

Information note for Member States and Industry on the proposal to amend Commission Regulation (EU) No 1178/2011 (Aircrew) relating to training organisations

1. General

The aim of this note is to provide further information regarding some of the details and the consequences related to the proposed changes to the Aircrew Regulation which have been developed by the European Commission (EC) and the European Aviation Safety Agency (EASA) and which were presented to the EASA Committee on 9 July 2014. All Member States (MS) agreed in principle to the approach presented related to certain non-complex ATOs and the training for certain licences and ratings between 8 April 2015 and 8 April 2018. The proposal will be formally voted upon by the MS in October. As the proposed changes are supported by the MS it is reasonable to expect them to be in force early 2015.

It should be highlighted that the Agency has also presented a proposal to the EASA Committee which aims on developing a complimentary solution for conducting training towards an LAPL, PPL, BPL or SPL outside of ATOs. This task will be launched in the coming months and the Agency intends to explore all the options given for future rule changes (not part of this proposal) in order to simplify the situation for training towards non-commercial pilot licences and associated ratings and certificates. The purpose of this note is however, only to inform all MS and the Industry about the amendments being currently proposed and their possible consequences in order to allow them to assess the impact on their planning and to better prepare for the proposed changes.

The current proposal for amending the Aircrew Regulation was initiated based on strong feedback from MS and General Aviation (GA) stakeholders stating that the requirements for transferring the former Registered Facilities (RFs) and other national training organisations (mainly for balloons and sailplanes) into non-complex ATO's according to Part-ORA by 8 April 2015 latest, seem to be disproportionate for the activity and the associated risks and places unnecessary burden on MS and stakeholders. Furthermore it might not be feasible for all these organisations and the MS approving them to conclude the certification process by that date. The proposed amendments therefore focus on this specific issue.

2. Proposed regulatory changes

The Commission and the Agency are proposing the following changes to Commission Regulation (EU) No 1178/2011:

- Article 10(a)(3) to be amended in order to allow JAR compliant registered facilities which have been registered before the application date of these rules to provide training towards the Light Aircraft Pilot Licence (LAPL) and the Private Pilot Licence (PPL) until 8 April 2018.
- Article 2 of Regulation (EU) No 290/2012 amending Regulation (EU) No 1178/2011 specifies so far that MS may decide not to apply the requirements of Annex VI and VII (Part-ARA and Part-ORA) to training organisations providing training only for the LAPL, PPL, SPL or BPL until April 2015. The amendment proposed will allow an additional derogation until 2018 unless otherwise requested by a training organisation.
- Article 12 will be amended to allow MS not to apply certain provisions of Annex I until April 2018. This includes the provisions related to balloon and sailplane licences and the requirements for some of the new ratings / certificates.

3. Consequences for training organisations

Introducing the changes indicated above will have the following consequences for the different type of training organisations and for the MS approving them.

3.1. Former JAR-compliant training organisations certified as ATO towards Part-ORA

Former JAR-compliant training organisations (FTOs/TRTOs) are already grandfathered by Regulation (EU) No 1178/2011 as an Approved Training Organisation (ATO) according to Part-ORA. The privileges of these organisations are limited to the privileges included in the approval issued by the MS (Article 10a(2)). An additional transitional period until April 2014 was given to them for adapting their management systems, training programmes, procedures and manuals. These ATOs are not affected by the proposed rule changes.

3.2 Registered facilities and other training organisations certified as ATO towards Part-ORA

Former JAR-compliant registered facilities (for aeroplane and helicopter licences) or national training organisations (for sailplane and balloon licences) which have been certified or will be certified according to Part-ORA as an ATO under the new system will have the full privileges given by the certificate for providing training towards Part-FCL licences including courses for the new ratings (e.g. the en-route instrument rating, mountain rating, instructor courses, etc.) if these privileges have been given.

3.3. Registered facilities not certified as ATO towards Part-ORA

JAR-compliant training facilities registered in a MS before the regulation applied which have not been certified yet towards the new rules will receive the privilege to provide training towards the LAPL and the PPL in the respective aircraft category. The privilege will also include the associated ratings which were included in the registration before. This will include in most cases the associated class (Touring Motor Glider and Single Engine Piston) or type (Single-engine helicopter) ratings and should also cover the night rating for those registered facilities which provided training for the night qualification before. 8 April 2018 is proposed as the end date for this extension of privileges without complying with Part-ORA. As a consequence these JAR-compliant registered facilities will have until 2018 for adapting their management systems, training programmes, procedures and manuals in order to receive an ATO certificate according to Part-ORA.

Apart from training towards a LAPL, these JAR-compliant registered facilities will not be allowed to provide training for additional Part-FCL licences or ratings which had not been included in their privileges under the JAR registration. In order to extend the privileges and to provide training for additional Part-FCL courses for other licences or ratings, these training organisations have to be approved in accordance with Part-ORA.

3.4. Other national training organisations for sailplanes and balloons

Based on Article 2 of the Regulation (EU) No 290/2012, MS may decide not to apply the requirements of Part-ORA to training organisations providing training only for the LAPL, PPL, BPL and SPL until April 2015. The amended text proposes an extension of that period until 8 April 2018, and no longer as an opt out.

Consequently training organisations for sailplanes and balloons will only be allowed to provide training for national sailplane and balloon licences and associated ratings and certificates. The training will have to follow the national rules and procedures until the end of the transition period or until the training organisation is approved as an ATO under Part-ORA.

MS may in this case continue issuing national sailplane and balloon licences during this extended transition period. These licences can also be converted into Part-FCL licences based on the conversion reports established by the MS. The changes proposed for Article 12 of Regulation (EU) No 1178/2011 (new paragraph 2a) will allow MS not to apply the provisions for balloons and sailplanes contained in Annex I until April 2018.