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Issue 1
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Issue Date: 17/1/2012
Focal: FCL

SAFETY REGULATION DIVISION

**PERSONNEL LICENSING
ADVISORY MEMORANDUM**

Title: Introduction of European Legislation in the area of Pilot Licensing

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1. Introduction

This document has been developed to provide holders of Irish issued flight crew licences with information on the forthcoming changes to flight crew licensing in Ireland as a result of the introduction of European Regulation in the area. As some of the regulations are not yet published the information contained herein may be subject to change.

2. Background

The European Aviation Safety Agency (EASA) was created by the EU Commission to ensure the proper functioning and development of civil aviation. With the introduction of EC 216/2008 (Basic EASA Regulation) the remit of EASA was extended from the area of airworthiness of aircraft including the licensing of aircraft maintenance engineers, to include, amongst other things, pilot licensing. This Regulation also sets 8th April 2012 as the latest date for the adoption.

The final text of the Implementing Rules for the EASA Aircrew Regulation was published on November 25th 2011. Commission Regulation (EU) No 1178/2011 lays down the technical requirements and administrative procedures related to civil aviation aircrew. The first four annexes of this Aircrew Regulation (containing Part-FCL, Part-MED, conditions for the conversion of national licences and conditions for the acceptance of third country licences) are included in the publication.

Annexes V (Part - Cabin Crew), VI (Part - Authority Requirements Aircrew –ARA) and VII (Part - Organisation Requirements Aircrew –ORA) have yet to be published and are not expected until March 2012.

The full text can be accessed from this link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:311:FULL:EN:PDF>

At the moment the rules applicable to flight crew licensing are the national rules of the EU Member States. These include JAR-FCL requirements.

Ireland adopted the JAR-FCL requirements which harmonise European regulations on flight crew licensing in order to facilitate mutual recognition of licences and ratings. However, the Joint Aviation Requirements (JAR) (see the [JAA publications](#)) have been implemented under national law and under the full responsibility of each Member State. In the case of Ireland the JARs are given legal effect through legal Directions made under the provisions contained in the [Irish Aviation Authority \(Personnel Licensing\) Order, 2000](#), SI 333/2000.

EASA set about preparing the Implementing Rules for aircrew licensing and a period of extensive consultation followed. The Implementing Rules will include Part FCL which will cover the pilot and cabin crew licensing requirements, Part MED which will cover the medical requirements and Parts ARA and ORA which will cover the Authority and Organisation Requirements. These implementing rules are either published or at various stages of approval within the European Institutions (see background earlier). Once passed the EU legislation is directly applicable and overrides any existing national legislation for the areas that the legislation covers.





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3. What is covered?

The scope is determined by the Basic EASA Regulation. The Basic EASA Regulations affect most of the aircraft in Europe including their pilots, operators, and those who design, manufacture and maintain them. Aircraft within the scope of the Regulation are known as “EASA aircraft”. There are specific exceptions set out in the legislation and aircraft excluded from EASA’s remit remain under national regulations.

An EASA aircraft can be defined as an aircraft that, if registered in an EU State, would be required to have an EASA Airworthiness Certificate in order to fly legally. The EASA/non-EASA status of an individual aircraft registered in Ireland can be verified by checking whether it has an EASA airworthiness certificate (CofA or Permit) or an Irish issued National airworthiness certificate (CofA or Permit). EASA certificates have an EASA form number located on the bottom left of the document i.e. EASA Form 20a (Permit to Fly) or EASA Form 25 (C of A). Note that aircraft that are registered outside of Europe that would require an EASA certificate if registered in Europe are also subject to the EU Regulation when used in Europe.

Aircraft (and pilots thereof) not covered by the Basic EASA Regulation are typically known as Annex II aircraft and the main categories set out in Annex II (attached as an appendix to this document) to the Basic EASA Regulation are:

- (a) historic aircraft meeting certain criteria;
- (b) aircraft specifically designed or modified for research, experimental or scientific purposes;
- (c) aircraft of which at least 51 % is built by an amateur, or a non-profit making association of amateurs, for their own purposes and without any commercial objective;
- (d) aircraft that have been in the service of military forces with no civilian equivalent;
- (e) “microlight” aeroplanes, helicopters and powered parachutes (see appendix for details);
- (f) single and two-seater gyroplanes with a maximum take off mass not exceeding 560 kg;
- (g) gliders with a maximum empty mass, of no more than 80 kg when single-seater or 100 kg when two-seater, including those which are foot launched;
- (h) replicas of aircraft meeting the criteria of (a) or (d) above, for which the structural design is similar to the original aircraft;
- (i) unmanned aircraft with an operating mass of no more than 150 kg;
- (j) any other aircraft which has a maximum empty mass, including fuel, of no more than 70 kg.

Aircraft that are “carrying out military, customs, police, search and rescue, firefighting, coastguard or similar activities or services” (i.e. “State Aircraft”) are not covered by the Basic EASA Regulation

It is important to note that in some specific cases aircraft normally not covered by the Basic EASA Regulation may be subject to it e.g. if commercial operations are to be carried out on an Annex II aircraft.

When the EU regulations for flight crew licensing come into force and any transition periods set within the regulations expire, licences issued under national rules will no longer be valid for flying aircraft that are within the scope of the EU regulations i.e. “EASA aircraft”.

Any pilot who intends to fly an “EASA aircraft” registered in the EU after the applicable dates **will have to hold an appropriate EASA licence** (or a validation if he/she has a licence from a country that is **not** an EASA Member State).

Aircraft (and pilots thereof) not within the scope of the Basic EASA Regulation remain under National regulation. Holders of National licences will **NOT** be licensed to fly EASA aircraft e.g. C172 once the new rules are fully in place. Such licence holders must obtain an EASA licence. It is currently proposed to use the ICAO Annex 1 privileges of the EASA Part FCL licence to extend privileges to pilots of Irish registered non EASA aircraft in Ireland where the required aircraft class or type rating may be endorsed on such licence and is not prescribed in Annex II to Regulation 216/2011 (See appendix 1 to this document).



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Pilots who will only ever want to fly non-EASA aircraft (such as microlights, light gyroplanes and amateur-built aircraft) will be able to continue to fly those aircraft with their National licences, and will be unaffected by EU regulations in that respect; (except in some cases if the aircraft is being flown for commercial air transport, in which case an EASA licence may be required). Such national ratings will not be permitted on an EASA licence.

4. What will an EASA licence provide?

Many of the requirements of Part-FCL will be similar to, but not the same as, JAR-FCL. The regulations will deem that an *unrestricted* JAR-FCL Licence will be an EASA licence on entry into force.

Additional categories will now be licensed at a European level. These will include pilot licences for sailplanes (which includes both powered and un-powered sailplanes), balloons *and* airships and *ratings for* powered-lift aircraft.

These Part-FCL licences will all be compliant with Annex 1 to the International Convention on Civil Aviation (the ICAO or “Chicago” Convention) and so will be recognised for international flight worldwide (Other than the LAPL – see below).

A new sub-ICAO Light Aircraft Pilot Licence (LAPL) will also be introduced. The LAPL will be valid for flight throughout Europe using any aircraft registered in the EU that falls within the privileges of the licence. The LAPL will be available for aeroplanes, helicopters, balloons and sailplanes. Specific medical certification standards will be in place for holders of the LAPL which will have a lower standard than a Class 1 or 2 Medical. As the LAPL is an EASA licence it is only valid for piloting of **EASA** aircraft.

The use of licence privileges will be dependent upon the validity of the ratings included in the licence and the validity of the associated medical certificate.

5. When does all this happen?

All the elements that will make up the new Regulation Air Crew are expected to apply from the 8th April 2012 deadline specified in the Basic EASA Regulation. These elements include:

- Part-FCL - Pilot licensing rules (replacing JAR-FCL 1 and 2) and introducing new sections for Balloons etc; and
- Part-MED - Pilot medical rules (replacing JAR-FCL 3) and adding sections for Cabin Crew and LAPL medical requirements.
- Part-ORA - New requirements for the approval of organisations (replacing those in JAR- FCL); and
- Part-ARA - New requirements to be complied with by the National Aviation Authorities (replacing those in the current JAA Guidance Material).

6. Entry into Force

As mentioned earlier in the document, these rules are to become applicable with effect from 8th April 2012. The EU legislation will make provision for derogations (or “opt outs”) that Member States may make use of for various limited periods on a limited number of areas (mainly those areas not cover under JAR).



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Although not yet published it is expected that a general derogation from application of the requirements of the regulation for a period of 12 months will be available. Due to the limited time available between the publishing of the final elements of the implementing rules, supporting AMC and GM and the applicability date of the regulation, the IAA is likely to avail of the general derogation.

The IAA is also considering applying for derogations in some areas such as:

- Validation of Third Country Licences
- Conversion of national licences
- The elements related to Sailplanes
- The elements related to Balloons and Airships

Once the EU Regulation becomes applicable in Ireland the following will apply;

- EASA licences will be issued by the IAA.
- JAR licences issued before the applicability date, **that are fully compliant with JAR-FCL**, will automatically become EASA licences. The legislation will require the physical replacement of JAR licences with their EASA equivalents before 8th April 2018; (i.e. before the calendar expiry date of the last JAR licences that can be issued). It is expected that, by derogation, any national, non-JAR, licence may continue to be used for aeroplanes and helicopters for all purposes permitted by the relevant licence until 8th April 2014.
- JAR-FCL 3 compliant medical certificates issued before the applicability date will be deemed to be EASA Medical Certificates; i.e. they will become EASA Medical Certificates. EASA Medical Certificates will be issued at the next revalidation or renewal of each JAR certificate. Note. Applicants for LAPLs must obtain the EASA LAPL Medical Certificate or a Class 1 or 2 Medical.

7. What will happen to Training Organisations required to train under EASA requirements?

Training Organisations will now be approved in accordance with the requirements of Subpart-ORA (Organisation Requirements Aircrew). All flying training including for the PPL and LAPL private licences, will now have to be carried out at Approved Training Organisations (ATO) other than those excluded under Annex II to Regulation 216/2008.

Registered Training Facilities (RTFs) will be required to seek approval as an ATO to continue to provide PPL training.

Flying Training Organisations (FTOs) and Type Rating Training Organisations (TRTOs) will be dealt with in one of the following ways:

- FTOs and TRTOs with their principal place of business within Ireland that are approved under JAR-FCL will automatically become Approved Training Organisations under Subpart ORA requirements on 8th April 2012. They will not be fully compliant with Part ORA and any non-compliances solely arising from the change of regulations will be classified as Level 2. Rectification plans and timescales will be subject to agreement with the IAA. Their approval will remain with Ireland.



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- FTOs and TRTOs with their principal place of business outside of Ireland but within an EASA State that are approved under JAR-FCL will automatically become Approved Training Organisations under Subpart ORA requirements on 8th April 2012. They will not be fully compliant with Part ORA. And any non-compliances solely arising from the change of regulations will be classified as Level 2. Their approval will transfer to the Competent Authority of the state in which they are based. Rectification plans and timescales will be subject to agreement with their new NAA.
- FTOs and TRTOs with their principal place of business outside the EASA States will have their approval transferred to EASA. Their current nationally-issued certificates for approval of the organisation and courses will have to be replaced by certificates issued by EASA by 8th April 2012, although this date is also expected to extend to 8th April 2013.

Training carried out in accordance with JAR-FCL before 8th April 2012 may be credited for the issue of an EASA licence or rating after that date, but only until 8th April 2016. If the licence/rating has not been issued by then, the training prior to 8th April 2012 will not be credited.

Registered Facilities operating before 8th April 2012 who have their principal place of business within Ireland may continue to train for non-professional EASA licences, but must become Approved Training Organisations under Part-ORA by 8th April 2015.

Once any relevant derogation period has passed National licences will **NOT** be valid for EASA aircraft, and any training outside of Approved Training Organisations will not be valid for the initial issue of an EASA licence or the initial issue, revalidation or renewal of a rating. Anyone wishing to fly an EASA aircraft from then one must be in possession of an EASA licence.

8. Theoretical Examinations

From 8th April 2012 the theoretical knowledge examinations must be in accordance with the new regulations. The IAA is now using the latest version of the JAR-FCL theoretical knowledge examinations. Examinations taken with the older version may not be valid following the entry into force of the EU Regulation unless all exams for a qualification are completed prior to the entry into force. The IAA offer PPL theoretical knowledge examinations in 4 papers. The Authority will now offer the number of examination prescribed by the regulation.

9. National v JAR v EASA

As mentioned earlier much of Part FCL is based around JAR FCL. Ireland adopted JAR FCL in full through S.I. 333/2000 and we currently apply the latest amendments of each JAR relating to Flight Crew Licensing. Part FCL recognises the close link to JAR FCL and therefore JAR licences issued before 8th April 2012, that are **fully compliant** with JAR-FCL, will automatically become EASA licences on 8th April 2012. Fully compliant meant that the JAR licence is not “restricted to use on Irish registered aircraft only”. The legislation will require the physical replacement of JAR licences with their EASA equivalents before 8th April 2018; (i.e. before the calendar expiry date of the last JAR licences that can be issued). NOTE: This does not apply to Flight Engineers who will continue to operate on National licences issued in accordance with JAR-FCL 4 requirements

National Licences (Not issued in accordance with JAR and subject to the Regulation 216/2018) do not enjoy the same automatic recognition. Such licences will be subject to a “conversion report” which will be developed by the Authority and submitted to EASA for approval. Conversion Reports will outline the differences (if any) between the National Licence and the equivalent EASA licence and identify if any elements need to be covered in order to convert to an EASA licence. At present it is expected that Member States may be able to defer conversion of National Licences for 2 years (until 8th April 2014). After that holders of National Licences will not be in a position to pilot an aircraft covered within the scope of the Regulation 216/2008.



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National ratings (e.g. 3 axis micro light) and Annex II aircraft (e.g. aircraft holding a Permit to Fly) that fall outside the scope of 216/2008 will not be permitted on an EASA licence. This will necessitate issuance of a separate National Licence to a pilot who is involved in such activities.

It should also be noted that holders of a National licence **do not** benefit from mutual recognition of their licence in other states. National licence holders who wish to fly in other states will have to seek validation of their licence with that state.

Anyone in possession of a National Licence where a JAR equivalent exists is strongly encouraged to convert where possible to the JAR licence in advance of the applicability date of the EU Regulation so as to simplify their transition to the EU requirements. It is expected that some current National Licences will convert to an EASA Licence without additional requirement but others may require some additional requirements to be satisfied, such as training, theoretical knowledge exams and or skills tests.

10. Validations and 3rd Country Licences

Part FCL is expected to lead to significant changes regarding the validation of pilots in Ireland. For example the current Personnel Licensing Order provides for the automatic validation of certain ICAO compliant Private Pilot Licences. This provision will no longer be available for operation of EASA aircraft in Ireland and all pilots who do not hold an EASA licence will require validation. It is important to note that pilots resident in Europe operating non EASA registered aircraft in the State are also subject to the requirements of Part FCL and will require an appropriate EASA licence or a validation. Validations will also be subject to strict time limits. A validation will be limited to one year only with the possibility of a onetime extension if evidence is available that the pilot has started to convert his/her licence to an EASA licence. This now means that the holder of an US FAA Airman certificate who is resident in the EU may not use that certificate in Europe on an EASA aircraft **even** if that aircraft is registered in the US.

11. Conversion of existing Irish licences

1. All licences that are fully compliant with JAR-FCL will automatically become EASA licences. These will be replaced by EASA licences during the next action on the licence.
2. All licences that are not fully compliant with JAR-FCL **are deemed to be national licences**. Such licences will be subject to a conversion report to determine their eligibility to convert to an EASA licence e.g. JAR licence issued on the basis of military credits where a restriction to Irish registered aircraft is still in effect.
3. Other commonly used national licences may be converted to an EASA licence based on criteria laid out in Annex II to the EU Regulation 1178 of 2011. Where a licence is not covered in the Annex the IAA may develop a Conversion Report. A Conversion Report will compare the national rules that led to the issuance of the original licence with the Part-FCL requirements and propose additional requirements (if any) to be complied with before an EASA licence may be issued. The Conversion Reports have to be agreed with EASA. The table from Annex II is reproduced below; note that this is still subject to change. Similar conversion criteria for Instructors, Helicopter pilots etc can be found in the Annex.



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National licence held	Total flying hours experience	Any further requirements	Replacement Part-FCL licence and conditions (where applicable)	Removal of conditions	
(1)	(2)	(3)	(4)	(5)	
ATPL(A)	>1500 as PIC on multi-pilot aeroplanes	None	ATPL(A)	Not applicable	(a)
ATPL(A)	>1500 on multi-pilot aeroplanes	None	as in (c)(4)	as in (c)(5)	(b)
ATPL(A)	>500 on multi-pilot aeroplanes	Demonstrate knowledge of flight planning and performance as required by FCL.515	ATPL(A), with type rating restricted to co-pilot	Demonstrate ability to act as PIC as required by Appendix 9 to Part-FCL	(c)
CPL/IR(A) and passed an ICAO ATPL theory test in the Member State of licence issue		(i) demonstrate knowledge of flight planning and performance as required by FCL.310 and FCL.615(b) (ii) meet remaining requirements of FCL.720.A (c)	CPL/IR(A) with ATPL theory credit	Not applicable	(d)
CPL/IR(A)	>500 on multi-pilot aeroplanes, or in multi-pilot operations on single-pilot aeroplanes CS-23 commuter category or equivalent in	(i) pass an examination for ATPL(A) knowledge in the Member State of licence issue* (ii) meet remaining requirements of FCL.720.A	CPL/IR(A) with ATPL theory credit	Not applicable	(e)



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National licence held	Total flying hours experience	Any further requirements	Replacement Part-FCL licence and conditions (where applicable)	Removal of conditions	
(1)	(2)	(3)	(4)	(5)	
CPL/IR(A)	>500 as PIC on single-pilot aeroplanes	None	CPL/IR(A) with type/class ratings restricted to single-pilot aeroplanes		(f)
CPL/IR(A)	<500 as PIC on single-pilot aeroplanes	Demonstrate knowledge of flight planning and flight performance for CPL/IR level	As (4)(f)	Obtain multi-pilot type rating in accordance with Part-FCL	(g)
CPL(A)	>500 as PIC on single-pilot aeroplanes	Night rating, if applicable	CPL(A), with type/class ratings restricted to single-pilot aeroplanes		(h)
CPL(A)	<500 as PIC on single-pilot aeroplanes	(i) night rating, if applicable; (ii) demonstrate knowledge of flight performance and planning as required by FCL.310	as (4)(h)		(i)



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National licence held	Total flying hours experience	Any further requirements	Replacement Part-FCL licence and conditions (where applicable)	Removal of conditions	
(1)	(2)	(3)	(4)	(5)	
PPL/IR(A)	≥75 in accordance with IFR	Night rating if night flying privileges are not included in the instrument rating	PPL/IR(A) (the IR restricted to PPL)	Demonstrate knowledge of flight performance and planning as required by FCL.615(b)	(j)
PPL(A)	≥70 on aeroplanes	Demonstrate the use of radio navigation aids	PPL(A)		(k)



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12. Frequently Asked Questions - FAQ

The following FAQ section has been compiled to assist licence holders to understand the effect of the forthcoming EU Regulation on their own licence. Many of the questions are similar to those posed to other authorities such as UK CAA. As more questions arise this section will be updated.

12.1 What is meant by an EASA aircraft and a non-EASA aircraft?

An EASA aircraft can be defined as an aircraft that, if registered in an EU State, would be required to have an EASA Airworthiness Certificate in order to fly legally. It excludes categories of aircraft, such as amateur-built aeroplanes, microlights and gyroplanes and Aircraft that are “carrying out military, customs, police, search and rescue, firefighting, coastguard or similar activities or services” (i.e. “State Aircraft”).

12.2 In which countries will the new European rules apply?

The new European legislation for pilot licensing is legally binding on all Members of the European Union. The European former JAA Member States that are not EU members are entering into agreements with the European Commission / EASA that will bind them to comply with and administer the European rules for pilot licensing as if they were members of the EU. The full set of participating States (EU and non-EU) is sometimes referred to as the “EASA Member States”. One important change will be that EU Member States that had not achieved “mutual recognition” status under JAR-FCL will have the new licences that they issue under Part-FCL recognised by the other States, once their licences are deemed to be JAR compliant.

12.3 What is meant by: a JAA or JAR-FCL licence and a National Licence?

A JAA or JAR-FCL licence means a licence marked “Joint Aviation Authorities” that has been issued by a mutually recognised JAA member in accordance with JAR-FCL, and is not restricted to aircraft registered in any particular State.

National licence - In European regulations and associated materials, a “national licence” is any licence issued under national law rather than European regulations. This means any licence that is not issued in accordance with the new Part-FCL is a national licence. Under the proposed legislation, JAR-FCL licences issued fully in accordance with JAR-FCL by mutually recognised JAA States will be deemed to have been issued under the new Part-FCL, and so will be European licences. In the Irish context, this means that Irish licences other than those issued in accordance with JAR-FCL are National Licences.

12.4 What is an EASA licence and what kinds of EASA licence will there be?

An EASA Licence is a licence that is issued under Part-FCL to a person who has complied with the requirements of Part-FCL. JAR-FCL licences issued prior to 8th April 2012, (fully in compliance with JAR-FCL by a mutually recognised former JAA State and not restricted to aircraft of a particular register), are deemed to be EASA licences, but must be physically replaced with licences of the Part-FCL format and text by their date of calendar expiry. The EASA Licences that will be available are:

Aeroplanes

- Light Aircraft Pilot Licence (Aeroplanes)
- Private Pilot Licence (Aeroplanes)
- Commercial Pilot Licence (Aeroplanes)
- Air Transport Pilot Licence (Aeroplanes)



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- Multi-Crew Pilot Licence (Aeroplanes)

Helicopters

- Light Aircraft Pilot Licence (Helicopters)
- Private Pilot Licence (Helicopters)
- Commercial Pilot Licence (Helicopters)
- Air Transport Pilot Licence (Helicopters)

Sailplanes (includes powered sailplanes)

- Light Aircraft Pilot Licence (Sailplanes)
- Sailplane Pilot Licence - (this licence may include commercial flying privileges)

Balloons (includes Hot-air Airships)

- Light Aircraft Pilot Licence (Balloons)
- Balloon Pilot Licence - (this licence may include commercial flying privileges)

Airships

- Private Pilot Licence (Airships)
- Commercial Pilot Licence (Airships)

Type ratings for Powered-Lift aircraft may be added to an aeroplane licence or a helicopter licence.

12.5 Which country can I apply to for an EASA licence?

You may apply for an EASA licence in the State that holds your medical records.

All EASA licences issued to an individual must be from the same EASA Member State. You may apply for an EASA licence for each category of aircraft; but you may only hold one EASA licence for each category. A licence holder may change their State of Licence issue, but to do so they must have their medical records transferred to the new State and have their licences reissued by that State.

As a medical certificate must be obtained before flying solo, the State of Licence issue for an individual will be determined, at least initially, by where that first Medical Certificate is obtained.



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12.6 What kinds of Medical certificate are used now, and what will there be after April 2012?

Currently in Ireland a pilot can obtain:

- a JAR-FCL 3 Class 1 Medical Certificate;
- a JAR-FCL 3 Class 2 Medical Certificate

For ATPLs and CPLs a Class 1 Medical Certificate is required.
For a PPL(A) or PPL(H) the minimum standard is a Class 2 Medical Certificate.

Under the new regulations Part-MED will apply, which makes provision for:

- a Part-MED Class 1 Medical Certificate;
- a Part-MED Class 2 Medical Certificate; and
- a Part-MED LAPL Medical Certificate.

For ATPLs and CPLs a Class 1 Medical Certificate is required.
For a PPL(A), PPL(H), SPL and BPL the minimum standard is a Class 2 Medical Certificate; this is still the case where any instructional privileges are added to the licence. (Remember SPL now refers to Sailplane Pilot Licence and not Student Pilot Licence)

For any LAPL *the minimum standard is a LAPL Medical Certificate.*

It is intended that the Part Med standards will be the only standards used in Ireland. For licences other than EASA licences the Personnel Licensing Order will be amended by Direction to give effect to the Part MED Medical certificates as appropriate. A decision on the acceptance of the LAPL Medical Certificate for other categories of national licence has yet to be finalised.

All LAPL Medicals will be performed by AMEs.

Subject to the EU Regulation being applied in Ireland without derogations the following will apply; On 8th April 2012 all JAR-FCL 3 Medical Certificates will become EASA Part-MED Medical Certificates. On revalidation Part-MED certificates will be issued.

12.7 I have an Irish-issued JAA licence, how will the changes affect me?

If your JAA licence is not marked "Valid for Irish registered aircraft", you have a JAA licence that is compliant with JAR-FCL. On 8th April 2012 all JAR-compliant licences become EASA licences. All ratings included in those licences that appear in Part-FCL will remain as Part-FCL ratings. If you have a JAR-compliant licence and a valid JAR-FCL 3 (or Part-MED) Medical Certificate of the appropriate class, you may continue to exercise the privileges of the valid ratings included in the licence to fly EASA aircraft after 8th April 2012, until the calendar expiry date of the licence.

On or before the calendar expiry date of the JAA licence, application must be made to the IAA for its replacement with a Part-FCL (EASA) licence. If the JAR licence contains only JAR -FCL ratings, an equivalent



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non-expiring Part-FCL licence will be issued with the ratings that are valid on that day. If the JAA licence contains specific national ratings, such as a microlight rating, the licence holder may also apply to be issued an Irish National Licence to cover such ratings.

A JAA licence that is marked "Valid for Irish registered aircraft", will be considered an Irish National licence and subject to conversion to an EASA licence on 8th April 2012.

Pilots wishing to fly Annex II aircraft registered in Ireland will require an Irish issued National licence endorsed with the appropriate rating(s) (or a Licence issued in accordance with ICAO standards endorsed with a current rating for the aircraft). Licences for operation of Annex II aircraft no longer enjoy mutual recognition and licence holders must confirm with the appropriate National Aviation Authority if he/she wishes to fly a non-Irish registered aircraft in Ireland or wish to fly an Irish registered aircraft in another state.

If you possess an unrestricted JAR licence and EASA only Ratings (such as B737 300-900, A320) then the impact on you will be minimal.

At all times it is your responsibility to ensure that you are in possession of an appropriate licence for the flying you wish to perform. If you have any doubt, check with the IAA in advance.

12.8 I have an Irish National ATPL / CPL (pre-JAA), how will the changes affect me?

Subject to compliance with the revalidation/renewal requirements your licence and ratings will remain valid for non-EASA aircraft only into the future. If you intend to fly EASA aircraft after the EU rules are fully implemented you must obtain an EASA licence. The European regulations will allow a transition period for this. An Irish ATPL or CPL may be used to fly EASA aircraft that are within the scope of the licence and the valid ratings in the licence until 7th April 2014. It is also expected that the transition arrangements for the introduction of the LAPL will mean that an Irish National licence may continue to be used until 7th April 2015 to fly EASA aircraft under 2,000 kg MTOM *and with not more than 4 occupants*, for private purposes only.

To continue to fly EASA aircraft after the relevant end date, the holder of an Irish National ATPL / CPL must apply to the IAA for a Part-FCL licence, with evidence that he/she complies with the conversion requirements set out in Annex 2 of the "Aircrew" licensing regulation. Assuming that compliance is shown, the licence holder will receive a non-expiring EASA Part -FCL licence with the Part-FCL ratings that are valid on the date of issue. If the Irish National licence contains specific national ratings, such as a microlight rating, the licence holder may also apply to be issued an Irish National Licence to cover such ratings.

12.9 I have an Irish National PPL (pre-JAA), how will the changes affect me?

Subject to compliance with the revalidation/renewal requirements your licence and ratings will remain valid for non-EASA aircraft only into the future. If you intend to fly EASA aircraft after the EU rules are fully implemented you must obtain an EASA licence. The European regulations will allow a transition period for this. An Irish National PPL may be used to fly EASA aircraft that are within the scope of the licence and ratings until 7th April 2014. It is also expected that the transition arrangements for the introduction of the LAPL will mean that an Irish National licence may continue to be used until 7th April 2014 to fly EASA aircraft under 2,000 kg MTOM *and with not more than 4 occupants*, for private purposes only.

To continue to fly EASA aircraft after the relevant end date, the holder of an Irish National PPL must apply to the IAA for a Part-FCL licence, with evidence that he/she complies with the conversion requirements set out in Annex 2 of the "Aircrew" licensing regulation. Assuming that compliance is shown, the licence holder will receive a non-expiring EASA Part-FCL licence with the Part-FCL ratings that are valid on the date of issue. If



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the Irish National licence contains specific national ratings, such as a microlight rating, the licence holder may also apply to be issued an Irish National Licence to cover such ratings

12.10 I have an IAA-issued JAA licence that is marked “Valid for Irish registered aircraft”, how will the changes affect me?

For the purposes of EU regulations this licence is an Irish National licence, not a JAA licence, and the conversion terms for Irish National licences will apply.

12.11 Do I have to convert my non-JAA licence into a JAA licence before I can get an EASA licence?

No. The EU regulations provide for the replacement of non-JAA national licences with EASA licences, subject to compliance with specified requirements and minimum numbers of flying hours experience. However, holders of Irish National licences may choose to convert these to a JAA licence before 8th April 2012 so that their licence automatically becomes an EASA licence. They will then require replacement at the end of their calendar lives.

12.12 I have a PPL for gyroplanes, how will the changes affect me?

The effect of the EU regulations will be to restrict the Irish National PPL(Gyroplanes) to non-EASA gyroplanes. Most gyroplanes currently registered and operating in Ireland are under 560kg MTOM and so are non-EASA aircraft. Therefore there is no practical effect in those cases. However, the Irish PPL(G) will not be a valid licence for larger gyroplanes that fall under EASA competence. EASA has not yet proposed a gyroplane licence.

12.13 I have a PPL for microlights, how will the changes affect me?

The new EU regulations will have no effect on PPLs for Microlights, and you can continue to maintain and use your licence under the existing national rules. However JAR licence holders endorsed with microlight ratings will not be able to transfer these to an EASA licence and will require a separate Irish National licence to be issued.

A conversion path from PPL (M) to an EASA licence is not envisaged at this time although some crediting of flight time may be possible.

12.14 I fly gliders, how will the changes affect me?

EU regulations will require pilots of EASA gliders to hold EASA Part-FCL licences - either a LAPL(Sailplanes) or a Sailplane Pilots Licence (SPL) - to continue flying. The IAA is working with the IGSA to develop conversion criteria for agreement with EASA to allow Part-FCL licences to be issued on the basis of existing Irish gliding qualifications.

Pilots of Touring Motor Gliders (TMGs) may have the rating endorsed on a Sailplane or Private Pilot Licence.

12.15 I fly balloons, how will the changes affect me?

EU regulations will require the pilots of EASA balloons to hold EASA Part-FCL licences - either a LAPL(Balloons) or a Balloon Pilots Licence (BPL) - to continue flying. Note that the new BPL has commercial



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flying privileges when additional requirements, post licence issue, have been complied with. A conversion report will be required to be developed which will define the conversion criteria. This report will then be submitted to EASA for approval. The IAA will work with the Irish Ballooning Association to develop the conversion report.

12.16 I have licences from more than one European country, what happens about that?

The EU regulations specify that an individual may only hold one EASA Part-MED Medical Certificate, and that all of the EASA licences held by an individual must be issued by the same State that *holds the medical records for that individual*.

If you have JAA licences issued by more than one country you must decide before 8th April 2012 which of those countries is going to be your State of licence issue for EASA licences - it must be the State that holds your medical records. You must then apply to that State to transfer to them any JAA licences you hold that were issued by other countries.

If you have national licences that will only be used to fly non-EASA aircraft, those licences can continue to be used, subject to continuing support and administration being provided by the issuing authorities.

12.17 What happens to the ratings that I have on my licence?

If you have a JAA / JAR licence (fully compliant with JAR-FCL), which becomes an EASA Part-FCL licence on 8th April 2012, the aircraft ratings will remain in force with the expiry dates unchanged. When your licence reaches calendar expiry (or before that date if you choose) you must apply for it to be replaced with an EASA Part-FCL licence. JAR-FCL aircraft ratings (that also appear in Part-FCL) will be included in the new Part-FCL licence. If you have valid non-JAR ratings, a national licence may be issued to include these if requested. When any Part-FCL rating approaches or reaches expiry it may be revalidated or renewed in accordance with Part-FCL requirements.

When any national rating approaches or reaches expiry it may be revalidated or renewed on the JAR licence provided that the licence has not reached its calendar expiry. When the licence reaches its calendar expiry application must be made for it to be replaced with an EASA Part-FCL. If there are valid national aircraft ratings on the licence at that time it will be necessary to issue an Irish National licence to carry those ratings.

If you have a non-JAR (Irish National licence), the aircraft ratings will remain in force with the expiry dates unchanged on 8th April 2012. If you decide to obtain an EASA Part-FCL licence, the aircraft ratings that are Part-FCL ratings and are valid on the day then licence is issued will be included on the Part-FCL licence with the expiry dates unchanged. If there are national ratings that are valid on the day of conversion, a new national licence may be issued to include those ratings.

12.18 I have an instructor rating, how will the changes affect me?

If you have instructor ratings on a JAR licence for EASA aircraft (e.g. FI, CRI, SFI, or TRI for an EASA type), the ratings will remain current through 8th April 2012, subject to the existing renewal/revalidation rules for the ratings. Subsequently, the ratings may be revalidated/renewed in accordance with Part-FCL. Any instructor ratings specific to non-EASA aircraft (e.g. microlight instructor, or TRI for a non-EASA type) will also remain valid, but cannot remain on the licence when it is physically replaced by an EASA licence. You will need to have an Irish national licence with the specific non-EASA rating(s) at that time.



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If you choose to fly non-EASA aircraft only in the future, and so do not obtain an EASA licence, your instructor ratings can continue as before, except that Part-FCL rules will apply for revalidation/renewal. If/when you apply for an EASA Part-FCL licence based on your Irish National licence, the instructor ratings that apply to instruction for JAR/Part-FCL qualifications will be carried over onto your EASA licence, provided that you comply with the experience requirements for the instructor rating that are specified in Part-FCL.

12.19 I have an examiner authorisation, how will the changes affect me?

Examiner authorisations will now convert to certificates. Due to the range of changes surrounding examiners a separate notification outlining the changes will issue shortly.

12.20 When can I get an EASA licence?

EASA licences will be issued by the Competent Authorities of the EASA Member States. No EASA Part-FCL licences can be issued before 8th April 2012. Because of the nature of the changes to EU regulations and the consequent administrative changes that must take place, the individual National Aviation Authorities may delay starting to issue certain categories of licence or rating until sometime after 8th April 2012. The Irish Aviation Authority intends that the issuance of the various licence categories will be phased in.

12.21 I have a licence issued by a non-EASA country (e.g. USA), how will the changes affect me?

Currently the [Irish Aviation Authority \(Personnel Licensing\) Order, 2000](#), SI 333/2000 gives a permanent validation of non-Irish ICAO licences that allows the holders of those licences to fly Irish-registered aircraft for private purposes only. With the implementation of European regulations this Irish validation will remain (subject to a derogation) for private flights until 8th April 2014. From that date forward the Irish validation will be valid only for non-EASA aircraft registered in Ireland. So if for example an N registered C172 is operating in Ireland, as it is an EASA aircraft the pilot if resident in Europe requires an EASA Part-FCL licence.

For any commercial flight in an Irish-registered aircraft, the holder of a licence that is not an Irish National or JAR licence must hold an individual validation issued by the IAA.

Under European regulations there is no general validation for private flying. An individual validation will be required in every case. However, the rules are expected to include a two-year transition period for private flying. This means that from 8th April 2014 onwards, the holder of a licence from a non-EASA State must hold an individual validation certificate issued by the EASA Member State where the pilot or the "operator" of the aircraft is based, if the aircraft is to be flown for any purpose. For any commercial flight an individual validation is required from 8th April 2012. Note that such validations will be valid within EASA member states.

There are some other significant changes to the validation rules being introduced under EU regulations: Under current national provisions a validation (general or specific) is required for a non-Irish or non-JAR licence holder to fly an Irish-registered aircraft. Under EU regulations a validation will also be required for such a pilot to fly an aircraft registered outside the EU if the operator of the aircraft is based in the EU. For example, if the operator of an N-registered aircraft is based in Ireland, the holder of an FAA licence will have to hold a validation issued under EU regulations by the IAA to fly the N-registered aircraft in Europe.



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Under European regulations an individual licence holder may only be granted a validation once. Repeat validations are not permitted. A validation is issued for one year. If the pilot is training to gain an EASA Part-FCL licence the validation may be extended once by the State that issued it to allow a reasonable time to obtain the Part-FCL licence.

12.22 What is happening about gaining credit for military flying against the requirements for obtaining an EASA licence?

The current accreditation scheme allows credit to be given for military training and experience to obtain a JAR-FCL licence, not a Part-FCL licence. Consequently, the current scheme will cease on 7th April 2012. The new EU regulations make provision for credit to be given, but the arrangements must be set out in a report which compares the military training with the requirements of Part-FCL and identifies any credits and any additional requirements to be met. The IAA will work with the Aer Corps to develop of a new scheme for EASA Part-FCL licences. It will not be possible to issue an EASA Part-FCL licence on the basis of military training/qualifications until the new scheme is in place. The IAA cannot confirm how long the development of such a scheme will take. Aer Corps pilots are encouraged to apply for a JAR-FCL licence prior to Part-FCL implementation on 8th April 2012.

12.23 How will licences and ratings be kept valid?

The validity of the licence will depend upon the holder having a valid medical certificate appropriate to the licence and valid ratings maintained on the licence. The use of the licence privileges will depend upon the ratings in the licence and their currency.

Ratings on EASA Part-FCL licences will be revalidated or renewed according to the requirements set out in Part-FCL. Ratings on Irish National licences that are the same as EASA ratings will be subject to the Part-FCL revalidation/renewal requirements. The renewal/revalidation requirements for national ratings will remain as currently.

12.24 How will the new rules affect Registered Facilities (PPL training)?

There is no provision for Registered Facilities (for PPL training) in the new European regulations. Under the new rules all training for all Part-FCL licences and ratings must be provided by an Approved Training Organisation. This will include training for glider and balloon licences. The Part-ORA sections of the new "Aircrew Regulation" will define a set of requirements for all ATOs, and then additional requirements to be complied with by organisations providing training for commercial licences, type ratings, etc.

The EU regulations are expected to include a transition period in that Registered Facilities that are operating before 8th April 2012 may continue under their existing arrangements up to 8th April 2014. Any new training facility set up from 8th April 2012 onwards must be an Approved Training Organisation.

Under the new EU regulations, training organisations and Registered Facilities that have their principal place of business in an EASA Member State must apply to (or have their approval transferred to) the National Aviation Authority of that State. Any school that has its principal place of business outside the EU will have its approval issued and administered by EASA.

Any flying training school that is located outside the EU will be transferred to EASA's oversight on 8th April 2012.



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12.25 How will the new rules affect Flight Training Organisations and Type Rating Training Organisations?

Flying Training Organisations and Type Rating Training Organisations (FTO, TRTO) that are approved under JAR-FCL will become approved under Part-ORA with effect from 8th April 2012, and so will their courses. However, they will not be fully compliant with Part-ORA. This will result in Level 2 findings being made that will have to be resolved in accordance with Part-ORA.

Any FTO and TRTO currently approved by the IAA to give training for JAR-FCL licences or ratings that has its principal place of business outside Ireland will have its approval transferred to the appropriate authority. Organisations located outside of the EASA States will have their approval certificates replaced by certificates issued by EASA and will be subject to audit by EASA.

12.26 What will be the effect of the introduction of the aerobatic rating?

The EU regulations introduce an Aerobatic Rating. The effect of this will be that pilots (including glider pilots) must not fly aerobatic manoeuvres in EASA aircraft unless they hold an aerobatic rating. This rating is currently not in place in Ireland. There will be a transition period for this, and the IAA is considering what recognition, if any, can be given of past flying activities in order to grant aerobatic ratings to existing pilots.

12.27 What will be the effect of the introduction of the Flight Test rating?

The EU regulations introduce a Flight Test Rating. The privilege of this rating will be to allow the holder to fly non-certificated EASA aircraft. e.g. The pre-certification test, development and certification flying of a new aircraft type. When the rules are fully in place test pilots will have to hold this rating to carry out such flights. This rating is currently not in place in Ireland. There will be a process by which existing test pilots may be granted the EASA Part-FCL rating.

12.28 What will be the effect of the introduction of the towing rating?

The EU regulations introduce a Towing Rating, which will be applicable to towing gliders and towing banners by a pilot of an EASA aircraft. The effect of this will be that pilots must not tow anything with an EASA aircraft unless they hold a towing rating. This rating is currently not in place in Ireland. There will be a transition period for this, and the IAA is considering what recognition, if any, can be given of past towing experience in order to grant towing ratings to existing pilots.

12.29 What will be the effect of the introduction of the mountain rating?

The EU regulations introduce a Mountain Rating, to replace the national rating that already exists in Switzerland and elsewhere. This will be granted on completion of an approved course on taking off and landing in mountainous regions. The effect of this in the future will be that pilots will not be able to take-off or land in mountainous areas *with* EASA aircraft unless they have a mountain rating. There will be a transition period for this. Due to the low requirement for such a rating for pilots in Ireland the IAA will not be prioritising its development. Holders of EASA Part-FCL licences will be able to take courses in other EU States to obtain this rating.



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12.30 What will be the charging scheme for EASA licences and training organisations?

Licences will continue to be issued by National Aviation Authorities, not EASA, and so national charges will apply. The IAA is reviewing its current charging structure and an amended scheme is expected to be promulgated prior to the implementation of Part-FCL.

12.31 How will knowledge of Part-FCL and Part-OPS be demonstrated for licence conversion?

The Annexes to the Aircrew regulation specify that to convert or validate a licence the licence holder must demonstrate knowledge of the relevant parts of Part-OPS and Part-FCL. Details of how this will be confirmed will be published in advance of the implementation of Part-FCL.

12.32 I have a JAR-FCL Flight Engineer's Licence. How will that be affected?

Flight Engineer's Licences are not within the scope of the EU Regulation 216/2008. Flight Engineer's Licences will continue to be issued under National rules according to JAR-FCL 4 requirements. The IAA is working with other National Authorities who issued JAR-FCL 4 Flight Engineer's Licences to continue multi lateral mutual recognition will facilitate the mutual acceptance of JAR Flight Engineer's Licences between those states.

12.33 What further information will be provided?

The IAA will continue to publish information on the IAA website. EASA is also posting information on the implementation of the new rules, including FAQs under "EASA Flight Standards".



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13. Appendix 1 – Extract from EU Regulation 216/2008

ANNEX II

Aircraft referred to in Article 4(4)

Article 4(1), (2) and (3) do not apply to aircraft falling in one or more of the categories set out below:

- (a) historic aircraft meeting the criteria below:
 - (i) non-complex aircraft whose:
 - initial design was established before 1 January 1955, and
 - production has been stopped before 1 January 1975;or
 - (ii) aircraft having a clear historical relevance, related to:
 - a participation in a noteworthy historical event, or
 - a major step in the development of aviation, or
 - a major role played into the armed forces of a Member State;
- (b) aircraft specifically designed or modified for research, experimental or scientific purposes, and likely to be produced in very limited numbers;
- (c) aircraft of which at least 51 % is built by an amateur, or a non-profit making association of amateurs, for their own purposes and without any commercial objective;
- (d) aircraft that have been in the service of military forces, unless the aircraft is of a type for which a design standard has been adopted by the Agency;
- (e) aeroplanes, helicopters and powered parachutes having no more than two seats, a maximum take-off mass (MTOM), as recorded by the Member States, of no more than:
 - (i) 300 kg for a land plane/helicopter, single-seater; or
 - (ii) 450 kg for a land plane/helicopter, two-seater; or
 - (iii) 330 kg for an amphibian or floatplane/helicopter single-seater; or
 - (iv) 495 kg for an amphibian or floatplane/helicopter two-seater, provided that, where operating both as a floatplane/helicopter and as a land plane/helicopter, it falls below both MTOM limits, as appropriate;
 - (v) 472,5 kg for a land plane, two-seater equipped with an airframe mounted total recovery parachute system;
 - (vi) 315 kg for a land plane single-seater equipped with an airframe mounted total recovery parachute system; and, for aeroplanes, having the stall speed or the minimum steady flight speed in landing configuration not exceeding 35 knots calibrated air speed (CAS);
- (f) single and two-seater gyroplanes with a maximum take off mass not exceeding 560 kg;
- (g) gliders with a maximum empty mass, of no more than 80 kg when single-seater or 100 kg when two-seater, including those which are foot launched;
- (h) replicas of aircraft meeting the criteria of (a) or (d) above, for which the structural design is similar to the original aircraft;
- (i) unmanned aircraft with an operating mass of no more than 150 kg;
- (j) any other aircraft which has a maximum empty mass, including fuel, of no more than 70 kg.