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<b>Title</b>	Simpler, lighter and better Part-FCL requirements for general aviation (Subtask 2)
<b>NPA Number</b>	NPA 2020-14

**UK CAA** (European.Affairs@caa.co.uk) has placed **14** unique comments on this NPA:

Cmt#	Segment description	Page	Comment	Attachments
116	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 10 of 74</p> <p><b>Paragraph No:</b> FCL.140.A (a) (1) (ii)</p> <p><b>Comment:</b> We strongly recommend that the following statement: 'of at least 1 hour of total flight time' should not be removed.</p> <p><b>Justification:</b></p> <ol style="list-style-type: none"> <li>1. It is a retrograde safety step to not nominate minimum training flight times. To not specify a minimum standard flight time can lead to unsatisfactory, inappropriate, incomplete training sessions in order to save money and time, especially if not conducted under the supervision of an ATO/DTO.</li> <li>2. A minimum recommended flight time is specified for test/checks in Part FCL and as this replaces a check flight it should be subject to the similar time recommendations.</li> </ol> <p><b>Proposed Text:</b> Amend to read: “(ii) refresher training at an ATO/DTO of at least 1 hour of total flight time with an instructor who shall select those flight exercises that allow the applicant to refresh their competence in safely operating the aircraft and applying normal, abnormal and emergency procedures;”</p>	
117	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 11 of 74</p> <p><b>Paragraph No:</b> FCL.140.H (a)(1)</p> <p><b>Comment:</b> We believe the flying 'dual or solo under the supervision of an instructor' at para (a)(1) and the refresher training at para (a)(2) should be conducted at an ATO/DTO</p> <p><b>Justification:</b></p> <ol style="list-style-type: none"> <li>1. Aeroplanes operate a class rating system, whereas helicopters operate type ratings and therefore the training should be conducted at a DTO/ATO and not by an 'independent' instructor. This is already recognised in para FCL.740.(b)(2)(i) where the delivery of class and type rating renewal training is different for aeroplanes and helicopters.</li> <li>2. Conducting dual instruction and supervising solo flight should only be conducted at a training organisation with the appropriate SMS/safety policy/hazard identification/risk assessment and appropriate mitigation measures in place.</li> <li>3. AMC. FCL. 140. H (a) (2) refers to the PPL(H) syllabus for which only</li> </ol>	

			<p>ATO/DTO have the approved training syllabus/programmes to conduct this training.</p> <p>4. The Authority must be able to verify the pilot has completed the appropriate training. ATO/DTO have the requirement to maintain records therefore the training that has been provided is auditable by the Authority.</p> <p><b>Proposed Text:</b> Amend to read: “(a)(1) ... or flying dual or solo at an ATO/DTO under the supervision of an instructor...”</p>	
118	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 11 of 74</p> <p><b>Paragraph No:</b> FCL.140.H (2)</p> <p><b>Comment:</b> We strongly recommend that the following statement: ‘of at least 1 hour of total flight time’ should not be removed.</p> <p><b>Justification:</b></p> <ol style="list-style-type: none"> <li>1. It is a retrograde safety step to not nominate minimum training flight times. To not specify a minimum standard flight time can lead to unsatisfactory, inappropriate, incomplete training sessions in order to save money and time, especially if not conducted under the supervision of an ATO/DTO.</li> <li>2. A minimum recommended flight time is specified for test/checks in Part FCL and as this replaces a check flight it should be subject to the similar time recommendations.</li> </ol> <p><b>Proposed Text: Amend to read:</b> “(2) a refresher training at an ATO/DTO of at least 1 hour of total flight time with an instructor who shall select those flight exercises that allow the applicant to refresh their competence in safely operating the aircraft and applying normal, abnormal and emergency procedures; or”</p>	
119	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 11 of 74</p> <p><b>Paragraph No:</b> FCL.140.H (2)</p> <p><b>Comment:</b> There is no method indicated of how the flights at (a)(1), (a)(2) or (b) are recorded by the instructor.</p> <p><b>Justification:</b> The candidate must have a record of the relevant flights to enable the NAA to verify the pilot has completed the appropriate training.</p> <p><b>Proposed Text:</b> Add additional paragraph as follows: (C) The training at para (a)(1) and (a)(2) shall be entered in the pilot’s logbook or equivalent and shall be signed by the instructor.</p>	
120	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 12 of 74</p> <p><b>Paragraph No:</b> FCL.210.A</p> <p><b>Comment:</b> Allowing the Night Rating course towards the 45 hours flight time required for the licence, would reduce the time allowed for other exercises required for the PPL,</p>	

			<p>many student pilots are taking in excess of 60 hours currently</p> <p><b>Justification:</b> The Night Rating course has a 6 months validity as stated in FCL.810(a)(1), this would have to be considered</p>	
121	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 15 of 74</p> <p><b>Paragraph No:</b> FCL.740.A (b), (1) (ii)(C)</p> <p><b>Comment:</b> The removal 'of at least 1 hour of total flight time', would not benefit the candidate.</p> <p><b>Justification:</b></p> <ol style="list-style-type: none"> <li>1. It would be a retrograde safety step to not nominate minimum training flight times. To not specify a minimum standard flight time can lead to unsatisfactory, inappropriate, incomplete training sessions in order to save money and time, especially if not conducted under the supervision of an ATO/DTO.</li> <li>2. A minimum recommended flight time is specified for test/checks in Part FCL and as this replaces a check flight it should be subject to the similar time recommendations.</li> </ol> <p><b>Proposed Text:</b> Amend to read: “(C) refresher training of at least 1 hour of total flight time with a flight instructor (FI) or a class rating instructor (CRI) who shall select those flight exercises that allow the applicant to refresh their competence in safely operating the aircraft and applying normal, abnormal and emergency procedures. Applicants shall be exempted from this refresher training if they have passed a class or type rating proficiency check, skill test or assessment of competence in any other class or type of aeroplane “</p>	
122	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 16 of 74</p> <p><b>Paragraph No:</b> FCL.740.H (a)(2)(ii)(B)</p> <p><b>Comment:</b> We believe the refresher training flying at para (2)(ii) (B) should be conducted at an ATO/DTO</p> <p><b>Justification:</b></p> <ol style="list-style-type: none"> <li>1. Aeroplanes operate a class rating system, whereas helicopters operate type ratings and therefore the training should be conducted at a DTO/ATO and not by an 'independent' instructor. This is already recognised in para FCL.740.(b)(2)(i) where the delivery of class and type rating renewal training is different for aeroplanes and helicopters.</li> <li>2. Conducting dual instruction and supervising solo flight should only be conducted at a training organisation with the appropriate SMS/safety policy/hazard identification/risk assessment and appropriate mitigation measures in place.</li> <li>3. AMC. FCL. 140. H (a) (2) refers to the PPL(H) syllabus for which only ATO/DTO have the approved training syllabus/programmes to conduct this training.</li> <li>4. The Authority must be able to verify the pilot has completed the appropriate</li> </ol>	

			<p>training. ATO/DTO have the requirement to maintain records therefore the training that has been provided is auditable by the Authority.</p> <p><b>Proposed Text:</b> Amend to read: “(B) within the 3 months immediately preceding the expiry date of the rating a refresher training flight at a ATO/DTO with an instructor who shall...”</p>	
123	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 16 of 74</p> <p><b>Paragraph No:</b> FCL.740.H (a)(2)(ii)(B)</p> <p><b>Comment:</b> We recommend a 1 hour minimum flight time should be specified</p> <p><b>Justification:</b> 1. It is a retrograde safety step to not nominate minimum training flight times. To not specify a minimum standard flight time can lead to unsatisfactory, inappropriate, incomplete training sessions in order to save money and time, especially if not conducted under the supervision of an ATO/DTO.  2. A minimum recommended flight time is specified for test/checks in Part FCL and as this replaces a check flight it should be subject to the similiar time recommendations.</p> <p><b>Proposed Text:</b> Amend to read: “(B) within the 3 months immediately preceding the expiry date of the rating a refresher training flight of at least 1 hour at a ATO/DTO with an instructor who shall ...”</p>	
124	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 16 of 74</p> <p><b>Paragraph No:</b> FCL.740.H (a)(2)(ii)(B)</p> <p><b>Comment:</b> There is no method indicated of how the refresher training flight at (a)(2)(ii)(B) is recorded and who is authorised to sign the candidates pilots licence.</p> <p><b>Justification:</b> Aeroplane FIs who are authorised to sign pilot’s licences for training are specified at Part FCL.945 and ARA.FCL.200. There is no such provision for helicopters instructors.</p> <p><b>Proposed Text:</b> Add additional paragraph as follows: “(a)(ii)(C) On completion of the training at (B) the pilot’s licence and logbook should be endorsed by an authorised instructor in accordance with para FCL.945 and ARA.FCL.200.”</p>	
125	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 16 of 74</p> <p><b>Paragraph No:</b> FCL.740.H (b)(1)(2)</p> <p><b>Comment:</b> The present regulation allows the candidate with 2 hours PIC on another type to revalidate by experience after completing a proficiency check flight on a different</p>	

type. The new regulation permits 6 hours experience and a training flight to replace the check proficiency flight however, still only requires 2 hours PIC on the other types to be revalidated by experience.

We believe there should be the equivalent 6 hours PIC on each type for revalidation by experience if no check flight is to be undertaken and passed.

**Justification:**

1. Prior to the NPA, a proficiency check flight by an examiner was required to ensure a safe standard was being maintained before allowing revalidation by experience on the other types with 2 hours PIC in the preceding 12 months. The training flight does not specify a pass/fail or minimum standard to be achieved by the candidate, therefore allowing revalidation by experience for other types with only 2 hours PIC in the preceding 12 months is not an equivalent level of safety.

2. If the NPA requires 6 hours of flight experience to be conducted in the period to achieve a safe level of competence in order to safely negate the requirement for a proficiency check for a type rating, then the equivalent level of experience on the other types revalidating by experience should also be 6 hours PIC in the previous 12 months.

3. Robinson helicopters are precluded from the revalidation by experience. Therefore the predominate SEP helicopter utilising the revalidation by experience in Europe is G2 Cabri. This type does not share the same characteristics as all the other SEP helicopters and therefore 2 hours PIC is insufficient for the cross crediting for revalidation by experience between types without a proficiency check on one type.

**Proposed Text:** Replace para (b) in its entirety with the following:

“(b) When applicants hold more than one type rating for single-engine piston helicopters, they may achieve revalidation of all the relevant type ratings by complying with ~~all of~~ the following:

(1), they have passed the proficiency check in accordance with point (a)(1)(ii) ~~or have completed the refresher training in accordance with point (a)(2)(ii)(B)~~ in only one of the relevant types held,

(2), they have completed at least 2 hours of flight time as PIC on each of the other relevant types during the validity period. The proficiency check shall be performed each time on a different type. The new validity period of all type ratings revalidated in accordance with this point shall commence together with the validity period of the type rating for which the proficiency check or the refresher training is performed or

(3), have completed the refresher training in accordance with point (a)(2)(ii)(B) in only one of the relevant types held,

(4), they have completed at least 6 hours of flight time as PIC on each of the other relevant types during the validity period. The training flight shall be performed each time on a different type. The new validity period of all type ratings revalidated in accordance with this point shall commence

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**Paragraph No:** FCL.815

**Comment:**

This will incur a cost to the NAA as there will be a need to reformat the licence

	ANNEX I (PART-FCL)		with the non-expiring rating.	
127	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX I (PART-FCL)	8 - 19	<p><b>Page No:</b> 18 of 74</p> <p><b>Paragraph No:</b> FCL.945</p> <p><b>Comment:</b> This paragraph does not reflect the relevant authorisation for helicopter flight instructors to sign applicants licences for the revalidation of helicopter type ratings at new para FCL.740.H (a)(2)(ii)(B).</p> <p><b>Justification:</b> Helicopter FIs under new proposals require an authorisation to sign applicants' licence for new revalidation procedure.</p> <p><b>Proposed Text:</b> Amend to read: "Upon completion of the training flight for the revalidation of an SEP aeroplane or TMG class rating in accordance with point FCL.740.A(b)(1), and only in the event of fulfilment of all the other revalidation criteria required by point FCL.740.A(b)(1), and for SEP helicopters point FCL.740H.(a)(2)(ii)(B) the instructor shall endorse the applicant's licence with the new expiry date of the rating or certificate, if specifically authorised for that purpose by the competent authority responsible for the applicant's licence."</p>	
128	3. Proposed amendments and rationales in detail   3.1. Draft regulation (draft EASA opinion)   ANNEX VI (PART-ARA)	21	<p><b>Page No:</b> 21 of 74</p> <p><b>Paragraph No:</b> ARA.FCL.200(d)</p> <p><b>Comment:</b> This paragraph does not reflect the relevant authorisation for helicopter flight instructors to sign applicants licences for the revalidation of helicopter type ratings at new para FCL.740.H (a)(2)(ii)(B).</p> <p><b>Justification:</b> Under new proposal helicopter FIs require authorisation to sign applicants' licence for new revalidation procedure</p> <p><b>Proposed Text:</b> Amend to read: "(d) Endorsement of licence by instructors. Before specifically authorising certain instructors to revalidate a <del>single-engine piston</del> SEP aeroplane, a TMG class rating or SEP helicopter rating, the competent authority shall develop appropriate procedures."</p>	
129	3. Proposed amendments and rationales in detail   3.2. Draft acceptable means of compliance and guidance material (draft EASA decision)   AMC and GM to ANNEX I (PART-FCL)	30 - 57	<p><b>Page No:</b> 35 of 74</p> <p><b>Paragraph No:</b> AMC.FCL.140.H(a)(2)</p> <p><b>Comment:</b></p> <ol style="list-style-type: none"> <li>1. We believe the content of the briefing and training flight is incomplete and lacks a minimum time specification.</li> <li>2. To specify the flight 'should include the following exercises from the PPL syllabus' indicates the whole exercise is to be taught whereas it should be 'the relevant elements from the exercises.'</li> <li>3. The term 'Navigation flight capabilities' is confusing.</li> </ol>	

4. The TEM at para (a)(1) does not take account of the management of Anticipated Threats in the pre-flight planning stage only the Unanticipated Threat of encountering adverse weather.

**Justification:**

1. We suggest it is a retrograde safety step to not nominate minimum training flight times. To not specify a minimum standard flight time can lead to unsatisfactory, inappropriate, incomplete training sessions in order to save money and time, especially if not conducted under the supervision of an ATO/DTO.

2. EHSAT work resulting in EHEST leaflet HE1 specified the most common causes of helicopter accidents to be DVE, Vortex Ring, LTE and Dynamic Rollover. The proposed syllabus does not take account of all these elements.

3. Exercise 10 Basic Autorotation is an inappropriate exercise to be listed as it is only an academic building block exercise leading to the Exercise 21 Practice Force Landing (PFL). Ex 21 PFL includes the practical elements of an autorotation in an emergency/abnormal situation including ADM, field selection, emergencies procedures, RT calls etc.

4. There is no reference to DVE, or the Exercise 25b actions in the event of encountering DVE (i.e. decision to divert or conduct precautionary landing).

5. There is no reference to the practice of the skills required by a pilot on entry to inadvertent IMC in as outlined in Exercise 30.

6. There is no reference to appropriate type OSD TASE elements, manufactures safety notices/bulletins, or conducting appropriate emergency procedures in Exercise 14c.

7. There is no reference to dynamic rollover as included in Ex 27 Sloping Ground.

8. Each NAA should have the ability to include safety elements relevant to their own terrain, weather systems, airspace, accident statistics etc

**Proposed Text: Replace to read as follows:**

(a), Before the training flight takes place, the instructor should hold a briefing with the candidate of at least 1 hour duration. That briefing should include a discussion on all of the following:

- (1) TEM with special emphasis on pre-flight planning and ADM when encountering DVE, adverse meteorological conditions and unintentional IMC;
- (2) aircraft type OSD TASE items and manufactures safety notices /bulletins;
- (3) navigation flight techniques including the use of GNSS;
- (4) aircraft emergency procedures:
- (5) specific items designated by the NAA
- (6) exercises as specified in point (b), as applicable.

(b), The training flight should be at least 1 hour duration and items should be based on the exercise items of the proficiency check, as deemed relevant by the instructor, and depending on the experience of the candidate. In any case, the training flight items should include the relevant elements from following exercises from the PPL(H) flight training syllabus (AMC2 FCL.210):

- (1) Exercise 14c: Emergency Procedures

- (2) Exercise 18: Hovering OGE and vortex ring;
- (3) Exercise 21: Practice Forced Landings
- (4) Exercise 27: Sloping ground
- (5) Exercise 29: Confined areas.
- (6) Exercise 30: Instrument Flying (including recovery from UA)