



Brussels, **XXX**  
[...](2024) **XXX** draft

**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of**

**amending Regulation (EU) No 1178/2011 as regards the introduction of a gyroplane  
pilot licence**

**EN**

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**COMMISSION IMPLEMENTING REGULATION (EU) 202X/xxx**

**of XXX**

**amending Regulation (EU) No 1178/2011 as regards  
the introduction of a gyroplane pilot licence**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 <sup>(1)</sup>, and in particular Articles 23(1) and 27(1) thereof,

Whereas:

- (1) Regulation (EU) No 1178/2011 <sup>(2)</sup> lays down the requirements for pilots who are involved in the operation of aircraft as specified in points (b)(i) and (ii) of Article 2(1) of Regulation (EU) 2018/1139.
- (2) The ongoing development of gyroplanes that fall within the scope of Regulation (EU) 2018/1139 due to a maximum certificated take-off mass exceeding 600 kg makes it necessary to include flight crew licensing requirements for gyroplane pilots in Regulation (EU) No 1178/2011. Since the development of a comprehensive framework for commercial gyroplane operation will take more time, for the time being such requirements should address non-commercial pilot privileges only.
- (3) The new European regulatory framework for gyroplane flight crew licensing should, where possible, consider standards and best practices established in national gyroplane licensing requirements and should also provide for credits for holders of national gyroplane pilot licences, when seeking a European gyroplane pilot licence.
- (4) To support the implementation of European gyroplane flight crew licensing requirements and especially the qualification of the first European gyroplane instructors, for a limited period of time and under certain conditions it should be possible for applicants for a European gyroplane pilot licence and associated ratings and certificates to receive credits on the basis of a credit report, provided that they hold, or have commenced training for the issue of, the relevant national gyroplane licence and associated ratings or certificates.

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<sup>(1)</sup> [OJ L 212, 22.8.2018, p. 1](#)

<sup>(2)</sup> Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council ([OJ L 311, 25.11.2011, p. 1](#)).

- (5) Holders of European gyroplane pilot licences should, for non-commercial operation without remuneration, be required to hold the same aero-medical certificate as private pilots for other aircraft categories in accordance with Regulation (EU) No 1178/2011.
- (6) The requirements for competent authorities and training organisations need to be adapted, where necessary to include training and licensing for gyroplane pilots.
- (7) The amendments are based on Opinion No 04/2024 <sup>(3)</sup> of the European Union Aviation Safety Agency in accordance with Article 75(2), point (b), and Article 76(1) of Regulation (EU) 2018/1139.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the committee established in accordance with Article 127(1) of Regulation (EU) 2018/1139.

HAS ADOPTED THIS REGULATION:

### *Article 1*

Commission Regulation (EU) No 1178/2011 is amended as follows:

- (1) in Article 4, paragraph 2 is replaced by the following:
  - ‘2. Non-JAR-compliant licences including any associated ratings, certificates, authorisations and/or qualifications issued or recognised by a Member State before the applicability of this Regulation shall be converted into Part-FCL licences by the Member State that issued the licence. By way of derogation from this paragraph, in the case of gyroplane pilot licences, Article 4g shall apply.’;

#### ***Rationale***

*By adding a second sentence to Article 4(2), it is clarified that a national gyroplane licence cannot simply be converted via a conversion report. Applicants for a Part-FCL gyroplane licence who already hold a national gyroplane licence issued by a Member State may receive credits only in accordance with Article 4g (see below).*

- (2) after Article 4f, the following Article 4g is inserted:

#### *Article 4g*

##### **Specific requirements for applicants for a gyroplane pilot licence**

- (a) Until **[3 years after the applicability date of this amending Regulation xxx/yyyy]**, applicants who hold a gyroplane pilot licence and associated ratings and certificates that were issued in accordance with national gyroplane flight crew licensing requirements, or who commenced training in accordance with such requirements,

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<sup>(3)</sup> <https://www.easa.europa.eu/document-library/opinions>

shall receive credits for the purpose of being issued with a gyroplane pilot licence and associated ratings and certificates in accordance with this Regulation, on the basis of a credit report established by a Member State in consultation with EASA. The credit report shall comply with Article 9(3).

- (b) When establishing a credit report in accordance with paragraph (a), Member States shall:
- (1) solely grant credits for flight time that applicants completed in gyroplanes that have a maximum take-off mass of at least 450 kg;
  - (2) for the purpose of issuing a gyroplane pilot licence in accordance with this Regulation, solely grant credits the amount of which does not exceed the credit that may have been granted in accordance with point FCL.210.G(c) of Annex I to this Regulation. In such cases, applicants shall complete the additional flight training at an approved training organisation (ATO) or at a declared training organisation (DTO) in a gyroplane that has been certified in accordance with Regulation (EU) 2018/1139 and the implementing and delegated acts adopted on the basis thereof, before being recommended by the ATO or the DTO for the skill test.’;

***Rationale***

*The text as presented in NPA 2021-12 was revised and restructured, for better readability and to clarify the applicability of this Article to both applicants who hold a national gyroplane pilot licence and those who have commenced but not yet completed training in accordance with national gyroplane licensing requirements. Also, the MTOM limit of 500 kg was lowered to 450 kg, since such a lowered MTOM limit would still ensure flight characteristics that are comparable to an ‘EASA gyroplane’ with a greater MTOM limit, and, unlike the 500-kg limit, the 450-kg limit would ensure that a sufficient number of nationally certified gyroplanes would fall under this transitional provision.*

- (3) Annex I (Part-FCL) is amended in accordance with Annex I to this Regulation.
- (4) Annex IV (Part-MED) is amended in accordance with Annex II to this Regulation.
- (5) Annex VI (Part-ARA) is amended in accordance with Annex III to this Regulation.
- (6) Annex VIII (Part-DTO) is amended in accordance with Annex IV to this Regulation.

*Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from *[date of entry into force plus 6 months]*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission*

*The President*

*[...]*