enter clouds and fly in IMC conditions but not to "circumvent" in a certain way the rules of the air (minimum distance to clouds) in a specific airspace category in order to allow sailplane pilots to use this airspace and to fly in IMC conditions but clear of clouds. This separation airspace layer (e.g. in airspace E the 1000 ft vertical distance) is mainly introduced to ensure safety and minimise the risk of mid-air collisions. If for VFR flights a certain minimum distance from clouds (like 1000 ft vertical separation in airspace E) is defined by the ICAO VMC minima the licensing requirements cannot allow one group of pilots (here: sailplane pilots) to be exempted from this requirement. This could be done only in specific airspace categories or by national exemptions from the airspace regulations.

In addition to this, it should be clarified that FCL.600 defines that the holder of a pilot licence has to hold an IR to fly under IFR. With the future task a requirement could be introduced explaining that an SPL pilot has to hold a cloud flying rating in order to fly in IMC. FCL.820 (c) defines that a sailplane licence holder has to hold a night rating to fly at night.

comment

1334

comment by: *Trevor Nash*

Would you let your daughter fly with a pilot with only 10 hours, I certainly would not. (Unless she was a competent pilot herself)

I would suggest that 50 hrs would be more realistic and only then under supervision.

response

Noted

Thank you for providing this comment. However, the Agency does not agree with the proposal to raise the amount of hours.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the SPL or LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement. (It should be mentioned also that this proposed requirement is

following closely the recommendation given in ICAO Annex 1 under 2.9.2.2. which is asking also for additional 10 hours of flight time).

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours), the Agency has decided not to introduce an additional proficiency check for SPL/LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

The text will be changed accordingly.

To make sure that the item "passenger handling" will specifically be covered during the flight training the Agency will add the item: "passenger handling" in AMC to FCL.110.S and to FCL.210.S (Flight Instruction for the LPL(S) and the SPL).

comment

1358

comment by: *George Knight*

The privileges section for all PPL/LPL type licences fail to state the flight conditions under which flights may be conducted. By default this is assumed to be Day VFR in VMC. For gliding - particularly where flight in IMC and in cloud has been permitted since the inception of gliding in the 1930s this will have major impacts.

If the assumptions above are correct then a glider pilot will not be able to fly within 1500 metres horizontally of cloud and within 1000 feet vertically when above 3000 feet.

Now most gliders when soaring and on cross-country flights fly in the top third of the height band between ground level and the cumulus cloud base. This is the area where the best conditions occur and is the safest since the chances of land outs are reduced and the time to find a landing area if a land out is necessary is maximised. If the 1000 feet vertical separation above 3000 feet is implemented then with a typical UK cloud base altitude of 3500 to 4000 feet then gliders would be prohibited from climbing above 3000 '. This will have a disastrous negative impact on cross country glider flight feasibility and safety.

The other problem is the 1500 metres horizontal separation from cloud. This will impact two main situations. Mountain wave flight and sea breeze and other frontal clouds cases. Mountain wave flight is frequently undertaken in gaps in cloud or a short distance upwind of lenticulars clouds (as little as a few tens of metres). A glider attempting to remain 1500 metres from such a cloud would not be in lift but most probably in strong sink. This would make much wave flight illegal.

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On some days where there are large gap between areas of thermals the best way to cross it to perform a cloud climb before setting off to cross the gap. The proposed changes will make that impossible.

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nearly 10,000 feet for the Gold and over 16,000 for the Diamond. Only the silver is routinely gained over most of the UK while clear of cloud. The Gold height is achievable in cloud over most of the UK - but not in VFR. The Diamond is usually achieved in wave. Loss of access to cloud will be a significant disadvantage to glider pilots.

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Flight in IMC but clear of cloud.

Glider pilots should be permitted to fly in IMC outside controlled airspace as long as they remain clear of cloud. The rules to remain 1000' vertically and 1500 metres horizontally when above 3000 feet should not be applied. This has been the case for many years and should not be changed.

response *Noted*

Thank you for providing your opinion.

As this comment is only a copy of comment No. 1325 please check the response provided to comment No. 1325.

comment **1485**

comment by: *Keith WHITE*

Attachment [#26](#)

(b). (1) This does not seem to be sufficiently restrictive. See UK BGA Laws and Rules para 7.5.

response *Noted*

Thank you for providing your opinion on the proposed requirement for carrying passengers.

Please see the responses provided to the comments No. 1011 and No. 1334.

comment

1590

comment by: *jim white*

SPL needs to confer privilege to fly up to cloudbase, close to cloud and in cloud outside of controlled airspace.

On days when cloudbase is below 3000ft cross country flight is very limited as the safe operating band is restricted to approx 1000ft. On days when cloudbase is between 3000ft and 4000ft pilots currently operate in a wider band but would, if VFR rules are applied, remain restricted to 3000ft.

These restrictions would compress flights into a narrower band than necessary thereby increasing the risk of collision and increasing the occurrence of higher risk forced landings away from safe airfields.

On days when the cloudbase is higher than 4000ft, pilots would be forced to operate in the lower part of the lift band again increasing the risk of collision and higher risk forced landings.

Unlike powered flight, gliders must make use of limited lift resources to stay airborne and further limiting the opportunity to achieve lift and the height of climb limits cross country opportunity and increases risk. Without a IFR dispensation for glider flight, gliding will be severely affected in the UK.

Another major issue is that of policing the VFR rule. Clouds are rarely at the same height over quite modest distances. How would a pilot be able to assess actual cloud height in order to remain 1000ft below? It is not practicable to operate the rule consistently nor to measure cloudbase accurately. This gives intractable policing problems for regulators and competition organisers.

Glider pilots are trained to operate safely close to cloud and there are few examples of airprox or accident as a result of flying in this space especially to non-glider traffic or the public at large.

Cloud flying also provides the opportunity to extend flight on otherwise poor days or at the end of the day. There is little risk outside controlled airspace to other users and a good safety record under the existing rules.

Finally, wave flying relies on the ability to fly close to cloud when climbing and to descend through slots (or sometimes cloud). Application of VFR rules in uncontrolled airspace would make wave flying impossible without infringement or risk of infringement.

response

Noted

Thank you for providing your opinion on specific privileges for sailplane pilots to fly in IMC. Please see the response provided to comment No. 1325.

comment

1702

comment by: *Sven Koch*

Mindestens 10 Flugstunden als PIC, bevor Passagierflüge. Ohne Bezahlung bis Pilot 18 Jahre und 75 Std als PIC Zur Berufsausübung zuvor einen Prüfercheck.

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.205.S.

However, it has to be noted that the German wording used for the translation of the term "commercial privilege" seems to be not the right one.

comment **1829** comment by: *Bruha Oliver*

Ist durchaus sinnvoll, aber warum sollte ein Pilot, der fliegen kann nicht mit Pasagier fliegen? Sollte ein PKW-fahrer auch erst nach 6h Alleinfahrt einen Beifahrer dabei haben?!

response *Noted*

Thank you for providing your opinion. Please check the response for your comment on the same issue in FCL.105.S.

comment **1877** comment by: *Markus Malcharek*

Die Voraussetzung von 10 Stunden nach Scheinerwerb ist als positiv zu betrachten

response *Noted*

Thank you for providing this positive feedback.

comment **1979** comment by: *Volker Reichl*

Comment for FCL.205.S b 1

Social Impact:

I cannot see any sense in this rule. If a holder of an SPL is found adequately trained to ensure the safe takeoff, flight and landing of himself in a glider, there is no difference in a passenger seat being empty or not. I would suggest to leave the regulation without b1 or - if the student, even having passed the practical exam, is not believed to be adequate for passenger transport (and in my understanding not being found to be adequate for his own transportation) it would be more logical to augment the experience requirements by 10 hours of solo flight.

response *Partially accepted*

Thank you for providing this comment. The Agency agrees partially and will raise the amount of flight training slightly. Nevertheless, the additional requirement for a certain amount of additional experience after licence issue will be kept.

Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the SPL or LPL(S) licence holder to

carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement.

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours), the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S)/SPL holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

To make sure that the item "passenger handling" will specifically be covered during the flight training, the Agency will add the item: "passenger handling" in AMC to FCL.110.S and to FCL.210.S (Flight Instruction for the LPL(S) and the SPL).

The text will be changed accordingly.

comment **2048** comment by: *Thomas SIEWERT*

FCL.205.S: (b)(1) SPL - privileges an conditions

Auch hier gilt meine Anmerkung zu FCL.105.S, dass die Regelung Passagiere erst 10h nach Lizenzerhalt befördern zu dürfen sinnvoll erscheint und daher positiv zu bewerten ist.

response *Noted*

Thank you for providing this positive feedback.

comment **2072** comment by: *Markus Hitter / JAR-Contra*

It's very welcome to see commercial activities included in the license's privileges. Commercial sailplane flying other than flight instructioning is so rare, EASA would hardly issue more than one or two licenses per year.

response *Noted*

Thank you for your positive feedback.

However, the Agency would like to clarify firstly that the Member States will be responsible for issuing the pilot licences and secondly that flights against remuneration are defined as commercial operation (Article 3 of the Basic Regulation 216/2008). For these flights the pilot will need such a commercial privilege.

comment **2094** comment by: *Stefan JAUDAS*

FCL.205.S(b)(1) and FCL.105.S(b)

10 hours of flight time can be achieved one or two flights. This would appear to be insufficient for any level of proficiency.

Instead, in the interest of safety, flight time requirement should be dropped in

favour of minimum number of flights and launch method.

"The holder of a SPL shall only carry passengers after he/she has completed 30 flights as pilot-in-command of sailplanes, powered sailplanes or TMG. No less than 15 of such flights shall be made with the launch method used for the actual passenger flight."

response *Partially accepted*

Thank you for providing this comment.

Receiving a lot of comments dealing with the proposal of the Agency to require the SPL or the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers or an additional amount of launches, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the SPL or LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement. (It should be mentioned also that this proposed requirement is following closely the recommendation given in ICAO Annex 1 under 2.9.2.2. which is asking also for additional 10 hours of flight time).

Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours), the Agency has decided not to add an additional number of launches. The comment is right that theoretically the 10 hours could be flown within two flights but a more realistic average flight time of 20 minutes would lead already to at least 30 flights. The Agency decided to add: "or 30 launches and landings" instead.

The second issue of sufficient training for a certain take-off method should be covered already by the requirements in FCL.060 and FCL.130.S (c) but based on the feedback received the Agency will add an additional requirement in FCL.060 (b) asking the sailplane pilot for fulfilling the requirement in (1) in the launch method used for the passenger flight.

comment 2095

comment by: *Stefan JAUDAS*

FCL.205.S(b)(2) and FCL.105

Many clubs actually execute guest flights for a fee based on an "at cost" basis, both during normal flying operations and during local flight shows. These flights are an important tool of promoting flying as a sport and hobby, generating good-will with the non-flying population and attracting new members. This applies particularly to gliding and TMG flying, but due to local flight shows it is not limited to glider and TMG operation. Actually many clubs cooperate for such events, e.g. motor flying clubs providing motor planes for gliding club air shows.

The term "without remuneration" is too narrow to ensure that this practice can be continued. It should be replaced with a term that allows non-profit and

promotional guest flights (as opposed to for-profit passenger flights). Indicators for non-profit and promotional guest flights could be that the aircraft is operated by a non-profit organisation (like a club) and piloted by a member of such organisation, the aircraft is not operated after an advertised flight schedule, the pilot himself is not paid for his time even if the operator (either an organisation or a private citizen) is reimbursed for fuel, depreciation of A/C, engine, propeller, etc., and other costs marked up against flight hours (insurance, maintenance, etc.), the trip does not constitute a "journey" but effectively ends where it started, even if the trip includes stop-overs and interludes with other modes of transport.

It should be kept in mind that for guest flights such hourly rates are generally nominally higher than for club members. This is due to the fact that a club member also pays in terms of services and work done for the club.

response

Noted

Thank you for providing your opinion and the proposal to add the privilege "to carry passengers against remuneration or some kind of cost sharing".

The definition for commercial operation given by the EU regulation 216/2008 uses the term "remuneration". In addition to this, ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL:

"the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as pilot-in-commandin non-revenue flights."

Taking this into account, it leads to the conclusion that a pilot needs a commercial privilege (e.g. CPL if an aeroplane is used or a SPL / BPL with commercial privilege if a sailplane or balloon is used) for flights against remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing) cannot be provided by the Implementing Rules.

comment

2096

comment by: *Stefan JAUDAS*

FCL.205.S(b)(2) and FCL.205.S(c)

The definition of "commercial privileges" for SPL holders is fuzzy and for all intents and purposes there is no clear separation against "non-commercial privileges".

It also appears to be unnecessary, as "commercial" sailplane operations are few and far between. It is questionable whether the few commercial sailplane operations actually warrant a complete and unique set of licences and regulations. As for remuneration as such, please refer to comments 2092 and 2095.

As for these 75 hours of experience which would separate the commercial from the non-commercial, it is again pointed out that launches are a more appropriate criterion for sailplane operations than flying hours. It should be considered whether 75 launches would be more appropriate than 75 hours of flight.

response

Partially accepted

Thank you for providing your opinion. Please see the response provided to your comment No. 2095 above.

The Agency understands the message provided but as the Basic Regulations defines the framework to be used no other definition what kind of operation in a sailplane must be defined as commercial operation can be given. In the case that a commercial operation will be performed an adequate privilege must be foreseen.

Regarding the proposal to add a certain amount of launches for the extension of the privileges to commercial operations, see response provided to comment No. 55 in the same segment above.

comment **2558** comment by: *Marc Launer*

Any documented reason for making the existing rules more stringent? e.g. proven higher accidents rates for such a group of persons?)

If not, I would like to ask the committee to stay with the existing rules.

response *Noted*

Thank you for providing your opinion.

It is proposed to keep the existing requirements. As there is a huge variety of different national licensing requirements for sailplane licences all over Europe the Agency does not know to which national requirements the comment is referring to.

The proposals are based on ICAO Annex 1 and some of the existing national requirements. Without any substantiated explanation the Agency cannot evaluate the mentioned problem.

If the comment is aiming on the required 10 hours flight time on sailplanes for carrying passengers or the proposed 75 hours flight time for commercial operation, the responses and explanations given for other comments should be checked. The Agency is of the opinion that a certain level of experience in sailplanes must be reached before carrying passengers or performing commercial activities but has changed some of the proposals.

comment **2907** comment by: *AECA(SPAIN)*

(b)(2) should be limited to "be restricted to act without remuneration in non-commercial operations" full stop.

**No commercial privileges may be given to an SPL.
NOT IN CONFORMITY WITH ANNEX 1.**

response *Not accepted*

Thank you for providing your opinion. Please see the response for comment No. 292 (Belgium CAA).

comment **2908** comment by: *AECA(SPAIN)*

There is twice a paragraph (c).

The second (c) concerning remuneration should and be deleted.

response *Not accepted*

Thank you for providing your opinion. Please see the response for comment No. 292 (Belgium CAA).

comment **3026** comment by: *Frank Schweppe*

FCL 205 B states:
(c)
Before exercising commercial privileges the holder of a BPL shall pass a proficiency check with an examiner.

Question is what to do with the fair number of pilots who already exercise commercial privileges on a national BPL or national CPL(FB). I suppose the rule is intended to regulate stepping up from a LPL(B) to a BPL, i.e. to cater for relatively inexperienced pilots who want to take up commercial flying. I suggest a waiver for pilots who already exercise commercial privileges and who have done so for a certain minimum number of flights or flight hours. The examiners will suffer a mental breakdown otherwise...

Suggested text:
(c)
Before exercising commercial privileges the holder of a BPL shall pass a proficiency check with an examiner, UNLESS the holder has logged a total of at least 50 hours of commercial transport and/or passenger flights or 250 hours of general balloon flying as pilot in command at the time these regulations are introduced, and the holder complies with the recency rule in FCL 140.B .

response *Not accepted*

Thank you for providing your opinion. However, it seems that the comment should be addressed to a different segment as it contains balloon related issues. FCL.205.S contains the privileges and conditions for the SPL.

The transition measures will also include some kind of "grandfathering" for existing licences or ratings. If a certain privilege like the commercial privilege for balloon pilots was already given by the existing national pilot licence, nothing can prevent the Member State to issue later on the BPL with commercial privilege as well. As it was decided already (based on a general approach for the implementation of new European requirements) that transition measures will not be part of these Implementing Rules but of a separate regulation the text in FCL.205.B will not be changed.

comment **3074** comment by: *Peter SCHMAUTZER*

According to the basic regulation Nr. 216/2008 (5) introduction, there has to be no regulation pertaining aircrafts with simple design. Sailplanes are without doubt such airplanes. Therefore EASA has no authorisation to regulate SPL licenses. The draft for the FCL for SPL is more complicated and expensive than current national regulations, which are in full compliance with ICAO

response *Noted*

Thank you for providing your opinion but the Agency does not agree.

Please check the Basic Regulation Article 7(7) in which the Agency is asked to

develop "provisions for the issuance of all type of pilot licences and ratings required under the Chicago Convention, and of a leisure pilot licence". Due to the fact that a glider pilot licence is clearly contained in ICAO Annex 1 the comment is wrong when stating that "EASA has no authorisation to regulate SPL licences".

The comment further mentions that the SPL is "more complicated and expensive than current national regulations".

As there is a huge variety of different national licensing requirements for sailplane licences all over Europe the Agency does not know on which national requirements the comment is based.

The proposals contained in the NPA are based on ICAO Annex 1 and some of the existing national requirements and are rather low compared with most of the existing national experience requirements because the drafting group tried to base the concept more on a competency-based approach using the term "at least" and relying on the instructors and examiners that a certain standard will be reached. Without any substantiated explanation which one of the proposed requirements is "more complicated" than the requirement actually in force the Agency cannot evaluate the mentioned problem or provide an explanation why a certain number of hours or launches have been proposed.

comment

3079

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

(b)(1) The minimum of 10 hours of flight before carrying passengers appears to be very low. Some pilots at 10 hours might not even be mature enough to fly without risks, and here the responsibility for another person's life would already been on his shoulders.

response

Noted

Thank you for providing this comment.

Having received a lot of comments dealing with the proposal of the Agency to require the LPL(S) pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.

A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the SPL or LPL(S) licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement. Only a few mentioned that the 10 hours proposed here are too low (as mentioned in your comment).

Based on a change for the minimum required flight training in FCL.110.S (from 10 to 15 hours), the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S)/SPL holders to carry passengers and to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".

As this also is in line with the recommendation in ICAO Annex 1 the Agency does not see a need to require a higher amount of training or experience.

The text will be changed accordingly.

comment **3166** comment by: *Susana Nogueira*

(b)(2) be restricted to act without remuneration.

Delete all other phrases of the paragraph.

Justification: Is not in accordance with ICAO Annex 1.

response *Not accepted*

Thank you for providing your opinion. Please see the response provided to comment No. 292 (Belgium CAA) in the same segment above.

comment **3167** comment by: *Susana Nogueira*

Delete (c) (second)

Justification: Is not in accordance with ICAO Annex 1.

response *Not accepted*

Thank you for providing your opinion. Please see the response provided to comment No. 292 (Belgium CAA).

comment **3260** comment by: *Matthias Heine*

Die Anforderung von 75 Stunden ist zu hoch. Ebenso das Mindestalter. Erfahrungsgemäß fliegen Piloten gerade kurz nach der Ausbildung am sichersten und mit am meisten Umsicht. Nach einer gewissen Zeit hingegen beginnen sich wieder Nachlässigkeiten einzuschleichen, aus dem Gefühl jetzt sicher zu fliegen. Gerade dies würde aber durch das "Erlangen der Passagierberechtigung" verstärken. Wenn Piloten direkt nach Erlangen der Pilotenlizenz die volle Verantwortung für ihr Tun übernehmen müssen wird diese ihnen nochmal bewusst gemacht und führt zu umsichtigerem Fliegen und damit zu höherer Flugsicherheit.

response *Partially accepted*

Thank you for providing your opinion.

The Agency does not wish your statement regarding the minimum age and will keep the proposed minimum age. This decision is based on ICAO Annex 1 (age for commercial operations with other licences). The proposed amount of experience (75 hours) for the commercial privilege will be lowered.

The comment is wrong when stating that this requirement will not allow to carry passengers ("Passagierberechtigung") in order to gain a certain level of responsibility before reaching the 75 hours experience. As this requirement will allow the SPL holder to carry passengers without any remuneration before reaching the already after having completed 10 hours of flight time this argument does not count.

comment	<p>3437 comment by: <i>Royal Danish Aeroclub</i></p> <p>We support the idea of having the opportunity to remunerate for flying sailplanes, powered sailplanes and TMG.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this positive feedback on the commercial privilege.</p>
comment	<p>3918 comment by: <i>DGAC FRANCE</i></p> <p>FCL 205 S. second (c)</p> <p>Justification :</p> <p>This paragraph is without any doubt in deviation with ICAO Annex 1.</p> <p>This deviation is not suggested in the basic regulation 216/2008 ; this subject exceeds the EASA prerogatives.</p> <p>Modification :</p> <p>Deleted the second paragraph (c) Notwithstanding the paragraph.....of the SPL.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree. No justification was provided why the proposal to allow the SPL instructor to receive remuneration for the provision of flight instruction should be in deviation from ICAO Annex 1. Whereas 2.3.2.1 explicitly defines that the privilege of a PPL holder "shall be to act, but not for remunerationin non-revenue flights", 2.9.2.1 defines the privileges of the glider pilot licence without excluding flights against remuneration. (For the free balloon pilot licence 2.10.1.3.4 mentions the option flights against remuneration or hire)</p> <p>The Agency cannot see any safety case connected to this and would like to highlight that this additional requirement was proposed by the drafting groups in order to revitalise General Aviation by allowing the instructors to get paid. No specific reason against this requirement can be seen at this stage.</p>
comment	<p>4148 comment by: <i>Claudia Buengen</i></p> <p>as said before, 10 hours of solo flight are not sufficient to ensure safe handling of passengers and safe flying at the same time.</p> <p>suggestion:</p> <p>at least 10 hours of solo flight plus a proficiency check with a n instructor to ensure safe handling of passengers and safe flying while potentially being distracted by talking to passengers.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response provided to comment No. 1011 (G. Rowden) in the same segment above.</p>

comment	<p>4278 comment by: <i>Graham Morris</i></p> <p>Regarding (b)(1), I regard this requirement as inadequate, particularly as there is no training in the care and carriage of passengers in the syllabus.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See the response for comment No. 1334 (T. Nash).</p>
comment	<p>4531 comment by: <i>Klaus Schneider-Zapp</i></p> <p>(c) Pilots who make passenger flights for clubs should not need a proficiency check with an examiner. Clubs already have internal structures which assure appropriate skills of the pilots. Furthermore, guest flights of clubs are important for recruiting new pilots.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>First of all it has to be clarified that only commercial flights will need this commercial privilege. If pilots are asked to do passenger flights without remuneration this additional privilege is not needed.</p> <p>If a certain activity by definition (given by the Basic Regulation) must be categorised as commercial operation (e.g. passenger flight against remuneration) the privilege of the SPL would not allow the licence holder to perform this activity. The extension to a commercial privilege must be kept for these cases. The experts agreed on a proficiency check for this additional privilege. Internal club rules are not the right level to address the necessary skill test.</p>
comment	<p>4589 comment by: <i>Deutscher Aero Club</i></p> <p>FCL.205.S SPL Privileges and conditions para (a) FCL 210.S SPL Experience requirements and crediting para (a)</p> <p>EGU Comment: Same remark as for FCL.105.S and FCL 110.S EGU Proposal: FCL.205.S a) The privileges of the holder of a SPL for sailplane are to fly sailplanes and powered sailplanes. FCL 210.S a) Applicants for an SPL shall have completed at least 10 hours of flight time in sailplanes or powered sailplanes.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment. As this comment was addressed to several segments, please see the responses to the other comments.</p> <p>The Agency agrees that the TMG is a specific class of powered sailplane and must therefore not be mentioned specifically. In order to clarify this and the fact that an extension and additional training will be needed to act as PIC on</p>

TMGs, the references "and/or TMG" will be deleted but an additional sentence will be entered in (a) explaining that an SPL holder who intends to act as PIC on TMGs has to comply with FCL.225.S.

comment 4625 comment by: *Patrick Diewald*

Passagierflüge im Verein (nicht-gewerblich) müssen auch ohne zusätzliche Prüfung möglich sein. Wichtiges Standbein in der Vereinsfliegerei.

response *Noted*

Thank you for providing your opinion.
The comment asks for the possibility of carrying passengers without such a commercial privilege and the necessary proficiency check.

This is already the case as the commercial privilege is only aiming on commercial operations against remuneration (see definition of commercial operation in the Basic Regulation 216/2008).

The sailplane pilot is allowed to take non-paying passengers with him/her when having completed the required flying time mentioned in (b)(1).

comment 4769 comment by: *CAA Belgium*

where are the commercial privileges of the SPL defined

response *Noted*

Thank you for providing your comment. However, the Agency does not know if the meaning behind this comment was understood correctly.

The wording used in (b)(2) states clearly that the SPL without commercial privilege is restricted to act without remuneration in non-commercial operations. Therefore, the commercial privilege will exactly allow this (act as PIC on sailplanes or powered sailplanes against remuneration in commercial operation).

comment 4835 comment by: *Peter Kynsey*

Gliding depends on the voluntary help of instructors and examiners in the UK and elsewhere. No charge is made to be an instructor or examiner in the UK. It seems inconceivable that EASA will ensure that there is no charge to be one of its approved instructors or examiners. These costs will need to be passed on to pilots in an activity already struggling to survive. These changes contribute nothing to safety, EASA has never claimed that they do, but only impose an unreasonable increase in regulation and costs on aviation.

response *Noted*

Thank you for providing your opinion. However, the Agency does not know if the meaning behind your statement is understood correctly.

You mention the future charging for instructors and examiners. This issue is not part of the proposed licensing requirements but it will be the case that the CAAs will charge a certain fee for issuing or re-validating a licence or a certificate. This is already the case for sailplane licences in a lot of Member

States as it involves someone who has to do the administrative work in order to issue or re-validate a licence. This administrative work usually cannot be done by voluntary workers. If in some Member States the costs for issuing a licence are actually covered by membership fees or "sponsored" in a different way a change with the implementation of the future requirements might be possible. Nevertheless this cannot be categorised as an "unreasonable increase ... in costs" as the costs might be covered in a similar way as it is organised today if qualified entities are involved.

comment

5003

comment by: *Prof. Dr. Alexander Bubenik*

FCL.205.S (b) be ... and/or TMG. Flights carrying passengers in order to attract them to aviation, only compensating prime costs within the scope of a non-profit organisation should be considered permitted under this provision.

Based on the fact that aero clubs quite often acquire new members by providing short test rides, I strongly recommend a more liberal provision. As far as I know this has never been a mentionable safety hazard to anybody.

response

Not accepted

Thank you for your opinion and the proposal to define that a certain kind of guest flights against remuneration but only "compensating prime costs" should not be categorised as "commercial operation" and automatically permitted.

The definition for commercial operation given by the EU regulation 216/2008 uses the term "remuneration". In addition to this ICAO Annex 1 (para 2.3.2.1) mentions the following for the PPL:

"the privileges of the holder of a private pilot licence shall be to act, but not for remuneration, as pilot-in-commandin non-revenue flights."

Taking this into account, it leads to the conclusion that a pilot needs a commercial privilege (e.g. CPL if an aeroplane is used or a SPL/BPL with commercial privilege if a sailplane or balloon is used) for flights against remuneration.

A definition of the term "remuneration" or the decision if a certain flight or kind of operation must be defined as commercial operation or not (e.g. some kind of cost sharing or a pleasure flight) cannot be provided by these Implementing Rules.

comment

5151

comment by: *Dieter Zimmermann*

Zu FCL.205.S:

Die geamte Formulierung dieses Paragrafen schafft hoechste Rechtsunsicherheit und ist grundlegend neu zu formulieren ...

Eine gewerbliche Tätigkeit als Segelflieger gibt es, ausgenommen der Tätigkeit als Fluglehrer, die ja hier ausgenommen ist, und marginale Ausnahmen nicht. Eine Bezahlung für die Durchführung eines Fluges beschränkt sich stets auf die Selbstkosten und geht in der Regel an den Halter des Luftfahrzeugs.

Ziel der Aktivitäten der Agentur ist die Erhöhung der Sicherheit im Flugverkehr, hier insbesondere die Sicherheit des Passagiers. Die ist jedoch unabhängig

	davon, ob eine Bezahlung - in welcher Art auch immer - stattfindet. D.h. es dürfen allenfalls Forderungen an die Flugerfahrung gestellt werden, als Anhaltspunkt 40 Starts und 40 Landungen nach Erhalt der Lizenz. Eine Überprüfung ist insoweit unsinnig, da der Inhaber der Lizenz ja gerade eine Prüfung abgelegt hat. Zur Wahrung der Rechtssicherheit ist festzulegen, dass Fluglehrer nicht als Passagiere gelten.
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response for comment No. 5003 (Prof. Bubenik) above.</p>
comment	<p>5345 comment by: UK CAA</p> <p>Paragraph: FCL.205.S(c) Page No: 21 Comment: It is inappropriate for a SPL holder to instruct for LPL A,B or H. Justification: The holder of a SPL is not qualified for other types of flight instruction. Proposed Text: (if applicable) Change 'LPL' to 'LPL(S)'.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency is of the opinion that the requirements contained in subpart J (Instructors) will ensure that an SPL holder with the FI(S) certificate is not allowed to instruct for other aircraft categories (e.g. for the LPL(A)). FCL.900 defines that a person shall not carry out flight instruction unless he/she holds: "... an instructor certificate appropriate to the instruction given". In FCL.905.FI the privileges of an FI are defined as "... to conduct flight instruction for ... a PPL, SPL, BPL and LPL in the appropriate aircraft category ...".</p> <p>To make it even more clear, the Agency will accept your proposal and change LPL into LPL(S).</p>
comment	<p>5636 comment by: Klaus Melchinger</p> <p>It's very welcome to see commercial activities included in the license's privileges. Commercial sailplane flying other than flight instructioning is so rare, EASA would hardly issue more than one or two licenses per year.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your positive feedback on the commercial privilege. However, it should be mentioned that under the future requirements still the NAAs will issue the pilot licences.</p>
comment	<p>6005 comment by: ENAC TLP</p> <p>a) Since TMG is included in EASA airplanes endorsement list, more similar to</p>

SEP rather than to sailplane, we propose to delete acting as PIC on TMG as a privilege of SPL. In order to act as pilot in command of TMG, the training should be the same than PPL (45 hours) rather than the reduced one of SPL (10 hours). Maintaining this privilege in this section could drive safety standard down.

c) it's not clear from the text which kind of commercial activity, other than instructing, can be done with sailplane. We don't see any other possibility, so it should be specified.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree on the proposal to exclude the TMG from the SPL privilege. The TMG is certified according to CS-22 as a powered sailplane. The operation of the TMG is very often similar to the operation of an aeroplane but certain elements of the sailplane pilot training can be flown also with the TMG.

The Agency has reviewed the existing national requirements for flying a sailplane and a TMG and found out that in most of the Member States the TMG can actually be flown with some kind of a rating or extension on the sailplane licence. In some countries the TMG is seen as a sailplane and no further training requirements are established.

As the concept of extension and the proposed training syllabus plus the content of the skill test (please see the AMC containing the skill test and you will discover that the level proposed is similar to the level of the PPL(A) skill test) will guarantee a sufficient level of training and experience the Agency will keep the proposed extension for the SPL. Taking into account the mentioned lower total amount of flying hours (the given numbers are minimum numbers as the term "at least" is used) in order to receive the privilege to act as PIC on TMGs, the Agency decided to raise the initial training for the SPL and will ask for at least 15 hours of flight training.

Regarding your second issue other commercial activities could be the transport of passengers against remuneration. Based on the definition provided by the Basic Regulation, all flights against remuneration must be categorised as commercial activities and will require a commercial privileges.

comment

6213

comment by: *CAA Finland*

FCL.205.S(c):
Amended text proposal:

flight instruction for the LPL(**S**) or the SPL.

response

Partially accepted

Thank you for providing your opinion.
Please see the response for comment No. 5345 (CAA UK).

comment

6284

comment by: *DCAA*

Requirements for a Commercial privileges at a SPL shall be defined

response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response for comment No. 4769 (CAA Belgium).</p>
comment	<p>6728 comment by: CAA CZ</p> <p>Two provisions are marked (c) incorrectly.</p> <p>In addition, LPL is not specified, i.e. LPL(S), as well as in FCL.205.A(b) and FCL.205.H(b).</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Regarding the first editorial issue, the Agency agrees and will change it accordingly.</p> <p>Regarding the second issue, the Agency is of the opinion that the requirements contained in subpart J (Instructors) will ensure that an SPL holder with the FI(S) certificate is not allowed to instruct for other aircraft categories (e.g. for the LPL(A)). FCL.900 defines that a person shall not carry out flight instruction unless he/she holds: "... an instructor certificate appropriate to the instruction given". In FCL.905.FI the privileges of an FI are defined as "... to conduct flight instruction for ... a PPL, SPL, BPL and LPL in the appropriate aircraft category..."</p> <p>To make it even more clear, the Agency will accept your proposal and change LPL into LPL(S) (in the other mentioned paragraphs it was already included).</p>
comment	<p>6845 comment by: Colin Troise</p> <p>In various places the NPA uses the words "commercial" and "non-commercial". Whilst I would consider the majority of UK Gliding Clubs to be "non-commercial", being clubs run for the benefit of members, many do employ professional staff as instructors, as well as using other qualified and volunteer pilots as instructors as well.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>As the definition of "commercial operation" is given by the Basic Regulation, it cannot be clarified in these Implementing Rules. The Basic Regulation defines in § 3(i): "commercial operation shall mean any operation of an aircraft, in return for remuneration or other valuable consideration, which is available to the public or, when not made available to the public, which is performed under a contract between an operator and a customer, where the latter has no control over the operator..."</p>
comment	<p>6958 comment by: Austrian Aero Club</p> <p>FCL.205.S SPL - Rechte und Voraussetzungen Der Österreichische Aero Club vertritt die Rechtsansicht, dass es entsprechend der Grundsatzverordnung No 216/2008 (5), Einführung, es keine Regel zu</p>

geben hat, **die Luftfahrzeuge einfacher Bauart betreffen**. Segelflugzeuge sind ohne Zweifel solche Flugzeuge. Daher ist die EASA nicht autorisiert, SPL Lizenzen zu regeln. Der Entwurf für die FCL SPL ist wesentlich aufwendiger und teurer als die derzeitigen nationalen Regeln, welche in voller Übereinstimmung mit ICAO sind.

response *Noted*

Thank you for providing your opinion but the Agency does not agree.

Please check the Basic Regulation Article 7(7) in which the Agency is asked to develop "provisions for the issuance of all types of pilot licences and ratings required under the Chicago Convention, and of a leisure pilot licence". Due to the fact that a glider pilot licence is clearly contained in ICAO Annex 1 the comment is wrong when stating that "EASA has no authorisation to regulate SPL licences".

The comment further mentions that the SPL is "more complicated and expensive than current national regulations".

As there is a huge variety of different national licensing requirements for sailplane licences all over Europe the Agency does not know on which national requirements the comment is based.

The proposals contained in the NPA are based on ICAO Annex 1 and some of the existing national requirements and are rather low compared with most of the existing national experience requirements. Without any substantiated explanation why the new requirements are more difficult than the existing ones the Agency cannot evaluate the mentioned problem or provide an explanation why a certain number of hours or launches are proposed.

comment

7172

comment by: *Finnish Aeronautical Association - Kai Mönkkönen*

(b)(1)

We consider passenger carrying to an activity where skills of the SPL pilot should be checked by a proficiency check with an instructor.

Justification:

When carrying of non-pilot passengers, the pilot should have skills and accuracy of flight including the launch method used, in appropriate level for taking responsibility of unexperienced persons.

Proposed text:

Modify item (1) to read:

"The holder of a SPL shall only carry passengers after s/he has completed 10 hours of flight time as pilot-in-command of sailplanes or powered sailplanes and has passed a proficiency check with an instructor, demonstrating appropriate passenger flight handling skills".

response

Not accepted

Thank you for providing this comment.

See response for your comment No 7145.

(the same requirements for the LPL(S) and the SPL)

comment

7476

comment by: *A. Mertz*

	<p>please clarify the expression "LPL" (c) ... of flight instruction for the LPL(S) or the SPL.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response for comment No. 5345 (UK CAA) above.</p>
comment	<p>7526 comment by: <i>Mike Armstrong</i></p> <p>P21 of 647 FCL 205.5 The privilege of carrying passengers in sailplanes should only be permitted after familiarisation training in the particular seat of the two seater that will be used and also after some training on how to brief passenger before flight.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the responses provided to comments No. 1011 (G. Rowden) and No. 1299 (G Knight) above in the same segment above.</p>
comment	<p>7591 comment by: <i>cmueller</i></p> <p>ref (b) (1) For me it is not clear, if the SPL holder shall have completed 10 hour of flight total or after passing examination. 10h total flight time should be sufficient.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency is going to clarify that the required 10 hours of flight time have to be completed after licence issue. A sentence will be added in (b)(1).</p> <p>The Agency does not agree with your proposal to accept 10 hours total PIC time which will be reached in most cases already at the time of licence issue.</p> <p>Receiving a lot of comments dealing with the proposal of the Agency to require the LPL(S) or SPL pilot to have completed 10 hours of flight time before carrying passengers, this issue was discussed again with the review group and the all the input received was checked carefully.</p> <p>A huge amount of comments proposed some kind of a proficiency check and specific additional training before allowing the LPL(S)/SPL licence holder to carry passengers. Only a few comments proposed to delete this requirement completely and to allow the licence holder to carry passengers without any further additional experience. A certain amount of comments have addressed also the low amount of flight training specified in FCL.110.S, asked for additional training hours and agreed to the proposed 10 hours experience requirement.</p> <p>Based on a change for the minimum required flight training in FCL.110.S (change from 10 to 15 hours) the Agency has decided not to introduce an additional proficiency check or a specific rating for LPL(S) holders to carry passengers but to keep the proposed 10 hours experience after licence issue and add: "or 30 launches and landings".</p>

comment	8063	comment by: <i>European Sailplane Manufacturers</i>
	Same comment about definition of sailplane...see our comment in LPL(S) section....	
response	<i>Partially accepted</i>	
	Thank you for providing your comment. The issue of the wording for defining the privileges is already addressed in several other responses dealing with your comments. The text will be changed accordingly in order to clarify that a TMG is a specific class of powered sailplane but can be flown only with the TMG extension.	
comment	8214	comment by: <i>Klagenfurter Flugsport Club</i>
	Wir vertreten auch die Rechtsansicht, dass es entsprechend der Grundsatzverordnungs Einführung No 216/2008 (5), es keine Regel zu geben hat, die Luftfahrzeuge einfacher Bauart betreffend. Segelflugzeuge sind ohne Zweifel solche Flugzeuge. Daher ist die EASA nicht autorisiert, SPL Lizenzen zu regeln. Der Entwurf für die FCL SPL ist wesentlich aufwendiger und teurer als die derzeitigen nationalen Regeln, welche in voller Übereinstimmung mit ICAO sind.	
response	<i>Noted</i>	
	Thank you for providing your opinion but the Agency disagrees. See response provided to comment No. 6958 (Austrian Aero Club)	
	No justification or explanation is given why the future sailplane licensing requirements should be more costly or time-consuming as the existing ones. Therefore the Agency has no possibility to evaluate this.	

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 6: Specific requirements for the sailplane pilot licence - FCL.210.S SPL - Experience requirements and crediting

p. 21

comment	184	comment by: <i>Aero-Club of Switzerland</i>
	Looking at (c): Delete the "10 %", increase the maximum of the countable flight time to 10 hours.	
	Justification: In doing so you are in line with the PPL(A).	
	Delete the number of launches and landings.	
	Justification: We think that not much valuable experience could have be gained operating aircraft of other classes.	
response	<i>Partially accepted</i>	
	Thank you for providing your comment.	
	The Agency has reviewed all the comments received on the issue of crediting for certain aircraft categories and came to the conclusion that there is a need	

to revise the system for crediting proposed with the NPA. It has decided to accept a certain amount of previous flying experience (also Annex II aircraft) on the basis of a pre-entry test within an ATO before starting with the training for the LPL and the SPL. This credit shall in any case not exceed the total flight experience the applicant already has and it will be not more than 50% of the required flight training for the LPL or SPL licence. There will be no specific distinction between different aircraft categories like it was proposed before.

comment 445 comment by: *Head of training and security of FFVV*

French regulations allow the use of power planes during glider pilot training (with a glider pilot instructor).
We would like to maintain this option. The transponders used in planes are very useful tools for the teaching of navigation and the use of radio in controlled airspace.

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree with the proposal to count flight time on aeroplanes instead of training time to be flown in sailplanes.

The argument of aeroplanes being equipped with transponders is understood but due to the fact that the flying/cross country techniques to be used in an aeroplane are totally different from the ones in a pure sailplane the Agency is not in favour to allow training to be counted on aeroplanes.

As the TMG can be used for a certain amount of the training for the SPL already the mentioned "teaching of navigation and use of the radio in controlled airspace" should be trained in a sailplane or powered sailplane.

To make this clear and based on several comments proposing this an additional cross country flight on sailplanes will be added.

comment 973 comment by: *CAA Belgium*

(a) THE REQUIREMENTS ARE SIMILAR TO THOSE IN 110.S FOR LPL(S)AND STILL THE PRIVILEGES ARE DIFFERENT.

(c) HOW CAN CREDIT BE GIVEN FOR LAUNCHES PERFORMED IN OTHER CATEGORIES OF AIRCRAFT ?

response *Noted*

Thank you for providing your opinion.

The Agency agrees that the experience requirements for the LPL(S) and the SPL are nearly the same. The privileges for non-commercial activities are also the same. For the SPL an additional commercial privilege was introduced.

The main difference between the LPL(S) and the SPL is the medical.

Regarding the second issue on the crediting for a certain amount of launches, a new requirement will be introduced. Based on a pre-entry flight test by an ATO

the amount of hours to be credited will be defined. There will be no credit for the required minimum amount of launches (the comment was right in stating this). See the resulting text for FCL.210.S.

comment 1239

comment by: *Aeromega*

The requirement for two land aways on a single 185km cross country was derived from the fixed wing syllabus and requires a huge weather window. A student will typically take up to 6 hours to complete all his planning and the flight. This limits the number of days when it can be attempted due to insufficient weather windows.

It would be better to require two cross country details of say 100 km to be completed to different destinations on different days.

response *Noted*

Thank you for providing this comment.

However, it seems that the comment should be addressed to another segment. FCL.210.S is dealing with the experience requirements for sailplane pilots. As there was no cross-country flight proposed so far for the SPL (will be included), the comment seems to be addressed to the PPL(A) experience requirements.

The Agency does not intend to change the proposed requirements for the cross-country flight because ICAO Annex 1 requires exactly this flight (including two full stop-landings on different aerodromes) for the aeroplane category.

comment 1703

comment by: *Sven Koch*

10 Std auf Segelflugzeugen, Klapptriebwerke oder TMG, sowie Bedingungen FCL.110.S

Bewerber mit LPL(S) erhalten Ausbildung voll anerkannt. Bewerber mit Lizenz für andere Flugzeugkategorie Anrechnung: 10 % ihrer Flugzeit jedoch maximal 6 Stunden und 20 Starts/Landungen

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.210.S.

comment 3080

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

(a) 10 hours are way to little to ensure a reasonable safety level. A minimum of 25 hours is more realistic.

The logic of a minimum number of flight hours is to ensure that a pilot is mature and competent. Experience shows that after a (minimum) number of 25 flight hours a normal student has a robust foundation to be "released into independence". 15 out of 25 hours could be solo flight time. To reduce the total number to 10 hours is too risky. The majority of student pilots will not be mature enough to be released into independence at this stage.

response

Partially accepted

Thank you for providing your comment and the proposal to raise the training requirements for sailplane pilots drastically.

The Agency has spent quite some time discussing the question of developing the future requirements for the LPL and the SPL using the well known system based on a defined relatively high amount of hours and flights or by using a more "competency based" approach. The Agency is of the opinion that focusing on the competencies and skills of the pilot instead on a fixed amount of training hours and believing in the instructor's ability to decide when the student pilot has reached the required level of competence would be an highly acceptable solution. This competency based approach in relation with a clearly defined skill test which has to be completed with an examiner would fulfil all the conditions and obligations for this kind of licence contained in the Basic Regulation.

During the process of developing the new rules for the SPL and the LPL the experts did not agree on the purely competency based approach but came to the conclusion that it would be better to define some minimum requirements (using always the term: "at least"). However, the LPL and the SPL are still on a higher level than foreseen by ICAO Annex 1. (To make this clear: ICAO Annex 1 asks for only 6 hours of flight time and 20 launches).

As a result of the decision explained above some of the proposed figures for the SPL or LPL instruction time seem to be rather low compared with the average training time in different Member States nowadays and the training syllabus contained in the AMCs. The main advantage is that these minimum requirements will allow the instructor in specific cases (e.g. a student pilot with some previous knowledge) to send the student pilot to the examination without the need to perform further training flights only to fulfil the requirements.

The drafting group has taken into account the existing requirements for national (some of them being sub ICAO) licences in different Member States when developing these minimum requirements for the training.

The Agency would like to highlight that the two "oversight" or "responsibility" levels being the instructor (and approved training organisation) on one hand and the examiner on the other hand will guarantee that the level of competence reached will be sufficient and adequate to safely exercise the privileges given with this licence.

However, based on the input received asking for an increased number of hours (mainly from one Member State) the Agency decided to raise the minimum number of hours to 15 and to add an additional cross country flight.

comment

3522

comment by: *Geschäftsführer Luftsportverband RP*

Der SPL ist mehr oder weniger eine Wiederholung des LPL(S) und unterscheidet sich nur in der Tauglichkeit. Deshalb sollte stehen für:
(b) Applicants ...holding a LPL(S) shall be fully credited towards the requirements in (a) and do not require the skill test according FCL.235

response

Partially accepted

Thank you for providing your comment.

The Agency will add a requirement explaining that applicants for an SPL holding an LAPL(S) shall be credited towards the requirements of the issuance. Furthermore, it will be defined that applicants for an SPL that held an LAPL(S) within the 2 years before the applications shall be fully credited towards the requirements of theoretical knowledge and flight instruction.

comment 4095

comment by: *SFVHE*

Mit erfolgreichem Ablegen der Prüfung hat der neue Scheininhaber bewiesen, dass er das Fluggerät beherrscht, und damit auch in der Lage ist, ohne zusätzliche Stunden oder gar Prüfungen Passagiere zu befördern bzw. Gäste mitzunehmen

response *Noted*

Thank you for providing this comment.

However, it seems that the comment should be addressed to another segment. FCL.210.S is dealing with the experience requirements (minimum training for the licence) and not with any recency requirement.

comment 4208

comment by: *Deutscher Aero Club (DAeC)*

Paragraph (b) should read as following:

(b) Applicants for an SPL holding a LPL(S) shall be fully credited towards the requirements in (a) and do not require a skill test pursuant to FCL.235.

Justification:

The difference between LPL(S) and SPL is the medical only. Therefore no skill test should be required.

response *Partially accepted*

Thank you for providing your comment. Please see the response provided to comment No. 3522 (Geschäftsführer Luftsportverband Rheinland Pfalz) in the same segment above.

comment 4304

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.210.S(b)

Wording in the NPA

(b) Applicants for an SPL holding a LPL(S) shall be fully credited towards the requirements in (a).

Our proposal

Change:

(b) Applicants for an SPL holding a LPL(S) shall be fully credited towards the requirements in (a) **and do not require a skill test according to FCL.235.**

Issue with current wording

Since no additional skills are required a skill test is not necessary

Rationale

The wording does not make it clear that the application for the SPL by holders of an LPL(S) is just a formal procedure as no additional skills are required.

response *Partially accepted*

Thank you for providing your comment. Please see the response provided to comment No. 3522 (Geschäftsführer Luftsportverband RP) in the same segment above.

comment

4305

comment by: *Baden-Württembergischer Luftfahrtverband*

FCL.210.S(c)

Wording in the NPA

(a) Applicants for an SPL shall have completed at least 10 hours of flight time as a pilot of sailplanes, powered sailplanes or TMG, including at least the requirements specified in FCL.110.S.

...

(c) Applicants holding a pilot licence for another category of aircraft, with the exception of balloons, shall be credited with 10 % of their total flight time, launches and landings as pilot in command in such aircraft up to a maximum of 6 hours and 20 launches and landings.

Our proposal

Delete part (c)

Issue with current wording

Since (a) refers to the complete paragraph FCL.110.S which already contains the rule in part (c) in its part (b) this part can be removed here.

Rationale

It is only confusing if the contents of (c) are repeated here from FCL.110.S(b). It probably anyway conflicts with the rule making procedures and this redundancy bears the danger of inconsistency.

response

Accepted

Thank you for providing your comment.

The Agency agrees that item (c) is only a repetition of FCL.110.S (b) (numbering will be changed). Based on this and the wording used in FCL.210.S (a), the crediting of flight time in other aircraft categories must not be specified here again.

Please be aware that the Agency will introduce a new system for the crediting in FCL.110.S.

comment

4589 ❖

comment by: *Deutscher Aero Club*

FCL.205.S SPL Privileges and conditions para (a)

FCL 210.S SPL Experience requirements and crediting para (a)

EGU Comment:

Same remark as for FCL.105.S and FCL 110.S

EGU Proposal:

FCL.205.S

a) The privileges of the holder of a SPL for sailplane are to fly sailplanes and powered sailplanes.

FCL 210.S

a) Applicants for an SPL shall have completed at least 10 hours of flight time in

	sailplanes or powered sailplanes.
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding the wording in FCL.205.S, the Agency will change the wording in order to make clear that the holder of an LPL(S) or SPL will be allowed to fly sailplanes and powered sailplanes but will need additional training to fly the TMG which is a specific class of powered sailplanes.</p> <p>Regarding the wording in FCL.210.S, the text in FCL.110.S will also clarify this. Based on the input received the Agency will introduce a requirement which will limit the amount of flight training completed on TMGs. See the resulting text for FCL.110.S.</p>
comment	<p>5006 comment by: <i>Prof. Dr. Alexander Bubenik</i></p> <p>Refer to comment #4960: FCL.210.S (a) Applicants ... at least 25 hours of flight time</p> <ol style="list-style-type: none"> (1) 8 hours dual instruction (2) 15 hours of supervised solo flight time (3) 60 launches and landings (at least 20 solo) <p>Based on my experience as flight instructor (since 1984, roughly 4000 flights) I would like to stick to the requirements of the German LuftPersV §36 (3). A great deal of flying - at least from my point of view - has to do with practicing. The best single measure to educate new pilots and cultivate safety is exercising, excercising</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response provided to your comment No. 4960 and to comment No. 3080 (BMVBS) in this segment above.</p> <p>The Agency has decided to raise the proposed minimum numbers for the training from 10 to 15 hours. Additionally, a mandatory cross country flight will be added.</p> <p>Nothing will prevent the instructor or the ATO to ask for additional training as these are only minimum numbers indicated by the use of the term "at least".</p>
comment	<p>5119 ❖ comment by: <i>Allen A.</i></p> <p>10 Stunden Ausbildung sind zu wenig, da in dieser Zeit die Ausbildungsinhalte nicht vernünftig und vollständig vermittelt werden können. Vorschlag: In 20 Flugstunden ist dies machbar.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion and the proposal to raise the minimum amount of flight training.</p> <p>Please see the responses provided to the comments No. 5006 (Prof. Dr. A. Bubenik) and No. 3080 (BMVBS).</p>

comment	7175 comment by: <i>Finnish Aeronautical Association - Kai Mönkkönen</i>
	<p>(c) Maximum crediting up to 20 launches leaves still minimum of 20 launches left. Maximum crediting up to 30 launches should be allowed. Hours up to 6 is applicable maximum value.</p> <p>Justification: Experience on sailplane pilot training based on another pilot license has shown that such amount (20) may not be necessarily needed for gaining safe ability of flying and operating with sailplanes. Noting that maximum is not a "must", but a possibility related to students basic skills.</p> <p>Proposed text: Under item (c) of FCL.210.S replace maximum crediting value of launches (20) by 30.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing this comment. See response for your comment No 7148. (the same requirements for the LPL(S) and the SPL)</p> <p>It should be mentioned that the Agency will introduce a different system for the crediting of prior flight experience based on a pre-entry flight test. A certain amount of launches on sailplanes seems to be necessary also for aeroplane pilots in order to learn the specific launch techniques and the launch failure procedures and will therefore be kept.</p>
comment	8061 comment by: <i>European Sailplane Manufacturers</i>
	<p>It is not sufficient for a LPL(S) holder to get full credit for the flight hours and flights.</p> <p>As the only difference is the different medical the according "medical upgrade" should be enough to convert the LPL(S) into a SPL. Hence no additional skill test should be required. (As the skill is already there...)</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment. Please see the response provided to comment No. 3522 (Geschäftsführer Luftsportverband RP) in the same segment above.</p>

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 6: Specific requirements for the sailplane pilot licence - FCL.220.S SPL - Launch methods

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comment	1704 comment by: <i>Sven Koch</i>
	<p>Startart ist begrenzt auf den praktischen Prüfungsflug. Kann erweitert werden, wenn Bedingungen nach FCL.110.S erfüllt werden.</p>
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.220.S.

However, it has to be noted that the requirement mentioned is not the right one. In the NPA you will find a reference to FCL.130.S.

comment

2097

comment by: *Stefan JAUDAS*

FCL.220.S and FCL.130(S)

It should be clarified that the additional training flights for further launch methods beyond that used for the skill test can also be made **before** the skill test, during the normal course of pilot training.

response

Noted

Thank you for providing your opinion.

The comment is right when stating that the additional minimum training flights for a launch method not used during the skill test (different launch methods could be used also during the skill test because one flight will be normally not enough) could be completed also before the skill test takes place.

The Agency does not see a need to add a clarification as the wording in FCL.130.S (FCL.220.S) does not exclude this.

comment

3381

comment by: *Christian Körner*

The first sentence is not really practical. If the examiner does the skill test for example using the winch launch he can estimate how the applicant will handle other launch methods like the aeroplane towing.

Therefore I suggest the following change:

"The privileges of the SPL shall be limited to the launch methods used during the flight training."

response

Not accepted

Thank you for providing your opinion.

However, the Agency does not agree with the proposal to add the wording: "limited to the launch methods used during the flight training". Such a wording would result in allowing a pilot to use the launch method "winch launch" if he/she has flown so far only one winch-launch during the training and all the rest by aero tow.

In addition to this, the Agency disagrees completely with the statement that an examiner will be able to assess the pilot's performance and skills in winch launch techniques by using the aero tow for the skill test. This is definitely not the case because there are a lot of differences.

The Agency believes (based on a discussion with sailplane licensing experts and on an evaluation of the existing national requirements in several Member States) that a certain minimum amount of launches should be kept and that

the privileges should be limited to the launch methods used during the skill test. The Agency cannot see any problem with the proposed solution of allowing the instructor to confirm the completion of the training flights for the other launch methods.

comment 4279 comment by: *Graham Morris*

A very sensible requirement!

response *Noted*

Thank you very much for your positive feedback!

comment 7397 comment by: *Anja Barfuß*

In case that the applicant has completed the training for different launch method according FCL130S, but during the skill test only one of this launching methods is available, the licence should be include all launching methods documented as adequate skill.

response *Noted*

Thank you for providing your opinion.

The comment is right when stating that the minimum training flights for a certain launch method could be completed before the skill test even if this launch method will not be used during the skill test.

The Agency does not see a need to add a clarification as the wording in FCL.130.S (FCL.220.S) does not exclude this. If the minimum training for another launch method according to FCL.130.S has been completed, the instructor has to sign simply the logbook. If the launch methods will be entered into the licence or only signed in the logbook by the instructor, it has to be decided on a later stage.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 6: Specific requirements for the sailplane pilot licence - FCL.225.S SPL – Extension of privileges to touring motor gliders

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comment 443 comment by: *Head of training and security of FFVV*

The proposed TMG authorization does not comply with the use of motor-gliders in France.

In France, most motor-glider flights are limited to training purposes (initial training), security (outlandings), and local flights (these flights always take place within a 30 kilometers radius of the home airfield).

Thus, we suggest that a simplified TMG authorisation be applicable to the "basic licence", as also for instructors authorized to issue this "basic licence".

response *Noted*

Thank you for providing your opinion.

However, the Agency does not understand the problem. The proposal in FCL.225.S (FCL.135.S) asks for a TMG extension in order to fly safely a TMG. For the instructor who wants to use the TMG for the training this means that he/she has to hold an LPL(S) with TMG extension or an SPL with TMG extension.

In order to fly a TMG two routes will be available:

1. The LPL(A) - class TMG
2. The LPL(S) - with the extension for TMGs / SPL - with TMG

The Agency will add a sentence which should clarify that the TMG can be used for the flight training specified under FCL.110.S only up to a certain amount of hours.

comment **1172** comment by: *Thomas Reusch*

Überprüfung mit Fluglehrer ist ausreichend. Alle Flugzeiten müssen auf alle Kategorien angerechnet werden.

response *Not accepted*

Thank you for providing this comment.

However, the Agency does not understand the meaning behind. FCL.225.S is dealing with the extension of privileges to TMGs. If the comment is really proposing to have some kind of training or check flight with an instructor instead of the proposed 6 hours flight training, the Agency cannot agree. Please check the AMC material for FCL.135.S which contains the training syllabus for the extension to TMGs and you will easily understand why the Agency considers this amount of training to be necessary. A simple training or check flight with an instructor is not sufficient to fulfill the needs.

In addition to this, the comments mentions that flying time on other aircraft categories must be credited. The Agency does not agree as for the PPL(A) or LPL(A) pilot already a separate class rating TMG exists.

comment **1705** comment by: *Sven Koch*

Wenn Bedingungen FCL.135.S erfüllt werden

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.225.S.

comment **2098** comment by: *Stefan JAUDAS*

FCL.225.S

This part leads to the conclusion that holders of TMG privileges with an LPL(S) automatically also get the TMG privileges for their SPL when upgrading to an SPL in gliders. This should be spelled out and made unambiguous, lest respective national authorities make SPL applicants jump through the same

	<p>TMG hoop twice.</p> <p>Replace "may be" with "are". "May" puts this withdrawal at the mercy of the respective authority.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment.</p> <p>The comment is right when stating that a holder of an LPL(S) with the extension of privileges to TMGs will automatically receive these privileges to fly a TMG when "upgrading" the LPL to an SPL licence.</p> <p>The Agency believes that the wording contained in the NPA needs no further addition.</p>
comment	<p>4594 comment by: <i>Deutscher Aero Club</i></p> <p>FCL.225.S Extension of privileges to touring motor gliders Comment: Same remark as for LPL.135.S EGU Proposal: The privileges of an SPL shall be limited to flying sailplanes, self launching sailplane and self sustained sailplanes. The privileges of an SPL shall be extended to touring motor gliders, when the pilot has completed on a TMG:</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that the wording used in FCL.105.S, FCL.135.S, FCL.205.S and in FCL.225.S is misleading. The TMG is clearly a powered sailplane. However, as there is a separate extension for LPL(S) or SPL holders to exercise the privileges on a TMG this should be clarified and the text will be amended.</p> <p>The Agency is of the opinion that there is no need to mention specifically the different categories of powered sailplanes (like self-launching powered sailplanes or self-sustaining powered sailplanes). These additional differentiations would further complicate the system.</p> <p>The text will be changed accordingly.</p>
comment	<p>4716 comment by: <i>British Gliding Association</i></p> <p><i>FCL.225.S Extension of privileges to touring motor gliders</i></p> <p>Comment: Same remark as for SPL.135.S</p> <p><u>BGA Proposal:</u> The privileges of an SPL shall be extended to TMGs when a pilot has completed on a TMG . . .</p>
response	<p><i>Accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency agrees that the wording used in FCL.105.S, FCL.135.S, FCL.205.S</p>

and in FCL.225.S is misleading. The TMG is clearly a powered sailplane. However, as there is a separate extension for LPL(S) or SPL holders to exercise the privileges on a TMG this should be clarified and the text should be amended.

The text will be changed accordingly.

comment

5574

comment by: *Belgian Gliding Federation*

FCL.225.S Extension of privileges to touring motor gliders

Comment:

Same remark as for SPL.135.S

Proposal:

The privileges of an SPL shall be limited to flying sailplanes, self launching sailplanes and self sustained sailplanes. For touring motor gliders, this limitation shall be withdrawn when the pilot complies with"

response

Partially accepted

Thank you for providing this comment.

See response provided to comment No. 4594 (German Aero Club) in the same segment above.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 6: Specific requirements for the sailplane pilot licence - FCL.230.S SPL - Recency requirements

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comment

46 ❖

comment by: *Stefan JAUDAS*

FCL.140.S and FCL.230.S

It appears that this is one of the instances where the goal of simplification, transparent rules and reduction of bureaucratic hindrances has been missed completely. Instead of one criterion to determine recency, any possible criterion known in aviation is used:

- minimum flight time,
- minimum number of flights,
- biennial flight review with an instructor,

and to top things with something new

- hexennial proficiency check with an examiner.

Sorry to say this, but this is grossly bureaucratic and completely off the expressed goals of this proposed legislation. After all, we are talking about mostly recreational flying of small aircraft here.

The hexennial proficiency check must not be implemented for any basic LPL, LPL, LPL(S) or SPL at all, may they be basic or not. It will do nothing to

enhance safety. The examiner check ride every 6 years will not be practicable, as there will be far from enough examiners to get around. This would put an undue strain on the examiners and also particularly put many LPL(S) and SPL pilots out of recency due to examiner shortages and potentially longer spells of unsuitable weather at the end of these 6 years.

Recency must be regained by catching up on the missing requirements under flight instructor supervision only, documented in the pilot's flight log by the instructor. No flight examiners need to be involved. No authority needs to be involved. The full recency must be regainable under flight instructor supervision.

Sailplanes and powered sailplanes specifics:

There seems to be an inconsistency. On one hand, the number of required flights is put at a rather low 10 launches in 24 months, on the other hand, a check with an examiner is required every 6 years.

Current German law is 25 launches within the previous 24 months. The minimum flight time requirement for sailplanes was dropped in Germany some years back due to the recognition that most accidents happen during take-off and landing. Hence, the number of flights were given a stronger emphasis with those 25 flights in 24 months. Flights have a much bigger training and safety effect than plain flight time. Very active pilots have no problem racking up flight hours with very few flights. While low-time pilots have it much easier to accumulate flights rather than flight time. Flight time can be a problem in sailplanes when the weather does not co-operate. 2-year spells of bad soaring weather have happened before. And having flights under one's belt is never detrimental.

Conclusion: It would be preferable to emphasize number of flights for recency. Requiring 25 flights and no minimum flight time within the previous 24 months would be preferable in terms of aviation safety and pilot proficiency.

The regulation should read:

(a)(1)(i) at least 25 launches as pilot-in-command;

[(a)(1)(ii) and (a)(1)(2) deleted]

[(b)(1)(ii) and (b)(1)(2) deleted]

(c) Holders of a LPL(S) that do not comply with the requirements in (a) or (b) shall complete these requirements under supervision of flight instructors before they can resume the exercise of their privileges. Flights executed to complete these requirements shall be signed off by the flight instructors in the pilot's flight record documentation.

response

Partially accepted

Thank you for providing your comment.

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 mentioned in your comment.

It should be also mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised. However, due to the fact that in some Member States mainly the launch method aero tow is used these stakeholders and based on an evaluation of existing national requirements the Agency decided to raise the number of launches only slightly and will ask for at least 15 launches. During the mandatory training flights (for the SPL and the LAPL(S) 2 flights) the instructor will be able to identify possible deficiencies. Based on this evaluation additional training could be provided.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor.

comment 50 comment by: *Stefan JAUDAS*

See above at recency for LPL(s), FCL.140S

response *Noted*

See the response provided already to your comment No. 46 above.

comment 56 comment by: *Dr. Trautenberg*

FCL.230.S

It is proposed to add a special section for the required recency for commercial operations. The required number of take-offs in the used launch method for commercial operations should be of the order of 30 in the last 12 month and at least 10 in the last 90 days.

The 10 launches in the last 90 days is the current rule in Germany for operation of gilders for passenger flights at airshows, and this rule has proven it's effectiveness in the last decades years.

Newly proposed formulation:

(a) Holders of an SPL shall only exercise the privileges of their license when complying with the requirements in FCL.140.S

(b) To exercise the commercial privileges at least 30 take-offs in the launch method used are required in the last 12 months and at least 10 take-offs in the launch method used are required in the last 90 days.

response *Not accepted*

Thank you for providing your opinion and the proposal to raise the recency requirements for commercial operations with sailplanes drastically.

However, the Agency does not see a huge difference between a sailplane pilot carrying a passenger against remuneration (which would be a commercial operation following the definition of the Basic Regulation) and a pilot carrying a passenger in a non-commercial operation.

As the required experience in order to receive the commercial privilege and the

additional skill test will already ensure a certain level of experience, the requirements in FCL.060 (recent experience) ask for at least 3 take-offs on sailplanes in the preceding 90 days the Agency does not see a need to impose further additional recency requirements.

Furthermore, the operational requirements will ask for an additional regular proficiency check.

comment 254

comment by: *Uwe Lorenz*

Die FCL 140 S übertreibt mit der Forderung: (2) passed a proficiency check with an examiner on a sailplane at least once in every 6 years.

Zu was soll die Befähigungsüberprüfung mit Prüfer gut sein?

Es geht um den nicht kommerziellen Bereich, es sind keine 3. Personen betroffen.

Die bisherigen deutschen Regelungen waren besser. Stunden zu fordern ist im Segelflug ein Unding, es kann keiner für Thermik garantieren. Starts und Landungen sind wichtiger.

Ein Flug mit Prüfer kann keine Flugpraxis und Übung ersetzen. Den Punkt "proficiency check with an examiner" ersatzlos streichen !

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor

See the resulting text.

comment 544

comment by: *Stefan JAUDAS*

Concerning the proficiency check every 6 years:

If implemented at all (see previous comments), the proficiency check must be defined. This definition must be practicable. E.g., a proficiency flight of one hour flat will not be practicable in sailplanes, as weather conditions may not cooperate for extended periods of time. Demonstrating proficiency by an

accumulated flight time of one hour will not be practicable. For many sailplane operations this one hour accumulated flight time may translate in a total of 12 to 14 flights, which translates into the use of a double-seated sailplane for a whole day or more.

If implemented at all, the documentation of this proficiency check must be documented by an endorsement by the examiner written and signed off into the pilot's log book., and only through the pilot's logbook. No backloop from examiner to any licencing authority (i.e. examiner sends report to authority, authority issues paper to pilot that he is properly examined for the next 6 years) must be required before the examined pilot can exercise his flying privileges. Noreport to the licencing authority must be required. Any such backloop or report would create a huge bureaucratic structure, with all respective negative consequences.

If implemented at all, there must be a grace period which allows to make the proficiency check ahead of the expiration date of the 6 years without changing the deadline. A grace period of 6 months is proposed. E.g., if the proficiency check was due 31 Dec. 2016, a proficiency check made no sooner than 1 July 2016 would keep 31 Dec. 2024 as the deadline for the next proficiency check. A proficiency check on 31 June 2016 would change the next deadline to 31 June 2024.

If implemented at all, the proficiency check must explicitly be good to be used in lieu of the bi-annual training flights with an instructor.

response *Noted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor

See the resulting text.

comment 858

comment by: *Luftsportverband Rheinland Pfalz*

FCL 230 S.

siehe Kommentierung FCL 140 S

(a) (2) und (b) (2) wird abgelehnt
 ausreichende Flugpraxis ist der beste Garant für sicheres Fliegen. Ein Flug mit einem Examiner alle 6 Jahre bringt keinen zusätzlichen Sicherheitsgewinn. Im Gegenteil, es sind erhöhte Kosten zu erwarten. Sofern dieser Paus nicht komplett entfällt, sollte für diesen Überprüfungsflug die Beurteilung durch einen Fluglehrer ausreichend sein. Oder gibt es fundierte Erkenntnisse, das die Qualität und die Fähigkeiten der Fluglehrer nicht ausreichend sind? Grundsätzlich bedeutet der Flug mit einem Examiner alle 6 Jahre eine Verschärfung der geltenden deutschen Regelungen
 Es ist zu befürchten, dass 6 Jahre nach Inkrafttreten der hier vorgestellten Regelungen nicht ausreichend ehrenamtliche Examiner und Kapazitäten für die Überprüfung aller Piloten zur Verfügung stehen.

b) 3) auf TMG und aerodynamisch gesteuerten Ultraleichtflugzeugen erbrachte Zeiten sind ebenfalls für den TMG anzurechnen.

a) (2) und (b) 2 streichen,
 oder die Dauer der Intervalle auf mind. 10 Jahre erweitern
 oder ein Überprüfungsflug mit einem Fluglehrer (FI) alle 6 Jahre aufnehmen
 b) (3) ...completed on aeroplanes, TMG und/oder auf aerodynamisch gesteuerten Ultraleichtflugzeugen

response *Partially accepted*

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor

See the resulting text.

Regarding the issue of accepting flight time in microlights please check the responses on your other comments in the LPL subpart mentioning the same item. The Agency will only accept flight time on TMGs or single engine piston aeroplanes.

comment	<p>1148 comment by: Schäfer</p>
	<p>Zu den genannten Vorgaben sind die dokumentierten UL-Flugzeiten auf aerodynamisch gesteuerten Ultraleicht-Flugzeugen anzuerkennen Der Prüfungsflug nach 6 Jahren muß gestrichen werden. Hier hat sich in der Vergangenheit gezeigt, das der 1-Stundenflug mit Fluglehrer vollkommen ausreichend ist. Zumal dadurch dem Fluglehrer die Möglichkeit gegeben wird die erforderlichen Ausbildungszeiten zu erfüllen.</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Regarding your second issue the Agency has reconsidered the problem of crediting for Annex II aircraft (such as microlights) which are clearly excluded by the Basic Regulation from the future licensing requirements.</p> <p>The Agency decided to give credit for a certain amount of previous flight experience (also on microlights) when starting the training for the LPL (Please see the appropriate segment and paragraph). For the recent experience asked for in (b) requirement the Agency will not allow to count also flight time on other aircraft categories than single engine piston aeroplanes or TMGs (see (b)(3)). For the recent experience defined in (a) only flight time on sailplanes and powered sailplanes (except TMGs) will be accepted. The Agency is of the opinion that a certain amount of flight time should be completed on aircraft of the specific class and should not be flown in other aircraft categories (e.g. Annex II aircraft such as microlights) because of the different flight characteristics. When a licence holder has only flown on microlights in the recent 24 months he/she has the option to undertake a proficiency check on a SEP, TMG or sailplane in order to fulfill the criteria.</p>
comment	<p>1432 comment by: Aero Club Oppenheim e. V.</p>
	<p>Siehe Kommentar FCL.140.S</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your comment. Please see the response provided to your comment on FCL.140.S.</p>

comment	<p>1522 comment by: <i>Keith WHITE</i></p> <p>FCL.230.S refers to FCL.140.S. This leaves open the possibility of long periods without either flying or proficiency check. Make the proficiency check annual, and add to the recency requirements that at least one flight must have been made in the last 2 months, otherwise a check flight with an instructor is required.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your comment proposing to introduce a proficiency check every year.</p> <p>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.</p> <p>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.</p> <p>It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.</p> <p>Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor</p> <p>See the resulting text.</p>
comment	<p>1706 comment by: <i>Sven Koch</i></p> <p>Bedingungen wie FCL.140.S Siehe Kommentar FCL.140.S Subpart H Klassen und Typen-Berechtigung</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. See the response already provided to your comment No. 1694.</p>
comment	<p>1746 comment by: <i>Stephan Johannes</i></p> <p>Sehr geehrte Damen und Herren,</p> <p>grundsätzlich nachvollziehen kann ich, dass ein Checkflug in einem bestimmten Zeitintervall durchgeführt werden sollte. Ich bin davon überzeugt, dass ein Fluglehrer in der Lage ist, diesen Checkflug durchzuführen und zu bescheinigen.</p> <p>Eine Überprüfung im Sinne einer Prüfung durch einen Luftfahrtsachverständigen oder Prüfer der Behörde ist überzogen. Zum einen würde diese Prüfung bei bestehenden Luftfahrerscheininhabern zu einem</p>

"Stau" nach 6 Jahren führen andererseits müsste eine Organisation aufgebaut werden, die nur Kosten und keine zusätzliche Sicherheit produziert.

Mein Vorschlag ist ein Checkflug alle 2 Jahre mit einem Fluglehrer. Dieser Fluglehrer bescheinigt den Checkflug im Luftfahrerschein.

Im Segelflug sind die meisten Fluglehrer ehrenamtlich tätig, Kosten treten für den Inhaber der Lizenz keine aus.

Mit freundlichem Gruß

Stephan Johannes

response

Accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor.

It must be clarified that the flight cannot be a proficiency check but only a training flight as the proficiency check has to be done by definition with an examiner.

See the resulting text.

comment

2175

comment by: *Oelschlaeger, Harald*

Siehe Kommentar zu FCL 1450 S

response

Noted

Thank you for providing your comment.

Please see the response provided to your comment on FCL.140.S.

comment

2441

comment by: *Dr. Horst Schomann*

Problem: Required flight time in the recency requirements.

Proposed solution: Require 25 take-offs and landings in the last 24 month and 1 training flight with an instructor in the last 12 month.

Justification: To my experience take-offs and landings are more crucial to the safety aspect than the flight time. Pilots in areas of adverse thermal current conditions may have a problem to reach 6 hours of flight time, but may have much more than 25 take-offs.

response

Partially accepted

Thank you for providing your opinion and the proposal to raise the amount of flights for the recency requirement.

The proposed number of launches in order to fulfil the recency requirement was also discussed during the review of the comments. For each launch method a minimum of 5 launches within the last 24 months is required in FCL.130.S (c) already. The proposed "25 take-offs and landings" seem to be difficult to achieve for someone who is only using the launch method aero tow. Based on the discussions with the sailplane experts and an evaluation of the existing national requirements of different Member States, the Agency decided to raise the proposed number of launches but only up to an amount of 15 launches. As the newly introduced flight with an instructor will also allow to identify possible training needs this requirement should ensure a certain minimum level of experience.

comment

3825

comment by: *Matthias Springer*

Die Reduzierung der Mindestanforderung auf 10h PIC und 6 Starts bzw. 3h PIC 5 Starts + 3 Trainingsflüge innerhalb der letzten 24 Monate ist dem eigentlichen Ziel (nämlich Erhöhung der Flugsicherheit) abträglich. Nur durch regelmäßiges Üben (und das bedeutet hier Flugpraxis sammeln durch fliegen) wird auch das Sicherheitsniveau der Piloten angehoben.

Ein Prüfercheck der alle 6 Jahre stattfinden soll ist in keinster weiße geeignet die Fähigkeiten der einzelnen Piloten zu verbessern. (Im Straßenverkehr ist das Gefährdungspotential durch die einzelnen Teilnehmer erheblich größer als im Segelflug, dennoch wird der Führerscheininhaber keiner regelmäßigen Überprüfung unterzogen!).

Der alle 6 Jahre stattfindende Prüfercheck muss von dem Großteil der Piloten als unnötige Belastung empfunden werden und würde dazu führen das etliche Piloten unnötigerweise die Fliegerei beenden.

Um die Flugsicherheit zu erhöhen sollte man anstatt unnötiger und sinnloser Überprüfungen die Mindestanforderungen für den Scheinerhalt erhöhen.

Ein Vorschlag wäre 35 Starts und 6h PIC innerhalb der letzten 24 Monate.

response

Partially accepted

Thank you for providing your comment on the proficiency check and the proposal to raise the amount of flights for the recency requirement.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added.

The proposed number of launches in order to fulfil the recency requirement was discussed during the review of the comments. For each launch method a minimum of 5 launches within the last 24 months is required in FCL.130.S (c) already. The proposed "35 take-offs and landings" (the proposed amount of 6 hours was already part of the text published with the NPA) seem to be difficult to achieve especially for pilots who are only using the launch method aero tow. Based on the discussions with the sailplane experts and an evaluation of the existing national requirements of different Member States the Agency decided to raise the proposed number of launches but only up to an amount of 15 launches. As the newly introduced flight with an instructor will also allow to identify possible training needs this requirement should ensure the necessary level of experience needed.

comment

3969

comment by: *Ulster Gliding Club*

Holders of an SPL shall only exercise the privileges of their licence when complying with the recency requirements in FCL.140.S.

The recency requirements in FCL.140.S LPL(S) (page 16) include passing 'a proficiency check with an examiner on a sailplane at least once in every 6 years'.

At present, there are only about 40 examiners in the United Kingdom, but about 9,000 solo sailplane pilots. The proposals would impose an impossible workload on the examiners, even if their numbers were increased.

Since a LAFI for sailplanes (with unrestricted privileges) may act as an instructor for first solo flights, such a LAFI should be authorised to carry out the 6-yearly proficiency checks.

The NPA would severely affect members of the Ulster Gliding Club, since no examiner lives in Northern Ireland. Unless, therefore, this part of the NPA is changed as suggested above, the consequences for the Ulster Gliding Club would be extremely serious. Some members would be bound to resign in view of the increase in their costs.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor.

The Agency would like to highlight that the statement provided explaining that actually "no examiner lives in Northern Ireland" and the conclusion which states that the NPA with the proficiency check proposed would "severely affect" gliding clubs shows that the proposed new system for the examiners is not understood. Please read the Explanatory Note (section on examiners) and check the requirements for the examiners in subpart K to learn more about the future system. There is no reason why not in every gliding club one or more experienced instructors could receive an examiners certificate.

comment 4096 comment by: *SFVHE*

Die bisherige Regelung (Übungsflug mit Fluglehrer) ist völlig ausreichend. Prüferflug ist nur ein Kostentreiber. Flugstunden auf Ultraleichtflugzeugen müssen auch bei TMG angerechnet werden. Flugzeit ist Flugzeit.

response *Noted*

Thank you for providing this opinion.
Please see the response provided to comment No. 858 (Luftsportverband Rheinland Pfalz)

comment 4115 comment by: *Bernd Hein*

hier gilt mein Kommentar zu FCL 140.S

response *Noted*

Thank you for providing your comment.
Please see the response to your comment on FCL.140.S.

comment 4149 comment by: *Elmar KUEMMEL*

Siehe Kommentar FCL.140.S

response *Noted*

Thank you for providing your comment.
Please see the response provided to your comment on FCL.140.S.

comment 4623 comment by: *Diether Memmert*

Siehe Bemerkung bei FCL.140.S

response

Noted

Thank you for providing your comment.
Please see the response provided to your comment on FCL.140.S.

comment

4704

comment by: *Peter Kynsey*

These are unnecessary, all gliding clubs have their own which are relevant to their particular sight. A broad brush set of rules like EASA's do not take into account the varied sites that gliding is carried out from and your recency requirements will just be a set of meaningless hoops to jump through in order to be legal but not safe. Safety will be in the hands of gliding clubs and it should be left there.

response

Noted

Thank you for your opinion.
Based on the evaluation of several existing national regulations for the recency requirements of glider pilots, the Agency will keep recency requirements in its Implementing Rules.

Trying to understand the justification for your proposal to leave the recency requirements under the responsibility of clubs and organisations it must be highlighted that the legislator has tasked the Agency to develop these requirements also for sailplane pilots. Furthermore every gliding licencing or flight safety expert will confirm that a certain minimum of experience on sailplanes (as defined) must be maintained in order to fly safely on a sailplane. If certain specific local procedures are requiring further specific training needs nothing prevents a club to ask for additional specific recent experience.

comment

5007

comment by: *Prof. Dr. Alexander Bubenik*

Refer to comment #4987:

FCL.140.S (a) (1) (i) 6 hours of flight time as pilot-in-command, including 25 launches

(ii) 3 hours of flight time including 5 launches as pilot-in-command, and a minimum of 3 hours and 5 training flights with an instructor.

I regard this as a minimum practice. Figures are mainly derived from §41 LuftPersV (Germany).

FCL.140.S (a) (2) performed a training flight on an sailplane with a flight instructor, at least every other year. An sufficient skill level has to be an endorsed in the holders flight log.

For explanatory statement refer to my comment #4939

response

Partially accepted

Thank you for your response.
Please see the response provided to your comment No. 4987 and No. 4939.

The training flight with an instructor will be introduced (for sailplanes: 2 flights every 24 months) and the amount of launches will be raised to 15.

comment

5120 ❖

comment by: *Allen A.*

Den Proficiency Check für LPL(S) als auch für TMG in dieser Form lehne ich ab, da der Aufwand im Vergleich zum Sicherheitsgewinn zu groß ist.
Vorschlag: Die Überprüfung durch einen Fluglehrer alle 24 Monate ist ausreichend.

response

Accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor.

comment

7603comment by: *cmueller*

I disagree with proposal.

ref to FCL.140(S) (a) (2) a proficiency check with an examiner on a sailplane at least once in every 6 years

This is a very high border for pilots in non-commercial air-sports.

Practicing air-sports in clubs with a social structure and the requirements of FCL.140S (a) (1) should be a sufficient control of the ability of a pilot.

It could be an alternative to replace the examiner by an FI. A practicing FI has sufficient training and has to refresh his knowledge so that an FI should be able to do this.

The duty of proficiency checks in the draft would bring some additional personnel and costs to the government and the pilots. The existing situation with the amount of FI could help to reduce this.

response

Partially accepted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flights with an instructor will be added and the amount of launches will be slightly raised.

Furthermore, a sentence will be added explaining that the missing launches or hours under (a)(1)(i) might be completed under the supervision of an instructor.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 7: Specific requirements for the balloon pilot licence

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comment

3017

comment by: *Richard ALLEN*

Given that a major remit of EASA is to increase the safety of aviation, I think it is poor that balloon licensing does not include a "commercial" licence, similar to that of the UK CAA. The current UK commercial balloon licence is recognised world-wide for its training, safety and skills that the holder has. In changing over to holding a BPL this could disadvantage many UK commercial licence holders in either gaining or retaining jobs outside the EU, as the individuals are not "seen" to hold such a licence. Having read the NPA I feel that there are various strengths in what is proposed, however I do feel that a "commercial" licence, as currently available in the UK is somewhat lacking.

If such a licence existed, other benefits such as a proficiency check once every 13 months if wishing to fly CAT can be set, rather than having this set as an exemption on a BPL.

response

Noted

Thank you for providing your opinion.

However, the Agency does not agree with the conclusions provided. During the drafting phase of these requirements the drafting group made an evaluation of the existing national ballooning requirements. Based on the result, it was decided not to introduce a CPL but to develop a commercial privilege for the BPL. This system is actually in place in several Member States and works very well.

The comment does neither provide any safety related justification why such a CPL (as actually in place in the UK) should be introduced but mentions only that this future licence could "disadvantage many UK commercial licence holders". This will not be the case because the future BPL with commercial extension will provide the same privileges as before. Furthermore it should be pointed out that the IACO SARPs do not foresee a CPL for free-balloon pilots

but provides a recommendation that if passengers are to be carried for remuneration or hire, the licence holder should have completed not less than 35 hours of flight time. Based on this the Agency will not change the proposals or introduce another specific CPL for balloon pilots.

The Agency does not agree with the statements provided as an explanation is missing why safety would be increased by choosing simply another title for the licence.

The operator proficiency checks will be introduced also for CAT balloon pilots but this has been already addressed in the OPS requirements.

comment 5538 comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

d) has to go completely into FI-Part

response *Noted*

Thank you for providing this feedback.

The Agency has carefully reviewed the comments received and is aware that a certain amount of stakeholders (mainly National Aviation Authorities) commented that such a deviation from the ICAO requirements and the provisions in JAR-FCL should not be implemented. The issue was discussed again during the review phase. Based on the fact that this new requirement has no negative impact at all on flight safety but will support to revitalise General Aviation, the Agency decided to keep this requirement and to include also a similar privilege for the activity as examiner.

In order to make clear that the holder of a BPL who intends to provide flight instruction has to hold an instructor certificate, the term "with instructor privileges" will be added. This will address also the problem identified by you.

comment 7724 comment by: *Ballongflyg Upp & Ner AB*

FCL.205.B

It shuld be possible to do a proficiency check for the flight manager in a company with approval from the local authority. Or for a person that the flight manager advise.

It is a risk that it will not be sufficiant with examiners and instructors, so this can become a problem.

response *Noted*

Thank you for providing your opinion.

However, the Agency will not follow your proposal to allow the "flight manager in a company" based on an approval of the competent authority to conduct proficiency checks. Please see the definition of proficiency checks and you will discover that only examiners will be allowed to perform these checks. This is also required by the Basic Regulation (EC 216/2008).

Therefore, such an approval/certification will only be done if this flight manager

fulfills the requirements in Subpart K to become an FE(B). It should be highlighted also that the system actually in place in your country will not be the same in the future. The Agency proposes a new system which, if needed, will allow to have in some areas more examiners than today.

The text in FCL.205.B (c) (requirement for a proficiency check with an examiner before exercising the commercial privileges) will be kept and the term: "of the specific class" added.

comment

8193

comment by: *Dan Mader*

Ich schreibe in name die Assoziation für Czech kommerzial piloten.

LPL(B) ist super

BPL ist OK, aber als es ist nicht für kommerzial flug, was soll ein pilot machen, die hat ein werbung (bezahlte) auf balloon? Er kann nicht fligen damit, weil es ist schon kommerz flug. Aber er kann keine schaden machen, weil es sollte ein flug nur mit werbung sein.

Wir meinen, dass es werde besser, die BPL lizenz auf 2 verschiedene teile machen: "

BPL - Balloon pilot, mit 35std. praxis (zusammen mit erste 16std in balonschule) und ein profcheck.

Diese pilot kann mit balloon max 4000m mit werbung oder 2-3 passagiere fligen (beide bezahlte).

Es ist nicht möglich zu kontrollieren ob es ist richtig bezahlt oder nicht. Lieber als die passagiere sind richtig versichert und so.

Es ist besser, als schwarze flüge, nicht kontrollierbar, weil ein junge pilot musst sein hobby irgendwie finanzieren.

Die möglichkeit für kontrolle ist besser als die restriktion.

Auch für market ist dass besser, weil diese piloten kann ein hobby haben, die können von seine firmen finanzieren oder so. Passagieren sicher lieber ein profi mit grosse balon (mit CPL pilot) und mit bessere komfort finden.

CPL - Kommerzial ballon pilot, der kann mit grosse passagier balone fligen, mit min praxis 75 oder 100 std, auch mit profcheck und praxis mit grosse balone.

Für beide (BPL und CPL) lizenz ist ein medical 2 class genug. Geschwindigkeiten mit balon sind ganz andere als mit klein flugzeug oder hubschrauber. Auch alter der pilot ist auf ein flugdokter zu begutachtung. Sie müssen nicht alter begrenzen, lieber medical jede halbe jahr befehlen. Und zB. nicht jeder zeit die selbe doktor.

response

Partially accepted

Thank you for providing your opinion and for the positive feedback on the LPL for balloon pilots.

Regarding the second issue, it has to be clarified that there is a commercial privilege foreseen for the BPL. You will find it in FCL.205.B (b) and (c). If a certain activity (as mentioned in your comment: "sponsored envelope") must be categorised as "commercial operation" or "against remuneration" or not has to be checked against the definition provided in the Basic Regulation (EC 216/2008). It is not the task of these licensing requirements to define or clarify this issue for all the different kind of operations.

With your third comment you propose to introduce another commercial licence or privilege for the BPL asking only for 35 hours experience. The drafting group decided to ask for the 75 hours mentioned in (b) in order to ensure a certain level of experience before acting as PIC in commercial operations. Based on the comments received (several of them asking for a CPL for balloons) the Agency decided to introduce additional experience requirements for the extension to another group and an additional proficiency check for each group. Based on this and the ICAO recommendation it was decided to lower the minimum experience for commercial operation in this paragraph (35 hours instead).

It should be highlighted that the Agency has already foreseen to require a medical class II for the BPL (for the commercial privilege as well). Please see also Part MED (NPA 2008-17c).

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 7: Specific requirements for the balloon pilot licence - FCL.205.B BPL privileges and conditions

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comment 293 comment by: CAA Belgium

(d) to be deleted

NO REMUNERATION IF PILOT IS NOT HOLDER OF AT LEAST A CPL

response *Not accepted*

Thank you for sending us your opinion.

The comment is not right because ICAO Annex 1 does specifically mention some kind of commercial activity for the balloon pilot licence (see recommendation under 2.10.1.3.4 "If passengers are to be carried for remuneration or hire, the licence holder should have completed...") but does not introduce a CPL for balloon pilots.

With the definition of commercial operation given by the Basic Regulation there is clearly a need to introduce a commercial privilege also for sailplane and balloon pilots. A CPL for these categories is not envisaged because not needed.

Regarding the proposal to allow the BPL instructor to receive remuneration for providing flight instruction, no justification was provided why this should be deleted. The Agency cannot see any safety case connected to this and would like to highlight that this proposal was submitted by the drafting groups in order to revitalise General Aviation by allowing the instructors to get paid. The Agency will keep the requirement as it is proposed and will include also a similar privilege for the activity as examiner.

comment 1222 comment by: Julia DEAN

I can find no reference to a Commercial Pilot Balloon Licence - which seems a very retrograde step indeed.

The UK CPL(Balloons) has set the minimum standard necessary in a number of

countries and has formed minimum requirements for tourist or passenger flying around the world.

EASA balloon pilots will now face the possibility of a loss of authority or credential around the world and it seems a retrograde step with consequent safety implications. Are we not opening ourselves up for the BPL pilot now requiring different 'ratings' or 'exemptions' in order to be able to perform some activities rather than a clear dividing line between the private and commercial that currently exists.

What is the reason for the withdrawal of a commercial balloon pilots licence?

If there are no commercial balloon pilots how may the many existing balloon passenger flying operations be confident that pilots have the necessary experience and safety record. Without the publication of the NPA on operations we have no indication how this may affect many businesses and many individuals around the world. I repeat my request for an extension of the consultation date - see comment 1215

response *Noted*

Thank you for providing your opinion.

However, the Agency does not agree with the conclusions provided. During the drafting phase of these requirements the drafting group made an evaluation of the existing national ballooning requirements. Based on the result, it was decided not to introduce a CPL but to develop a commercial privilege for the BPL. This system is actually in place in several Member States and works very well. FCL.015 defines that any extension of the privileges granted by a licence shall be endorsed in the licence.

The comment does not provide any safety related justification why such a CPL (as actually in place only in the UK) should be introduced. Most of the comments dealing with this issue express concerns that their privileges could be lost in the future system. This will not be the case because the future BPL with commercial extension will provide the same privileges as before. The endorsement will clearly identify this extension of the privileges. Furthermore it should be pointed out that the IACO SARPs do not foresee a CPL for free-balloon pilots but provide a recommendation that if passengers are to be carried for remuneration or hire, the licence holder should have completed not less than 35 hours of flight time. Based on this the Agency will not change the proposals or introduce a specific CPL for balloon pilots.

comment

1534

comment by: *Danish Balloon Organisation*

FCL.205.B (d):

We appreciate that remuneration is now possible for BPL holders instructing for the LPL and BPL.

This approach will help solve the need for instructors and examiners.

response

Noted

Thank you for your positive feedback on the Agency's proposal to allow the FI(B) to receive some remuneration for providing flight instruction. The Agency has added this requirement during the drafting phase of these requirements based on the fact that General Aviation asked for such a clarification in order to

provide a solution for the shortage of instructors for General Aviation in Europe.

Please see also the response provided to comment No. 293 (CAA Belgium) in the same segment above explaining why the Agency will keep this requirement and providing more information on the ICAO requirements for commercial activities with balloons.

comment

1640

comment by: *Nigel Roche*

During an EASA FCL workshop held at Gatwick on the 17th of November Ms Micaela Verissimo when questioned about UK CPL Balloon holder licences said that EASA was minded to give them PPL Licences with the rights to earn money carrying passengers.

As some of the UK commercially operated balloons are capable of carrying up to 25 people.

It seems very odd that current CPL Balloon Licence Holders are to be issued with a PPL(B) , a lower level of licence but, to enable them to continue thier current commercial operations at the same scale an alteration to the regulations will be made. This, however is not going to be made available to airship operators.

My suggestion is three fold firstly the FCL is amended to allow:

(1) a PPL(B) to be able to carry a maximum of eight other persons in the basket.

(2) a PPL(B) may be remunerated for to carrying fare paying passengers up to a maximum of eight.

(3) that a CPL Balloon licence is created in the FCL to cover operations of passenger flights of more than eight people.

This would accommodate those in Europe who are not large passenger carrying commercial operations and recognise the licence and number of passengers currently being carried in the UK.

It will also allow the either companies that are based in mainland EU to grow their operation or for the UK companies to expand their areas of operation under EASA and the Treaty of Rome.

response

Not accepted

Thank you for providing your opinion.

The Agency would like to provide some more information why it was decided not to introduce a CPL for balloon pilots. Firstly, it should be highlighted that such a CPL is not foreseen in the ICAO SARPs and is actually also only in place in one Member State.

In order to understand why it was chosen to introduce a specific commercial privilege please see response to comment No. 1222 (J. Dean) in the same segment above. It has to be pointed out that the BPL with commercial extension will not be "a lower level of licence" as stated in your comment. No

justification is provided in any of the comments received on the issue why the privileges would be lower and no safety related consequence could be identified.

Regarding your comment on the conversion of national licences, please be aware that these transition measures will be defined in a separate document. Based on these transition measures the Competent Authorities in the different Member States will have to decide if a certain licence will be converted into an LPL(B), a BPL or a BPL with commercial privilege and for which class and group.

Furthermore, you propose different changes of the Implementing Rules.

Your proposal in (1) asks for a limitation of the BPL (please be aware that the term PPL(B) is not used in the Implementing Rules) privileges to 8 passengers only. The Agency discussed this issue with the experts already during the drafting phase and came to the conclusion that the introduction of groups (based on the envelope size) would make more sense than a limitation to a certain amount of persons. The certification of a certain balloon will decide on the this limit. The Agency does not see a safety related reason to introduce such a change.

In (2) you are proposing to allow any BPL holder to be remunerated for carrying passengers. As the privileges of a BPL holder without any additional experience or a specific check do not allow (please see also the ICAO SARPs Annex 1) to act against remuneration this proposal cannot be introduced at all.

In (3) you ask for a CPL for any operation with more than 8 passengers on board. Please see the answer already provided in the beginning. The Agency will not introduce such a CPL because the commercial privilege is already introduced in FCL.205.B. This commercial privilege cannot be linked to a certain amount of paying passengers on board because the definition provided by the Basic Regulation (EC 216/2008) clearly says that the transport of one passenger against remuneration must be treated in certain cases already as commercial operation.

comment

2771

comment by: *David COURT*

(d) This is a very good initiative from EASA. Allowing the holder of a BPL to receive remuneration for flight instruction will encourage good pilots to become Instructors rather than flying commercially to meet their costs.

response

Noted

Thank you for providing this positive feedback.

Please see the response provided to comment No. 1534 (Danish Balloon Organisation) in the same segment above.

comment

2909

comment by: *AECA(SPAIN)*

(d) to be deleted

Justification:

No remuneration if pilot is not holder of at least a CPL

response

Not accepted

Thank you for your comment.

Please see the response provided to comment No. 293 (CAA Belgium). The justification provided is wrong.

comment

3169comment by: *Susana Nogueira*

(b) be restricted to act without remuneration.

Delete all other phrases of the paragraph.

Justification: We are speaking about a Private Pilot Licence- Is not in accordance with ICAO Annex 1.

response

Not accepted

Thank you for your comment.

However, the comment is not right because ICAO Annex 1 does specifically mention some kind of commercial activity for the balloon pilot licence (see recommendation under 2.10.1.3.4 "If passengers are to be carried for remuneration or hire, the licence holder should have completed...") but does not introduce a CPL for balloon pilots. The Agency will keep the paragraph (b) unchanged because a commercial privilege is needed.

The commercial privilege on the SPL and BPL was the reason not to call this licence a PPL(S) or (B) but SPL and BPL.

comment

3170comment by: *Susana Nogueira*

Delete paragraph (d).

Justification: Is not in accordance with ICAO Annex 1.

response

Not accepted

Thank you for your comment.

Please see the response provided to comment No. 293 (CAA Belgium). The justification provided is wrong.

comment

3422comment by: *Royal Danish Aeroclub*

We support the possibility to have remuneration for pilots of balloons.

Remuneration do exist in almost all other aspects - and remuneration do not change the level of flight safety.

Paid pilots do normally fly more than none paid pilots.

response

Noted

Thank you for providing your opinion and the positive feedback. Please be aware that the BPL holder has to have the commercial privilege in order to be involved in commercial operations or to any receive remuneration (see

definition of commercial operation in the Basic Regulation).

comment 3571 comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

FCL.205.B BPL privileges and conditions

BPL holders should act in commercial operations other than CAT without the additional commercial rating.

Reason:

If someone puts a banner from his local pizza service on his basket and gets a free pizza for that it is a commercial operation. There is no added risk for anybody, so no added rating is justified.

Generally, "Aerial Work" operations should be possible without an additional rating except tethered flights.

response *Not accepted*

Thank you for providing your opinion.

However, the Agency will not follow the proposal to exclude specific commercial operations other than CAT from the requirement to hold the commercial privilege as this extension of the privileges is specifically foreseen for all kind of commercial activities. If a certain activity has to be defined as "commercial operation" or not cannot be decided by this licensing requirements.

comment 3572 comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

FCL.205.B (d)

This explanation is confusing because no flight instruction can be done by an ordinary BPL holders.

response *Noted*

Thank you for providing your comment.

The Agency has realised that the wording used in (d) caused some irritation. FCL.900 clearly states that "a person shall not carry out flight instruction ... unless he/she holds ... an instructor certificate...".

In order to clarify this issue, the term "with instructor privileges" will be added.

comment 3660 comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

FCL.205.B (a) BPL privileges

An applicant flies with a Cameron N 145 (4 100m³) during his student time and after 16 hours, a solo flight and an examination he can fly already in the medium class up to 10 000 m³. We are not happy with that.

How to do a solo flight with a 145 Balloon?

We suggest:

Privilege after examination should be given up to ELA1/3 400 m³ seize (see also comment about the seizures No.3678)

response *Partially accepted*

Thank you for providing your opinion. However, it seems that this comment should have been addressed to FCL.210.B dealing with the experience requirements.

The comment is dealing with the question what kind of limitation is foreseen for the privileges to fly balloons of a certain group (envelope size related) when the training has been completed. FCL.210.B requires that the flight instruction has to be completed on balloons of the same class and group. FCL.225.B defines that the privileges shall be limited to the group in which the skill test was taken. This limitation will be only withdrawn when the additional requirements in FCL.225.B (b) have been completed. This clarifies that the example provided in your comment does not comply with the proposed requirements. A balloon pilot who completed his/her flight training (and skill test) on a balloon with an envelope size of 3400m³ has to do additional training in order to receive the privilege to fly a balloon with an envelope size of 5000m³.

Based on the huge amount of comments received (also in the segments for the LPL(B) and in the segment dealing with the AMC to FCL.225.B) proposing to introduce an intermediate group for the class medium, the Agency decided to introduce an additional group for hot-air balloons between 4001m³ and 10500m³ using 7000m³ as the differentiation.

The AMC material (AMC to FCL.225.B) will be changed to read:

up to 4000 m³ (141.000 ft³)
 4001 m³ - 7000 m³ (141.001 ft³ to 247.000 ft³)
 7001 m³ - 10.500 m³ (247.001 ft³ to 371.000 ft³)
 over 10.500 m³ (over 371.000 ft³)

The names for the different groups introduced with the NPA (Small / medium / large) will be deleted.

Based on several other comments received, the Agency will also introduce an additional requirement in FCL.225.B in order to ask for a certain experience (total amount of flight time on balloons) before extending the privileges to another group. Please see also the response provided to your comment No. 3673 in the same segment below.

comment

3673

comment by: *Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany*

FCL.205.B (b) (c) Commercial privileges

We suggest the following model:

after 30 hours CAT possible for balloons up to 3 400 m³ with a prof check;
 after 100 hours CAT possible for balloons more than 6 000 m³ with a prof check;
 after 200 hours CAT possible for balloons more than 6 000 m³ with a prof check;
 after 250 hours CAT possible for balloons more than 10.000 m³ with a profcheck (if you create 4 groups).

response *Partially accepted*

Thank you for providing your opinion.

The Agency has received quite a lot of comments asking for additional requirements on the commercial privilege in order to address pilot's experience in a specific group (envelope size related). The general approach used in (b) with a minimum amount of 75 hours experience and only one general commercial proficiency check mentioned in (c) was questioned.

Some of the comments propose to introduce different experience requirements for the different groups whereas some others rely only on additional training in the specific group or the proficiency check. Some of the comments also propose to introduce such a check for each group separately. Additionally the minimum amount of 75 hours experience was questioned in some comments as they think this could create a high burden for pilots operating a small balloon and wishing to operate commercially.

The Agency carefully reviewed the comments received and discussed the issue with the ballooning experts. Based on this and the fact that the ICAO SARPs recommend only an experience of 35 hours flight time before carrying passengers against remuneration the Agency decided to change the system proposed slightly and to introduce some new requirements as follows.

The requirement in FCL.205.B (b) will be changed and aligned with the ICAO recommendation. The holder of a BPL shall have completed 35 hours and 50 take-offs and landings on balloons before applying for the extension to commercial operations.

Several comments propose the introduction of a certain experience requirements for the different groups. The Agency carefully reviewed this issue and agrees in general with this proposal. As the Agency does not see a huge difference in carrying passengers commercially or in a non-commercial operation in a balloon of a certain envelope size (e.g. 7001m³ - 10.500m³) the following requirements will be incorporated as a general experience requirement for the different groups without any specific reference to commercial operation.

In the case of balloons with an envelope capacity between 4001m³ and 7000m³ the BPL holder shall have completed at least 100 hours.

In the case of balloons with an envelope capacity between 7001m³ and 10.500m³ the BPL holder shall have completed at least 200 hours.

In the case of balloons with an envelope capacity of more than 10.500m³ the BPL holder shall have completed at least 300 hours.

Additional training flights in a balloon of a specific class have to be completed. Following other comments it was also decided to introduce a skill test for each group.

Please see also the responses provided to the comments on FCL.225.B.

comment

3919

comment by: DGAC FRANCE

FCL 205 B (d)

Justification :

This paragraph is without any doubt in deviation with ICAO Annex 1.

This deviation is not suggested in the basic regulation 216/2008 ; this subject exceeds the EASA prerogatives.

Modification :

Deleted paragraph (d)

response *Not accepted*

Thank you for your comment.

Please see the response provided to comment No. 293 (CAA Belgium). The justification provided is wrong.

comment *4206*

comment by: *Bart Sebregts*

The 75 hours experience as PIC where does it come from? The new BPL has done instruction specially for commercial flights with passengers and passed 2 checkouts by an examiner. 25 hours experience before commercial flying is more acceptable. Very strange is that a new BPL may act as an instructor (d) while he is not capable to fly a balloon with paying passengers. In our situation in Holland is a instruction flight a commercial activity.

response *Noted*

Thank you for providing your opinion.

The introduction of the 75 hours experience requirement in (b) was based on the proposals of the drafting group and on the fact that it was not decided to create a specific CPL but to introduce a commercial privilege on the BPL which asks for a clearly defined amount of experience before performing any commercial operation.

Your proposal to reduce this experience requirement to only 25 hours and some other proposals provided to this segment were reviewed very carefully by the Agency. Please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.

Regarding your last issue, the Agency has realised that the wording used in (d) caused some irritation. However, it must be stated that this requirement only allows the BPL holder to receive remuneration for providing flight training but does not provide automatically the privilege to provide instruction. Please check FCL.900 in the subpart for instructors and you will discover that flight training shall only carried out by certified instructors. This does not mean that an instruction flight is always a commercial activity as a lot of "flying clubs" provide training on voluntary basis which is clearly not a commercial activity (please see also the Basic Regulation Article 3). To clarify this issue the Agency will add the following term: "with instructor privileges".

comment *4234*

comment by: *Cary Crawley*

The commercial ballooning industry, distinctly "sport "balloonists and the general public would all be much better served by the creation of an unambiguously named COMMERCIAL BALLOON PILOT LICENCE. Clearly

identified,monitored and examined commercial standards of skill,practice and procedure, observed evenly and transparently by all 31 currently affected N.A.A.s would protect the pilot and the public interests by establishing legally acceptable professional practice-and therefore insurance status across the 31 States.The current proposals are riven with stepping stones to encourage deliberate misinterpretation and dangerously clouded undefined areas leading to a very uneven set of standards in practice from one state to another.

response *Noted*

Thank you for providing your opinion.
Please see the responses provided to the comments No. 1222 and No. 1640 in the same segment above.

The Agency does not understand why the current proposals should "encourage deliberate misinterpretation" and why these requirements should lead "to a very uneven set of standards in practice from one state to another". As this exactly not the aim of these requirements the Agency would like to clarify the issue. However, as the justification for these statements is missing no further explanation can be provided. Please see also the responses already provided to your other comments.

comment 4274

comment by: *Cary Crawley*

For initial permit to commercial privileges I would suggest (a) A minimum of 100 hours pilot in command experience since first licence check -out.This is in line with most U.K.A.O.C. passenger carrying operations. This initial issue of permit for commercial privileges would be Type Rate limited to balloons of an envelope volume no greater than 2975 cu.m. or 105,000 cu.ft. (b) To fly balloons commercially in a Type Rating between those greater than 2975 cu.m. and up to a maximum of 5100 cu.m. or 180,000 cu.ft I would suggest a minimum total of 150hrs P.I. of which at least 50 P.I.hours should be in a balloon with envelope of 2975 cu.m. or 105,000 cu.ft with fare-paying passengers.The pilot should also recieve 10 hours flight training with a suitably qualified Instructor in a balloon of the intended group transition-up size on private flights,then a check flight with a suitably qualified Examiner in the newly intended group size. (c) TO fly commercially balloons of envelope size greater than 5100 cu.m. or 180,00 cu.ft. and no larger than 7790 cu.m. or 275,000 cu ft.I would suggest the pilot had a minimum of 250 P.I.hours with at least 50 P.I. hours on commercial flights in an envelope size no smaller than 4530 cu.m. or 160,000 cu.ft.,10 hours instruction on private flights in the appropriate transition-up size group and then an Examiner check-flight on intended new group size. (d) TO fly balloons of an envelope volume greater than 7790 cu.m.or 275,000 cu.ft. I would suggest a minimum of pilot qualification of 350 hours P.I. with at least 50 hours P.I.on commercial flights in a balloon of an envelope size no smaller than 7080 cu.m. or 250,000 cu.ft.,10 hours flight training with an instructor on private flights in the intended transition-up group and an Examiner check flight in the new intended group size. (e) Every pilot maintaining commercial priviliges should undergo a combined base-line check and certificate of test flight check with an Examiner in the largest size group rating balloon every 13 months to remain commercially current.(f) holders should carry a class two medical. (g) N.B.There might be room for consideration of some dispensation mechanism to accomodate pilots who conduct a very significant number of their training hours in larger group size balloons prior to initial check flight and licence issue-

	(I.E.30 genuine hours training in a 5100 cu.m.or 180,000 cu.ft.volume balloon prior to check out.)
response	<p><i>Partially accepted</i></p> <p>Thank you for your detailed proposals concerning additional experience requirements.</p> <p>The Agency discussed the issue with the experts and came to the conclusion to follow the proposal provided with several comments aiming on a check or skill test for each group. The required training flights will be lowered slightly but the total experience required for each group and the skill test will ensure a sufficient level.</p> <p>Please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.</p>
comment	<p>4396 comment by: <i>David COURT</i></p> <p>This should say: the holder of a BPL who also holds an Instructor Certificate may receive remuneration</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your comment.</p> <p>The Agency has realised that the wording used in (d) caused some irritation. FCL.900 clearly states that "a person shall not carry out flight instruction ... unless he/she holds ... an instructor certificate..".</p> <p>To make this even more clear, the Agency will follow your proposal and will add the following term in FCL.205.B: "the holder of a BPL with instructor privileges".</p>
comment	<p>5337 comment by: <i>Guy GEERAERTS</i></p> <p><i>Concerning FCL.205.B (b) :</i> Commercial operations should not be allowed without enough experience. When allowed to fly a balloon solo from the age of 18 (see my comments on FCL.200), it's reasonable to ask for a minimum age of 19 for commercial operations. A number of at least 75 flights instead of 75 hours is OK (in ballooning especially the number of take-offs and landings is important, not the hours flown).</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion.</p> <p>Please see the response provided to your comment on FCL.200. Based on the fact that it was decided not to change the age requirements for balloon pilots (they are based on the ICAO SARPs), the Agency will not follow your proposal to raise the age for commercial operation. Based on the ICAO Annex 1, this age will be introduced for all other commercial activities and for CPL holders. No justification is provided why only balloon pilots should be 19 years</p>

old whereas all the other commercial activities in aeroplanes, airships, helicopters and sailplanes could be done with 18 years of age.

As a second issue you propose a certain amount of take-offs and landings instead of the proposed amount of 75 hours experience. The Agency agrees to a certain extent that the training of take-off and landing phase is more important than the cruise part of the flight. Based on the comments received on this subject the Agency carefully reviewed these requirements. Please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions. An additional requirement will be added asking for at least 50 take-offs and landings as pilot in command on balloons.

comment

5372

comment by: *Aerovision*

There must be a Prof Check for each Group of balloons that a BPL wants to fly commercially on. The EASA proposal on Group sizes is sound and must not be changed.

response

Noted

Thank you for providing your opinion.

Please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.

Based on the comments received, the Agency carefully reviewed the issue of additional skill tests for each group and came to the conclusion to introduce them.

Thank you also for your positive feedback on the EASA proposal for the different group sizes. However, based on the other comments received an additional fourth group will be introduced for envelopes with a capacity of 7001m³ - 10.500m³.

comment

5893

comment by: *Professional Balloonists Netherlands***Subpart C BPL****FCL.205.B (b)**

Holders of BPL must be at least 18, have 75 hours has experience and moreover must verify their proficiency with an examiner before he or she can do a commercial operation. In that 75 hours no commercial operations can be carried out. Obligatory is that student-pilots BPL can do their training only at a FI and not at a LAFI. A LAFI is only allowed to train a LPL student (non-commercial) and not a BPL student. However this is double; you have to have 75 hours experience and do a proficiency check. There are restrictions imposed at which one can do the training for BPL; on the other hand BPL-pilots cannot direct do commercial operations and one must even have 75 hours of non-commercial experience. The appreciation of a FI regarding to a LAFI should be the commercial operation.

Proposal: (the Dutch system):

- till 105,000 cu. Ft. with maximum of 3 passengers/commercial 75 hours/5 instruction flights for the next type rating /minimum-age18 years
- till 140,000 cu. Ft. /commercial/75 hours/total 150 hours/5 instruction flights for a next type of rating

- till 210,000 cu.ft. / commercial/75 hours/total 225 hours/5 instruction flights for the next type of rating
 - above 210,000 cu. Ft. /commercial
 In this system there is more relation between commercial operations, experience, instruction flights and flying bigger balloons with more passengers. In the proposals of EASA it is possible that man may fly an balloon of more then 10.000 m3 with very few flying hours. We think this is not desirable.

response

Noted

Thank you for providing your opinion.

Regarding the first issue mentioned, please see the response to your comment No. 5896 in the same segment below.

Regarding the proposal to add additional experience requirements and more instruction flights in order to receive the privilege to operate a larger balloon please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.

comment

5896

comment by: *Professional Balloonists Netherlands*FCL.205.B. (d)

A holder of BPL, also with less experience than 75 hours, is allowed to do instruction flights for compensation for LPL or BPL. So this pilot can operate commercial, because he receives compensation. In our opinion it is not allowed that a pilot with less experience than 75 hours has that privilege as an FI or LAFI.

Proposal: delete this item and allow the LAFI and FI only a privilege of instruction after having a flightexperience of 75 hours or more and give the holder of an BPL the privilege to do commercial air transport with a small balloon (max. 3 passengers.)

response

Not accepted

Thank you for providing this comment but the Agency disagrees with the proposal.

Please check the pre-requisites for the LAFI(B) or the FI(B) in FCL.915.LAFI or FCL.915.FI. You will discover that the Agency has already proposed a minimum flight time of 75 hours completed as pilot in command on balloons to start with the instructor course. It has also to be highlighted that providing training must not necessarily mean that this will be a commercial operation. There are a lot of club training organisations where training will be provided on a voluntary level without any payment. This is clearly a non-commercial operation.

The issue of the minimum experience for operating commercially is addressed in several comments to this segment. Your proposal is to add a privilege to the BPL pilot operating a balloon with a maximum of 3 passengers on board without asking for any specific additional experience or an additional proficiency check. The Agency does not agree and has based it's final decision firstly on the comments received and secondly on the IACO requirements (asking for 35 hours total time only). The required amount of flight time for receiving the commercial privilege will be lowered to 35 hours and for each group a minimum total flight time on balloons will be required. Please see the resulting text.

comment	<p data-bbox="352 237 427 271">5946</p> <p data-bbox="1094 237 1449 271" style="text-align: right;">comment by: <i>barry birch</i></p> <p data-bbox="352 293 1449 360">Commercial privileges for balloonists should be categorised if the pilot wants to carry passengers i.e.</p> <p data-bbox="352 383 1449 450">After 30 hours P1 and a proficiency check flight is possible in balloons up to 3400 m3</p> <p data-bbox="352 450 1449 517">After 100 hours P1 and a prof. check flight is possible in balloons up to 6000 m3</p> <p data-bbox="352 517 1449 551">After 200 hours P1 and a prof. check flight is possible in balloons over 6000 m3</p> <p data-bbox="352 584 770 618">Barry Birch (member of BBAC)</p>
response	<p data-bbox="352 633 596 667"><i>Partially accepted</i></p> <p data-bbox="352 689 1449 819">Thank you for providing your opinion. Please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.</p>
comment	<p data-bbox="352 875 427 909">6242</p> <p data-bbox="1038 875 1449 909" style="text-align: right;">comment by: <i>Christoph Talle</i></p> <p data-bbox="352 931 1449 999">The minimum age of 18 year and 75 hours are very high - why. Safety can` t be the reason.</p> <p data-bbox="352 999 1449 1066">Since six years young pilots in Germany can get there licence in the age of 16 ! We have had no problems with this.</p> <p data-bbox="352 1066 1449 1133">I can imagine - to give a commercial touch - that the age must be 17 and the hours grow up to 40.</p>
response	<p data-bbox="352 1144 437 1178"><i>Noted</i></p> <p data-bbox="352 1200 1449 1267">Thank you for providing your opinion and the additional information about the age limits in Germany.</p> <p data-bbox="352 1301 1449 1491">However, as the ICAO SARPs require an age of 18 for the CPL the Agency has based its decision on this and introduced a similar requirement. As none of the other comments in this segment proposing to raise the age slightly is providing a justification why this should be done and as you are not providing a justification why this age should be lowered the Agency will keep this age limit unchanged.</p> <p data-bbox="352 1525 1449 1626">Regarding the experience requirement of 75 hours, please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.</p>
comment	<p data-bbox="352 1682 427 1715">7408</p> <p data-bbox="1015 1682 1449 1715" style="text-align: right;">comment by: <i>Peter van Harten</i></p> <p data-bbox="352 1738 1449 2007">I suggest a dividence which is more conform the market. Divide balloons in 4 classes: -< 105.000, max. 3 passengers, for commercial operation, at least 18 years -< 140.000, max. 6 passengers, for commercial flights after 75 hours of experience and 5 instruction flights -< 210.000, max. 9 passengers, for commercial flights after 150 hours of experience and 5 instruction flights -> 210.000, for commercial flighs after 225 hours of experience and 5</p>

	instruction flights.
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.</p>
comment	<p>7411 comment by: <i>Peter van Harten</i></p> <p>EASA suggest that a pilot who has no experience is allowed to give flight instruction and also can be compensated for that. In my opinion that is not acceptable. Only experienced pilots should be allowed to instruct. Furthermore this 'young' pilot can also hold a LPL and gets compensation. This can only be done with a BLP in my opinion.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion comment but it seems that the comment is based on a misinterpretation of this paragraph.</p> <p>The requirement in FCL.205.B is only specifying that a BPL holder will be allowed to provide instruction against some kind of remuneration. In addition to this, all kind of flight instruction must be given by qualified instructors. See FCL.900 which clarifies that a person shall not carry out flight instruction unless he/she holds an instructor certificate.</p> <p>Taking into account the comments received the Agency will add the term "holding an instructor certificate" in order to clarify this.</p>
comment	<p>7853 comment by: <i>COUSIN Dominique</i></p> <p>FCL.205.B (b) (c) Commercial privileges We propose :</p> <p>More than 50 hours CAT possible for balloons up to 3 400 m³ with a prof check; More than 150 hours CAT possible for balloons up to 6 000 m³ with a prof check; More than 250 hours CAT possible for balloons up to 10 000 m³ with a prof check. More than 350 hours CAT possible for balloons more than 10 000 m³ with a prof check. the pilot must demonstrate 100h hours in a group to move to higher</p> <p>these minima are presently required by insurance</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.</p> <p>The Agency does not see a need for an additional requirement defining that a certain amount of hours has to be completed in a certain group before</p>

extending the privileges to the next higher group. This would over complicate the system.

comment

7878

comment by: *Svenska Ballongederationen*

FCL.205.B BPL privileges and conditions

(b) We assume that remuneration in this case does not include the case of balloons with a brand on the envelope or banners with brands attached to the balloon when the balloon is operated by private pilots, balloon clubs or balloon societies. This needs to be specified and be clear after reading this paragraph. A big part of all Swedish balloons are sponsored, either with a brand on the balloon itself or with brands on banners attached to the balloon. The balloons are operated without any personal profit. All money from the sponsor goes into the balloon itself and the cost inherent with operating the balloon. The main point is that this should not be considered commercial flight and should not require a commercial BPL. A normal non commercial BPL should cover this. If this is considered commercial flight the main part of Swedish private balloon pilots will loose their hobby.

response

Noted

Thank you for providing your opinion.

The Agency does understand the problem described in your comment and agrees that the simple fact that a brand or logo is attached to the balloon envelope should not automatically be an indication for commercial activities. However, the licensing rules are not the right place to specify which kind of operations will be treated as commercial activities because this is a definition contained in the Basic Regulation.

comment

7982

comment by: *Ballongflyg Upp & Ner AB*

FCL.205.B BPL privileges and conditions

I know that German comercial operators have a suggestion that you would need certain flight hours for differnt sizes, this is not neccery.

But I would like it to be possible to have a pilot be flown in on a size with passengers, this could even be paying passengers. This could be done on PICUS base, this will not effect the safety. I know because this has been done in Sweden for a long time and the experience is good.

FCL.225.B BPL Extension of privileges to another balloon class or group

(a) I have no problems with this.

(b) (2) In bigger balloons over 6000 m3 there shuld be possible to do this under supervision of a pilot that have the qualityfications for operating the class or group. (PICUS)

Because for big balloons there is not possible to fly only two persons because the balloon would be to light loaded and not safe. And to fly with maybe several ton of ballast that needs to be loaded by hand in to the basket on a gras field. This is not practical.

The safety will not be effected by this operation. A balloon flies so slow that in coperence with other aircrafts it is seen as an obsecal like a building.

Also there would be a problem to get access to a big balloon for 3 instructions flights without paying passengers. Because in Sweden we only have season to fly during 5 months and during these 5 months there are only possible to do approx 50 flights due to wether conditions. So if 5 pilots would need to do this it would consume 15 flights out of 50, this is big cost and it will not make it safer.

So let us do this instructions with passengers and paying passengers but with a pilot on board that holds the qualifications to do the flight.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No. 3673 (A. Ockelmann) in the same segment above. This response clarifies the issue and will provide the final solutions.

Flight instruction (see (b)(2)) has to be provided only by instructors. By definition (required by Basic Regulation) this cannot be done under the supervision of a pilot. Nothing prevents the instructor (who will be the PIC during these flights) to take passengers with him if required by the mass and balance calculations.

Please see also the responses provided in the segment dealing with FCL.225.B.

comment **8149**

comment by: *William Treacy*

FCL.205.B (c)

For Commercial operations, pilots must demonstrate a higher level of knowledge, as well as skills, before carrying fare paying passengers. Just because there is no ICAO Commercial, doesn't mean there cannot be an EASA one. After all, there is no ICAO IMC Rating or ICAOP Mountain Rating, but EASA may introduce them.

response *Noted*

Thank you for providing your opinion.

Regarding the first issue, the Agency would like to highlight that the Implementing Rules as proposed require a higher level of skills and experience before a pilot will be allowed to operate commercially.

The requirement FCL205.B contains the additional items. Based on the comments received the Agency will introduce some changes. Please see also the responses to comment No. 3673 (A. Ockelmann) and No. 1222 in the same segment above. These responses clarify the issue and will provide the final solutions.

comment **8170**

comment by: *F Mortera*

4. About provision of flight instruction

Section 7, FCL 205.b (d) (page 22)

About what is referred in this point "d": *..."Notwithstanding... the holder of a BPL may receive remuneration for the provision of flight instruction..."*

I'm afraid I do not understand this possibility. Does it mean that a brand new BPL, aged 17, with only 16 flight hours as student pilot and a passed test, still not authorized for earning money, does not need a LAFI or FI certification (75 hours required) to flight for remuneration?

What fact does not permit that a LPLB holder, (identical requirements and syllabus than BPL, and fully credited to access a BPL as indicated in FCL.210.B (b)) may receive remuneration for the provision of flight with a balloon smaller than a "140"? Just that there is no indication about?

response *Noted*

Thank you for providing your opinion.

Regarding the first issue mentioned (meaning of (d)), please see the response provided to comment No. 7411 in the same segment above. There is clearly a need to hold an instructor certificate.

Regarding your second comment, it should be highlighted that the LPL as a pure licence for leisure activities will not provide any commercial privilege as this is the concept of this licence. Based on this and the definition provided by the Basic Regulation (see Article 3/definition of "commercial operation") the privilege of the LPL(B) will not allow to receive any kind of remuneration.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 7: Specific requirements for the balloon pilot licence - FCL.210.B BPL – Experience requirements and crediting

p. 22

comment 2516

comment by: *Andrew Kaye*

The present UK system of being able to carry out some of your training with any qualified pilot works very well and I believe creates better pilots. The staged process of instruction (4 instructor flights minimum) works very well and allows the students to learn something, practise it with other pilots and then return to the instructor for re-evaluation and to progress onto further training.

I have become an instructor to ease the strain on training should instructor flights only be introduced but I believe this will have a negative impact on ballooning and those being introduced to the sport.

A large proportion of new pilots raise from the ranks of ground crew and it is good for them to be permitted to fly with their regular pilot during their training even if he or she is not an instructor, in fact many PPL holders have just as many if not more skills at instructing and furthering a students training.

response *Noted*

Thank you for providing your comment.

However, the EU regulation 216/2008 defines that flight instruction for pilot licences must be provided by appropriately qualified instructors. There is no way to define something different from that in these Implementing Rules.

In addition to this, the Agency believes strongly that only the instructional techniques and the specific practical training for instructor candidates as contained and explained in the AMC material for the instructor courses will ensure a high level of standardisation and safety.

The prerequisites for the instructor and the contents of the training course to become an instructor are the outcome of an evaluation on the different systems actually in place in several Member States. Based on this, the Agency does not understand why these proposals should "have a negative impact on ballooning" as stated in your comment.

comment

2541

comment by: *Lindsay MUIR*

We have been running an excellent training program in the UK for years and we have only required 4 flights to be done with an instructor. If it becomes a requirement that ALL training flights must be done with instrutors there will be insufficient in the UK to cope with this. There is also no evidence to suggest that the system in the UK produces a lower quality of pilot than produced by instructor only training.

The UK Civil Aviation Authority introduced a commercial pilot's licence and air operator's certificate for ballooning in 1989. This system has run without problems now for 20 years and has a proven track record. While there are a small number of commercial operations in other countries, there are more balloon AOC holders in the UK than in the all of the rest of the EASA member states. In 2008 there were 75,000 – 100,000 passengers carried in roughly 6000 passenger transport flights. During 2008 the British Balloon and Airship Club received only 5 reports of balloon incidents and only one of these resulted in a passenger injury. The last fatality in the UK took place nearly 15 years ago. The number of passengers flown in the UK is probably only surpassed by Turkey, Australia and Kenya. The training requirements for a balloon pilot in Australia are very similar to that currently in operation in the UK. In addition, there are in the region of 100,000 passengers flown in passenger transport balloons in Australia and they too have an excellent safety record. Pilots in the UK are not required to undergo instructor-only training and experience has shown that this has not had any adverse effect on the quality of pilots. In addition, the CAA, (arguably, the aviation authority with the most knowledge and experience of the balloon ride operations in the world) have not felt that there is any need to require UK pilots to undertake instructor-only training. The same is true in Australia. Experience from both the UK and Australia indicates that the training system currently in force in these countries results in well trained pilots. The UK training system provides safe and effective training without the requirement for instructors to attend expensive and time consuming courses. The proven track record of the training systems running in the UK (and Australia) show that there is no justification for the proposed requirement of 30 hours of ground training.

response

Noted

Thank you for providing your opinion.

Regarding the first issue, please see the response to comment No. 2516 (A. Kaye) in the same segment above. The proposed 30 hours theoretical knowledge requirement will be kept unchanged as the Agency clearly sees a need for this additional training. Please study the AMC material with the

content of the skill test and you will discover the importance of this training.

Regarding the issue of the UK CPL, the Agency would like to highlight that the drafting group made an evaluation during the drafting phase of these requirements and studied the existing national ballooning requirements. Based on the result, it was decided not to introduce a CPL but to develop a commercial privilege for the BPL. This system is actually in place in several Member States and works very well. FCL.015 defines that any extension of the privileges granted by a licence shall be endorsed in the licence.

No comment received does provide any safety related justification why such a CPL (as actually in place only in the UK) should be introduced. Most of the comments dealing with this issue express concerns that their privileges could be lost in the future system. This will not be the case because the future BPL with commercial extension will provide the same privileges as before. The endorsement will clearly identify this extension of the privileges. Furthermore it should be pointed out that the IACO SARPs do not foresee a CPL for free-balloon pilots but provide a recommendation that if passengers are to be carried for remuneration or hire, the licence holder should have completed not less than 35 hours of flight time. Based on this the Agency will not change the proposals or introduce a specific CPL for balloon pilots.

It should be mentioned that the proposed 75 hours will be lowered based on the input received and the ICAO recommendation.

comment

2544

comment by: *Tony KNIGHT*

The system employed at present by the BBAC is one that has worked for several years and produced safe pilots. I feel that it would be totally wrong to restrict flying with other non-instructor pilots as this will drastically increase the cost of learning to fly and thus decrease the amount of new pilots putting the sport at risk.

If other EU countries have safety concerns, they should follow the lead of the BBAC (BRITISH Balloon and Airship Club). We always aim to fly safely and following the well considered guidelines and rules of the BBAC and CAA we have an excellent safety record. If other member countries cannot match this, then the UK should be exempt from rulings that will put at risk the future of our sport.

A suggestion may be to allow PUT's to fly with other pilots and be able to log those flights, however have a minimum number of hours that they should fly with an appointed instructor. As currently in the UK 4 flights are required, 4 hours would seem an equivalent. If this were doubled to 8, it would still be better than 16 with an instructor. The latter would limit the range of experiences that students have the opportunity to get and log now. When I learnt to fly, I flew with two non-instructor pilots regularly and also had 10 flights with 4 different instructors. I feel that that experience was invaluable and have encouraged PUTs to do likewise.

response

Noted

Thank you for providing your opinion.
Please see the response to comment No. 2516 (A. Kaye) in the same segment above.

comment	<p>2591 comment by: <i>len vaughan</i></p> <p>will lpl instructors teach bpl students,can the number of training flightswith an instructor be limited t 4</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>Regarding the first question it has to be pointed out that a general requirement is that the instructor has to hold at least the licence or rating he/she is instructing for. Based on this the instructor providing training for the BPL has to hold such a licence. The LAFI(B) will not be allowed to do this (see also the privileges of the LAFI).</p> <p>Regarding the second issue please see the response to comment No. 2516 (A. Kaye) in the same segment above.</p>
comment	<p>2648 comment by: <i>Martin Rowlands</i></p> <p>The UK has successfully trained hundreds of Balloon Pilots using P1's in addition to qualified Instructors. There is no evidence that this has lead to a lower standard of piloting. On the contrary, the opportunity to train with a wide range of P1's gives students a wider range of training experience. Additionally, it allows the system to identify new Instructors.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 2516 (A. Kaye) in the same segment above.</p>
comment	<p>2773 comment by: <i>David COURT</i></p> <p>No time limit has been set for the hours of instruction to be completed in. This is very welcome. It is an improvement on the current UK system where the hours must be completed within 24 months. Although 24 months sounds a long time, many students do run out of time and start to "lose" hours.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing this positive feedback.</p> <p>The comment is right when stating that there is no time limit provided for the completion of the required flight training. Receiving a few comments proposing such a limit the Agency discussed this issue again with the experts involved and came to the conclusion that the skill test will identify automatically if a candidate's currency is not sufficient to pass. Based on this the Agency will not introduce an additional requirement.</p>
comment	<p>2863 comment by: <i>Richard Allan</i></p> <p>FCL210 B</p> <p>As an instructor I do not feel that all training flights should be with an instructor. The fact is that if a PUT is not ready for a GFT he/she will not pass. We do not have sufficient instructors with the time and inclination to do all the</p>

response	<p>training necessary.</p> <p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 2516 (A. Kaye) in the same segment above.</p>
comment	<p>2933 comment by: <i>Robert WORSMAN</i></p> <p>All 16 hours should not be with an instructor. This will lead to very poor experience and zero local knowledge. This is not safe. The current UK system of tuition under P1 is excellent. I live 200km from the nearest instructor but 20km from another P1. This rule will mean that no PUT will gain experience flying in my area. They will train in very different weather systems and will return to the area as a new pilot (little experience granted) but with zero local experience. I regard this as highly dangerous.</p> <p>Any experienced pilot going to a new location will make every effort to gain local knowledge from local pilots. Introducing this scheme will kill off local knowledge - knowledge that is handed down from local pilot to local pilot/PUT. It defies common sense in order to comply with a bureaucratic system.</p> <p>Following the UK system of tuition with a local P1 and Instructor flights to check progress is the only safe way to progress. Perhaps the rules have been drawn up with no regard to the situation here in Scotland?</p> <p>This rule will also tempt many to go overseas, train to fly in gentle and very foreign climatic conditions, become a pilot and then return home to find they are flying in very alien conditions. This must surely lead to an increase in accidents</p> <p>Come on guys, why are you trying to make basic training more dangerous here. What's going on? Are you just trying to create a bureaucratic system to fund 'jobs for the boys'? Don't you want the best training system that the EU can provide? I believe that little thought has gone into these ideas and they have been rushed together under a time limit with no regard to the folks that are going to be out in the skies when these policies have been introduced. STOP, take a breath, and consider these proposals or you are going to end up with dead or injured pilots on your hands.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 2516 (A. Kaye) in the same segment above.</p> <p>The issue of "missing local knowledge" was already addressed in the Agency's response to your comment in the LPL section. Please see also the response already provided. The Agency does not agree with this statement as well as with the statement provided with this comment asking: "Why are you trying to make basic training more dangerous". It seems that the proposed system was not understood fully. Please study also the related AMC material to learn more about the future instructor competencies and experience required.</p>

comment	<p>2944 comment by: <i>RG Carrell</i></p>
	<p>The present system allowing private pilots to act as training pilots for part of the training works well in the private environment. I propose that half of the qualifying hours may be taken with a PPL(B) with 100 hours TT.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 2516 (A. Kaye) in the same segment above.</p>
comment	<p>3111 comment by: <i>Rory Worsman</i></p> <p>I strongly support instruction performed by P1 as well as by instructor.</p> <p>This rule will lead to very poor experience. All instruction should not be with an instructor. I am strongly against this rule as it stands. I live 200km away from the nearest instructor where the climatic conditions are very different from those in my area. All PUTs would be forced to travel and fly in very different conditions to their home area. They would gain no local flying knowledge, build up no local contacts with local land owners, have no local knowledge of the micro-climate in their area.</p> <p>This rule will just encourage PUTs to travel overseas and train in very gentle climatic conditions then return to their home area where they will be completely out of depth with knowledge and experience. To have all flying with instructors will be very expensive and I will not be able to continue learning to fly a balloon. The travel costs will be very large with many wasted journeys - I'll have to guess what the weather will be 200km away. I'll have to travel and stay overnight in preparation for a flight that may well be cancelled due to weather the next day.</p> <p>The current UK system allows training with local pilots is cost efficient and highly effective. It is very environmentally friendly. It does not involve wasted journeys over 200km (400km round trip) due to weather uncertainties.</p> <p>I make these comments both for LPL and BPL licenses.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 2516 (A. Kaye) and to comment No. 2933 (Robert Worsman) in the same segment above.</p> <p>Please see also the different responses to your comments on FCL.110.B. The Agency does not agree with your statement that this requirement will lead to "very poor experience" as it will be the other way around when the system of training provided only by instructors will be in place. The Agency cannot see a reason why student pilots should leave their country in order to receive flight instruction but has to admit that this will be allowed with the future system. However, the Agency cannot see any problem with this as it is done already nowadays.</p>
comment	<p>3525 comment by: <i>Graham CANNON</i></p>

response	<p>Would be better if just some (not all) traing flights were with instructors</p> <p><i>Noted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 2516 (A. Kaye) in the same segment above.</p>
comment	<p>3724 comment by: <i>Klaus HARTMANN</i></p> <p>Nach dem jetzt vorliegenden Text wäre auch eine Ausbildung auf Ballonen der Gruppe medium und large möglich. Die Ausbildung sollte aber aus folgenden Gründen grundsätzlich auf Ballonen der Gruppe small beschränkt werden:</p> <ol style="list-style-type: none"> 1. Die für alle Schüler ungewohnte Verhaltensweisen von Ballonen bereits schon bei kleinen Mustern wie seine Trägheit, verzögerte Reaktionen auf Steuerungsbedienung verstärken sich mit zunehmender Größe des Ballons und machen die Ausbildung schwieriger und führen unter Umständen zum Mißerfolg bzw. Abbruch der Ausbildung. 2. Ein solo flight mit Ballonen mit mehr als 4000m³ Hülleninhalte macht die Mitnahme großer Mengen Ballast (mehrere 100kg) erforderlich was zu großen Schwierigkeiten bei der Fixierung und zu gefährlichen Verlagerungen bei der Landung führen kann. 3. Nach Erwerb der Lizenz dürfte der Pilot nur auf Ballonen seiner Gruppe (medium oder large) fahren entweder mit Ballast oder vielen Personen im Korb ohne dafür Entgelt nehmen zu können was praktisch problematisch ist.
response	<p><i>Not accepted</i></p> <p>Thank your for providing your opinion.</p> <p>The Agency agrees in general that the usual way forward should be to start the training for the BPL on balloons with an envelope size up to 4000m³. Your comment provides certain arguments (e.g. the required solo flight on a larger balloon will raise certain problems) why in most cases the training anyway will be provided only on balloons of this size.</p> <p>However, if a certain student pilot wishes to do most of his/her training on a balloon with an envelope size of 4500m³ and if he/she will be able to pass the skill test on such a balloon, the privileges should allow him/her to fly balloons of this group. The Agency will not limit this further. The text in FCL.225.B which says: "The privileges of the BPL shall be limited to the class and group of balloons in which the skill test was taken" will be kept.</p>
comment	<p>3829 comment by: <i>Luftfahrt-Bundesamt</i></p> <p>FCL.210.B: No definition for Balloon „Classes“ and "Groups could be found, thus EASA is requested to provide an appropriate definition.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion. However, the definitions "class of balloons" and "group of balloons" can be found in FCL.010 ("Definitions").</p> <p>More details like the envelope sizes of the different groups can be found in the</p>

AMC to FCL.225.B.

comment

4160

comment by: *Medical Officer BBAC*

I understand that all dual instruction is to be with flight instructors. The majority of balloon instruction in the UK has been conducted over the last 50 years by P1s who are not instructors and there has been no evidence that this has produced unsafe pilots. The flight examiners can produce evidence that pilots coming up to check out who have had the majority of their instruction by P1s are no less capable than those that have had all their instruction with qualified instructors. Instructor flights should be reduced to a maximum of 25% of flight instruction in balloons.

response

Noted

Thank you for providing your opinion.
Please see the response to comment No. 2516 (A. Kaye) in the same segment above.

comment

4465

comment by: *Cary Crawley*

As an experienced balloon pilot instructor in a variety of countries, of very many now qualified students, I would suggest a minimum of 20 hours "dual flight instruction" for non commercial flying. This is still a figure below the actual recorded average for recommendation for P.P.L. check flight within the U.K.. It is also very important to note that the specified minimum training hours for qualification are precisely that - a minimum. The regulations should be worded in such a way that this is clearly understood by both students and Instructors that achieving a minimum of hours of recorded training in itself, is in no way an automatic guarantee or entitlement of licence issue. Failure of clarity on this matter might tempt some N.A.A.s, Instructors and Students to dangerously misinterpret the regulations and consider any Examiner check-flights as a mere formality.

response

Not accepted

Thank you for providing your opinion.

However, the Agency has based the proposals on an evaluation of the existing licensing requirements in the Member States and the ICAO SARPs. During the drafting phase there was no indication that the proposed 16 hours requirement would not be sufficient. As the requirement is only a minimum requirement, the instructor and the training organisation are free to ask for more training if required for a certain student pilot. The text already indicates this by using the term "at least". It is the task of the training organisations (and not of this legal text) to clarify at the beginning of the training that all these figures are minimum numbers and that the actual final numbers are based on the performance of each individual person.

The Agency therefore will not change this requirement.

comment

4955

comment by: *Graham PHILPOT*

It should be possible for some training hours to be with a qualified pilot of a specified number of hours (eg 12hrs P1) as happens currently in other areas of flying, the safety/quality check would be that;

- i) a specified number of flights need to be with an Instructor
or
ii) it is the responsibility of the Instructor making the 'Recommendation for Flight Test' to ensure pupil is to standard.

This again appears to represent an Infringement of Human Rights, EU legislation guidance that lowest common denominator is supposed to apply should be used.

This practice is used in the UK and there is no evidence that there is a lower safety record than countries operating similar to the proposals in fact in many instances it is better so the recommendations are NOT an improve

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No. 2516 (A. Kaye) in the same segment above.

It should be mentioned that the system proposed by you based on the principle: "lowest common denominator is supposed to apply" was not used for drafting the future European licensing requirements. Regarding this specific topic of allowing licensed pilots to provide flight instruction the Basic Regulation does not allow to accept training with licenced pilots but is asking for an instructor qualification to provide flight training. The Agency has to develop licensing requirements within the framework given by the Basic Regulation.

comment *5331*

comment by: *Guy GEERAERTS*

The number of solo-flights is much too low, the number of dual instruction flights is too high.

A total of at least **10 flights with instructor on board** is an absolute minimum, but 20 flights for "good" students is not needed.

However I would recommend **at least 25 solo flights!** This is where experience is gained!

response *Noted*

Thank you for providing your opinion.

Your comment is dealing with the required solo flight(s). Actually there are countries in which no solo flight is required and some countries where at least one solo flight is required. It seems that in one specific Member State 7 solo flights are actually required. The balloon training experts involved considered the proposed minimum training requirements (at least one solo flight) as a safe and realistic compromise and did not see the need for such a huge amount of solo flights.

It has to be highlighted that the wording used in FCL.210.B require "at least" one supervised solo flight before the skill test will be taken. Nothing prevents the instructor to send the student pilot a second time (or even seven times) on a solo flight if he/she believes that this is necessary. The Agency will change the text in order to include the solo flight time in the total amount of flight training. This change will allow that the solo flight time will be counted for the total amount of 16 hours.

The Agency does not understand the statement given about the specific

experience the student is gaining during these solo flights. It is the Agency's opinion that a pilot after having received at least 12 hours of dual training (this will be changed) with a highly qualified instructor, having performed at least one supervised solo flight and completed successfully the skill test with an examiner should be sufficiently qualified. The statement provided saying "this is where experience is gained" (talking about the supervised solo flights) is not understood because a good instructor will behave during the last dual flights as if he/she would be a passenger which can be an even better training than flying solo. It allows also a better identification of possible mistakes and training needs. If the instructor is on the ground he/she can hardly identify possible mistakes.

comment

5346

comment by: UK CAA

Paragraph:

FCL.210.B

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Comment:

No time limit has been set for the 16 hours so a student will not "lose" hours in the same way as they do under the UK system (UK requires 16 hours in 24 months). A realistic time limit for all requirements to be achieved should be stated e.g. 24 months.

Justification:

Ensure currency

Proposed Text:**(if applicable)**

Add: "within 24 months".

response

Not accepted

Thank you for providing your input.

The comment is right when stating that there is no time limit provided for the completion of the required flight training. Receiving a few comments proposing such a limit, the Agency discussed this issue again with the experts involved and came to the conclusion that the skill test will identify automatically if a student pilot's currency is not sufficient. Based on this, the Agency will not introduce an additional requirement.

comment

5376

comment by: Aerovision

It is good to see the solo flight included. This is the most important balloon flight of a student pilot's training. However, you must add a requirement for tethered flight and tethered training here.

response

Noted

Thank you for the positive feedback on the proposed solo flight. Please see also the response to comment No. 2516 (A. Kaye) in the same segment above.

Regarding the proposed requirements for tethered flights, please see also the Agency's response to your similar comment in the LPL(B) section. As a certain exercise was already incorporated and an additional rating has not been developed, the solution to create an extension of privileges for tethered flights seemed at this stage the only option the Agency had. Please see the

new requirement FCL.220.B "Extension of privileges to tethered flights".

comment **5519** comment by: *Ted Moore*

The requirement for all flights to be accompanied by an instructor is expensive and unnecessary. There is no evidence to suggest that there would be a safety benefit. Some instructor flights are obviously necessary particularly to sign off the student for the examination flight.

response *Noted*

Thank you for providing your opinion.
Please see the response to comment No. 2516 (A. Kaye) in the same segment above.

comment **5535** comment by: *R Gyselynck*

It is not necessary or reasonable in the light of UK experience that all training is with an instructor and this requirement should be dropped in order to preserve access to ballooning and open training to as many as possible.

response *Noted*

Thank you for providing your opinion.
Please see the response to comment No. 2516 (A. Kaye) in the same segment above.

comment **6006** comment by: *ENAC TLP*

(b) this paragraph shows how LPL (B) is useless, since the experience requirement and crediting is exactly the same as for BPL.

response *Noted*

The Agency acknowledges your opinion.

Please see the responses provided to your other comments regarding the LPL. As explained earlier the main differences between the LPL(B) and the BPL are:

- different medical
- LPL only one group up to 3400m³
- BPL four different groups (one additional group above 10.500m³)
- specific extension system for the group extension BPL
- only the BPL has a commercial privilege

The example provided with your comment (mentioning only the paragraph FCL.210.B) does not recognise these differences.

comment **6036** comment by: *AA Brown BBAC # 3448*

FCL.210.B BPL - Experience requirements and crediting.

The UK system requires a minimum of 4 of the training hours requirement to be with a qualified flight instructor. Since there are a limited number of flight exercises required to be completed to become a balloon pilot I think it is inappropriate that all of the 16 hours requirement be carried out as dual flight

instruction ie. with an instructor. Certainly, the pilot under training needs to be instructed on how to complete the flight exercise in a safe and competent manner and once this has been done it is necessary for that person to practice the exercise and then be assessed.

In my experience the practice part usually requires upto four times the instructional content which can be carried out under the supervision of a competent, current balloon pilot. Most pilots under training have previously been involved as ground crew with a qualified pilot who has probably already taught them most of what they need to know. The instructor nearly ensures that the exercises are being completed to standard operating procedures.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No. 2516 (A. Kaye) in the same segment above. Please be aware that the proposed 16 hours of flight training are based on the ICAO SARPs.

comment **6645**

comment by: *Kevin Ison*

I would prefer only a certain number of training flights with an instructor. This is the system used in the UK and it works well.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No. 2516 (A. Kaye) in the same segment above. This means that all the instruction flights have to be done with an instructor.

comment **6711**

comment by: *Sean Simington Commercial Pilot Sky's The Limit*

The Balloon Pilot Licence and the arrangements for the same are not an adequate replacement for the current British Commercial Balloon Pilot Licence.

Over 100,000 people are carried in Passenger Transport Balloons in UK alone and these people are entitled to be carried safely and part of that safety must be the proper provision of a Commercial Licence which ensures a duty of care to those fee paying passengers.

I note that the Airships are to have a Commercial Licence.

Movement between size of balloon should carry more rigour with extended requirements on type / size before moving up.

There is a difference in the flying and the pilot precision skills when flying larger balloons.

response *Noted*

Thank you for providing your opinion.

Regarding the first issue, please see the responses and the resulting text for FCL.205.B where the commercial privilege is explained. Having reviewed all the comments received, the Agency is still convinced that the BPL with the

extension to the commercial privilege will sufficiently cover the commercial activities. A specific CPL for balloons is not needed as the appropriate level of safety is not based on the name of a certain licence but on the experience of the pilots, the minimum requirements for a certain group or class extension and the revalidation/recency criteria. The proposed requirements will ensure that an equivalent level of safety will be reached.

Regarding your second issue, the comment is right when stating that for the gas airships a CPL was introduced based on the ICAO SARPs where such a licence is foreseen.

Regarding your third proposal (extending the privileges to another group), the Agency agrees in general. Based on other comments received the Agency will add certain experience requirements for the different groups. Please see the responses and the resulting text for FCL.225.B.

comment 6980 comment by: *European Balloon Corporation*
again, 30 min solo time is not serious for a correct training

response *Noted*

Thank you for providing your opinion.

This requirement for a solo flight was controversially discussed during the drafting phase of these requirements based on the fact that such a solo flight is not required in most of the Member States today. The Agency decided to introduce such a flight but only as an additional training item at the end of the flight training. As all the experts agreed that the take-off and landing phase are the important elements the Agency introduced the 30 minutes requirement in order to prevent a 5 minutes flight (with calm wind conditions) with a possible landing at the take-off point. In order to make clear that this flight could last also 45 or 60 minutes the Agency will add: "at least".

comment 7274 comment by: *JOSEP LLADO-COSTA*
Again I understand that half of the hours can be made with another pilot rated for this class. So the cost of the course can be reduced without detriment of the safety.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No. 2516 (A. Kaye) in the same segment above. This means that all the instruction flights have to be done with an instructor.

comment 7699 comment by: *BBAC 6824*

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.

response

Noted

Thank you for providing your opinion.

Please see the response to comment No. 2516 (A. Kaye) in the same segment above.

The Agency does not agree at all with the statement provided that the proposed system of 16 hours flight training (which is the ICAO requirement) will result in fewer hours of training because the instructor will normally take more than one student with him/her which will add several hours for the students as an "observer". The overall experience or training level will not change as at the end of the training a certain skill level should be reached to pass.

comment

7750

comment by: *Christophe Saeys*

1 solo flight is by far too little; this should be at least 6 solo flights 16 hours of dual instruction looks (too) much as well.

Being an instructor, the average number of flights my students need is 10-12 flights. 12 as a MINIMUM will be more than enough.

response

Noted

Thank you for providing your comment on the required solo flight.

Please see the response provided to comment No. 5331 in the same segment above.

comment

8155

comment by: *F Mortera*

2. About the conditions, requirements, syllabus and tests for getting a LPLB or a BPL and their "performance" privileges

FCL.110.B "LPL Experience reqs.", (page 11)

FCL.210.B "Experience reqs. And crediting", (page 22)

AMC to FCL.115 and FCL.120 (Syllabus LPL B) (page 189) = AMC N° 3 to FCL.210.B and FCL.215.B "Syllabus BPL", (page 321)

AMC to FCL.110.B and FCL.210.B "Flight instruction", (page 254)

AMC N° 2 to FCL.125.B and FCL.235 "Skill test", (page 206)

AMC N° 1 to FCL.135.B and FCL.225.B "Extension of class and class and group privs.", (page 262)

AMC N° 2 to FCL.135.B and FCL.225.B (" "Class extension", (page 263)

AMC N° 3 to FCL.210.B and FCL.215.B (Syllabus BPL) page 321 = AMC to FCL.115 and FCL.120 "Syl. LPL B" (page 189)

APPENDIX 1 / CREDITING T K / A / 1

Probably I missed something but, except for the skill test for BPL, they seem identical. Obviously their privileges are different, but considering that the syllabus is the same for a new balloon pilot, getting their first licence, what does make the difference to choose one or other licence? Is it just the price?

It looks reasonable to share same amounts of minimum training hours, exams and processes according the responsibility of flying a balloon, but what is the real difference if their programs are the same? Just the legal capability of use balloons sized "139" or "141" and receive remuneration or not respectively? It has not too much sense for me.

I'm not suggesting that the BPL requirements must be harder, but they could be simplified for LPLB or reduced their privileges alternatively, to get the BPL reevaluation. For instance the LPLB can not fly in controlled air space (it should not be necessary ATC liaison methods), over cities...

That is the only different here in Spain. As a private pilot (even with a radio rate), we can not fly in CTR or TMA. Only when we are flying for authorized Aerial Works Companies, making commercial flights, we can use the ATC services.

I think that differences must be established between both LPLB and BPL licences not only in economical privileges, but also in their syllabus, training and real performance capabilities.

Even considering carrying passengers as the main balloon commercial activity, advertising and filming are also commercial flights (I understand sponsorship is different to aerial advertising). And as far as I understand they soon will be considered in this way in Europe.

In my experience, the best advertising flights or flights for images recording are those with a little "65", where the pilot is alone in the basket or only with a camera operator. The "risky" flights close the sea, in ATC areas, in very fast winds, landings in small parks into the cities... can be done better with small balloons without passengers.

These other flights, not CAT, have been (and still they are) the economical support in most of the balloon companies that I know. In this case, the big balloons are not only unnecessary, but rather they are not practical.

Establishing different performance capabilities (restrictions) will permit to have a "light" licence, capable to offer a reasonable club / sponsor relationship and a good platform to jump to a professional environment, without favouring misunderstandings about capabilities or privileges between LPLB and BPL.

response *Noted*

Thank you for providing your comment and raising the related questions.

Your first questions deals with the differences of the LPL(B) and the BPL. Please see the responses provided to your other comments regarding the LPL. As explained earlier the main differences between the LPL(B) and the BPL are:

- different medical
- LPL only one group up to 3400m³
- BPL four different groups (including very large balloons)
- specific extension system for the group extension BPL
- only the BPL with a commercial privilege

Some of the AMCs mentioned can be used for both licences, whereas some others (like all the specific group related issues) are only applicable for the BPL.

The drafting group discussed the possibility of introducing a lower training standard for the LPL but it was agreed that the proposed training syllabus (obviously the same as for the BPL) should be kept. Your proposal to link the licence with a certain airspace category will not be introduced as the Agency is

aware of the national differences regarding airspace structure. Such a requirement would result in a situation that LPL(B) pilots would be excluded from using 95% of the airspace. The Agency does not see a reason why a BPL or LPL pilot should not be allowed to enter certain CTRs or other controlled airspace.

comment 8177 comment by: *AOC holder. High Adventure Balloon Flights*

A wide range of training can be obtained by using P1s with a lesser number of Instructor flights to 'sign off' and maintain a check on standards. This will help those where the availability of Instructors is geographically limited and lead to a broader training base.

response *Noted*

Thank you for providing your opinion.

Please see the response to comment No. 2516 (A. Kaye) in the same segment above.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 7: Specific requirements for the balloon pilot licence - FCL.225.B BPL - Extension of privileges to another balloon class or group

p. 22

comment 93 comment by: *Ballons Libert*

According to FCL.225.B, a BPL owner limited to group "small" with 20 hours of flight as PIC and 3 instruction flights on a 10000 m³ balloon will have access to the group "large". Don't you think that some experience on the group "medium" should be required? A flight check with an examiner could also be a possibility.

response *Partially accepted*

Thank you for providing your opinion.

The comment is dealing with the question what kind of limitation is foreseen for the privileges to fly balloons of a certain group (envelope size related) when the training has been completed. FCL.210.B requires that the flight instruction has to be completed on balloons of the same class and group. FCL.225.B defines that the privileges shall be limited to the group in which the skill test was taken. This limitation will be only extended when the additional requirements in FCL.225.B (b) have been completed. A balloon pilot who completed his/her flight training (and skill test) on a balloon with an envelope capacity of not more than 4000m³ has to have completed additional flight time and training in order to receive the privilege for another group.

Based on several comments received (also in the other segments and in the segment dealing with the AMC to FCL.225.B) proposing to introduce an intermediate group for the class medium (name of the groups will be changed), the Agency decided to introduce an additional group for hot-air balloons between 4000m³ and 10000m³ using 7000m³ as the differentiation. The limit 10.000m³ will also slightly be raised.

The AMC material (AMC to FCL.225.B) will be changed to read:

up to 4000 m³
 4001 m³ - 7000 m³
 7001 m³ - 10.500 m³
 more than 10.500 m³

The Agency has received quite a lot of comments asking for additional requirements on the commercial privilege in order to address pilot's experience in a specific group (envelope size related). The general approach used in (b) with a minimum amount of 20 hours experience and 3 additional training flights in the relevant new group was questioned (as also addressed in your comment).

Some of the comments propose to introduce different experience requirements for the different groups whereas some others rely only on additional training in the specific group or the proficiency check. Some of the comments also propose to introduce such a check for each group separately.

The Agency carefully reviewed the comments received and discussed the issue with the ballooning experts. Based on this the Agency decided to change the system proposed slightly and to introduce some new requirements as follows.

The requirement in FCL.205.B (b) will be changed and aligned with the ICAO recommendation. The holder of a BPL shall have completed 35 hours on balloons before applying for the extension to commercial operations.

Several comments propose the introduction of a certain experience requirements for the different groups. The Agency agrees in general with this proposal. As the Agency does not see a huge difference in carrying passengers commercially or in a non-commercial operation in a balloon of a certain envelope size (e.g. 7001m³ - 10.500m³) the following requirements will be incorporated in (b) as a general experience requirement for the different groups without any specific reference to commercial operation.

In the case of balloons with an envelope capacity between 4001m³ and 7000m³, the BPL holder shall have completed at least 100 hours.

In the case of balloons with an envelope capacity between 7001m³ and 10.500m³, the BPL holder shall have completed at least 200 hours.

In the case of balloons with an envelope capacity of more than 10.500m³ the BPL holder shall have completed at least 300 hours.

Although some comments (mainly from one Member State) ask for a higher amount of training flights in the new class, the Agency will lower the requirement slightly and require 2 instruction flights on a balloon of the relevant group. Additionally, the Agency will follow the proposals of several stakeholders asking for the introduction of an additional proficiency check for each group extension.

comment

1097

comment by: *Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)*

Comment: A limitation is when the pilot doesn't comply with the requirements of this Part according to FCL 0.70 Revocation, suspension and

limitation of licences, ratings and certificate.
Limitation is used in the NPA in several sections.

Proposal: The privileges of the holder of a BPL are to act as a pilot on the class and group of balloons in which the skill test was taken. For extension of privileges to another balloon, class or group the pilot shall:

response *Not accepted*

Thank you for providing your opinion.

However, as the term "limitation" has a general meaning that refers to any condition, restriction on the privilege of a licence, the Agency does not see a need to change the wording in this paragraph.

comment *3027*

comment by: *Frank Schweppe*

Under extension of privileges, again no provision is made for pilots who already have extensive experience in other classes or groups of balloon, especially under b) (larger volume class, same group i.e. hot air). Again, who has to execute all those instruction flights?

Existing text:

(b) in the case of an extension to another group within the same class of balloons, completed:

(1) 20 hours of flight time as a pilot-in-command of balloons;

(2) 3 instruction flights on a balloon of the relevant group.

Add:

(3) Provision (2) can be waived for pilots who have accumulated a total of 250 hours as pilot in command of balloons and who have logged a minimum of 20 flight hours with at least 12 take-offs and 12 landings as pilot in command on balloons of the (volume) group in question, at the time these regulations are introduced.

response *Not accepted*

Thank you for providing your opinion.

It seems that your comment is only dealing with the question of "grandfathering". The procedure to convert the existing national licences into a licence based on these requirements and the new system are not part of these requirements. Additional requirements dealing with this issue will be drafted on a later stage. The conversion itself will be done by the competent authorities of the different Member States.

It is the Agency's opinion (and it will be the general approach used) that the licence holder should not lose any privilege. If a licence holder is allowed to fly a balloon with an envelope capacity of 8000m³ today and the licence includes already a commercial privilege, he /she should receive the BPL with commercial privilege for the group including this envelope size (and all the groups below) automatically without any need for further checks or training (in this case: balloons up to an envelope size of 10500m³).

As your proposal will already be covered there is no need to change this paragraph.

comment	<p>3684 comment by: <i>Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany</i></p> <p>FCL.225.B (a) BPL - Extension to another class An extension to another class within the same group (seize) is dangerous because of different flight performances. The extension to another class should only be possible to the smallest group in the class.</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, based on the review of the comments and the discussions with the experts, the Agency does not agree and will not introduce such a limitation. The training and checking requirements in FCL.135.B (Flight Instruction and an additional skill test required) will ensure that an equivalent level of experience in the specific group of the other class is gained.</p> <p>Additionally, a new paragraph was introduced in FCL.225.B will require a certain amount of minimum flight time before a pilot will be allowed to fly a balloon of a certain group.</p>
comment	<p>3725 comment by: <i>Klaus HARTMANN</i></p> <p>Zur eindeutigen Klarstellung sollte es unter (b) (2) heißen : (2) 3 instruction flights with FI on a balloon of the relevant group. Das hilft, im Luftrecht unerfahrenen Lesern, Mißverständnisse zu vermeiden da auch im bisherigen deutschen Luftrecht solche Fahrten vorgeschrieben sind aber dafür keine Lehrberechtigung erforderlich war sondern nur die entsprechende Lizenz für diese Gruppe.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion.</p> <p>The Agency does understand the reasoning behind your proposal but as already answered in several other responses it should be highlighted that a general principle of the future system will be that flight instruction can only be provided by instructors. Therefore, the Agency does not see the need to add always the specific instructor categories (which could be more than one in several cases) when the wording "flight instruction" or "dual instruction" or "solo flights under supervision" or "supervised solo flight time" or "theoretical knowledge instruction" or "instrument flying training" or "instrument ground time" etc. is used.</p> <p>But to clarify the issue in this case it should be highlighted that all the instruction flights mentioned in FCL.225.B (numbering will be changed) have to be done with an instructor. The necessary proficiency checks have to be done with an examiner.</p>
comment	<p>4009 comment by: <i>Axel Ockelmann + Manfred Poggensee Commercial Balloon Operators Germany</i></p> <p>FCL.225.B (b) BPL - Extension of privileges to another group We suggest in comment No. 3678 another model with different seizures and in comment No. 3673 more required flight time for a higher grade.</p>

Instead of 3 flights with an instructor we suggest:
3 flights as a co-pilot performing under the supervision of the PIC the functions and duties of a PIC.

Reason:

More flight time duty for the applicant and a smaller range within one group makes instruction no more necessary, therefore no instructor is necessary.

Now somebody makes a BPL on a 4100 m³ balloon, flies another 20 hours and 3 instructor flights and then he can fly on a balloon more than 10 000 m³. We are not happy with that.

response

Not accepted

Thank you for providing your opinion.

Please see the responses provided already to your comments No. 3678 and 3673.

See also the response provided to comment No. 93 in the same segment above. An additional differentiation with a minimum experience requirement for each class and a proficiency check for each class will be introduced.

Regarding your proposal to introduce a requirement which would allow to do the required additional training under the supervision of another licenced pilot, the Agency does not agree. The future system is based on the principle that training has to be provided by qualified and certified instructors (see Basic Regulation).

comment

4207

comment by: *Bart Sebregts*

The rule states that the privileges of a BPL are limited to the group of which the skill test was taken. I think it will be useful to be more specific. When a BPL is limited to the group of balloons over 10.000 m³ than he also has privileges for smaller balloons in lower groups.

response

Noted

Thank you for providing your opinion.

The Agency agrees that it has to be clarified if a certain privilege (in this case the privilege to fly a balloon of a certain envelope size) includes other privileges (e.g. the privilege to fly also balloons of another smaller envelope size).

The principle should be that the privilege to fly a certain group of balloons (e.g. 4001 m³ - 7000 m³) includes also the other lower classes (in this case balloons with an envelope size up to 4000 m³).

The Agency will add a sentence in the AMC material to this paragraph in order to clarify this issue.

comment

4209

comment by: *Bart Sebregts*

This rule means that a new BPL is possibly privileged for the largest balloons (bigger than 10.000 m³) after only 75+9 hours of experience and passing the check outs. This is not contributing to flight-safety.

In my opinion it will be better to use the system what we in the Netherlands are using for grouprating that a BPL must have at least 75 hours experience in the previous group of balloons before being checked out for the higher group of balloons. Above that in the Netherlands they use 4 groups of balloons instead of the by EASA proposed 3 groups (the steps in the EASA-system are too high).

response *Noted*

Thank you for providing your opinion.
Please see the responses provided already to your comments in the segment for FCL.205.B and to the comment No. 93 in the same segment above.

comment

4211

comment by: *Bart Sebregts*

Regarding the proficiency check this rule refers to FCL140B which suggests this will be the same for LPL(B) as for BPL. But all BPL are flying as a freelance pilot for a commercial balloon operator or are owner and the only pilot of their own company which has his own Operator Proficiency Checks (OPC) every 6 months. On top of this the most of the freelance pilots are working for more than one commercial operator and has to be checked out every 6 months (by an examiner?) for every operator.

Isn't it therefore better and more clear to everyone to combine these rules on proficiency checks to only one rule: one (1) proficiency check by an examiner every 2 years and when a operator hires a pilot they have to convince themselves that the proficiency check is still valid.

response *Noted*

Thank you for providing your opinion.

However, it seems that this comment should have been addressed to another paragraph as FCL.225.B has no link with FCL.140.B.

As the comment is proposing some kind of a general proficiency check (combining OPS and FCL requirements) it should be highlighted that the proposed proficiency check in FCL.140.B has been deleted and a biennial training flight with an instructor has been introduced. The OPS requirements will not be linked with these requirements.

comment

5382

comment by: *Aerovision*

Can the required 3 instruction flights be undertaken on CAT flights operated under an AOC, or must they be purely private flights? It is very difficult to undertake purely private flights in very large passenger balloons.

response *Noted*

Thank you for providing your opinion.

As this question has nothing to do with the licensing requirements itself, this question cannot be answered at this stage. However, as the problem is clearly understood, the Agency will reconsider this issue during the review of the comments on Part OPS.

comment

5383

comment by: *Aerovision*

response	<p>Add: undertake a Prof Check on the new Group of balloons. This is very important.</p> <p><i>Accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 93 in the same segment above.</p>
comment	<p>5897 comment by: <i>Professional Balloonists Netherlands</i></p> <p>FCL.225.B BPL - Extension or privileges to another ball remunerations class or group</p> <p>In the Dutch system there is a good mix in experience and the five instruction flights whenever a pilot want to apply for another class of balloons. We are missing this good mix in the EASA proposal. Our opinion is that there should be at least the five instruction flights.</p> <p>Proposal: introduction of the Dutch system (to see observation FCL.205.B (b))</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 93 in the same segment above. The Agency will not introduce the Dutch system as proposed by you but introduce some minimum experience for the different groups and an additional proficiency check for each group. The amount of training flights will be lowered slightly to read: "at least 2 training flights".</p>
comment	<p>6253 comment by: <i>Tom Bourgoy</i></p> <p>the regulation of 3 instruction flights to go to another balloon class is very stupid. When you have many hours experience on a balloon with the highest volume of the medium size it would be normal that you can handle a balloon from the with the smallest volume of the biggest class. sometimes that is only a different volume of 500 cub. I think it wil be better to go from 20 hours experience to 50 hours experience in a certain group before make this possible and to leave the 3 instruction flights.</p> <p>I think 50 flights are a better lesson than 3 instruction flights. (think of all the different weather situations).</p>
response	<p><i>Noted</i></p> <p>Thank you for providing your opinion.</p> <p>However, the Agency does not agree and will keep the proposed system of requiring a certain amount of training flights on a balloon of an additional group. Additionally, a skill test for each group will be introduced. This is also supported by most of the comments to this segment dealing with this issue.</p> <p>Additional remark: The comment is right when stating that there might be special cases where such a training would not be really necessary (e.g. a licence holder flying a balloon with an envelope size of 7000m³ wishing to fly a balloon with an envelope size of 7.500m³) but as the additional privilege will include also to fly a balloon of 10000m³ the Agency will keep the additional training (preferably in this case the training should be done on a balloon with an envelope size of 10.000 m³).</p>

comment	6807 comment by: UK CAA
	<p>Paragraph: FCL.225.B</p> <p>Page No: 22 of 647</p> <p>Comment: Commercial work is allowed on the BPL once the pilot has reached age 18 and has 75 hours P1 experience. There is a further flight test with an Examiner before the commercial endorsement can be added to the licence. A further flight test must be required in each balloon group that the pilot wishes to use commercially.</p> <p>Justification: Check of competence in new group prior to use of commercial privileges.</p> <p>Proposed Text: (if applicable) (C) In the case of an Extension to another group within the same class, comply with the requirements in FCL.205.B (C)</p>
response	<p><i>Partially accepted</i></p> <p>Thank you for providing your opinion. Please see the response to comment No. 93 in the same segment above.</p>

comment	7413 comment by: Peter van Harten
	<p>To extend once privileges to another balloon class I suggest that a pilot should do five instruction flights.</p> <p>To extend once privileges to another balloon group I suggest that a pilot should do at least 16 hours of instruction and a flight with an examiner.</p> <p>My argumentation is that in changing to another group there is a big difference in the operation. In fact it can be considered as a complete other aircraft.</p>
response	<p><i>Not accepted</i></p> <p>Thank you for providing your opinion. However, there seems to be a misinterpretation of the terms "groups" and "classes".</p> <p>Regarding the first issue mentioned, please see the response to comment No. 93 in the same segment above. The requirement in FCL.225.B is mainly dealing with the extension from one group of balloons to another group.</p> <p>Your second proposal deals with the extension to another class which is specified in FCL.135.B. Please see also the responses provided to the comments received on FCL.135.B.</p> <p>These requirements for the extension to another class (e.g. the required 5 hours additional dual instruction time for a hot-air balloon pilot in order to be able to fly a hot-air airship) are based on an evaluation of the existing national requirements in Europe and the Agency cannot see a need to require another 16 hours flight training for such an extension. To ask an experienced gas balloon pilot to do another 16 hours on hot-air balloons seems also not reasonable. The Agency does not agree with the statement provided that these groups of balloons are a "complete other aircraft".</p> <p>To make clear that these training requirements in FCL.135.B are minimum requirements the term "at least" will be added. The instructor can always ask</p>

for more than the required flights. Additionally the proficiency check will ensure that the necessary experience level is reached.

comment 7443 comment by: *Holger Scheibel*

Zur eindeutigen Klarstellung sollte es unter (b) (2) heißen :
 (2) 3 instruction flights with FI on a balloon of the relevant group.
 Das hilft, im Luftrecht unerfahrenen Lesern, Mißverständnisse zu vermeiden da auch im bisherigen deutschen Luftrecht solche Fahrten vorgeschrieben sind aber dafür keine Lehrberechtigung erforderlich war sondern nur die entsprechende Lizenz für diese Gruppe

response *Not accepted*

Thank you for providing your comment.
 Please see the response provided to comment No. 3725 (K. Hartmann) in the same segment above.

comment 7752 comment by: *Christophe Saeys*

Does this mean that a pilot with 20 hours as a pic on the smallest class of balloons can extend his license to ANY other class of balloon with only 3 instruction flights?
 PROPOSE: 100-150 flights on each group, no-one can skip groups + 2 or 3 instruction flights.

response *Partially accepted*

Thank you for providing your opinion.
 Please see the response to comment No. 93 in the same segment above.

comment 7879 comment by: *Svenska Ballongfederationen*

FCL.225.B BPL – Extension of privileges to another balloon class or group

(a) People are different and have different abilities to study and learn. Deciding on a specific number of flights necessary is not a good idea. In some cases one or two flights might be enough and in some cases there might be a need for eight flights. It should up to the instructor/instructors to decide the number of flights necessary.

(b) People are different and have different abilities to study and learn. Deciding on a specific number of flights necessary is not a good idea. In some cases one or two flights might be enough and in some cases there might be a need for five flights. It should up to the instructor/instructors to decide the number of flights necessary.

response *Noted*

Thank you for providing your opinion.

Regarding your first statement, the Agency agrees that there are these mentioned differences. However, as the concept is not based on a pure competency based approach yet, some minimum numbers should be kept. The ballooning experts considered the proposed number of at least three instruction flights as the minimum training for extending the privileges to

another group. A lot of comments (please study the comments received to this segment) are proposing to further raise the amount of flights slightly.

The Agency finally decided to lower the proposed amount of instruction flights on a balloon of the relevant group slightly (2 training flights) but to add an additional proficiency check for each group.

Regarding the same comment on the requirements contained in FCL.135.B (dealing with the extension to another class of balloons), the given numbers are based on an evaluation of the existing national requirements. Based on the same reasoning as explained above the Agency will keep these minimum training requirements.

comment

8036

comment by: *Ballongflyg Upp & Ner AB*

FCL.225.B BPL - Extension of privileges to another balloon class or group

(b) (2) I say the same as on my coments made in Comment No. 7689.

I suggest:

I suggest that this can be done as PICUS, Pilot-in-command under supervision means a co-pilot performing, under supervision of the pilot-in-command, the duties and functions of a pilot-in-command.

This shuld be possible to do even with paying passengers.

I also think it shuld be possible to have a pilot with a BPL that flyes the balloon under supervision of the pilot in command to get the training and experience to operate the balloon by him self.

In Sweden we have tried this and the advanatge is several.

The Pilot under supervision participate in commercial operation and learn planning, passenger handeling, inflation, take of, planning in flight and landing. All this under supervision and I as a flight manager recives information from the pilot in command hove the pilot under supervision develops.

Due to our tests of this and our knowlege we now know that this system is a big advatage in several levels, but mainly because of better safety, due to the fact that the pilot becomes a better pilot during this conditions than if he just flyes by him self in a small balloon.

It is not practical to do 3 flights with an instructor in a big balloon and carrying all this sand.

response

Not accepted

Thank you for providing your opinion.
Please see the response already provided to your comment No. 7689.

As the definition of the PICUS was not yet introduced for ballooning (no co-pilot function has been introduced so far based on the fact that balloon operations were categorised as single pilot operations), the Agency does not agree and will keep the requirement for instruction flights. This will mean that the flights have to be completed with an instructor.

Regarding the question if paying passengers could be carried during these flights, please see the response to comment No. 5382 in the same segment above.

B. Draft Opinion Part-FCL - Subpart C: Private Pilot Licence (PPL), Sailplane Pilot Licence (SPL) and Balloon Pilot Licence (BPL) - Section 7: Specific requirements for the balloon pilot licence - FCL.230.B BPL - Recency requirements

p. 22

comment

2679

comment by: *Derry MOORE*

As qualification for licence requires a training flight with an instructor then surely an instructor is qualified to conduct a proficiency check. There are more instructors available than Examiners, thereby relieving the pressure on the latter

response

Noted

Thank you for providing your comment.

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.

It should be mentioned that the option given in (a)(1)(ii) will be deleted and only (a)(1)(i) will be kept. The training flight with an instructor will be added, the amount of required flight time will be lowered and the amount of take-offs will be slightly raised (6 hours / 10 take-offs).

Furthermore, a sentence will be added explaining that the missing take-offs or hours under (a)(1)(i) might be completed under the supervision of an instructor.

It should be further mentioned that by definition a proficiency check can never be conducted by an instructor. This kind of checks has to be completed with an examiner. Therefore these flights will be called "training flights".

See the resulting text.

comment

2801

comment by: *Frank Gesele*

Problem: Checkflug muss nach diesen regeln mit einem Examiner durchgeführt werden

Lösung: der Ccheckflug kann auch von einem FI oder CRI abgenommen werden

	<p>Begründung: Es ist kein Sicherheitsgewinn zu erwarten, wenn der chek durch einen FE statt FI erfolgt.</p> <p>Es ist aber zu erwarten dass es nicht genug FEs geben wird um alle Cheflüge zu absolvieren. Umsomehr weil die in der Freizeit geschieht und von den FEs nicht erwartet werden kann dass diese nicht anderes mehr tun</p>	
response	<i>Noted</i>	<p>Thank you for providing your opinion.</p> <p>Please see the response to comment No. 2679 in the same segment above.</p>
comment	2856	comment by: <i>Richard Allan</i>
	<p>FCL 230 B</p> <p>I feel that proficiency checks are wholly unnecessary. But if they have to be done instructors should be authorized to conduct them. There are not sufficient numbers of examiners, as to remain current they need to check out new pilots.</p>	
response	<i>Noted</i>	<p>Thank you for providing your opinion.</p> <p>Please see the response to comment No. 2679 in the same segment above.</p>
comment	2932	comment by: <i>Robert WORSMAN</i>
	<p>I do not agree with this proposal, see my comments under section FCL.140.B</p>	
response	<i>Noted</i>	<p>Thank you for providing your opinion.</p> <p>Please see the response to comment No. 2679 in the same segment above. See also the response to your comment on FCL.140.B.</p>
comment	5661	comment by: <i>Peter VAN DEN NOORTGATE</i>
	<p>Taking a proficiency check every 6 years with an examiner is a real example of EASA over-regulating. For ballooning performing a proficiency check on a regular basis is not a current/common practice in the member states unless you would have been involved in an incident and/or have made an infringement of the air law. I don't see the reason why this practice should be changed or how this would more improve the already very safe ballooning activity. There are almost no mortal incidents in European ballooning.</p> <p>Just like in many of my other comments to this NPA (see comments on FCL.060 and FCL.065) ballooning is not to be compared with other fixed-wing/helicopter activities as we operate mainly at lower speed in low (mostly uncontrolled) airspace where rules almost do not change. Also the technical complexity and handling of ballooning rarely changes over time unless one would change group or class. There is almost no evolution on instruments or equipment.</p> <p>The only ones that benefit (mainly financially) of such a rule are the examiners (scarce in number), training centres/instructors upon test failure, as well as the local bureaucratic authorities issuing licences at an administrative (but not to be neglected) price. The safety nor the balloonist with sufficient experience</p>	

shall benefit from this 6-years proficiency check.

Considering the above comments I propose that for keeping a ballooning (LPL or BPL) licence a regular proficiency check would only be required for those that (1) have insufficient takeoffs and landings in 24 months of a given class. (2) been involved in one or more incidents/infringements in the last 24 months.

Since in ballooning almost nothing changes in practical flying, I recommend that the 6-years proficiency check should be dropped for those that have an extended (constant) experience of at least 20 takeoff/landings in the last 12 months. Thus much, much more than the minimum of 8 per 24 month depicted in FCL.140.B (a)(1). I believe that such an extended/constant experience of minimal 20 takeoffs per year will be as efficient, if not being more effective, as making a 30-minute proficiency check every 6 years. Demanding and experience and making regular tests is really overkill for a slow evolving and easygoing discipline as ballooning in low airspace.

Furthermore, if EASA anyhow would stick to the introduction of such a proficiency check, it should be taken with a flight instructor (FI) instead of an examiner. Examiners are scarce due to the more complicated EASA rules and will not be able to handle this large number of repetitive checks.

response

Noted

Thank you for providing your opinion.
Please see the response to comment No. 2679 in the same segment above.

It should be added that EASA does not share the opinion that a certain amount of flight experience does automatically exclude these pilots from doing refresher training with an instructor or some kind of checks with examiners. You can easily see in the commercial world that some kind of training and checking definitely supports the common goal to reach a high level of safety.

comment

5900

comment by: *Professional Balloonists Netherlands*

FCL.230.B BPL Recency requirements

Referred is to FCL.140.B: Every 2 years there must be a minimum of 12 hours with at least 8 take-offs and landings or 6 hours and 1 training flight with one instructor and 1 proficiency-check each 6 years.

HOWEVER: In case a pilot also has his licence for a gasballon or airship, the requirements are less all of a sudden: only 2 flights per year on airship or the gasballon. So, if you have a 'hot air licence' you only have to make 2 flights each 2 years when you poses another licence (gasballon, airship). This is the opposite of the rule that you have to get experience in ballooning every 90 days.

Comment: this is measuring with two half-measures. If a pilot makes 1 flight with an air-ship or a gas balloon per year, he or she also gets rid of the skill and experience. But if he or she satisfies to the for example hot-air balloon remunerations requirements all of a sudden these rules would not apply? For the good order: hot-air-balloon, gas-balloon and air-ship are not similar.

response

Noted

Thank you for providing your opinion.

However, the Agency does not know if the requirements in FCL.225.B and in

FCL.140.B were understood the way they were meant.

Using the example of a hot-air balloon pilot with an extension to fly also hot-air airships, FCL.140.B requires to fulfill the recency requirement in (a) in one of the two classes (hot-air balloon or hot-air airship) and to fulfill the recency requirement in (b) in the other class.

The drafting group proposed this rule knowing that the three balloon classes have some specific characteristics but based on the assumption that a certain amount of actual experience in hot-air balloons allows also to fly a hot-air airship safely with a reduced amount of actual training.

Based on the comments received, the Agency carefully reviewed this issue and came to the conclusion that a certain amount of take-offs and landings in the second class should be incorporated and the required amount of flight time should be also raised slightly. The Agency will therefore require at least 3 hours and 3 take-offs and landings on a balloon of the other class.

As the comment is referring to the "recent experience" requirement in order to carry passengers, it should be highlighted that the pilot in order to carry passengers has to comply also with the specific requirement in FCL.060 which requires three flights within the last 180 days of which at least one shall be in a balloon of the relevant class and group.

comment

7213 ❖

comment by: *Klaus HARTMANN*

Es gibt in diesem Dokument unter FCL und AMC/GM keine festgelegten Inhalte zum proficiency check und ebenso kein entsprechendes Formblatt. Wann und wo wird das zum Kommentieren veröffentlicht ?

response

Noted

Thank you for providing your opinion.
Please see the response to comment No. 2679 in the same segment above.

As the proficiency check will be deleted the comment is no longer valid.

comment

7414

comment by: *Peter van Harten*

Again my comment that there are different groups of balloons. And therefore the experience cannot be seen as the same. I suggest that there should be a requirement for each type of balloon and when a pilot holds two licences, he or she has to omit with both the requirements. Flying a hotairballoon is not similar to flying an airship or a gasballoon. Make a bigger difference.

response

Partially accepted

Thank you for providing your comment.
Please see the response to comment No. 5900 (Professional Balloonists Netherlands) above.

comment

7880

comment by: *Svenska Ballongfederationen*

FCL.230.B BPL – Recency requirements

To have all BPL certificate holders perform a PC every six years puts an

enormous work load on Swedish examiners. To be able to handle this our opinion is that a FI should also be able to do this. This is the case today with the Swedish system and that works well. See also comments about examiners for a better understanding of the examiner/instructor/training situation in Sweden.

If the flight time is achieved in group medium the recency the requirement for group small should also be considered fulfilled. If the flight time is achieved in group large the requirement for group small and medium should also be considered fulfilled. If a pilot is able to handle a large balloon he/she will also be able to handle a smaller size balloon.

response *Noted*

Thank you for providing your opinion.

Regarding your first comment, please see the response to comment No. 2679 in the same segment above.

Regarding the issue of a certain amount of experience in a specific group (size related), the Agency discussed this proposal during the review phase and came to the conclusion that requiring a certain amount of experience in each group in which the BPL holder is allowed to fly would over complicate the system.

The Agency agreed on adding a requirement in FCL.230.B which defines that the required training flight with an instructor has to be done on a balloon of the largest group the licence holder is allowed to act as pilot-in-command on. The required flight time within the last 24 months can be completed in any group of balloons. If a BPL holder chooses to fulfil the recency requirements with FCL.230.B (b)(1) he/she has to pass this check flight on a balloon of the largest group on which he/she is allowed to act as pilot-in-command.


Appendix A - Attachments

 [SBaV Annex 2.pdf](#)

Attachment #1 to comment [#7617](#)

 [SBaV Annex 1.pdf](#)

Attachment #2 to comment [#7617](#)

 [lawsandruleshr.pdf](#)

Attachment #3 to comment [#1485](#)

 [Differences.pdf](#)

Attachment #14 to comment [#4574](#)

 [Differences.pdf](#)


Attachment #16 to comment [#6647](#)



Attachment #17 to comment [#2082](#)



Attachment #18 to comment [#2082](#)

 [BFU_Segelflugzeuge_2007.pdf](#)
Attachment #19 to comment [#2031](#)