

## ANNEX I

**[PART-FCL]****SUBPART A GENERAL REQUIREMENTS****FCL.001 Competent authority**

For the purpose of this Part, the competent authority shall be an authority designated by the Member State to whom a person applies for the issue of pilot licences or associated ratings or certificates.

**FCL.005 Scope**

This Part establishes the requirements for the issue of pilot licences and associated ratings and certificates and the conditions of their validity and use.

**FCL.010 Definitions**

For the purposes of this Part, the following definitions apply:

‘Aerobatic flight’ means an intentional manoeuvre involving an abrupt change in an aircraft’s attitude, an abnormal attitude, or abnormal acceleration, not necessary for normal flight or for instruction for licences or ratings other than the aerobatic rating.

‘Aeroplane’ means an engine-driven fixed-wing aircraft heavier than air which is supported in flight by the dynamic reaction of the air against its wings.

‘Aeroplane required to be operated with a co-pilot’ means a type of aeroplane which is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate.

‘Aircraft’ means any machine which can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth’s surface.

‘Airmanship’ means the consistent use of good judgement and well-developed knowledge, skills and attitudes to accomplish flight objectives.

‘Airship’ means a power-driven lighter-than-air aircraft, with the exception of hot-air airships, which, for the purposes of this Part, are included in the definition of balloon.

‘Balloon’ means a lighter-than-air aircraft which is not engine-driven and sustains flight through the use of either gas or an airborne heater. For the purposes of this Part, a hot-air airship, although engine-driven, is also considered a balloon.

‘Basic Instrument Training Device’ (BITD) means a ground-based training device which represents the student pilot’s station of a class of aeroplanes. It may use screen-based instrument panels and spring-loaded flight controls, providing a training platform for at least the procedural aspects of instrument flight.

‘Category of aircraft’ means a categorisation of aircraft according to specified basic characteristics, for example aeroplane, powered-lift, helicopter, airship, sailplane, free balloon.

‘Class of aeroplane’ means a categorisation of single-pilot aeroplanes not requiring a type rating.

‘Class of balloon’ means a categorisation of balloons taking into account the lifting means used to sustain flight.

‘Commercial air transport’ means the transport of passengers, cargo or mail for remuneration or hire.

‘Competency’ means a combination of skills, knowledge and attitude required to perform a task to the prescribed standard.

‘Competency element’ means an action which constitutes a task that has a triggering event and a terminating event that clearly defines its limits, and an observable outcome.

‘Competency unit’ means a discrete function consisting of a number of competency elements.

‘Co-pilot’ means a pilot operating other than as pilot-in-command, on an aircraft for which more than one pilot is required, but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction for a licence or rating.

‘Cross-country’ means a flight between a point of departure and a point of arrival following a pre-planned route, using standard navigation procedures.

‘Cruise relief co-pilot’ means a pilot who relieves the co-pilot of his/her duties at the controls during the cruise phase of a flight in multi-pilot operations above FL 200.

‘Dual instruction time’ means flight time or instrument ground time during which a person is receiving flight instruction from a properly authorised instructor.

‘Error’ means an action or inaction taken by the flight crew which leads to deviations from organisational or flight intentions or expectations.

‘Error management’ means the process of detecting and responding to errors with countermeasures which reduce or eliminate the consequences of errors, and mitigate the probability of errors or undesired aircraft states.

‘Full Flight Simulator’ (FFS) means a full size replica of a specific type or make, model and series aircraft flight deck, including the assemblage of all equipment and computer programmes necessary to represent the aircraft in ground and flight operations, a visual system providing an out-of-the-flight deck view, and a force cueing motion system.

‘Flight time’:

for aeroplanes, touring motor gliders and powered-lift, it means the total time from the moment an aircraft first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight;

for helicopters, it means the total time from the moment a helicopter’s rotor blades start turning until the moment the helicopter finally comes to rest at the end of the flight, and the rotor blades are stopped;

for airships, it means the total time from the moment an airship is released from the mast for the purpose of taking off until the moment the airship finally comes to rest at the end of the flight, and is secured on the mast;

for sailplanes, it means the total time from the moment the sailplane commences the ground run in the process of taking off until the moment the sailplane finally comes to a rest at the end of flight;

for balloons, it means the total time from the moment the basket leaves the ground for the purpose of taking off until the moment it finally comes to a rest at the end of the flight.

‘Flight time under Instrument Flight Rules’ (IFR) means all flight time during which the aircraft is being operated under the Instrument Flight Rules.

‘Flight Training Device’ (FTD) means a full size replica of a specific aircraft type’s instruments, equipment, panels and controls in an open flight deck area or an enclosed aircraft flight deck, including the assemblage of equipment and computer software programmes necessary to represent the aircraft in ground and flight conditions to the extent of the systems installed in the device. It does not require a force cueing motion or visual system, except in the case of helicopter FTD levels 2 and 3, where visual systems are required.

‘Flight and Navigation Procedures Trainer’ (FNPT) means a training device which represents the flight deck or cockpit environment, including the assemblage of equipment and computer programmes necessary to represent an aircraft type or class in flight operations to the extent that the systems appear to function as in an aircraft.

‘Group of balloons’ means a categorisation of balloons, taking into account the size or capacity of the envelope.

‘Helicopter’ means a heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes.

‘Instrument flight time’ means the time during which a pilot is controlling an aircraft in flight solely by reference to instruments.

‘Instrument ground time’ means the time during which a pilot is receiving instruction in simulated instrument flight, in flight simulation training devices (FSTD).

‘Instrument time’ means instrument flight time or instrument ground time.

‘Multi-pilot operation’:

for aeroplanes, it means an operation requiring at least 2 pilots using multi-crew cooperation in either multi-pilot or single-pilot aeroplanes;

for helicopters, it means an operation requiring at least 2 pilots using multi-crew cooperation on multi-pilot helicopters.

‘Multi-crew cooperation’ (MCC) means the functioning of the flight crew as a team of cooperating members led by the pilot-in-command.

‘Multi-pilot aircraft’:

for aeroplanes, it means aeroplanes certificated for operation with a minimum crew of at least two pilots;

for helicopters, airships and powered-lift aircraft, it means the type of aircraft which is required to be operated with a co-pilot as specified in the flight manual or by the air operator certificate or equivalent document.

‘Night’ means the period between the end of evening civil twilight and the beginning of morning civil twilight or such other period between sunset and sunrise as may be prescribed by the appropriate authority, as defined by the Member State.

‘Other training devices’ (OTD) means training aids other than flight simulators, flight training devices or flight and navigation procedures trainers which provide means for training where a complete flight deck environment is not necessary.

‘Performance criteria’ means a simple, evaluative statement on the required outcome of the competency element and a description of the criteria used to judge if the required level of performance has been achieved.

‘Pilot-in-command’ (PIC) means the pilot designated as being in command and charged with the safe conduct of the flight.

‘Pilot-in-command under supervision’ (PICUS) means a co-pilot performing, under the supervision of the pilot-in-command, the duties and functions of a pilot-in-command.

‘Powered-lift aircraft’ means any aircraft deriving vertical lift and in flight propulsion/lift from variable geometry rotors or engines/propulsive devices attached to or contained within the fuselage or wings.

‘Powered sailplane’ means an aircraft equipped with one or more engines having, with engines inoperative, the characteristics of a sailplane.

‘Private pilot’ means a pilot who holds a licence which prohibits the piloting of aircraft in operations for which remuneration is given, with the exclusion of instruction or examination activities, as established in this Part.

‘Proficiency check’ means the demonstration of skill to revalidate or renew ratings, and including such oral examination as may be required.

‘Renewal’ (of, e.g. a rating or certificate) means the administrative action taken after a rating or certificate has lapsed for the purpose of renewing the privileges of the rating or certificate for a further specified period consequent upon the fulfilment of specified requirements.

‘Revalidation’ (of, e.g. a rating or certificate) means the administrative action taken within the period of validity of a rating or certificate which allows the holder to continue to exercise the privileges of a rating or certificate for a further specified period consequent upon the fulfilment of specified requirements.

‘Route sector’ means a flight comprising take-off, departure, cruise of not less than 15 minutes, arrival, approach and landing phases.

‘Sailplane’ means a heavier-than-air aircraft which is supported in flight by the dynamic reaction of the air against its fixed lifting surfaces, the free flight of which does not depend on an engine.

‘Single-pilot aircraft’ means an aircraft certificated for operation by one pilot.

‘Skill test’ means the demonstration of skill for a licence or rating issue, including such oral examination as may be required.

‘Solo flight time’ means flight time during which a student pilot is the sole occupant of an aircraft.

‘Student pilot-in-command’ (SPIC) means a student pilot acting as pilot-in-command on a flight with an instructor where the latter will only observe the student pilot and shall not influence or control the flight of the aircraft.

‘Threat’ means events or errors which occur beyond the influence of the flight crew, increase operational complexity and which must be managed to maintain the margin of safety.

‘Threat management’ means the process of detecting and responding to the threats with countermeasures which reduce or eliminate the consequences of threats, and mitigate the probability of errors or undesired aircraft states.

‘Touring Motor Glider’ (TMG) means a specific class of powered sailplane having an integrally mounted, non-retractable engine and a non-retractable propeller. It shall be capable of taking off and climbing under its own power according to its flight manual.

‘Type of aircraft’ means a categorisation of aircraft requiring a type rating as determined in the operational suitability data established in accordance with Part-21, and which include all aircraft of the same basic design including all modifications thereto except those which result in a change in handling or flight characteristics.

#### **FCL.015 Application and issue of licences, ratings and certificates**

- (a) An application for the issue, revalidation or renewal of pilot licences and associated ratings and certificates shall be submitted to the competent authority in a form and manner established by this authority. The application shall be accompanied by evidence that the applicant complies with the requirements for the issue, revalidation or renewal of the licence or certificate as well as associated ratings or endorsements, established in this Part and Part-Medical.
- (b) Any limitation or extension of the privileges granted by a licence, rating or certificate shall be endorsed in the licence or certificate by the competent authority.
- (c) A person shall not hold at any time more than one licence per category of aircraft issued in accordance with this Part.

- (d) An application for the issue of a licence for another category of aircraft, or for the issue of further ratings or certificates, as well as an amendment, revalidation or renewal of those licences, ratings or certificates shall be submitted to the competent authority which initially issued the pilot licence, except when the pilot has requested a change of competent authority and a transfer of his licensing and medical records to that authority.

#### **FCL.020 Student pilot**

A student pilot shall not fly solo unless authorised to do so and supervised by a flight instructor.

Before his/her first solo flight, a student pilot shall be at least:

- in the case of aeroplanes, helicopters and airships: 16 years of age;
- in the case of sailplanes and balloons: 14 years of age.

#### **FCL.025 Theoretical knowledge examinations for the issue of licences**

##### *(a) Responsibilities of the applicant*

- (1) Applicants shall take the entire set of examinations for a specific licence or rating under the responsibility of one Member State.
- (2) Applicants shall only take the examination when recommended by the approved training organisation (ATO) responsible for their training, once they have completed the appropriate elements of the training course of theoretical knowledge instruction to a satisfactory standard.
- (3) The recommendation by an ATO shall be valid for 12 months. If the applicant has failed to attempt at least one theoretical knowledge examination paper within this period of validity, the need for further training shall be determined by the ATO, based on the needs of the applicant.

##### *(b) Pass standards*

- (1) A pass in an examination paper will be awarded to an applicant achieving at least 75 % of the marks allocated to that paper. There is no penalty marking.
- (2) Unless otherwise determined in this Part, an applicant has successfully completed the required theoretical knowledge examination for the appropriate pilot licence or rating when he/she has passed all the required examination papers within a period of 18 months counted from the end of the calendar month when the applicant first attempted an examination.
- (3) If an applicant has failed to pass one of the examination papers within 4 attempts, or has failed to pass all papers within either 6 sittings or the period mentioned in paragraph (2), he/she shall re-take the complete set of examination papers.

Before re-taking the examinations, the applicant shall undertake further training at an ATO. The extent and scope of the training needed shall be determined by the training organisation, based on the needs of the applicant.

##### *(c) Validity period*

- (1) The successful completion of the theoretical knowledge examinations will be valid:
  - (i) for the issue of a light aircraft pilot licence, a private pilot licence, a sailplane pilot licence or a balloon pilot licence, for a period of 24 months;

- (ii) for the issue of a commercial pilot licence or instrument rating (IR), for a period of 36 months;
  - (iii) the periods in (i) and (ii) shall be counted from the day when the pilot successfully completes the theoretical knowledge examination, in accordance with (b)(2).
- (2) The completion of the airline transport pilot licence (ATPL) theoretical knowledge examinations will remain valid for the issue of an ATPL for a period of 7 years from the last validity date of:
- (i) an IR entered in the licence; or
  - (ii) in the case of helicopters, a helicopter's type rating entered in that licence.

**FCL.030 Practical skill test**

- (a) Before a skill test for the issue of a licence, rating or certificate is taken, the applicant shall have passed the required theoretical knowledge examination, except in the case of applicants undergoing a course of integrated flying training.

In any case, the theoretical knowledge instruction shall always have been completed before the skill tests are taken.

- (b) Except for the issue of an airline transport pilot licence, the applicant for a skill test shall be recommended for the test by the organisation/person responsible for the training, once the training is completed. The training records shall be made available to the examiner.

**FCL.035 Crediting of flight time and theoretical knowledge****(a) *Crediting of flight time***

- (1) Unless otherwise specified in this Part, flight time to be credited for a licence, rating or certificate shall have been flown in the same category of aircraft for which the licence or rating is sought.
- (2) Pilot-in command or under instruction.
  - (i) An applicant for a licence, rating or certificate shall be credited in full with all solo, dual instruction or PIC flight time towards the total flight time required for the licence, rating or certificate.
  - (ii) A graduate of an ATP integrated training course is entitled to be credited with up to 50 hours of student pilot-in-command instrument time towards the PIC time required for the issue of the airline transport pilot licence, commercial pilot licence and a multi-engine type or class rating.
  - (iii) A graduate of a CPL/IR integrated training course is entitled to be credited with up to 50 hours of the student pilot-in-command instrument time towards the PIC time required for the issue of the commercial pilot licence and a multi-engine type or class rating.
- (3) Flight time as co-pilot. Unless otherwise determined in this Part, the holder of a pilot licence, when acting as co-pilot or PICUS, is entitled to be credited with all of the co-pilot time towards the total flight time required for a higher grade of pilot licence.

**(b) *Crediting of theoretical knowledge***

- (1) An applicant having passed the theoretical knowledge examination for an airline transport pilot licence shall be credited with the theoretical knowledge requirements for the light aircraft pilot licence, the private pilot licence, the commercial pilot licence and, except in the case of helicopters, the IR in the same category of aircraft.
- (2) An applicant having passed the theoretical knowledge examination for a commercial pilot licence shall be credited with the theoretical knowledge requirement for a light aircraft pilot licence or a private pilot licence in the same category of aircraft.
- (3) The holder of an IR or an applicant having passed the instrument theoretical knowledge examination for a category of aircraft shall be fully credited towards the requirements for the theoretical knowledge instruction and examination for an IR in another category of aircraft.
- (4) The holder of a pilot licence shall be credited towards the requirements for theoretical knowledge instruction and examination for a licence in another category of aircraft in accordance with Appendix 1 to this Part.

This credit also applies to applicants for a pilot licence who have already successfully completed the theoretical knowledge examinations for the issue of that licence in another category of aircraft, as long as it is within the validity period specified in FCL.025(c).

#### **FCL.040 Exercise of the privileges of licences**

The exercise of the privileges granted by a licence shall be dependent upon the validity of the ratings contained therein, if applicable, and of the medical certificate.

#### **FCL.045 Obligation to carry and present documents**

- (a) A valid licence and a valid medical certificate shall always be carried by the pilot when exercising the privileges of the licence.
- (b) The pilot shall also carry a personal identification document containing his/her photo.
- (c) A pilot or a student pilot shall without undue delay present his/her flight time record for inspection upon request by an authorised representative of a competent authority.
- (d) A student pilot shall carry on all solo cross-country flights evidence of the authorisation required by FCL.020(a).

#### **FCL.050 Recording of flight time**

The pilot shall keep a reliable record of the details of all flights flown in a form and manner established by the competent authority.

#### **FCL.055 Language proficiency**

- (a) General. Aeroplane, helicopter, powered-lift and airship pilots required to use the radio telephone shall not exercise the privileges of their licences and ratings unless they have a language proficiency endorsement on their licence in either English or the language used for radio communications involved in the flight. The endorsement shall indicate the language, the proficiency level and the validity date.
- (b) The applicant for a language proficiency endorsement shall demonstrate, in accordance with Appendix 2 to this Part, at least an operational level of language proficiency both in the use of phraseologies and plain language. To do so, the applicant shall demonstrate the ability to:

- (1) communicate effectively in voice-only and in face-to-face situations;
- (2) communicate on common and work-related topics with accuracy and clarity;
- (3) use appropriate communicative strategies to exchange messages and to recognise and resolve misunderstandings in a general or work-related context;
- (4) handle successfully the linguistic challenges presented by a complication or unexpected turn of events which occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and
- (5) use a dialect or accent which is intelligible to the aeronautical community.
- (c) Except for pilots who have demonstrated language proficiency at an expert level, in accordance with Appendix 2 to this Part, the language proficiency endorsement shall be re-evaluated every:
  - (1) 4 years, if the level demonstrated is operational level; or
  - (2) 6 years, if the level demonstrated is extended level.
- (d) Specific requirements for holders of an instrument rating (IR). Without prejudice to the paragraphs above, holders of an IR shall have demonstrated the ability to use the English language at a level that allows them to:
  - (1) understand all the information relevant to the accomplishment of all phases of a flight, including flight preparation;
  - (2) use radio telephony in all phases of flight, including emergency situations;
  - (3) communicate with other crew members during all phases of flight, including flight preparation.
- (e) The demonstration of language proficiency and of the use of English for IR holders shall be done through a method of assessment established by the competent authority.

**FCL.060 Recent experience**

- (a) Balloons. A pilot shall not operate a balloon in commercial air transport or carrying passengers unless he/she has completed in the preceding 180 days:
  - (1) at least 3 flights as a pilot flying in a balloon, of which at least 1 shall be in a balloon of the relevant class and group; or
  - (2) 1 flight in the relevant class and group of balloon under the supervision of an instructor qualified in accordance with Subpart J.
- (b) Aeroplanes, helicopters, powered-lift, airships and sailplanes. A pilot shall not operate an aircraft in commercial air transport or carrying passengers:
  - (1) as PIC or co-pilot unless he/she has carried out, in the preceding 90 days, at least 3 take-offs, approaches and landings in an aircraft of the same type or class or an FFS representing that type or class. The 3 take-offs and landings shall be performed in either multi-pilot or single-pilot operations, depending on the privileges held by the pilot; and
  - (2) as PIC at night unless he/she:



- (i) has carried out in the preceding 90 days at least 1 take-off, approach and landing at night as a pilot flying in an aircraft of the same type or class or an FFS representing that type or class; or
  - (ii) holds an IR;
- (3) as cruise relief co-pilot unless he/she:
- (i) has complied with the requirements in (b)(1); or
  - (ii) has carried out in the preceding 90 days at least 3 sectors as a cruise relief pilot on the same type or class of aircraft; or
  - (iii) has carried out recency and refresher flying skill training in an FFS at intervals not exceeding 90 days. This refresher training may be combined with the operator's refresher training prescribed in Part-OR.OPS.
- (4) When a pilot has the privilege to operate more than one type of aeroplane with similar handling and operation characteristics, the 3 take-offs, approaches and landings required in (1) may be performed as defined in the operational suitability data established in accordance with Part-21.
- (5) When a pilot has the privilege to operate more than one type of non-complex helicopter with similar handling and operation characteristics, as defined in the operational suitability data established in accordance with Part-21, the 3 take-offs, approaches and landings required in (1) may be performed in just one of the types, provided that the pilot has completed at least 2 hours of flight in each of the types of helicopter, during the preceding 6 months.
- (c) Specific requirements for commercial air transport:
- (1) In the case of commercial air transport, the 90-day period prescribed in subparagraphs (b)(1) and (2) above may be extended up to a maximum of 120 days, as long as the pilot undertakes line flying under the supervision of a type rating instructor or examiner.
  - (2) When the pilot does not comply with the requirement in (1), he/she shall complete a training flight in the aircraft or an FFS of the aircraft type to be used, which shall include at least the requirements described in (b)(1) and (2) before he/she can exercise his/her privileges.

#### **FCL.065 Curtailment of privileges of licence holders aged 60 years or more in commercial air transport**

- (a) Age 60-64. Aeroplanes and helicopters. The holder of a pilot licence who has attained the age of 60 years shall not act as a pilot of an aircraft engaged in commercial air transport except:
  - (1) as a member of a multi-pilot crew; and
  - (2) provided that such a holder is the only pilot in the flight crew who has attained the age of 60 years.
- (b) Age 65. The holder of a pilot licence who has attained the age of 65 years shall not act as a pilot of an aircraft engaged in commercial air transport.

#### **FCL.070 Revocation, suspension and limitation of licences, ratings and certificates**

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*Status: This is the original version (as it was originally adopted).*

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- (a) Licences, ratings and certificates issued in accordance with this Part may be limited, suspended or revoked by the competent authority when the pilot does not comply with the requirements of this Part, Part-Medical or the applicable operational requirements, in accordance with the conditions and procedures laid down in Part-ARA.
- (b) When the pilot has his/her licence suspended or revoked, he/she shall immediately return the licence or certificate to the competent authority.