



NOTICE OF PROPOSED AMENDMENT (NPA) 2012-20

DRAFT DECISION OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY

**amending Decision No 2011/015/R of the Executive Director
of the European Aviation Safety Agency of 15 December 2011
on Part-MED**

'Amendment of the AMC for pilot medical certification (LAPL)'

Executive Summary

This NPA aims at amending ED Decision No 2011/015/R by adding two new paragraphs for the aero-medical assessment of applicants for a LAPL medical certificate who present with a medical history of cancer or with a serious dermatological disease. The amendment is needed because the assessment of these conditions were not included in ED Decision No 2011/015/R.

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A. Explanatory Note

I. General

1. The purpose of this Notice of Proposed Amendment (NPA) is to amend Decision No 2011/015/R of the Executive Director of 15 December 2011¹ by adding two AMC paragraphs to MED.B.095 of Commission Regulation (EU) No 1178/2011 (Regulation Aircrew)¹. The scope of this rulemaking activity is outlined in the Terms of Reference (ToR) for RMT.0584 and is described below.
2. This rulemaking activity was not included in the Agency's Rulemaking Programme but has been added to cover a gap in the existing AMCs. The task was classified as urgent, systematic and non-controversial.
3. The text of this NPA has been developed by the Agency. It is submitted for consultation of all interested parties in accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

II. Consultation

4. Comments on this NPA may be submitted to the Agency within 1 month as of the date of publication.
5. Please submit your comments using the **automated Comment-Response Tool (CRT)** available at <http://hub.easa.europa.eu/crt/>²
6. The deadline for submission of comments is **2 January 2013**.

III. Comment-Response Document

7. All comments received in time will be responded to and incorporated in a Comment-Response Document (CRD). The CRD will be published on the Agency's website together with the Decision of the Executive Director.

IV. Content of the draft Decision

8. This NPA contains two additional paragraphs to provide Acceptable Means of Compliance (AMC) for aero-medical examiners on how to assess applicants for a Light Aircraft Pilot Licence (LAPL) medical certificate who present with cancer, a history of cancer, or with a serious dermatological disease. These AMCs will be numbered and titled

'AMC17 MED.B.095 Dermatology'

'AMC18 MED.B.095 Oncology'

and are to ensure compliance with Regulation Aircrew, Annex IV, Part-MED, paragraph MED.B.095 'Medical examination and/or assessment of applicants for LAPL medical certificates'.

The conditions 'oncology' and 'dermatology' are not covered in the present version of ED Decision No 2011/015/R and the amendment is to cover the gap.

¹ Decision No 2011/015/R of the Executive Director of the Agency of 15.12.2011 on acceptable means of compliance and guidance material related to Commission Regulation (EC) No 1178/2011 of 03 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) 216/2008 of the European Parliament and of the Council.

² In case the use of the Comment-Response Tool is prevented by technical problems please report them to the CRT webmaster (crt@easa.europa.eu).

V. The envisaged change to ED Decision No 2011/015/R

The existing AMCs 1 through 16 in Section 4, 'Specific requirements for LAPL medical certificates', are amended by additional AMCs, namely AMC17 MED.B.095 and AMC18 MED.B.095. The AMCs for the assessment of applicants for a LAPL medical certificate are based on the same principle as currently applied to the existing AMCs for the LAPL, namely with regard to proportionality considering the privileges of the licence. The AMCs also provide for sufficient flexibility in the aero-medical assessment of the respective conditions.

VI. Regulatory Impact Assessment

No Regulatory Impact Assessment has been made considering the classification of the rulemaking task as systematic and non-controversial.

B. Draft Decision

The text of the amendment is new and therefore the text appears in grey shading.

Draft Decision Part-MED**AMC 17 MED.B.095 Dermatology**

In cases where a dermatological condition is associated with a systemic illness, full consideration should be given to the underlying illness before a fit assessment may be considered.

AMC18 MED.B.095 Oncology

- (a) In the case of malignant disease, applicants may be considered for a fit assessment if:
- (1) there is no evidence of residual malignant disease likely to jeopardise flight safety;
 - (2) time appropriate to the type of tumour has elapsed since the end of treatment;
 - (3) the risk of in-flight incapacitation from a recurrence or metastasis is sufficiently low;
 - (4) there is no evidence of short or long-term sequelae from treatment that may adversely affect flight safety;
- (b) Arrangements for an oncological follow-up should be made for an appropriate period of time.