



EUROPEAN AVIATION SAFETY AGENCY  
AGENCE EUROPÉENNE DE LA SÉCURITÉ AÉRIENNE  
EUROPÄISCHE AGENTUR FÜR FLUGSICHERHEIT

# Workshop on Reg. 1178/2011 and 290/2012 Lisboa, Portugal 18 - 19 September 2012

Helena Pietilä & Matthias Borgmeier / EASA Rulemaking  
Flight Standards - Flight Crew Licensing Section

Your safety is our mission.





## Today's Agenda

- **Introduction / Rulemaking process**
- **FCL.001 / Rule Structure**
- **Actual situation of implementation**
- **Different subparts of Part FCL**
- **Questions - comments**



## Tomorrow's Agenda

- **Appendices / AMCs Part-FCL**
- **Structure OR-AR & Cover Regulation**
- **ARA.GEN & ARA.ATO**
- **Part-ORA**
- **Additional actual FCL issues**



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Workshop on Reg. 1178/2011 and 290/2012  
Lisbon, Portugal  
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**Part 1:**  
**Introduction / Rulemaking Process /**  
**FCL.001 / Structure / Implementation**

Matthias Borgmeier / EASA Rulemaking  
Acting Head FCL Section

Your safety is our mission.





## Agenda Part 1

- **Introduction**
- **Rulemaking Procedure**
- **FCL.001**
- **Regulation Structure**
- **Implementation Phase**



## Before we start....

**BR – Basic Regulation**

**ER – Essential Requirements**

**IR – Implementing Rule**

**AMC – Acceptable Means of Compliance**

**GM – Guidance Material**

**NPA – Notice of Proposed Amendment**



## **Before we start....**

**ORA – Organisational Requirements Aircrew**

**ARA – Authority Requirements Aircrew**

**CC – Cabin Crew**

**LAPL – Light Aircraft Pilot Licence**

**MI – Mountain Instructor**

**S & B & As & Tilt-rotor .....**



# European Union and EFTA countries



27 EU states



4 EFTA states





# Core Activities (1/2)



## Product Certification

## Rulemaking

<b>Bundesrepublik Deutschland</b> Bundesministerium für Verkehr und digitale Infrastruktur Lizenz für Fluggesellschaften Flugzeugtypen: Airbus A320neo	<b>Fluggesellschaft</b> Lufthansa <b>Flugzeugtyp</b> A320neo <b>Flugnummer</b> LH 481 <b>Flugroute</b> Frankfurt - München <b>Flugzeugnummer</b> D-IMWB	<b>Flugzeugtyp</b> A320neo <b>Flugnummer</b> LH 481 <b>Flugroute</b> Frankfurt - München <b>Flugzeugnummer</b> D-IMWB	<b>Flugzeugtyp</b> A320neo <b>Flugnummer</b> LH 481 <b>Flugroute</b> Frankfurt - München <b>Flugzeugnummer</b> D-IMWB	<b>Flugzeugtyp</b> A320neo <b>Flugnummer</b> LH 481 <b>Flugroute</b> Frankfurt - München <b>Flugzeugnummer</b> D-IMWB
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## Standardisation

## Organisation Approvals



## Safety Assessment of Foreign Aircraft



# Core Activities (2/2)



Third Country Operators

Safety Analysis and Research



European Aviation Safety Programme

International Cooperation



Technical Training



# Clarification of one important issue





- **Agency of European Union**

**In partnership with Member States**

**In cooperation with Stakeholders**

- **Regulating Aviation Safety**

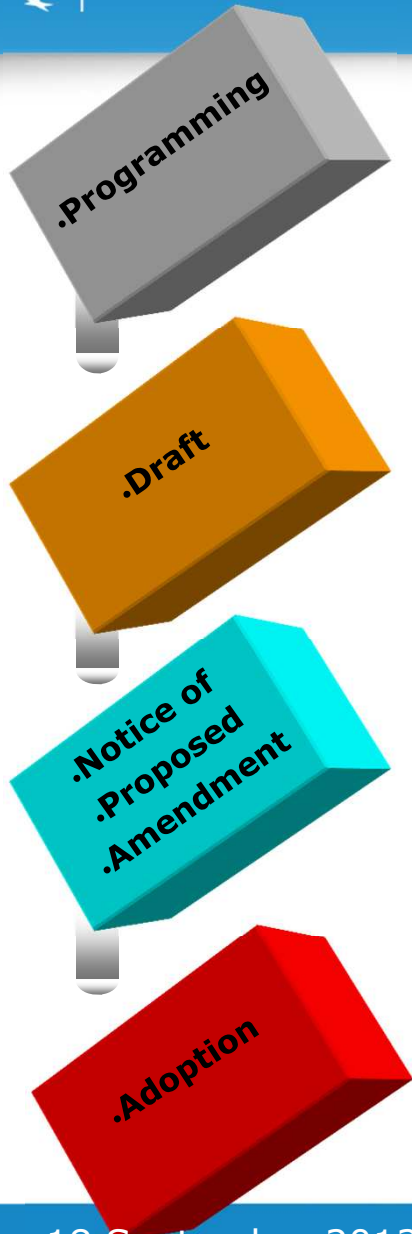


## Agenda Part 1

- **Introduction**
- **Rulemaking Procedure**
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- **Regulation Structure**
- **Implementation Phase**



# The EASA Rulemaking Process



**Rulemaking Programme**

**Initiation**

**Drafting**

**Consultation**

**Review of Comments**

**CRD**

**Executive Director  
Decision**

**Agency  
Opinion**

**Publication**



## Agenda Part 1

- **Introduction**
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# Task FCL.001



- **Rulemaking Group (experts)**
- **Different Subgroups**
- **“Consultation period”**
- **Last version of JARs**
  - JAR-FCL 1 Amendment 7
  - JAR-FCL 2 Amendment 6
  - JAR-FCL 3 Amendment 5
- **JAA NPAs - advanced adoption phase**
- **National Rules SPL/BPL/LAPL**



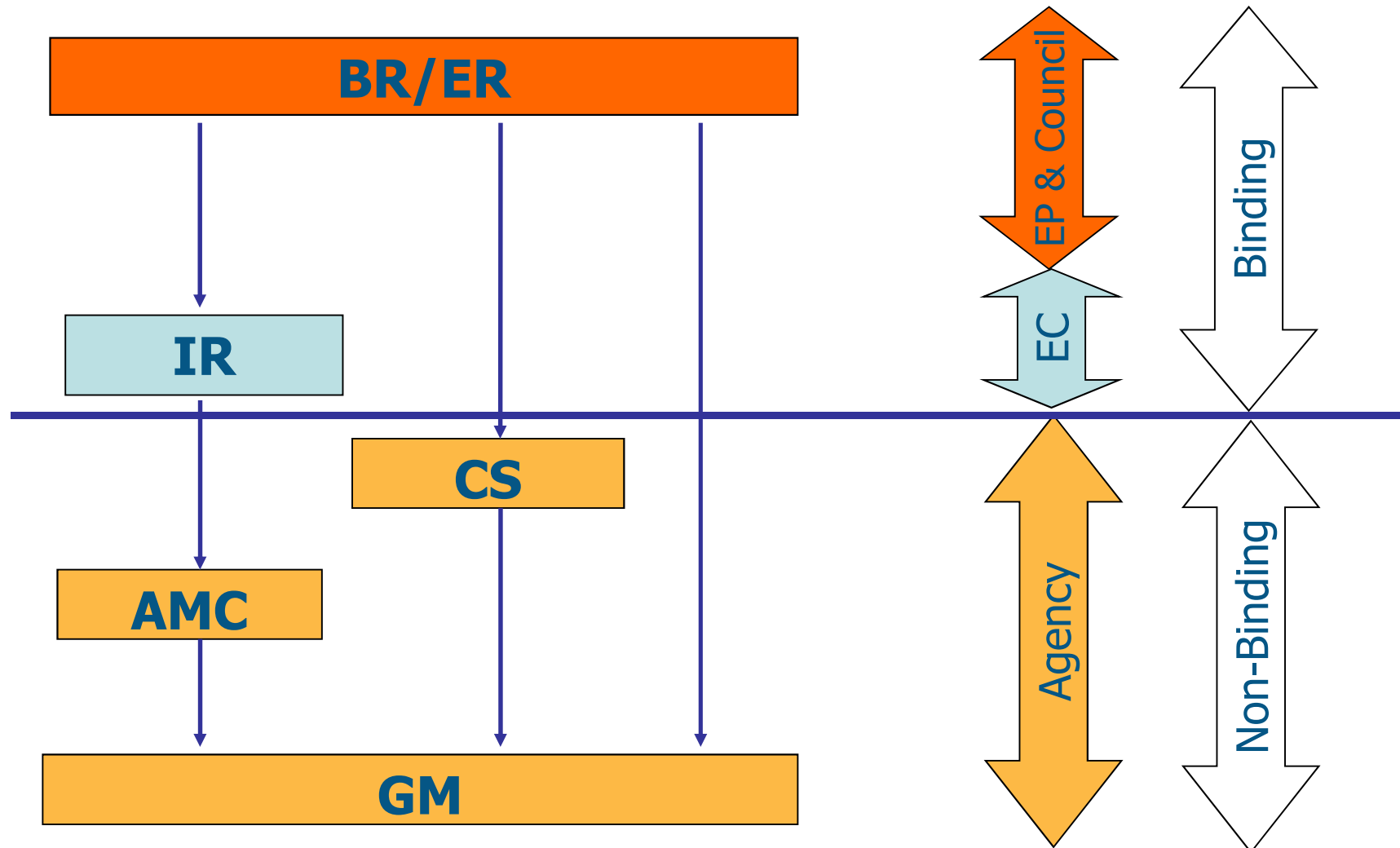


# Today's subjects

- **Introduction**
- **Rulemaking Procedure**
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- **Implementation Phase**

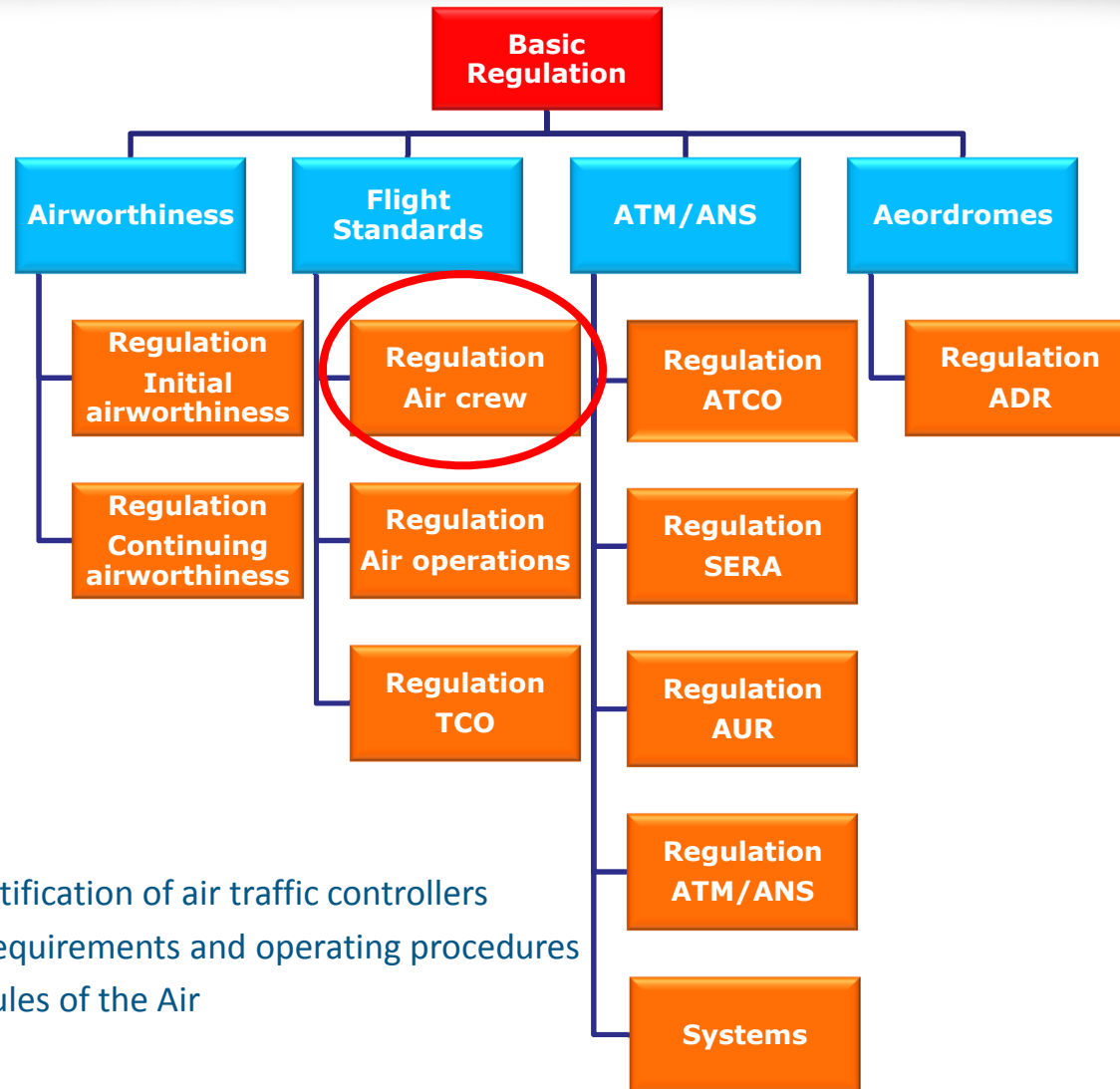


# EASA regulatory framework





# Rule Structure



ADR: Aerodromes

ATCO: licensing and medical certification of air traffic controllers

AUR: common airspace usage requirements and operating procedures

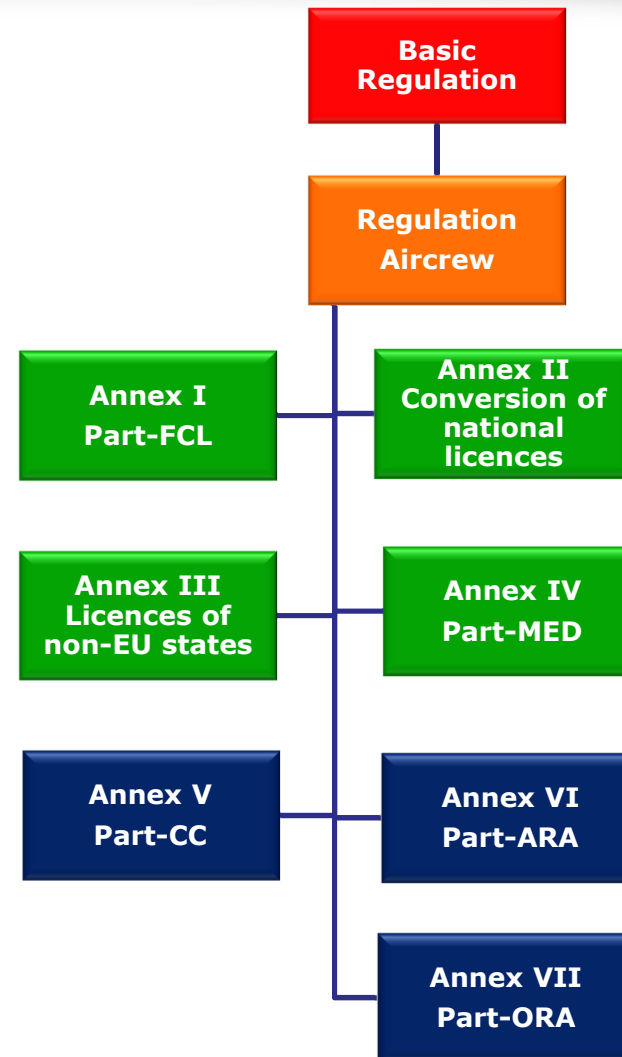
SERA: Standardised European Rules of the Air



# Regulation on Aircrew



- **Commission Regulation (EC) 1178/2011 published in November**
- **Contains Cover Regulation, Annexes I – IV**
- **Decision published in December**

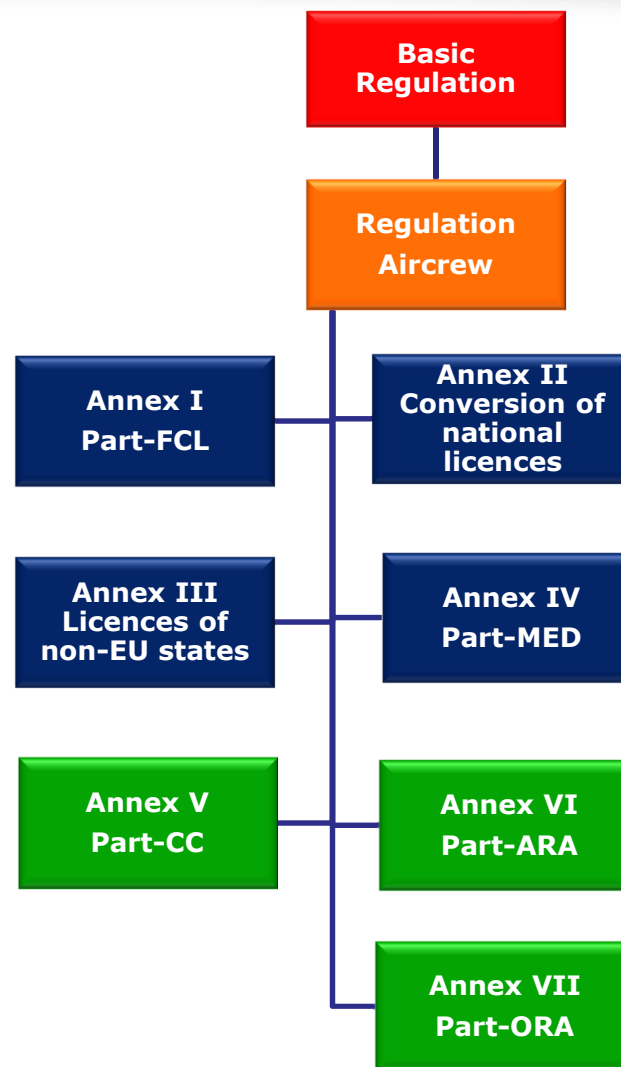




# Regulation on Aircrew



- **Commission Regulation (EC) 290/2012 published as amending regulation**
- **Decision published in April**
- **Structure and content of first 12 articles has been changed by the amending regulation**





## Annex I Part-FCL

Subpart A  
General Rules

Subpart E  
MPL

Subpart I  
Additional Ratings

Subpart B  
LAPL

Decision 2011/016  
containing the  
AMC & GM

Subpart J  
Instructors

Subpart C  
PPL / SPL / BPL

Subpart K  
Examiners

Subpart D  
CPL

Subpart H  
Class & Type

Appendices to  
Part-FCL



# Today's subjects

- **Introduction**
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# Where are we now ?



- **Amending regulation completes the Aircrew Regulation package**
- **All AMCs/GM published**
- **Part-FCL (plus 2 further Annexes)**
- **Part-MED, Part-ARA & Part-ORA**
- **“Cover Regulation”**





# Transitional Periods



**Cover Regulations contains the provisions for transition to the new system**

**The Aircrew Regulation is applicable as from 8 April 2012**



## Content (1)

**Existing national pilot licences**

**Medical certificates & AME certificates**

**Conversion of flight test qualifications**

**Existing flight engineer's licences**

**Acceptance of third country licences**



## **Content (2)**

**Credit for training**

**Credit for military licences**

**Cabin crew medical fitness**

**Entry into force and application  
(here the “opt-outs”)**



# Horizontal opt-out



**“By way of derogation a Member State may decide not to apply the provisions ... until 8 April 2013 “**

**So:**

**Implementation on 8 April 2013 at the latest**

**But:**

**In addition several other “opt-outs”**



# Other Opt-outs



## ➤ **By 8 April**

- **2014** – ATOs shall have adapted their management systems, training programmes, procedures and manuals to be compliant with Part-ORA
- **2014** – Non-JAR (A) & (H) and TC licences
- **2015** – LAPL (and medical) shall be introduced & all other TOs to be certified
- **2015** – additional ratings, some specific other requirements (e.g. MI or FTI)



# Grandfathering - Conversion



- **JAR-compliant** licences, ratings and certificates shall be deemed to have been issued in accordance with Regulation Aircrew
- They shall be replaced latest by 8 April 2018
- Other licences – conversion according Annex II or conversion report



		EU Member States and EFTA States																														
Derogations		Austria	Belgium	Bulgaria	Cyprus	Czech Republic	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Iceland	Ireland	Italy	Latvia	Lichtenstein	Lithuania	Luxembourg	Malta	Norway	Poland	Portugal	Romania	Slovak Republic	Slovenia	Spain	Sweden	Switzerland	The Netherlands	United Kindgom
			08 April 2013																													
Derogation to provisions of Annexes I to IV <b>Article 12(1b)</b> and Annexes V to VIII <b>Article 2(2a)</b>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	08.04.2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See comment	<input checked="" type="checkbox"/>	See comment	<input checked="" type="checkbox"/>	08.04.2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See comment		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	01.01.2013	<input checked="" type="checkbox"/>	26.06.2012	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	01.06.2012	<input checked="" type="checkbox"/>	17.09.2012
		08 April 2014																														
Conversion of non JAR-compliant aeroplane and helicopter licences. <b>Article 12(3)</b>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Pilots holding licences and medical certificates issued by a third country involved in the non - commercial operation of aircraft <b>Article 12(4)</b>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>



# Aircrew Implementation Phase



- **Support for review of the derogation notifications & conversion reports**
- **Interpretation support for MS and stakeholders**
- **Article 14 derogations and exemptions (13 FCL – 1 MED)**
- **Alternative Means of Compliance ?**





# Conclusions



- The new rules are a challenge not only for MS authorities but also for stakeholders and EASA
- Transition measures to ensure smooth transition (still some open questions)
- Open issues will hopefully be solved with ongoing and future RM tasks
- EASA (S & R) will do it's best to provide support!
- NAA are the direct counterpart for ATOs



# Where to find the documents?



EASA - Frequently Asked Questions - Windows Internet Explorer- provided by European Aviation Safety Agency

http://easa.europa.eu/rulemaking/faq/r-frequently-asked-questions.php#

File Edit View Favorites Tools Help

EASA - Frequently Asked Questions

Citizens & General Information Aviation Professionals & Industry Authorities & Institutions

**The Agency**  
What we do  
Executive Director  
Organisation structure  
Management Board  
Budget and accounts

Communications & External Relations  
Environmental protection  
Recruitment  
Procurement

EASA Members / Links  
Events  
Safety Analysis & research  
General publications  
Technical publications  
Contacts & FAQ

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Certification directorate  
Rulemaking directorate  
Approvals & Standardisation directorate  
Regulations structure  
SAFA

EASA Home » Rulemaking Directorate » Rulemaking - FAQ

Rulemaking Directorate

Rulemaking FAQ

Rulemaking - FAQ

Basic Regulation (EC) No 216/2008 - FAQ

Regulation (EC) No 1702/2003 - Initial Airworthiness - FAQ

Regulation (EC) No 2042/2003 - Continuing Airworthiness - FAQ

ATM and Aerodromes

Flight standards

Acceptable Means of Compliance (AMCs) - FAQ

International co-operation - FAQ

**Most popular pages:**

Regulations structure

Recruitment

## Frequently Asked Questions

This page compiles Frequently Asked Questions related to Rulemaking.

Please note that abbreviations are frequently used at the **European Aviation Safety Agency**. A document which expands these abbreviations is available [here](#). The questions in this section are also listed on the Agency's General [FAQ](#) page.

Select one of the following themes to access the related FAQs:

- Rulemaking
  - [Basic Regulation 216/2008](#)
  - [Commission Regulation 1702/2003 - Initial Airworthiness](#)
  - [Commission Regulation 2042/2003 - Continuing Airworthiness](#)
- In addition:
  - [ATM and Aerodromes](#)
  - [Flight Standards - Air operations and Aircrew](#)
  - [Acceptable Means of Compliance \(AMC\)](#)
- International Co-operation



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**Thank you for  
your attention !**

**Questions – Comments ?**

Your safety is our mission.