

You can save this page as HTML and then open it in Microsoft Word for further editing.

<b>Title</b>	Amendments to Commission Regulation (EU) No 1178/2011 (the Aircrew Regulation) – Flight Examiner Manual: Module 1 & Module 2 (Chapters 3, 4, 5 & 6)
<b>NPA Number</b>	NPA 2014-29 (C)(1)

**René Meier, Europe Air Sports** (r.meier@europe-air-sports.org) has placed **15** unique comments on this NPA:

<b>Cmt#</b>	<b>Segment description</b>	<b>Page</b>	<b>Comment</b>	<b>Attachments</b>
11	(General Comments)	0	<p>Europe Air Sports, particularly supported by its member organisations European Gliding Union, European Powered Flying Union, PPL/IR, held a workshop on the entire set of NPA-2014-29. Our comments also reflect positions of several national organisations as the Aero-Club of Switzerland, CNFAS France, the German Aero Club, the Norwegian Air Sports Federation (NLF).</p> <p>We thank the Agency for the preparation of this document.</p>	
13	(General Comments)	0	<p>All three parts of NPA 2014-29 (C)</p> <p>When we worked on (C)(1), (C)(2), (C)(3) we believe to have found several consistency issues between the Flight Examiner Manual (FEM) (NPAs C1, C2 and C3) and</p> <ul style="list-style-type: none"> <li>- proposed amendment of Part FCL [NPA 2014-29 (A)] as well as associated AMCs/GMs [NPA (B)]</li> <li>- current regulation (EU) No 1178/2011</li> </ul> <p>The Flight Examiner Manual proposed in NPA 2014-29 (C)(1) to (C)(3) includes a text copied from regulation (EU) No 1178/2011.</p> <p>We have identified:</p> <p>(1) in some cases the FEM does not take into account the proposed amendments included in NPA 2014-29 (A) and NPA 2014-29 (B).</p> <p><u>Examples:</u></p> <p>i) In NPA 2014-29 (C)(1) (see pages 11-12/270) the reproduced AMC1 FCL.1015 (b)(2) is not in line with the proposed amendment of the same AMC in NPA 2014-29 (B) (see pages 35/38).</p> <p>ii) In NPA 2014-29 (C)(1) (pages 16-17) the reproduced GM1 FCL.1015 is not in line with</p>	

Cmt#	Segment description	Page	Comment	Attachments
			<p>the proposed amendment of the same GM in NPA 2014-29 (B) (pages 35-36).</p> <p>(2) in some others cases the FEM is not in line with the currently applicable regulation (EU) No 1178/2011.</p> <p><u>Example:</u> Paragraph 1.7 of the proposed FEM in NPA 2014-29 (C)(1) is outdated since the described privileges of a TRE are not in line with the latest amendment introduced with Regulation (EU) No 245/2014. The conduct of EIR proficiency checks has not been included as a privilege in FCL.1005.TRE.</p> <p>Therefore we suggest a complete review of the FEM to be made before any publication. Otherwise once published the FEM will be immediately inconsistent with the applicable regulation and will require an update, creating costs and confusion.</p> <p>Concerning (1) we suggest that all the changes that will be finally adopted (as a result of the current NPA 2014-29) for Part FCL [NPA 2014-29 (A)] and associated AMCs and GMs [NPA 2014-29 (B)] are included in the final version of the FEM.</p> <p>Concerning (2) we suggest that a consistency check is performed in order to ensure that the latest amendments to regulation (EU) No 1178/2011 have been included in the final version of the FEM. A special attention shall be paid to the latest amendments introduced by regulation (EU) No 245/2014 and also by the next amendment to be published (ref. EASA Committee in October 2014, documents D035899/3, basic text and Annexes 1 to 5).</p> <p>As this all is very important for the members of our communities we offer our assistance to the Agency to undertake the urgently required review.</p> <p><u>Rationale:</u> It is of utmost importance to start with a correct set of documents reflecting the latest status in aviation legislation. As we know: Every change increases costs and uncertainty, two elements we do not need.</p> <p>We have to get it right from the start.</p>	

Cmt#	Segment description	Page	Comment	Attachments
14	1. Module 1 – Common requirements – 1.5. Aircrew Regulation – Part-FCL – 1.5.4. FCL.1015 Examiner Standardisation	11 - 17	<p>AMC1 FCL.1015 p 12 and 13/270 (d) (5)(6)(7)</p> <p>Please add "or assessment of competence" in all three paragraphs after "...check profiles...".</p> <p>We propose the use of the terms "<b>proficiency check</b>", "<b>skill test</b>" and "<b>assessment of competence</b>" only all along the regulation, for the sake of understanding and simplicity.</p> <p>Rationale: There are many different terms used in this AMC1 FCL.1015. Some of them are not defined in Regulation (EU) No 1178/2011. As an example, "examiner check" in paragraph (d)(7) is not defined. This should be an "assessment of competence". Otherwise, the content of this "examiner check" should be defined.</p>	
15	1. Module 1 – Common requirements – 1.5. Aircrew Regulation – Part-FCL – 1.5.4. FCL.1015 Examiner Standardisation	11 - 17	<p>AMC2 FCL.1015 Examiner standardisation p 15/270</p> <p>Paragraph (q) of currently published AMC2 FCL 1015 states that:</p> <p>"A test or check flight <b>will</b> be conducted in accordance with the AFM and, if applicable, the AOM."</p> <p>In NPA 2014-29 (C)(1), the AMC2 FCL.1015 has been reproduced with some discrepancies. As matter of fact its paragraph (q) states that:</p> <p>"A test or check flight <b>shall</b> be conducted in accordance with the flight manual <b>or other appropriate manual</b> and, if applicable, the AOM".</p> <p>Rationale: The new draft for (q) of AMC2 FCL.1015 proposed in the FEM should be included in NPA 2014-29 (B) (revised AMCs and GMs) for consistency between the AMC and the FEM.</p>	
16	1. Module 1 – Common requirements – 1.5. Aircrew Regulation – Part-FCL – 1.5.4.	11 - 17	<p>GM1 FCL.1015 Examiner Standardisation p 16 and 17/270</p> <p>NPA 2014-29 (B) proposes some amendments to GM1 FCL 1015 (page 35-36).</p>	

Cmt#	Segment description	Page	Comment	Attachments
	FCL.1015 Examiner Standardisation		<p>The GM1 FCL.1015 reproduced in the FEM in NPA 2014-29 (C)(1) (page 16-17) does not include the proposed amendments.</p> <p>Therefore there are some discrepancies in the FEM compared to what is proposed in the updated GM1 FCL.1015.</p> <p>The FEM [NPA 2014-29 (C)(1)] should be aligned with the new GM1 FCL.1015 of NPA 2014-29 (B).</p> <p>Rationale: Consistency between all documents is required to avoid costly revisions, misinterpretations and misunderstandings.</p>	
18	1. Module 1 – Common requirements – 1.7. Summary of privileges for Type Rating Examiners (TREs)	23	<p>1.7. Summary of privileges for TREs p 23/270</p> <p>Paragraph 1.7 of the proposed FEM [NPA 2014-29 (C)(1)] is outdated since the described privileges of a TRE are not in line with applicable regulation (EU) No 1178/2011.</p> <p>As a matter of fact regulation (EU) No 245/2014 by introducing the EIR has also included an amendment of FCL.1005.TRE. Here below is reproduced the amendment introduced with regulation (EU) No 245/2014:</p> <p>(45) In point (a) of FCL.1005.TRE, paragraph (2) is replaced by the following: '(2) proficiency checks for revalidation or renewal of type ratings, EIRs and IRs;'</p> <p>Please make a full review of the proposed FEM in NPA 2014-29 (C)(1) to be performed before any publication.</p> <p>Rationale: To avoid corrections soon after publication, misunderstandings and misinterpretations.</p>	
19	1. Module 1 – Common requirements – 1.7. Summary of privileges for Type Rating Examiners (TREs)	23	<p>1.7 Summary of privileges for TREs p 23/270</p> <p>NPA 2014-29 (B) proposes some amendments to FCL.1005.TRE (a) (5) (page 106).</p> <p>"FCL.1005.TRE (a) (5) assessments of competence for the issue, revalidation or renewal of a TRI or SFI certificate in the applicable aircraft category,</p>	

Cmt#	Segment description	Page	Comment	Attachments
			<p>provided that the examiner has completed at least 3 years as a TRE(A) and has <b>undergone specific training for the assessment of competence in accordance with FCL.1015(b).</b>"</p> <p>The FEM [NPA 2014-29 (C)(1)] should be aligned with the new FCL.1005.TRE (a) (5) in NPA 2014-29 (B).</p> <p>Rationale: Paragraph 1.7 of the proposed FEM [NPA 2014-29 (C)(1)] is not in line with the proposed amendment. As a matter of fact the FEM does not mention the necessity of a specific training before conducting assessment of competences for the issue, revalidation or renewal of a TRI or SFI certificate.</p>	
20	1. Module 1 – Common requirements – 1.9. Summary of privileges for Synthetic Flight Examiners (SFEs)	24	<p>1.9. Summary of privileges for SFEs page 24/270</p> <p>Discrepancy in the summary of privileges for SFE(A)</p> <p>NPA 2014-29 (B) proposes some amendments to FCL.1005.SFE (a) (2) (page 108) as follows:</p> <p>"FCL.1005.SFE (a) (2) proficiency checks for revalidation or renewal of IRs when combined with the revalidation or renewal of a type rating, provided that the SFE has passed a proficiency check for the aircraft type including the instrument rating within the last 12 months;"</p> <p>The FEM [NPA (C)(1)] should be aligned with the new FCL.1005.SFE (a) (2) provision of NPA 2014-29 (B).</p> <p>Rationale: Paragraph 1.9 of the proposed FEM [NPA 2014-29 (C)(1)] is not in line with the proposal of amendment. As a matter of fact the FEM still mentions the necessity to comply with FCL.1010.IRE.</p>	
21	1. Module 1 – Common requirements – 1.14. Conduct of test/check	29 - 31	<p>1.14 Conduct of test/check p 29/270</p> <p>We propose to introduce the notion of "assessment of competence" in paragraph 1.14.</p> <p>Rationale:</p>	

Cmt#	Segment description	Page	Comment	Attachments
			The meaning of this term is clear, it may be widely applied and provokes no misunderstandings and misinterpretations.	
22	2. Module 2 — Test standards: Aeroplanes — 2.2. Chapter 2 — PPL	37	<p>2.2 Chapter 2-PPL p 37/270</p> <p>We take note that this chapter is missing. We offer you our assistance for preparing this chapter.</p> <p>Rationale: Conduct of PPL(A) tests, harmonised, based on common understanding, are vital to the powered flight communities in all member states.</p>	
24	2. Module 2 — Test standards: Aeroplanes — 2.3. Chapter 3 — Commercial Pilot Licence — 2.3.3. Conduct of test/check	38 - 39	<p>Chapter 3 CPL 2.3.3. Conduct of test/check p 39/270, p 210/270</p> <p>National regulation and responsibility of the flight</p> <p>In NPA 2014-29(C)(1) [paragraphs 2.3.3 and 2.6.3 (7)], we still find the following sentence: "Responsibility for the flight should be allocated in accordance with national regulations".</p> <p>This same sentence has been deleted in the amendment of Appendix 9 proposed in NPA 2014-29(A) (p 134/253).</p> <p>The FEM NPA 2014-29(C)(1) must be aligned with the new wording proposed in Appendix 9 in NPA 2014-29 (A).</p> <p>Rationale: To avoid confusion, and to obtain a level playing field...</p>	
23	2. Module 2 — Test standards: Aeroplanes — 2.3. Chapter 3 — Commercial Pilot Licence — 2.3.6. SECTION 1 — PRE-FLIGHT OPERATIONS AND DEPARTURE	42 - 49	<p>2.3.6 Section 1 Pre-flight Ops and Departure p 42, 50, 94/270</p> <p>The content of the Appendix 9 Annex I – Part FCL has been reproduced in NPA 2014-29(C)(3)(pages 66-70). In Appendix 9 Annex I (class rating) the following items are mandatory: item 1.3 (engine starting malfunction), item 1.7 (climbing Vx/Vy) and item 5.1 (rejected take-off). These items are, however, not mentioned in the CPL skill test form (see paragraph 2.3.12 of NPA 2014-29 (C)(1) (pages 92-94)).</p>	

Cmt#	Segment description	Page	Comment	Attachments
			<p>There is only some general guidance to the examiner mentioned in paragraph 2.3.6 of NPA 2014-29 (C)(1) (page 42) indicating that the examiner may simulate, for example, an engine fire during start-up and in paragraph 2.3.7 (a) of NPA 2014-29 (C)(1) (page 50).</p> <p>We suggest to align paragraph 2.3.12 of NPA 2014-29 (C)(1) (CPL skill test form) with Appendix 9 especially with regard to the mandatory items.</p> <p>Rationale: It is vital to dispose of harmonised text versions for all kinds of operations. That is where safety starts, we think.</p>	
25	2. Module 2 – Test standards: Aeroplanes – 2.3. Chapter 3 – Commercial Pilot Licence – 2.3.7. SECTION 2 – GENERAL AIRWORK	50 - 60	<p>2.3.7 Section 2-General Airwork page 50/270</p> <p>Safety pilot and ATC liaison</p> <p>At the beginning of the first paragraph It is mentioned that the examiner should be responsible for navigation and ATC liaison.</p> <p>As this statement does not cover all situations we suggest mentioning the possibility of having a safety pilot as third crew member being in charge of navigation and ATC liaison.</p> <p>Rationale: This third crew member can be helpful indeed. Some competent authorities require such a safety pilot when skill tests are conducted.</p>	
26	2. Module 2 – Test standards: Aeroplanes – 2.3. Chapter 3 – Commercial Pilot Licence – 2.3.12. CPL(A) SKILL TEST REPORT FORM	92 - 94	<p>2.3.12 CPL(A) Skill test report form p 92 and 94/270</p> <p>CPL skill test report form and use of FNPT II</p> <p>Note 1 on page 92/270 of NPA 2014-29 (C)(1) is not in line with the provision under section 6 a) of NPA 2014-29 (C)(1) on page 94/270.</p> <p>Rationale: The possibility to use a FNPT II or an FFS should be also mentioned in section 6 for consistency reasons.</p>	
27	2. Module 2 – Test standards: Aeroplanes –	252 - 263	Section 5 Non-precision approach p 260/270	

Cmt#	Segment description	Page	Comment	Attachments
	2.6. Chapter 6 – Instrument Rating (IR) skill test (Appendix 7 to Part-FCL) – 2.6.5. Content of the test – SECTION 5: NON-PRECISION APPROACH		The abbreviations "MDH" and "DH" are mentioned. Only one of both should be used in all documents.  Rationale: For simplicity's and for clarity's sake.	