



ENTRY INTO FORCE OF EUROPEAN REQUIREMENTS FOR THE VALIDATION OF ICAO ANNEX 1 COMPLIANT PILOT LICENCES FOR THE OPERATION OF AIRCRAFT REGISTERED OUTSIDE EASA MEMBER STATES.

1 Applicability

1.1 European Regulation (EC) No. 216/2008 (the Basic EASA Regulation) and the associated Implementing Rules for Flight Crew Licensing, the EASA Aircrew Regulation (Commission Regulation (EU) No. 1178/2011) will require all pilots flying EASA aircraft registered in a country that is NOT an EASA Member State *but who are flying such aircraft for an operator whose principal place of business is in an EASA Member State* to hold either:

- an EASA Part-FCL licence (issued in accordance with the EASA Aircrew Regulation); or
- a JAR compliant licence which is deemed to be an EASA licence as defined by the EASA Aircrew Regulation; or
- a non-Part-FCL licence that is ICAO Annex 1 compliant and is validated by an EASA Member State in accordance with the EASA Aircrew Regulation.

(**Note:** An EASA aircraft is an aircraft of a type that would be required by EU legislation to hold an EASA Certificate of Airworthiness or EASA Permit to Fly if it was registered in the EU).

1.2 In accordance with the transitional arrangements of the EASA Aircrew Regulation the United Kingdom will apply the provisions for the validation of licences for commercial flights with effect from **1 July 2012**. In addition, the United Kingdom is invoking the provisions of the EASA Aircrew Regulation that allow Member States to defer the application of the new regulations for the validation of non-EASA Member State licences for **private flights only** until **8 April 2014**. For private flying during the period **8 April 2012 to 7 April 2014**, the provisions of Article 61(b) and 63 of the United Kingdom Air Navigation Order currently in force will continue to apply.

2 The main effects of the change to European validation rules in the UK

2.1 The primary changes brought about by the introduction of European rules for validation compared with previous UK requirements are:

- a. Pilots flying aircraft registered outside the EASA Member States for operators located within the EASA Member States must comply with the validation requirements of the EASA Aircrew Regulation;
- b. A validation issued under the Aircrew Regulation by an EASA Member State provides the same privileges as the equivalent EASA Part-FCL licence. i.e. It renders the licence valid for an aircraft (within the privileges of the licence/ratings) that is registered anywhere in the EU; not just in the State where the validation was issued;
- c. Applicants for the validation of a non-EASA Member State commercial licence (CPL, ATPL) must obtain a **European Class 1** medical certificate issued in accordance with Part-MED (Annex IV to the EASA Aircrew Regulation); an ICAO Annex I compliant medical certificate issued by the State of Licence Issue is no longer sufficient;
- d. Holders of a licence accepted by an EASA Member State for validation shall exercise their privileges in accordance with the requirements stated in Part-FCL (Annex I to the EASA Aircrew Regulation);
- e. A validation may only be granted to an individual once; it will be time limited and may be extended once only by the Competent Authority that issued the original validation.

3 Requirements

3.1 Private flights - The UK is deferring the European validation requirements for private operations of aircraft registered in third countries (non-EASA States) until 8 April 2014. Pilots flying non-EASA Member State aircraft privately for a UK-based owner or operator using licences that are valid under the law of the State of Registry of the aircraft may therefore continue to do so under the terms of Articles 61 and 63 of the Air Navigation Order until 7 April 2014. After that date they will require a licence validation in accordance with EU regulations.

3.2 Commercial flights - The European validation requirements for commercial flying (commercial air transport or aerial work) are set out in Annex III to the EASA Aircrew Regulation. The relevant extracts from that Annex are set out in Appendix 1 to this Circular. These requirements come into effect in the UK on 1 July 2012.

4 Applications for validation

4.1 Non-EASA Member State pilot licences will be validated in accordance with the provisions of Annex III to the EASA Aircrew Regulation and with the standards set out in paragraph 1.2.2 of Annex 1 (Personnel Licensing), 10th Edition (as amended) to the Convention on International Civil Aviation signed in Chicago on 7 December 1944.

4.2 The licence to be validated must show the aircraft type(s) for which the validation is required, and any Instrument Rating (if also required). The licence and ratings must be valid under the law of the State that issued the licence at the time the validation is issued. A validation ceases to be in force if the non-EASA Member State licence (or ratings therein) to which it refers ceases to be valid.

4.3 Applications for a Certificate of Validation for commercial operations must include either: evidence that the pilot is resident or established in the UK or a statement from the holder of a UK CAA-issued Air Operator's Certificate that the licence holder is to be employed by them as a pilot for commercial operations. A Certificate of Validation, when issued, must be kept with the licence to which it relates, so that both may be produced on the request to any person authorised to require the pilot to produce them.

4.4 Proof of identity is required in the form of a valid passport. In the case of a pilot employed by a UK operator, a photocopy of the proof of identity is acceptable provided that all the relevant information is clearly legible and it is certified as being a true unaltered copy of the original. Details of who can certify the photocopy will be shown on the application form.

4.5 The application must include a Letter of Verification from the National Aviation Authority of the State of licence issue. This letter must confirm:

- a. that the person with the specified name and date of birth holds a valid licence;
- b. the licence held (e.g. ATPL(A), CPL(H));
- c. that the licence complies with ICAO Annex 1;
- d. validity and expiry dates of the licence and the ratings included in the licence;
- e. the validity and expiry dates of the associated Medical Certificate;
- f. the current ICAO level of language proficiency in English.

4.6 The applicant must include evidence of compliance with the requirements of Annex III of the EASA Aircrew Regulation. (Copy attached).

5 Summary

5.1 The enactment of European legislation is changing the requirements for the validation of licences. This Circular summarises the effects of the legislation as it will apply in the UK to the holders of licences issued by non-EASA Member States.

5.2 European Regulation (EC) No. 216/2008 and the associated Implementing Rules for Flight Crew Licensing (Commission Regulation (EU) No. 1178/2011, the EASA Aircrew Regulation) can be viewed on the EASA website at: <http://easa.europa.eu/regulations/regulations-structure.php>.

5.3 Further information on the expected effects of European legislation on pilot licensing in the UK may be found on the CAA website at: www.caa.co.uk/eupilotlicensing

Appendix 1 - Relevant extracts from ANNEX III to the Aircrew Regulation

CONDITIONS FOR THE ACCEPTANCE OF LICENCES ISSUED BY OR ON BEHALF OF THIRD COUNTRIES

VALIDATION OF LICENCES

General

1 A pilot licence issued in compliance with the requirements of Annex 1 to the Chicago Convention by a third country may be validated by the competent authority of a Member State. Pilots shall apply to the competent authority of the Member State where they reside or are established, or, if they are not residing in the territory of the Member States, where the operator for which they are flying or intend to fly has its principal place of business.

2 The period of validation of a licence shall not exceed 1 year; the Annex I licence must remain valid. This period may only be extended once by the competent authority that issued the validation when, during the validation period, the pilot has applied, or is undergoing training, for the issuance of a licence in accordance with Part-FCL. This extension shall cover the period of time necessary for the licence to be issued in accordance with Part-FCL. The holders of a licence accepted by a Member State shall exercise their privileges in accordance with the requirements stated in Part-FCL.

Pilot licences for commercial air transport and other commercial activities

3 In the case of pilot licences for commercial air transport and other commercial activities, the holder shall comply with the following requirements:

- a. complete, as a skill test, the type or class rating revalidation requirements of Part-FCL relevant to the privileges of the licence held;
- b. demonstrate that he/she has acquired knowledge of the relevant parts of Part-OPS and Part-FCL;
- c. demonstrate that he/she has acquired knowledge of English in accordance with FCL.055. FCL.055 is the requirement in Part-FCL for Language Proficiency and it must be demonstrated in English;
- d. hold a valid Class 1 medical certificate, issued in accordance with Part-Medical;
- e. in the case of aeroplanes, comply with the experience requirements set out in the following table:

Licence held	Total flying hours experience	Privileges	
(1)	(2)	(3)	
ATPL(A)	>1500 hours as PIC on multi-pilot aeroplanes	Commercial air transport in multi-pilot aeroplanes as PIC	(a)
ATPL(A) or CPL(A)/IR*	>1500 hours as PIC or co-pilot on multi-pilot aeroplanes according to operational requirements	Commercial air transport in multi-pilot aeroplanes as co-pilot	(b)
CPL(A)/IR	>1000 hours as PIC in commercial air transport since gaining an IR	Commercial air transport in single-pilot aeroplanes as PIC	(c)
CPL(A)/IR	>1000 hours as PIC or as co-pilot in single-pilot aeroplanes according to operational requirements	Commercial air transport in single-pilot aeroplanes as co-pilot according to Part-OPS	(d)
ATPL(A), CPLA(A)/IR, CPL(A)	>700 hours in aeroplanes other than TMGs, including 200 hours in the activity role for which acceptance is sought, and 50 hours in that role in the last 12 months	Exercise of privileges in aeroplanes in operations other than commercial air transport	(e)
CPL(A)	>1500 hours as PIC in commercial air transport (including 500 hours on seaplane operations where relevant)	Commercial air transport in single-pilot aeroplanes as PIC	(f)

Note: * CPL(A)/IR holders on multi-pilot aeroplanes shall have demonstrated ICAO ATPL(A) level knowledge before acceptance.

f. in the case of helicopters, comply with the experience requirements set out in the following table:

Licence held	Total flying hours experience	Privileges	
(1)	(2)	(3)	
ATPL(H) valid IR	>1000 hours as PIC on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as PIC in VFR and IFR operations	(a)
ATPL(H) no IR privileges	>1000 hours as pilot on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as co-pilot in VFR and IFR operations	(b)
ATPL(H) valid IR	>1000 hours as pilot on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as co-pilot in VFR and IFR operations	(c)
ATPL(H) no IR privileges	>1000 hours as pilot on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as co-pilot in VFR operations	(d)
CPL(H)/IR*	>1000 hours as pilot on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as co-pilot	(e)
CPL(H)/IR	>1000 hours as PIC in commercial air transport since gaining an IR	Commercial air transport in single-pilot helicopters as PIC	(f)
ATPL(H) with or without IR privileges, CPL(H)/IR, CPL(H)	>700 hours in helicopters other than those certificated under CS-27/29 or equivalent, including 200 hours in the activity role for which acceptance is sought, and 50 hours in that role in the last 12 months	Exercise of privileges in helicopters in operations other than commercial air transport	(g)

Note: * CPL(H)/IR holders on multi-pilot aeroplanes shall have demonstrated ICAO ATPL level knowledge before acceptance.

6 Notwithstanding the provisions of the paragraphs above, in the case of manufacturer flights, Member States may accept a licence issued in accordance with Annex 1 to the Chicago Convention by a third country for a maximum of 12 months for specific tasks of limited duration, such as instruction flights for initial entry into service, demonstration, ferry or test flights, provided the applicant complies with the following requirements:

- a. holds an appropriate licence, medical certificate and associated ratings or qualifications issued in accordance with Annex 1 to the Chicago Convention;
- b. is employed, directly or indirectly, by an aeroplane manufacturer. In this case, the privileges of the holder shall be limited to performing flight instruction and testing for initial issue of type ratings, the supervision of initial line flying by the operators' pilots, delivery or ferry flights, initial line flying, flight demonstrations or test flights.

(Note: The provisions of Annex III that relate to private operation are omitted here as the UK is delaying the implementation of these requirements until 8 April 2014).