

**PILOT LICENSING ANNEX to
U.S. – EU AGREEMENT on COOPERATION in the
REGULATION OF CIVIL AVIATION SAFETY**

The Federal Aviation Administration (FAA) and European Aviation Safety Agency (EASA) are developing a Pilot Licensing Annex to the U.S. - EU Agreement on Cooperation in the Regulation of Civil Aviation Safety. The FAA is posting this advanced draft of the annex for informational purposes. This posting is only for informational purposes; the FAA is not seeking comment. Please contact Michael Brown at Michael.w.brown@faa.gov or by phone at 734-487-7420 if further information is required.

Industry Summary

Introduction:

In May 2012, the Bilateral Oversight Board (BOB) established a working group to develop a pilot licensing annex to the U.S. – EU bilateral Agreement for Cooperation in the Regulation of Civil Aviation Safety (the Agreement). The Terms of Reference (TOR) for that working group indicate that it is to establish a regulatory comparison of the two systems, conduct confidence building exercises, and draft an annex as well as the requisite third-tier procedural document. The objective of this undertaking is to establish a framework through which pilot certificates/licenses issued by one authority (the Federal Aviation Administration or an EU Member State national aviation authority, NAA) could be used to gain a stand-alone certificate/license issued by the other.

In recognition of the very challenging nature of this project, the TOR established a building block approach to the effort. Priority was given to private pilot licenses (PPL) and instrument ratings (IR) with the expectation that the annex would eventually include commercial/corporate pilot licenses (CPL), and airline transport pilot licenses (ATP). It was commonly agreed that medical ratings would not be included.

The working group, which consists of technical experts from the FAA and EASA, launched its activities in late 2012. Based on the results of its confidence building and regulatory comparison activities, the working group determined that the two systems were sufficiently compatible to draft an annex.

This document provides an overview of the annex. The draft special conditions are provided in their entirety.

Draft Pilot Licensing Annex: Overview

The draft pilot license annex is modeled on the Airworthiness Annex (Annex 1) and the Maintenance Annex (Annex 2) to the Agreement. The annex would establish a joint coordinating body, the Joint Aircrew Coordination Board (JACB), to oversee the annex. As currently drafted in the annex, the JACB would be co-chaired by the FAA and EASA and would report to the BOB.

Like Annexes 1 and 2, the draft pilot license annex contains provisions for technical assistance between the FAA, EASA, and the national aviation authorities (NAAs). Areas for assistance which may, for example, include conducting investigations or providing data.

The draft annex also includes provisions for initial and continued confidence building. Under the latter, the draft annex indicates that the FAA and EASA would, for example, share information and participate in each other's quality audits and standardization inspections.

Finally, like the other annexes, the draft pilot license annex would establish points of contact for communication outside of the JACB and would commit the FAA and EASA to advise each other of changes to their systems.

Draft Pilot Licensing Annex: Provisions

The initial scope of this draft annex covers private pilot licenses, and night and instrument ratings, in single-engine piston land airplanes and multi-engine piston land airplane categories in single-pilot operations, excluding type ratings.

Subject to the terms of the draft annex, FAA private pilot certificates or instrument ratings would be issued to pilots who hold valid EU Part-FCL pilot licenses (with or without night ratings) or instrument ratings of corresponding categories and have demonstrated compliance with the applicable FAA Special Conditions.

Also subject to the terms of the draft annex, EU Part-FCL private pilot licenses (with or without night ratings) or instrument ratings would be issued to pilots who hold valid FAA pilot certificates or instrument ratings of corresponding categories, meet the applicable currency requirements, and have demonstrated compliance with the applicable EU Special Conditions.

To support the issuance of certificates or licenses under this draft annex, the NAAs and the FAA would be required to certify the authenticity of the pilots' original licenses or certificates. They would also annually share data regarding the licenses and ratings converted.

Pilots who are issued a license or certificate under this draft annex would be required to meet the issuing authority's recency, revalidation, or renewal requirements and operational requirements to exercise the privileges of the license.

Pilots who are issued a license or certificate under this draft annex would not be required to surrender their original license or certificate.

Pilots who hold licenses or certificates that carry restrictions or limitations may be denied application if similar restrictions or limitations are not available in the other system.

The scope of the ratings and limitations will be further specified in the third-tier Implementation Procedures for Licensing (IPL) that is being drafted by the working group. The IPL will define conversion procedures along with standardized application forms. It will also define conditions for crediting flying experience, training, and language proficiency acquired in the U.S. and EU systems.

Special Conditions

Based on the confidence building and regulatory comparison efforts conducted to date, the working group has identified a limited number of system differences that must be satisfied before applicants can have their licenses or certificates converted. They are as follows.

1. GENERAL CONDITIONS

- 1.1 The applicant shall submit an application for conversion of a pilot licence according to this Annex in a standardized form and manner as specified in the IPL.
- 1.2 An applicant who holds a pilot licence that carries a restriction or limitation may be denied application if a similar restriction or limitation is not available in the other system.

2. EU SPECIAL CONDITIONS

To be approved in accordance with Part-FCL, pursuant to the terms of this Annex, the applicant shall comply with all of the following Special Conditions.

2.1 EU SPECIAL CONDITIONS APPLICABLE TO THE ISSUANCE OF AN EU PART-FCL PRIVATE PILOTE LICENCE (PPL(A)) AND ASSOCIATED CLASS AND NIGHT RATINGS, AS APPLICABLE, ON THE BASIS OF AN FAA PILOT LICENCE

- 2.1.1. The applicant shall demonstrate or provide evidence that he/she has acquired language proficiency in accordance with FCL.055 unless he/she holds an “English Proficient” endorsement on the FAA pilot licence. The “English Proficient” endorsement shall be deemed to be equal to English language proficiency Level 4, as detailed in the IPL;

- 2.1.2. The applicant shall meet the relevant EU medical requirements as stipulated in Commission Regulation (EU) No 1178/2011 applicable to the PPL(A).
- 2.1.3. The applicant shall complete an assessment of flying skills, as detailed in the IPL, with an examiner qualified according to Part-FCL;
- 2.1.4. The applicant shall demonstrate to the examiner before the assessment of flying skills that he/she has acquired an adequate level of the required theoretical knowledge, as detailed in the IPL, within the 24-calendar-month period preceding the month of application;
- 2.1.5. In addition, the applicant applying for a Part-FCL night rating shall provide evidence that he/she has fulfilled the night flying requirements set out in FCL.810. Night flying training and experience may be credited, as detailed in the IPL; and
- 2.1.6. In addition, the applicant applying for a single-pilot multi-engine piston class rating shall provide evidence that the requirements for the issuance of a multi-engine piston land class rating as stated in Part-FCL Subpart H are fulfilled. In this case the assessment of flying skills specified under 2.1.3 above shall be completed in a multi-engine piston land aeroplane. An applicant, who has prior training and flight experience on multi-engine piston aeroplanes, may be credited towards the requirements of Part-FCL Subpart H, as detailed in the IPL.

2.2 EU SPECIAL CONDITIONS APPLICABLE TO THE ISSUANCE OF AN EU PART-FCL INSTRUMENT RATING (IR(A)) ON THE BASIS OF AN FAA INSTRUMENT RATING

- 2.2.1 The applicant shall demonstrate or provide evidence that he/she has acquired language proficiency in accordance with FCL.055 unless he/she has an “English Proficient” endorsement on the FAA pilot licence. The “English Proficient” endorsement shall be deemed to be equal to English language proficiency Level 4, as detailed in the IPL;

- 2.2.2 The applicant shall meet the relevant EU medical requirements as stipulated in Commission Regulation (EU) No 1178/2011 applicable to the IR(A).
- 2.2.3 The applicant shall complete an assessment of instrument flying skills, as detailed in the IPL, with an examiner qualified according to Part-FCL;
- 2.2.4 With regard to the demonstration of theoretical knowledge and as detailed in the IPL, if the applicant has a minimum experience of at least 50 hours of flight time under Instrument Flight Rules (IFR) as pilot in command on aeroplanes, he/she shall demonstrate to the examiner before the assessment of instrument flying skills that he/she has acquired an adequate level of the required theoretical knowledge, in other cases, the applicant shall pass a written examination within the 24-calendar-month period preceding the month of application;
- 2.2.5 In addition, an applicant applying for an instrument rating for single-pilot multi-engine piston land aeroplanes shall provide evidence that the requirements for the issuance of an instrument rating for multi-engine piston land aeroplanes as stated in Part-FCL Subpart G are fulfilled. In this case the assessment of instrument flying skills specified under 2.2.3. above shall be completed in a multi-engine piston land aeroplane. An applicant, who has prior instrument training and flight experience on multi-engine aeroplanes, may be credited towards the requirements of Part-FCL Subpart G, as detailed in the IPL; and
- 2.2.6 In addition and as detailed in the IPL, an applicant applying for an instrument rating shall have completed acclimatisation flying in an EU Member State, within a training organisation approved in accordance with Commission Regulation (EU) No 1178/2011, before the assessment of instrument flying skills is administered. The applicant is exempt from this requirement, if he/she has prior experience of at least 50 hours of flight time under IFR as pilot in command on aeroplanes or prior experience of at least 10 hours of flight time under IFR as pilot in command on aeroplanes in any of the E.U. Member States, or any European State that participates in EASA in accordance with Article 66 of (EC) Regulation 216/2008.

3. U.S. SPECIAL CONDITIONS

To be approved in accordance with 14 CFR Part 61, pursuant to the terms of this Annex, the applicant shall comply with all of the following Special Conditions:

3.1. U.S. SPECIAL CONDITIONS APPLICABLE TO THE ISSUANCE OF AN FAA PRIVATE PILOT CERTIFICATE, AIRPLANE CATEGORY SINGLE-ENGINE LAND CLASS RATING AND AIRPLANE CATEGORY MULTI-ENGINE LAND CLASS RATING ON THE BASIS OF AN EU PART-FCL PILOT LICENCE

- 3.1.1. The applicant shall be able to read, speak, write and understand the English language. A Part-FCL English language proficiency endorsement of Level 4 or higher shall be accepted as English proficient;
- 3.1.2. The applicant shall meet the appropriate medical certificate requirements to exercise the privileges of a private pilot certificate, as prescribed in 14 CFR part 61;
- 3.1.3. The applicant shall have passed the required knowledge test, as detailed in the IPL, within the 24-calendar-month period preceding the month of application;
- 3.1.4. The applicant shall complete a flight review with an FAA certified flight instructor who holds appropriate FAA examining authority, as detailed in the IPL; and
- 3.1.5. In addition, an applicant applying for a multi-engine land rating shall provide evidence that he/she has fulfilled the requirements for the issuance of a multi-engine land rating as stated in 14 CFR part 61. Training and experience on multi-engine piston land aeroplanes may be credited, as detailed in the IPL.

3.2. U.S. SPECIAL CONDITIONS APPLICABLE TO THE ISSUANCE OF AN FAA INSTRUMENT-AIRPLANE RATING ON THE BASIS OF AN EU PART-FCL INSTRUMENT RATING

- 3.2.1. The applicant shall be able to read, speak, write and understand the English language. A Part-FCL English language proficiency endorsement of Level 4 or higher shall be accepted as English proficient;
- 3.2.2. The applicant shall meet the appropriate medical certificate requirements to exercise the privileges of a private pilot certificate, as prescribed in 14 CFR part 61;
- 3.2.3. In addition and as detailed in the IPL, an applicant applying for an instrument rating shall have completed acclimatisation flying, in the United States or its territories with an FAA certified flight instructor, before the instrument proficiency check with an examiner is administered. The applicant is exempt from this requirement, if he/she has prior experience of at least 50 hours of flight time under IFR as pilot in command on aeroplanes or prior experience of at least 10 hours of flight time under IFR as pilot in command on aeroplanes in the United States or its territories.
- 3.2.4. The applicant shall complete an instrument proficiency check with an examiner, as detailed in the IPL; and
- 3.2.5. The applicant shall have passed the required knowledge test, as detailed in the IPL, within the 24-calendar-month period preceding the month of application.