

**DG MOVE Working document on EASA Opinion 03-2017 and 16-2016**

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# COMMISSION REGULATION (EU) No .../..

of **XXX**

## **amending Regulation (EU) No 1178/2012 as regards multi-crew pilot take-off and landing training requirements and the automatic validation of flight crew licences**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC <sup>(1)</sup>, and in particular Article 7(6) thereof,

Whereas:

- (1) Regulation (EU) No 1178/2011 <sup>(2)</sup> establishes conditions for pilots involved in the operation of certain aircraft, as well as for flight simulation training devices, persons and organisations involved in the training, testing and checking of those pilots.
- (2) Following ramp inspections outside the territory of the European Union Member States, when the flight crew members were found operating aircraft registered in a Member State other than the one that had issued their pilot licences, ICAO proposed to amend Annex 1 to the Chicago Convention on International Civil Aviation to cater for automatic validation of licences through Regional Safety Oversight Organizations (RSOOs) agreements.
- (3) This amendment shall be reflected in Regulation (EU) No 1178/2011 so as to allow the automatic validation of European flight crew licences in Third Countries.
- (4) Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 was drafted on the basis of the former requirements from Joint Aviation Requirements Flight Crew Licensing 1 (JAR-FCL 1). Since its adoption, the European Union is pursuing a more competency-based approach to ensure proportionate and performance-based requirements for flight crew licenses. Therefore, the take-off and landing training requirement during the advanced phase of an MPL training course should be amended in alignment with the ICAO recommendations Doc 9868 'Procedures for Air Navigation Services - Training' (PANS-TRG) recommendations. Consequently,
- (5) In accordance with Article 19(1) of Regulation (EC) No 216/2008, the European Aviation Safety Agency submitted draft implementing rules to the Commission in Opinion No 16/2016 and Opinion No 03/2017.

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<sup>1</sup> OJ L 79, 19.3.2008, p. 1.

<sup>2</sup> Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1).

<sup>3</sup> Commission Regulation (EU) 2016/539 of 6 April 2016 amending Regulation (EU) No 1178/2011 as regards pilot training, testing and periodic checking for performance-based navigation (OJ L 91, 7.4.2016, p. 1)

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65 of Regulation (EC) No 216/2008,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 1178/2011 is amended as follows:

Annex I and Annex VI are replaced by the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

Done at Brussels,

*For the Commission*

*The President*

[...]