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 (Text with EEA relevance)

[F1ANNEX VI

AUTHORITY REQUIREMENTS FOR AIRCREW [PART-ARA]

Textual Amendments

F1 Inserted by Commission Regulation (EU) No 290/2012 of 30 March 2012 amending Regulation (EU) No 1178/2011 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.

SUBPART GEN*GENERAL REQUIREMENTS*

SECTION I

General

F2ARA.GEN.105 Definitions

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Textual Amendments

F2 Deleted by Commission Regulation (EU) 2018/1119 of 31 July 2018 amending Regulation (EU) No 1178/2011 as regards declared training organisations.

ARA.GEN.115 Oversight documentation

The competent authority shall provide all legislative acts, standards, rules, technical publications and related documents to relevant personnel in order to allow them to perform their tasks and to discharge their responsibilities.

ARA.GEN.120 Means of compliance

(a) The Agency shall develop Acceptable Means of Compliance (AMC) that may be used to establish compliance with Regulation (EC) No 216/2008 and its Implementing Rules. When the AMC are complied with, the related requirements of the Implementing Rules are met.

(b) Alternative means of compliance may be used to establish compliance with the Implementing Rules.

(c) The competent authority shall establish a system to consistently evaluate that all alternative means of compliance used by itself or by organisations and persons under its oversight allow the establishment of compliance with Regulation (EC) No 216/2008 and its Implementing Rules.

(d) The competent authority shall evaluate all alternative means of compliance proposed by an organisation in accordance with ORA.GEN.120 by analysing the documentation provided and, if considered necessary, conducting an inspection of the organisation.

When the competent authority finds that the alternative means of compliance are in accordance with the Implementing Rules, it shall without undue delay:

(1) notify the applicant that the alternative means of compliance may be implemented and, if applicable, amend the approval or certificate of the applicant accordingly; and

(2) notify the Agency of their content, including copies of all relevant documentation;

(3) inform other MS about alternative means of compliance that were accepted.

(e) When the competent authority itself uses alternative means of compliance to achieve compliance with Regulation (EC) No 216/2008 and its Implementing Rules it shall:

(1) make them available to all organisations and persons under its oversight; and

(2) without undue delay notify the Agency.

The competent authority shall provide the Agency with a full description of the alternative means of compliance, including any revisions to procedures that may be relevant, as well as an assessment demonstrating that the Implementing Rules are met.

ARA.GEN.125 Information to the Agency

(a) The competent authority shall without undue delay notify the Agency in case of any significant problems with the implementation of Regulation (EC) No 216/2008 and its Implementing Rules.

(b) The competent authority shall provide the Agency with safety-significant information stemming from the occurrence reports it has received.

ARA.GEN.135 Immediate reaction to a safety problem

(a) Without prejudice to Directive 2003/42/EC of the European Parliament and of the Council[1] the competent authority shall implement a system to appropriately collect, analyse and disseminate safety information.

(b) The Agency shall implement a system to appropriately analyse any relevant safety information received and without undue delay provide to Member States and the Commission any information, including recommendations or corrective actions to be taken, necessary for them to react in a timely manner to a safety problem involving products, parts, appliances, persons or organisations subject to Regulation (EC) No 216/2008 and its Implementing Rules.

(c) Upon receiving the information referred to in (a) and (b), the competent authority shall take adequate measures to address the safety problem.

(d) Measures taken under (c) shall immediately be notified to all persons or organisations which need to comply with them under Regulation (EC) No 216/2008 and its Implementing Rules. The competent authority shall also notify those measures to the Agency and, when combined action is required, the other Member States concerned.

SECTION II

Management

ARA.GEN.200 Management system

(a) The competent authority shall establish and maintain a management system, including as a minimum:

(1) documented policies and procedures to describe its organisation, means and methods to achieve compliance with Regulation (EC) No 216/2008 and its Implementing Rules. The procedures shall be kept up-to-date and serve as the basic working documents within that competent authority for all related tasks;

(2) a sufficient number of personnel to perform its tasks and discharge its responsibilities. Such personnel shall be qualified to perform their allocated tasks and have the necessary knowledge, experience, initial and recurrent training to ensure continuing competence. A system shall be in place to plan the availability of personnel, in order to ensure the proper completion of all tasks;

(3) adequate facilities and office accommodation to perform the allocated tasks;

(4) a function to monitor compliance of the management system with the relevant requirements and adequacy of the procedures including the establishment of an internal audit process and a safety risk management process. Compliance monitoring shall include a feedback system of audit findings to the senior management of the competent authority to ensure implementation of corrective actions as necessary; and

(5) a person or group of persons, ultimately responsible to the senior management of the competent authority for the compliance monitoring function.

(b) The competent authority shall, for each field of activity including management system, appoint one or more persons with the overall responsibility for the management of the relevant task(s).

(c) **[**[F3]The competent authority shall establish procedures for participation in a mutual exchange of all necessary information and assistance with other competent authorities concerned, including information on all findings raised, corrective follow-up actions taken pursuant to such findings and enforcement measures taken as a result of oversight of persons and organisations exercising activities in the territory of a Member State but certified by or having made declarations to the competent authority of another Member State or the Agency.**]**

(d) A copy of the procedures related to the management system and their amendments shall be made available to the Agency for the purpose of standardisation.

Textual Amendments

F3 Substituted by Commission Regulation (EU) 2018/1119 of 31 July 2018 amending Regulation (EU) No 1178/2011 as regards declared training organisations.

ARA.GEN.205 Allocation of tasks to qualified entities

(a) Tasks related to the initial certification or continuing oversight of persons or organisations subject to Regulation (EC) No 216/2008 and its Implementing Rules shall be allocated by Member States only to qualified entities. When allocating tasks, the competent authority shall ensure that it has:

(1) a system in place to initially and continuously assess that the qualified entity complies with Annex V to Regulation (EC) No 216/2008.

This system and the results of the assessments shall be documented;

(2) established a documented agreement with a the qualified entity, approved by both parties at the appropriate management level, which clearly defines:

(i) the tasks to be performed;

(ii) the declarations, reports and records to be provided;

(iii) the technical conditions to be met in performing such tasks;

(iv) the related liability coverage; and

(v) the protection given to information acquired in carrying out such tasks.

(b) The competent authority shall ensure that the internal audit process and a safety risk management process required by ARA.GEN.200(a)(4) cover all certification or continuing oversight tasks performed on its behalf.

ARA.GEN.210 Changes in the management system

(a) The competent authority shall have a system in place to identify changes that affect its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EC) No 216/2008 and its Implementing Rules. This system shall enable it to take action as appropriate to ensure that its management system remains adequate and effective.

(b) The competent authority shall update its management system to reflect any change to Regulation (EC) No 216/2008 and its Implementing Rules in a timely manner, so as to ensure effective implementation.

(c) The competent authority shall notify the Agency of changes affecting its capability to perform its tasks and discharge its responsibilities as defined in Regulation (EC) No 216/2008 and its Implementing Rules.

ARA.GEN.220 Record-keeping

(a) The competent authority shall establish a system of record-keeping providing for adequate storage, accessibility and reliable traceability of:

(1) the management system's documented policies and procedures;

(2) training, qualification and authorisation of its personnel;

(3) the allocation of tasks, covering the elements required by ARA.GEN.205 as well as the details of tasks allocated;

(4) **[**[F3]certification and declaration processes as well as oversight of certified and declared organisations;**]**

(5) processes for issuing personnel licences, ratings, certificates and attestations and for the continuing oversight of the holders of those licences, ratings, certificates and attestations;

(6) processes for issuing FSTD qualification certificates and for the continuing oversight of the FSTD and of the organisation operating it;

(7) oversight of persons and organisations exercising activities within the territory of the Member State, but overseen or certified by the competent authority of another Member State or the Agency, as agreed between these authorities;

(8) the evaluation and notification to the Agency of alternative means of compliance proposed by organisations and the assessment of alternative means of compliance used by the competent authority itself;

(9) findings, corrective actions and date of action closure;

(10) enforcement measures taken;

(11) **[**[F4]safety information and follow-up measures;

(12) the use of flexibility provisions in accordance with Article 71 of Regulation (EU) 2018/1139; and**]**

(13) **[**[F5]the evaluation and authorisation process of aircraft laid down in points ORA.ATO.135 (a) and DTO.GEN.240 (a).**]**

(b) **[**[F3]The competent authority shall establish and keep up-to-date a list of all organisation certificates, FSTD qualification certificates and personnel licences, certificates and attestations it issued, DTO declarations it received and the DTO training programmes it verified or approved for compliance with Annex I (Part-FCL).**]**

(c) All records shall be kept for the minimum period specified in this Regulation. In the absence of such indication, records shall be kept for a minimum period of 5 years subject to applicable data protection law.

Textual Amendments

F4 Substituted by Commission Implementing Regulation (EU) 2019/1747 of 15 October 2019 amending Regulation (EU) No 1178/2011 as regards requirements for certain flight crew licences and certificates, rules on training organisations and competent authorities (Text with EEA relevance).

F5 Inserted by Commission Implementing Regulation (EU) 2019/1747 of 15 October 2019 amending Regulation (EU) No 1178/2011 as regards requirements for certain flight crew licences and certificates, rules on training organisations and competent authorities (Text with EEA relevance).

SECTION III

Oversight, certification and enforcement

ARA.GEN.300 Oversight

(a) The competent authority shall verify:

(1) compliance with the requirements applicable to organisations or persons prior to the issue of an organisation certificate, approval, FSTD qualification certificate or personnel licence, certificate, rating, or attestation, as applicable;

(2) **[**[F3]continued compliance with the requirements applicable to the persons holding licences, ratings and certificates, the organisations it has certified, the holders of a FSTD qualification and the organisations from which it received a declaration;**]**

(3) implementation of appropriate safety measures mandated by the competent authority as defined in ARA.GEN.135(c) and (d).

(b) This verification shall:

(1) be supported by documentation specifically intended to provide personnel responsible for safety oversight with guidance to perform their functions;

(2) provide the persons and organisations concerned with the results of safety oversight activity;

(3) be based on audits and inspections, including ramp and unannounced inspections; and

(4) provide the competent authority with the evidence needed in case further action is required, including the measures foreseen by ARA.GEN.350 and ARA.GEN.355.

(c) The scope of oversight defined in (a) and (b) shall take into account the results of past oversight activities and the safety priorities.

(d) Without prejudice to the competences of the Member States and to their obligations as set out in ARO.RAMP, the scope of the oversight of activities performed in the territory of a Member State by persons or organisations established or residing in another Member State shall be determined on the basis of the safety priorities, as well as of past oversight activities.

(e) Where the activity of a person or organisation involves more than one Member State or the Agency, the competent authority responsible for the oversight under (a) may agree to have oversight tasks performed by the competent authority(ies) of the Member State(s) where the activity takes place or by the Agency. Any person or organisation subject to such agreement shall be informed of its existence and of its scope.

(f) The competent authority shall collect and process any information deemed useful for oversight, including for ramp and unannounced inspections.

ARA.GEN.305 Oversight programme

(a) The competent authority shall establish and maintain an oversight programme covering the oversight activities required by ARA.GEN.300 and by ARO.RAMP.

(b) For organisations certified by the competent authority and FSTD qualification certificate holders, the oversight programme shall be developed taking into account the specific nature of the organisation, the complexity of its activities, the results of past certification and/or oversight activities and shall be based on the assessment of associated risks. It shall include within each oversight planning cycle:

(1) audits and inspections, including ramp and unannounced inspections as appropriate; and

(2) meetings convened between the accountable manager and the competent authority to ensure both remain informed of significant issues.

(c) For organisations certified by the competent authority and FSTD qualification certificate holders an oversight planning cycle not exceeding 24 months shall be applied.

The oversight planning cycle may be reduced if there is evidence that the safety performance of the organisation or the FTSD qualification certificate holder has decreased.

The oversight planning cycle may be extended to a maximum of 36 months if the competent authority has established that, during the previous 24 months:

(1) the organisation has demonstrated an effective identification of aviation safety hazards and management of associated risks;

(2) the organisation has continuously demonstrated under ORA.GEN.130 that it has full control over all changes;

(3) no level 1 findings have been issued; and

(4) all corrective actions have been implemented within the time period accepted or extended by the competent authority as defined in ARA.GEN.350(d)(2).

The oversight planning cycle may be further extended to a maximum of 48 months if, in addition to the above, the organisation has established, and the competent authority has approved, an effective continuous reporting system to the competent authority on the safety performance and regulatory compliance of the organisation itself.

(ca) **[**[F6]Notwithstanding (c), for organisations only providing training towards the LAPL, PPL, SPL or BPL and associated ratings and certificates, an oversight planning cycle not exceeding 48 months shall be applied. The oversight planning cycle shall be reduced if there is evidence that the safety performance of the organisation holder has decreased.

The oversight planning cycle may be extended to a maximum of 72 months, if the competent authority has established that, during the previous 48 months:

(1) the organisation has demonstrated an effective identification of aviation safety hazards and management of associated risks, as demonstrated by the results of the annual review in accordance with ORA.GEN.200(c);

(2) the organisation has continuously maintained control over all changes in accordance with ORA.GEN.130 as demonstrated by the results of the annual review in accordance with ORA.GEN.200(c);

(3) no level 1 findings have been issued; and

(4) all corrective actions have been implemented within the time period accepted or extended by the competent authority as defined in ARA.GEN.350(d)(2).**]**

(d) For persons holding a licence, certificate, rating, or attestation issued by the competent authority the oversight programme shall include inspections, including unannounced inspections, as appropriate.

(e) The oversight programme shall include records of the dates when audits, inspections and meetings are due and when such audits, inspections and meetings have been carried out.

(f) **[**[F7]Notwithstanding points (b), (c), and (ca), the oversight programme of DTOs shall be developed taking into account the specific nature of the organisation, the complexity of its activities and the results of past oversight activities and shall be based on the assessment of risks associated with the type of training provided. The oversight activities shall include inspections, including unannounced inspections, and may, as deemed necessary by the competent authority, include audits.**]**

Textual Amendments

F6 Inserted by Commission Regulation (EU) 2015/445 of 17 March 2015 amending Regulation (EU) No 1178/2011 as regards technical requirements and administrative procedures related to civil aviation aircrew (Text with EEA relevance).

F7 Inserted by Commission Regulation (EU) 2018/1119 of 31 July 2018 amending Regulation (EU) No 1178/2011 as regards declared training organisations.

ARA.GEN.310 Initial certification procedure – organisations

(a) Upon receiving an application for the initial issue of a certificate for an organisation, the competent authority shall verify the organisation's compliance with the applicable requirements.

(b) When satisfied that the organisation is in compliance with the applicable requirements, the competent authority shall issue the certificate(s), as established in Appendixes III and V to this Part. The certificate(s) shall be issued for an unlimited duration. The privileges and scope of the activities that the organisation is approved to conduct shall be specified in the terms of approval attached to the certificate(s).

(c) To enable an organisation to implement changes without prior competent authority approval in accordance with ORA.GEN.130, the competent authority shall approve the procedure submitted by the organisation defining the scope of such changes and describing how such changes will be managed and notified.

ARA.GEN.315 Procedure for issue, revalidation, renewal or change of licences, ratings, certificates or attestations – persons

(a) Upon receiving an application for the issue, revalidation, renewal or change of a personal licence, rating, certificate or attestation and any supporting documentation, the competent authority shall verify whether the applicant meets the applicable requirements.

(b) When satisfied that the applicant meets the applicable requirements, the competent authority shall issue, revalidate, renew or change the licence, certificate, rating, or attestation.

ARA.GEN.330 Changes – organisations

(a) Upon receiving an application for a change that requires prior approval, the competent authority shall verify the organisation's compliance with the applicable requirements before issuing the approval.

The competent authority shall prescribe the conditions under which the organisation may operate during the change, unless the competent authority determines that the organisation's certificate needs to be suspended.

When satisfied that the organisation is in compliance with the applicable requirements, the competent authority shall approve the change.

(b) Without prejudice to any additional enforcement measures, when the organisation implements changes requiring prior approval without having received competent authority approval as defined in (a), the competent authority shall suspend, limit or revoke the organisation's certificate.

(c) For changes not requiring prior approval, the competent authority shall assess the information provided in the notification sent by the organisation in accordance with ORA.GEN.130 to verify compliance with the applicable requirements. In case of any non-compliance, the competent authority shall:

(1) notify the organisation about the non-compliance and request further changes; and

(2) in case of level 1 or level 2 findings, act in accordance with ARA.GEN.350.

(d) **[**[F7]Notwithstanding points (a), (b) and (c), in the case of changes to the information contained in the declarations received from a DTO or to the training programme used by the DTO, notified to it in accordance with point DTO.GEN.116 of Annex VIII (Part-DTO), the competent authority shall act in accordance with the requirements of points ARA.DTO.105 and ARA.DTO.110, as applicable.**]**

ARA.GEN.350 Findings and corrective actions – organisations

(a) The competent authority for oversight in accordance with ARA.GEN.300 (a) shall have a system to analyse findings for their safety significance.

(b) A level 1 finding shall be issued by the competent authority when any significant non-compliance is detected with the applicable requirements of Regulation (EC) No 216/2008 and its Implementing Rules, with the organisation's procedures and manuals or with the terms of an approval or certificate which lowers safety or seriously hazards flight safety.

The level 1 findings shall include:

(1) failure to give the competent authority access to the organisation's facilities as defined in ORA.GEN.140 during normal operating hours and after two written requests;

(2) obtaining or maintaining the validity of the organisation certificate by falsification of submitted documentary evidence;

(3) evidence of malpractice or fraudulent use of the organisation certificate; and

(4) the lack of an accountable manager.

(c) A level 2 finding shall be issued by the competent authority when any non-compliance is detected with the applicable requirements of Regulation (EC) No 216/2008 and its Implementing Rules, with the organisation's procedures and manuals or with the terms of an approval or certificate which could lower safety or hazard flight safety.

(d) When a finding is detected during oversight or by any other means, the competent authority shall, without prejudice to any additional action required by Regulation (EC) No 216/2008 and its Implementing Rules, communicate the finding to the organisation in writing and request corrective action to address the non-compliance(s) identified.

Where relevant, the competent authority shall inform the State in which the aircraft is registered.

(1) In the case of level 1 findings the competent authority shall take immediate and appropriate action to prohibit or limit activities and, if appropriate, it shall take action to revoke the certificate or specific approval or to limit or suspend it in whole or in part, depending upon the extent of the level 1 finding, until successful corrective action has been taken by the organisation.

(2) In the case of level 2 findings, the competent authority shall:

(i) grant the organisation a corrective action implementation period appropriate to the nature of the finding that in any case initially shall not be more than 3 months. At the end of this period, and subject to the nature of the finding, the competent authority may extend the 3-month period subject to a satisfactory corrective action plan agreed by the competent authority; and

(ii) assess the corrective action and implementation plan proposed by the organisation and, if the assessment concludes that they are sufficient to address the non-compliance(s), accept these.

(3) Where an organisation fails to submit an acceptable corrective action plan, or to perform the corrective action within the time period accepted or extended by the competent authority, the finding shall be raised to a level 1 finding and action taken as laid down in (d)(1).

(4) The competent authority shall record all findings it has raised or that have been communicated to it and, where applicable, the enforcement measures it has applied, as well as all corrective actions and date of action closure for findings.

(da) **[**[F7]Notwithstanding points (a) to (d), in the case of DTOs, if during oversight or by any other means the competent authority finds evidence indicating non-compliance with the essential requirements set out in Annex III to Regulation (EC) No 216/2008 or with the requirements of Annex I (Part-FCL) and Annex VIII (Part-DTO) to this Regulation by a DTO, the competent authority shall:

(1) raise a finding, record it, communicate it in writing to the representative of the DTO and determine a reasonable period of time within which the DTO is to take the steps specified in point DTO.GEN.150 of Annex VIII (Part-DTO);

(2) take immediate and appropriate action to limit or prohibit the training activities affected by the non-compliance until the DTO has taken the corrective action referred to in point (1), where any of the following situations occurs:

(i) a safety problem has been identified;

(ii) the DTO fails to take corrective action in accordance with point DTO.GEN.150;

(3) in respect of the training programmes referred to in point DTO.GEN.230(c) of Annex VIII (Part-DTO), limit, suspend or revoke the approval of the training programme;

(4) take any further enforcement measures necessary in order to ensure the termination of the non-compliance and, where relevant, remedy the consequences thereof.**]**

(e) **[**[F3]Without prejudice to any additional enforcement measures, when the authority of a Member State acting in accordance with point ARA.GEN.300(d) identifies any non-compliance with the essential requirements set out in Annex III to Regulation (EC) No 216/2008 or with the requirements of Annex I (Part-FCL) and Annex VIII (Part-DTO) to this Regulation by an organisation certified by, or having made a declaration to, the competent authority of another Member State or the Agency, it shall inform that competent authority of that non-compliance.**]**

ARA.GEN.355 Findings and enforcement measures – persons

(a) If, during oversight or by any other means, evidence is found by the competent authority responsible for oversight in accordance with ARA.GEN.300(a) that shows a non-compliance with the applicable requirements by a person holding a licence, certificate, rating or attestation issued in accordance with Regulation (EC) No 216/2008 and its Implementing Rules, the competent authority shall raise a finding, record it and communicate it in writing to the licence, certificate, rating or attestation holder.

(b) When such finding is raised, the competent authority shall carry out an investigation. If the finding is confirmed, it shall:

(1) limit, suspend or revoke the licence, certificate, rating or attestation as applicable, when a safety issue has been identified; and

(2) take any further enforcement measures necessary to prevent the continuation of the non-compliance.

(c) Where applicable, the competent authority shall inform the person or organisation that issued the medical certificate or attestation.

(d) Without prejudice to any additional enforcement measures, when the authority of a Member State acting under the provisions of ARA.GEN.300(d) finds evidence showing a non-compliance with the applicable requirements by a person holding a licence, certificate, rating or attestation issued by the competent authority of any other Member State, it shall inform that competent authority.

(e) If, during oversight or by any other means, evidence is found showing a non-compliance with the applicable requirements by a person subject to the requirements laid down in Regulation (EC) No 216/2008 and its Implementing Rules and not holding a licence, certificate, rating or attestation issued in accordance with that Regulation and its Implementing Rules, the competent authority that identified the non-compliance shall take any enforcement measures necessary to prevent the continuation of that non-compliance.

[[F5]**ARA.GEN.360 Change of competent authority**

(a) Upon receiving a licence holder's request for a change of competent authority as specified in point FCL.015(d) of Annex I (Part-FCL), the receiving competent authority shall, without undue delay, request the competent authority of the licence holder to transfer, without undue delay, all of the following:

(1) a verification of the licence;

(2) copies of the licence holder's medical records kept by that competent authority in accordance with points ARA.GEN.220 and ARA.MED.150. The medical records shall be transferred in accordance with point MED.A.015 of Annex IV (Part-MED) and shall include a summary of the relevant medical history of the applicant, verified and signed by the medical assessor.

(b) The transferring competent authority shall keep the licence holder's original licensing and medical records in accordance with points ARA.GEN.220, ARA.FCL.120 and ARA.MED.150.

(c) The receiving competent authority shall, without undue delay, reissue the licence and medical certificate provided that it has received and processed all documents specified in point (a). Upon the reissuance of the licence and medical certificate, the receiving competent authority shall immediately request the licence holder to surrender to it the licence issued by the transferring competent authority and the associated medical certificate.

(d) The receiving competent authority shall immediately notify the transferring competent authority once it has reissued the licence and medical certificate to the licence holder and the licence holder has surrendered the licence and medical certificate pursuant to point (c). Until such a notification is received, the transferring competent authority remains responsible for the licence and the medical certificate originally issued to that licence holder.**]**

SUBPART FCL ***SPECIFIC REQUIREMENTS RELATING TO FLIGHT CREW LICENSING***

SECTION I

General

ARA.FCL.120 Record-keeping

In addition to the records required in ARA.GEN.220(a), the competent authority shall include in its system of record-keeping results of theoretical knowledge examinations and the assessments of pilots' skills.

SECTION II

Licences, ratings and certificates

ARA.FCL.200 Procedure for issue, revalidation or renewal of a licence, rating or certificate

(a) **[**[F8]Issue of licences and ratings. The competent authority shall issue a flight crew licence and associated ratings, using the form established in Appendix I to this Part.

If a pilot intends to fly outside Union territory on an aircraft registered in a Member State other than the Member State that issued the flight crew licence, the competent authority shall:

(1) add the following remark on the flight crew licence under item XIII: 'This licence is automatically validated as per the ICAO attachment to this licence'; and

(2) make the ICAO attachment available to the pilot in print or electronic format.**]**

(b) Issue of instructor and examiner certificates. The competent authority shall issue an instructor or examiner certificate as:

(1) an endorsement of the relevant privileges in the pilot licence as established in Appendix I to this Part; or

(2) a separate document, in a form and manner specified by the competent authority.

(c) Endorsement of licence by examiners. Before specifically authorising certain examiners to revalidate or renew ratings or certificates, the competent authority shall develop appropriate procedures.

(d) **[**[F6]Endorsement of licence by instructors. Before specifically authorising certain instructors to revalidate a single-engine piston or TMG class rating, the competent authority shall develop appropriate procedures.**]**

Textual Amendments

F8 Substituted by Commission Regulation (EU) 2018/1065 of 27 July 2018 amending Regulation (EU) No 1178/2011 as regards the automatic validation of Union flight crew licences and take-off and landing training.

ARA.FCL.205 Monitoring of examiners

(a) The competent authority shall develop an oversight programme to monitor the conduct and performance of examiners taking into account:

(1) the number of examiners it has certified; and

(2) the number of examiners certified by other competent authorities exercising their privileges within the territory where the competent authority exercises oversight.

(b) **[**[F9]The competent authority shall maintain a list of examiners it has certified. The list shall state the privileges of the examiners and be published and kept updated by the competent authority.**]**

(c) The competent authority shall develop procedures to designate examiners for the conduct of skill tests.

Textual Amendments

F9 Substituted by Commission Regulation (EU) No 245/2014 of 13 March 2014 amending Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew (Text with EEA relevance).

[[F9]ARA.FCL.210 Information for examiners

(a) The competent authority shall notify the Agency of the national administrative procedures, requirements for protection of personal data, liability, accident insurance

and fees applicable in its territory, which shall be used by examiners when conducting skill tests, proficiency checks or assessments of competence of an applicant for which the competent authority is not the same that issued the examiner's certificate.

(b) To facilitate dissemination and access to the information received from competent authorities under (a), the Agency shall publish this information according to a format prescribed by it.

(c) The competent authority may provide examiners it has certified and examiners certified by other competent authorities exercising their privileges in their territory with safety criteria to be observed when skill tests and proficiency checks are conducted in an aircraft.**]**

ARA.FCL.215 Validity period

(a) When issuing or renewing a rating or certificate, the competent authority or, in the case of renewal, an examiner specifically authorised by the competent authority, shall extend the validity period until the end of the relevant month.

(b) When revalidating a rating, an instructor or an examiner certificate, the competent authority, or an examiner specifically authorised by the competent authority, shall extend the validity period of the rating or certificate until the end of the relevant month.

(c) The competent authority, or an examiner specifically authorised for that purpose by the competent authority, shall enter the expiry date on the licence or the certificate.

(d) The competent authority may develop procedures to allow privileges to be exercised by the licence or certificate holder for a maximum period of 8 weeks after successful completion of the applicable examination(s), pending the endorsement on the licence or certificate.

ARA.FCL.220 Procedure for the re-issue of a pilot licence

(a) The competent authority shall re-issue a licence whenever necessary for administrative reasons and:

(1) after initial issue of a rating; or

(2) when paragraph XII of the licence established in Appendix I to this Part is completed and no further spaces remain.

(b) Only valid ratings and certificates shall be transferred to the new licence document.

ARA.FCL.225 Limitation, suspension or revocation of licences, ratings and certificates

(a) The competent authority shall limit, suspend or revoke as applicable a pilot licence and associated ratings or certificates in accordance with ARA.GEN.355 in, but not limited to, the following circumstances:

(1) obtaining the pilot licence, rating or certificate by falsification of submitted documentary evidence;

(2) falsification of the logbook and licence or certificate records;

(3) the licence holder no longer complies with the applicable requirements of Part-FCL;

(4) exercising the privileges of a licence, rating or certificate when adversely affected by alcohol or drugs;

(5) non-compliance with the applicable operational requirements;

(6) evidence of malpractice or fraudulent use of the certificate; or

(7) unacceptable performance in any phase of the flight examiner's duties or responsibilities.

(b) The competent authority may also limit, suspend or revoke a licence, rating or certificate upon the written request of the licence or certificate holder.

(c) All skill tests, proficiency checks or assessments of competence conducted during suspension or after the revocation of an examiner's certificate will be invalid.

SECTION III

Theoretical knowledge examinations

ARA.FCL.300 Examination procedures

(a) The competent authority shall put in place the necessary arrangements and procedures to allow applicants to undergo theoretical knowledge examinations in accordance with the applicable requirements of Part-FCL.

(b) In the case of the ATPL, MPL, commercial pilot licence (CPL), and instrument ratings, those procedures shall comply with all of the following:

(1) Examinations shall be done in written or computer-based form.

(2) Questions for an examination shall be selected by the competent authority, according to a common method which allows coverage of the entire syllabus in each subject, from the European Central Question Bank (ECQB). The ECQB is a database of multiple choice questions held by the Agency.

(3) The examination in communications may be provided separately from those in other subjects. An applicant who has previously passed one or both of the examinations in visual flight rules (VFR) and instrument flight rules (IFR) communications shall not be re-examined in the relevant sections.

(c) The competent authority shall inform applicants of the languages available for examinations.

(d) The competent authority shall establish appropriate procedures to ensure the integrity of the examinations.

(e) If the competent authority finds that the applicant is not complying with the examination procedures during the examination, this shall be assessed with a view to failing the applicant, either in the examination of a single subject or in the examination as a whole.

(f) The competent authority shall ban applicants who are proven to be cheating from taking any further examination for a period of at least 12 months from the date of the examination in which they were found cheating.

SUBPART CC ***SPECIFIC REQUIREMENTS RELATING TO CABIN CREW***

SECTION I

Cabin crew attestations

ARA.CC.100 Procedures for cabin crew attestations

(a) The competent authority shall establish procedures for the issue, record-keeping and oversight of cabin crew attestations in accordance with ARA.GEN.315, ARA.GEN.220 and ARA.GEN.300 respectively.

(b) Cabin crew attestations shall be issued, using the format and specifications established in Appendix II to this Part,

either

(1) by the competent authority;

and/or, if so decided by a Member State

(2) by an organisation approved to do so by the competent authority.

(c) The competent authority shall make publicly available:

(1) which body(ies) issue cabin crew attestations in their territory; and

(2) if organisations are approved to do so, the list of such organisations.

ARA.CC.105 Suspension or revocation of cabin crew attestations

The competent authority shall take measures in accordance with ARA.GEN.355, including the suspension or revocation of a cabin crew attestation, at least in the following cases:

(a) non-compliance with Part-CC or with the applicable requirements of Part-ORO and Part-CAT, where a safety issue has been identified;

(b) obtaining or maintaining the validity of the cabin crew attestation by falsification of submitted documentary evidence;

(c) exercising the privileges of the cabin crew attestation when adversely affected by alcohol or drugs; and

(d) evidence of malpractice or fraudulent use of the cabin crew attestation.

SECTION II

Organisations providing cabin crew training or issuing cabin crew attestations

ARA.CC.200 Approval of organisations to provide cabin crew training or to issue cabin crew attestations

(a) Before issuing an approval to a training organisation or a commercial air transport operator to provide cabin crew training, the competent authority shall verify that:

(1) the conduct, the syllabi and associated programmes of the training courses provided by the organisation comply with the relevant requirements of Part-CC;

(2) the training devices used by the organisation realistically represent the passenger compartment environment of the aircraft type(s) and the technical characteristics of the equipment to be operated by the cabin crew; and

(3) the trainers and instructors conducting the training sessions are suitably experienced and qualified in the training subject covered.

(b) If in a Member State organisations may be approved to issue cabin crew attestations, the competent authority shall only grant such approvals to organisations complying with the requirements in (a). Before granting such an approval, the competent authority shall:

(1) assess the capability and accountability of the organisation to perform the related tasks;

(2) ensure that the organisation has established documented procedures for the performance of the related tasks, including for the conduct of examination(s) by personnel who are qualified for this purpose and free from conflict of interest, and for the issue of cabin crew attestations in accordance with ARA.GEN.315 and ARA.CC.100(b); and

(3) require the organisation to provide information and documentation related to the cabin crew attestations it issues and their holders, as relevant for the competent authority to conduct its record-keeping, oversight and enforcement tasks.

SUBPART ATO ***SPECIFIC REQUIREMENTS RELATED TO APPROVED TRAINING ORGANISATIONS (ATOs)***

SECTION I

General

ARA.ATO.105 Oversight Programme

The oversight programme for ATOs shall include the monitoring of course standards, including the sampling of training flights with students, if appropriate to the aircraft used.

ARA.ATO.120 Record-keeping

In addition to the records required in ARA.GEN.220, the competent authority shall include in its system of record-keeping details of courses provided by the ATO, and if applicable, records relating to FSTDs used for training.

SUBPART FSTD ***SPECIFIC REQUIREMENTS RELATED TO THE QUALIFICATION OF FLIGHT SIMULATION TRAINING DEVICES (FSTDs)***

SECTION I

General

ARA.FSTD.110 Evaluation procedure

(a) Upon receiving an application for an FSTD qualification certificate, the competent authority shall:

(1) evaluate the FSTD submitted for initial evaluation or for upgrading against the applicable qualification basis;

(2) assess the FSTD in those areas that are essential to completing the flight crew member training, testing and checking process, as applicable;

(3) conduct objective, subjective and functions tests in accordance with the qualification basis and review the results of such tests to establish the qualification test guide (QTG); and

(4) verify if the organisation operating the FSTD is in compliance with the applicable requirements. This does not apply to the initial evaluation of basic instrument training devices (BITDs).

(b) The competent authority shall only approve the QTG after completion of the initial evaluation of the FSTD and when all discrepancies in the QTG have been addressed to the satisfaction of the competent authority. The QTG resulting from the initial evaluation procedure shall be the master QTG (MQTG), which shall be the basis for the FSTD qualification and subsequent recurrent FSTD evaluations.

(c) Qualification basis and special conditions.

(1) The competent authority may prescribe special conditions for the FSTD qualification basis when the requirements of ORA.FSTD.210(a) are met and when it is demonstrated that the special conditions ensure an equivalent level of safety to that established in the applicable certification specification.

(2) When the competent authority, if other than the Agency, has established special conditions for the qualification basis of an FSTD, it shall without undue delay notify the Agency thereof. The notification shall be accompanied by a full description of the special conditions prescribed, and a safety assessment demonstrating that an equivalent level of safety to that established in the applicable Certification Specification is met.

ARA.FSTD.110 Issue of an FSTD qualification certificate

(a) After completion of an evaluation of the FSTD and when satisfied that the FSTD meets the applicable qualification basis in accordance with ORA.FSTD.210 and that the organisation operating it meets the applicable requirements to maintain the qualification of the FSTD in accordance with ORA.FSTD.100, the competent authority shall issue the FSTD qualification certificate of unlimited duration, using the form as established in Appendix IV to this Part.

ARA.FSTD.115 Interim FSTD qualification

(a) In the case of the introduction of new aircraft programmes, when compliance with the requirements established in this Subpart for FSTD qualification is not possible, the competent authority may issue an interim FSTD qualification level.

(b) For full flight simulators (FFS) an interim qualification level shall only be granted at level A, B or C.

(c) This interim qualification level shall be valid until a final qualification level can be issued and, in any case, shall not exceed 3 years.

ARA.FSTD.120 Continuation of an FSTD qualification

(a) The competent authority shall continuously monitor the organisation operating the FSTD to verify that:

(1) the complete set of tests in the MQTG is rerun progressively over a 12-month period;

(2) the results of recurrent evaluations continue to comply with the qualification standards and are dated and retained; and

(3) a configuration control system is in place to ensure the continued integrity of the hardware and software of the qualified FSTD.

(b) The competent authority shall conduct recurrent evaluations of the FSTD in accordance with the procedures detailed in ARA.FSTD.100. These evaluations shall take place:

(1) every year, in the case of a full flight simulator (FFS), flight training device (FTD) or flight and navigation procedures trainer (FNPT); the start for each recurrent 12-month period is the date of the initial qualification. The FSTD recurrent evaluation shall take place within the 60 days prior to the end of this 12-month recurrent evaluation period;

(2) every 3 years, in the case of a BITD.

ARA.FSTD.130 Changes

(a) Upon receipt of an application for any changes to the FSTD qualification certificate, the competent authority shall comply with the applicable elements of the initial evaluation procedure requirements as described in ARA.FSTD.100(a) and (b).

(b) The competent authority may complete a special evaluation following major changes or when an FSTD appears not to be performing at its initial qualification level.

(c) The competent authority shall always conduct a special evaluation before granting a higher level of qualification to the FSTD.

ARA.FSTD.135 Findings and corrective actions – FSTD qualification certificate

The competent authority shall limit, suspend or revoke, as applicable, an FSTD qualification certificate in accordance with ARA.GEN.350 in, but not limited to, the following circumstances:

(a) obtaining the FSTD qualification certificate by falsification of submitted documentary evidence;

(b) the organisation operating the FSTD can no longer demonstrate that the FSTD complies with its qualification basis; or

(c) the organisation operating the FSTD no longer complies with the applicable requirements of Part-ORA.

ARA.FSTD.140 Record keeping

In addition to the records required in ARA.GEN.220, the competent authority shall keep and update a list of the qualified FSTDs under its supervision, the dates when evaluations are due and when such evaluations were carried out.

SUBPART AeMC ***SPECIFIC REQUIREMENTS RELATING TO AERO-MEDICAL CENTRES (AeMCs)***

SECTION I

General

ARA.AeMC.110 Initial certification procedure

The certification procedure for an AeMC shall follow the provisions laid down in ARA.GEN.310.

ARA.AeMC.150 Findings and corrective actions – AeMC

Without prejudice to ARA.GEN.350, level 1 findings include, but are not limited to, the following:

(a) failure to nominate a head of the AeMC;

(b) failure to ensure medical confidentiality of aero-medical records; and

(c) failure to provide the competent authority with the medical and statistical data for oversight purposes.

SUBPART MED ***SPECIFIC REQUIREMENTS RELATING TO AERO-MEDICAL CERTIFICATION***

SECTION I

General

ARA.MED.120 Medical assessors

The competent authority shall appoint one or more medical assessor(s) to undertake the tasks described in this Section. The medical assessor shall be licensed and qualified in medicine and have:

(a) postgraduate work experience in medicine of at least 5 years;

(b) specific knowledge and experience in aviation medicine; and

(c) specific training in medical certification.

ARA.MED.125 Referral to the licensing authority

When an AeMC, or aero-medical examiner (AME) has referred the decision on the fitness of an applicant to the licensing authority:

(a) the medical assessor or medical staff designated by the competent authority shall evaluate the relevant medical documentation and request further medical documentation, examinations and tests where necessary; and

(b) the medical assessor shall determine the applicant's fitness for the issue of a medical certificate with one or more limitation(s) as necessary.

[F9ARA.MED.130 Medical certificate format

The medical certificate shall conform to the following specifications:

(a) Content

(1) State where the pilot licence has been issued or applied for (I),

(2) Class of medical certificate (II),

(3) Certificate number commencing with the UN country code of the State where the pilot licence has been issued or applied for and followed by a code of numbers and/or letters in Arabic numerals and latin script (III),

(4) Name of holder (IV),

(5) Nationality of holder (VI),

(6) Date of birth of holder: (dd/mm/yyyy) (XIV),

(7) Signature of holder (VII),

(8) Limitation(s) (XIII),

(9) Expiry date of the medical certificate (IX) for:

(i) Class 1 single pilot commercial operations carrying passengers,

(ii) Class 1 other commercial operations,

(iii) Class 2,

(iv) LAPL

(10) Date of medical examination

(11) Date of last electrocardiogram

(12) Date of last audiogram

(13) Date of issue and signature of the AME or medical assessor that issued the certificate. GMP may be added to this field if they have the competence to issue medical certificates under the national law of the Member State where the licence is issued.

(14) Seal or stamp (XI)

(b) Material: Except for the case of LAPL issued by a GMP the paper or other material used shall prevent or readily show any alterations or erasures. Any entries or deletions to the form shall be clearly authorised by the licensing authority.

(c) Language: Certificates shall be written in the national language(s) and in English and such other languages as the licensing authority deems appropriate.

(d) All dates on the medical certificate shall be written in a dd/mm/yyyy format.**]**

ARA.MED.135 Medical forms

The competent authority shall use forms for:

(a) the application form for a medical certificate;

(b) the examination report form for class 1 and class 2 applicants; and

(c) the examination report form for light aircraft pilot licence (LAPL) applicants.

ARA.MED.145 GMP notification to the competent authority

The competent authority, when applicable, shall establish a notification process for general medical practitioners (GMPs) to ensure that the GMP is aware of the medical requirements laid down in MED.B.095.

ARA.MED.150 Record-keeping

(a) In addition to the records required in ARA.GEN.220, the competent authority shall include in its system of record-keeping details of aero-medical examinations and assessments submitted by AMEs, AeMCs or GMPs.

(b) All aero-medical records of licence holders shall be kept for a minimum period of 10 years after the expiry of their last medical certificate.

(c) For the purpose of aero-medical assessments and standardisation, aero-medical records shall be made available after written consent of the applicant/licence holder to:

(1) an AeMC, AME or GMP for the purpose of completion of an aero-medical assessment;

(2) a medical review board that may be established by the competent authority for secondary review of borderline cases;

(3) relevant medical specialists for the purpose of completion of an aero-medical assessment;

(4) the medical assessor of the competent authority of another Member State for the purpose of cooperative oversight;

(5) the applicant/licence holder concerned upon their written request; and

(6) after disidentification of the applicant/licence holder to the Agency for standardisation purposes.

(d) The competent authority may make aero-medical records available for other purposes than those mentioned in (c) in accordance with Directive 95/46/EC as implemented under national law.

(e) The competent authority shall maintain lists:

(1) of all AMEs that hold a valid certificate issued by that authority; and

(2) where applicable, of all GMPs acting as AMEs on their territory.

These lists shall be disclosed to other Member States and the Agency upon request.

[F10ARA.MED.160 Exchange of information on medical certificates through a central repository.

(a) The Agency shall establish and manage a central repository, the European Aero-Medical Repository (EAMR).

(b) For the purposes of medical certification and oversight of applicants for and holders of class 1 medical certificates and for the oversight of AMEs and AeMCs, the persons referred to in point (c) shall exchange the following information through EAMR:

(1) basic data of the applicant for or holder of a class 1 medical certificate: licensing authority; surname and forename; date of birth; nationality; email

address and the number of one or more identification documents (national identity card or passport) as provided by the applicant;

(2) class 1 medical certificate data: date of the medical examination or, in case the medical examination is not finalised, the date of initiation of the medical examination; dates of issuing and of expiration of the class 1 medical certificate; place of the examination; status of limitations; status of that certificate (new, released, suspended or revoked); unique reference number of the medical assessor of the licensing authority; AME or AeMC issuing that certificate and of its competent authority.

(c) For the purposes of point (b), the following persons shall have access to EAMR and the information contained therein:

(1) medical assessors of the licensing authority of the applicant for or holder of a class 1 medical certificate, as well as any other duly authorised personnel of that authority in charge of creating or managing the record of that applicant or holder as required by this Regulation;

(2) AMEs and any duly authorised personnel of AeMCs to whom that applicant or holder has provided a declaration in accordance with point MED.A.035(b)(2);

(3) any duly authorised personnel of the competent authority responsible for the oversight of AMEs or AeMCs conducting aero-medical assessments of those applicants or holders.

In addition, the Agency and national competent authorities may grant access to EAMR and the information contained therein to other persons, where necessary for the purposes of ensuring the proper functioning of EAMR, in particular its technical maintenance. In that case, the Agency or the national competent authority concerned shall ensure that those persons are duly authorised and qualified, that their access remains limited to what is necessary for the purposes for which they have been granted access and that they have received prior training on the applicable personal data protection legislation and related safeguards. Whenever a competent authority grants a person such access, it shall inform the Agency beforehand.

(d) The licensing authorities, AMEs and AeMCs referred to in point (c) shall, each time immediately upon having examined an applicant for or a holder of a class 1 medical certificate, enter the data referred to in point (b) into EAMR or update that data where necessary.

(e) Where the data constitutes personal data as defined in point a of Article 2 of Regulation (EC) No 45/2001[(2)], they shall, each time when entering or updating that data, inform, *ex ante*, the applicant for or holder of the class 1 certificate thereof.

(f) The Agency shall ensure the integrity and security of EAMR and the information contained therein by appropriate information technology infrastructure. It shall establish and apply, in consultation with the national competent authorities, the protocols and technological measures necessary to ensure that any access to EAMR and the information contained therein is lawful and secure.

(g) The Agency shall ensure that any information contained in EAMR is deleted after a period of 10 years. That period shall be calculated from the date of expiration of the last class 1 certificate issued in respect of the applicant or holder concerned, or

from the date of the last entry or update of data in respect of that applicant or holder, whichever date is later.

(h) The Agency shall ensure that applicants for or holders of class 1 medical certificates can access any information relating to them contained in EAMR and that they are informed that they can request that information to be rectified or deleted. The licensing authorities shall assess such requests and, where they consider that the information concerned is incorrect or not necessary for the purposes specified in point (b), ensure that the information is rectified or deleted.**]**

Textual Amendments

F10 Inserted by Commission Implementing Regulation (EU) 2019/27 of 19 December 2018 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (Text with EEA relevance).

SECTION II

Aero-medical examiners (AMEs)

ARA.MED.200 Procedure for the issue, revalidation, renewal or change of an AME certificate

(a) The certification procedure for an AME shall follow the provisions laid down in ARA.GEN.315. Before issuing the certificate, the competent authority shall have evidence that the AME practice is fully equipped to perform aero-medical examinations within the scope of the AME certificate applied for.

(b) **[**[F9]When satisfied that the AME is in compliance with the applicable requirements, the competent authority shall issue, revalidate, renew or change the AME certificate for a period not exceeding 3 years, using the form established in appendix VII to this Part.**]**

ARA.MED.240 General medical practitioners (GMPs) acting as AMEs

The competent authority of a Member State shall notify the Agency and competent authorities of other Member States if aero-medical examinations for the LAPL can be carried out on its territory by GMPs.

ARA.MED.245 Continuing oversight of AMEs and GMPs

When developing the continuing oversight programme referred to in ARA.GEN.305, the competent authority shall take into account the number of AMEs and GMPs exercising their privileges within the territory where the competent authority exercises oversight.

ARA.MED.250 Limitation, suspension or revocation of an AME certificate

(a) The competent authority shall limit, suspend or revoke an AME certificate in cases where:

(1) the AME no longer complies with applicable requirements;

(2) failure to meet the criteria for certification or continuing certification;

(3) deficiency of aero-medical record-keeping or submission of incorrect data or information;

(4) falsification of medical records, certificates or documentation;

(5) concealment of facts appertaining to an application for, or holder of, a medical certificate or false or fraudulent statements or representations to the competent authority;

(6) failure to correct findings from audit of the AME practice; and

(7) at the request of the certified AME.

(b) The certificate of an AME shall be automatically revoked in either of the following circumstances:

(1) revocation of medical licence to practice; or

(2) removal from the Medical Register.

ARA.MED.255 Enforcement measures

If, during oversight or by any other means, evidence is found showing a non-compliance of an AeMC, an AME or a GMP, the licensing authority shall have a process to review the medical certificates issued by that AeMC, AME or GMP and may render them invalid where required to ensure flight safety.

SECTION III

Medical certification

ARA.MED.315 Review of examination reports

The licensing authority shall have a process in place to:

(a) review examination and assessment reports received from the AeMCs, AMEs and GMPs and inform them of any inconsistencies, mistakes or errors made in the assessment process; and

(b) assist AMEs and AeMCs on their request regarding their decision on aero-medical fitness in contentious cases.

ARA.MED.325 Secondary review procedure

The competent authority shall establish a procedure for the review of borderline and contentious cases with independent medical advisors, experienced in the practice of aviation medicine, to consider and advise on an applicant's fitness for medical certification.

[F6ARA.MED.330 Special medical circumstances

(a) When new medical technology, medication or procedures are identified that may justify a fit assessment of applicants otherwise not in compliance with the requirements, research may be carried out to gather evidence on the safe exercise of the privileges of the licence.

(b) In order to undertake research, a competent authority, in cooperation with at least one other competent authority, may develop and evaluate a medical assessment protocol based on which these competent authorities may issue a defined number of pilot medical certificates with appropriate limitations.

(c) AeMCs and AMEs may only issue medical certificates on the basis of a research protocol if instructed to do so by the competent authority.

(d) The protocol shall be agreed between the competent authorities concerned and shall include as a minimum:

(1) a risk assessment;

(2) a literature review and evaluation to provide evidence that issuing a medical certificate based on the research protocol would not jeopardise the safe exercise of the privileges of the licence;

(3) detailed selection criteria for pilots to be admitted to the protocol;

(4) the limitations that will be endorsed on the medical certificate;

(5) the monitoring procedures to be implemented by the competent authorities concerned;

(6) the determination of end points for terminating the protocol.

(e) The protocol shall be compliant with relevant ethical principles.

(f) The exercise of licence privileges by licence holders with a medical certificate issued on the basis of the protocol shall be restricted to flights in aircraft registered in the Member States involved in the research protocol. This restriction shall be indicated on the medical certificate.

(g) The participating competent authorities shall:

(1) provide the Agency with:

(i) the research protocol before implementation;

(ii) the details and qualifications of the nominated focal point of each participating competent authority;

(iii) documented reports of regular evaluations of its effectiveness;

(2) provide the AeMCs and AMEs within their jurisdiction with details of the protocol before implementation for their information.**]**

[F7SUBPART DTO *SPECIFIC REQUIREMENTS RELATING TO DECLARED TRAINING ORGANISATIONS (DTOs)*

ARA.DTO.100 Declaration to the competent authority

(a) Upon receiving a declaration from a DTO, the competent authority shall verify that the declaration contains all the information specified in point DTO.GEN.115 of Annex VIII (Part-DTO) and acknowledge receipt of the declaration, including the assignment of an individual DTO reference number to the representative of the DTO.

(b) If the declaration does not contain the required information, or contains information that indicates a non-compliance with the essential requirements set out in Annex III to Regulation (EC) No 216/2008 or with the requirements of Annex I (Part-FCL) and Annex VIII (Part-DTO) to this Regulation, the competent authority shall act in accordance with point ARA.GEN.350(da).

ARA.DTO.105 Changes to declarations

Upon receiving a notification of a change to the information contained in the declaration of a DTO, the competent authority shall act in accordance with point ARA.DTO.100.

ARA.DTO.115 Verification of compliance of the training programme

(a) Upon receiving the training programme of a DTO, and any changes thereto, notified to it in accordance with point DTO.GEN.115(c) of Annex VIII (Part-DTO) or the application for approval of the training programme of a DTO submitted to it in accordance with point DTO.GEN.230(c) of that Annex, the competent authority shall verify the compliance of those training programmes with the requirements of Annex I (Part-FCL).

(b) When satisfied that the DTO training programme, and any subsequent changes thereto, are in compliance with those requirements, the competent authority shall inform the representative of the DTO thereof in writing or, in the case referred to in point DTO.GEN.230(c) of Annex VIII (Part-DTO), approve the training programme. For such approval it shall use the form contained in Appendix VIII to this Annex (Part-ARA).

(c) In case of any non-compliance, the competent authority shall act in accordance with point ARA.GEN.350(da) or, in the case referred to in point DTO.GEN.230(c) of Annex VIII (Part-DTO), reject the application for approval of the training programme.**]**

[[F11]Appendix I

Flight crew licence

The flight crew licence issued by a Member State in accordance with Part-FCL shall conform to the following specifications:

(a) Content. The item number shown shall always be printed in association with the item heading. Items I to XI are the 'permanent' items and items XII to XIV are the 'variable' items which may appear on a separate or detachable part of the main form. Any separate or detachable part shall be clearly identifiable as part of the licence.

(1) Permanent items:

(I) State of licence issue;

(II) title of licence;

(III) serial number of the licence commencing with the UN country code of the State of licence issue and followed by 'FCL' and a code of numbers and/or letters in Arabic numerals and in Latin script;

(IV) name of holder (in Latin script, even if the script of the national language(s) is other than Latin);

(IVa) date of birth;

(V) holder's address;

(VI) nationality of holder;

(VII) signature of holder;

(VIII) competent authority and, where necessary, conditions under which the licence was issued;

(IX) certification of validity and authorisation for the privileges granted;

(X) signature of the officer issuing the licence and the date of issue; and

(XI) seal or stamp of the competent authority.

(2) Variable items:

(XII) ratings and certificates: class, type, instructor certificates, etc., with dates of expiry. Radio telephony (R/T) privileges may appear on the licence form or on a separate certificate;

(XIII) **[**[F8]remarks: i.e. special endorsements relating to limitations and endorsements for privileges, including endorsements of language proficiency, remarks on the automatic validation of the licence, and ratings for Annex II aircraft, when used for commercial air transportation; and**]**

(XIV) any other details required by the competent authority (e.g. place of birth/place of origin).

(b) Material. The paper or other material used will prevent or readily show any alterations or erasures. Any entries or deletions to the form will be clearly authorised by the competent authority.

(c) Language. Licences shall be written in the national language(s) and in English and such other languages as the competent authority deems appropriate.

Cover page

Competent authority name and logo (English and any language(s) determined by the competent authority) EUROPEAN UNION (English only) FLIGHT CREW LICENCE (English and any language(s) determined by the competent authority) Issued in accordance with Part-FCL This licence complies with ICAO standards, except for the LAPL and EIR privileges (English and any language(s) determined by the competent authority) EASA Form 141 Issue 2		Requirements "European Union" to be deleted for non-EU Member States Size of each page shall be one eighth A4

Page 2

I	**State of issue**		Requirements
III	**Licence number**		Serial number of the licence will always commence with the UN country code of the State of licence issue followed by ".FCL.".
IV	**Last and first name of holder**		
IVa	**Date of birth** (see instructions)		Standard date format is to be used, dd/mm/yyyy in full.
XIV	**Place of birth**		
V	**Address of holder:** Street, town, area, postal code		
VI	**Nationality**		
VII	**Signature of holder**		
VIII	**Issuing competent authority** E.g. This CPL(A) has been issued on the basis of an ATPL issued by ..... (third county)		
X	**Signature of issuing officer and date**		
XI	**Seal or stamp of issuing competent authority**		

Page 3

II	**Title of the licence, date of initial issue and country code**		Abbreviations used will be as used in Part-FCL (e.g. PPL(H), ATPL(A), etc.) Standard date format is to be used, dd/mm/yyyy in full.
IX	**Validity:** The privileges of the licence shall be exercised only if the holder has a valid medical certificate for the required privilege. A document containing a photo shall be carried for the purposes of identification of the licence holder.		This document is not specified, but a passport would suffice when outside the State of licence issue.
XII	**Radiotelephony privileges:** The holder of this licence has demonstrated competence to operate R/T equipment on board aircraft in ..... (specify the language(s)).		
XIII	**Remarks:** Language Proficiency: (language(s)/level/validity date)		All additional licensing information required and privileges established by ICAO, EC or EU Directives/Regulations to be entered here. Language proficiency endorsement(s), level and validity date shall be included. In case of LAPL: LAPL not issued in accordance with ICAO standards

Additional pages — Requirements:

Pages 1, 2, and 3 of the licence shall be in accordance with the format laid down in the model in this point. The competent authority shall include additional customized pages containing tables which shall contain at least the following information:

— Ratings, certificates, endorsements and privileges;
— Expiry dates of the ratings, the instructor and examiner certificate privileges;
— Dates of the test or check;
— Remarks and restrictions (operational limitations);
— Fields for the examiner and/or instructor certificate number and signature, as applicable;
— Abbreviations.

These additional pages are intended for use by the competent authority, or by specifically authorised instructors or examiners.

Initial issues of ratings or certificates shall be entered by the competent authority. Revalidation or renewal of ratings or certificates may be entered by the competent authority or by specifically authorised instructors or examiners.

Operational limitations shall be entered in ‘Remarks and Restrictions’ against the appropriate restricted privilege, e.g. IR skill test taken with co-pilot, restricted instruction privileges to 1 aircraft type.

Ratings that are not validated may be removed from the licence by the competent authority.**]**

Appendix II to ANNEX VI PART-ARA

Standard EASA format for cabin crew attestations

Cabin crew attestations issued in accordance with Part-CC in a Member State shall conform to the following specifications:

1. **CABIN CREW ATTESTATION**
Issued in accordance with Part-CC

2. **Reference number:**
3. **State of issue:**
4. **Full name of holder:**
5. **Date and place of birth:**
6. **Nationality:**
7. **Signature of holder:**
8. **Competent authority:**
9. **Issuing body:** *Official seal, Stamp or Logo*
10. **Signature of issuing officer:**
11. **Date of issue:**
12. The holder may only exercise the privileges to act as cabin crew on aircraft engaged in commercial air transport operations if he/she complies with the requirements in Part-CC for continuous fitness and valid aircraft type qualifications.

EASA Form 142 Issue 1

Instructions:

(a) **[**[F9]The cabin crew attestation shall include all items specified in EASA Form 142 in accordance with items 1 - 12 as listed and described below.

(b) Size shall be either 105mm × 74mm (one-eighth A4) or 85mm × 54mm, and the material used shall prevent or readily show any alterations or erasures.**]**

(c) The document shall be printed in English and such other languages as the competent authority deems appropriate.

(d) The document shall be issued by the competent authority or by an organisation approved to issue cabin crew attestations. In that latter case reference to the approval by the competent authority of the Member State shall be stated.

(e) The cabin crew attestation is recognised in all Member States and it is not necessary to exchange the document when working in another Member State.

Item 1 : The title ‘CABIN CREW ATTESTATION’ and the reference to Part-CC.

Item 2 : Attestation reference number shall commence with the UN country code of the Member State followed by at least the two last numbers of the year of issue and an individual reference/number according to a code established by the competent authority (e.g. BE-08-xxxx).

Item 3	:	The Member State where the attestation is issued.
Item 4	:	The full name (surname and first name) stated in the official identity document of the holder.
Items 5 and 6	:	Date and place of birth as well as nationality as stated in the official identity document of the holder.
Item 7	:	The signature of the holder.
[[F9]Item 8	:	Identification details of the competent authority of the Member State where the attestation is issued shall be entered and shall provide the full name of the competent authority, postal address, and official seal, stamp or logo as applicable.**]**
[[F11]Item 9	:	If the competent authority is the issuing body, the term 'competent authority' and official seal, stamp or logo shall be entered. In this case only, the competent authority may determine if its official seal, stamp or logo shall also be entered under Item 8.**]**
Item 10	:	The signature of the officer acting on behalf of the issuing body.
Item 11	:	Standard date format shall be used: i.e. day/month/year in full (e.g. 22/02/2008).
Item 12	:	The same sentence in English and its full and precise translation into such other languages as the competent authority deems appropriate.

Appendix III to ANNEX VI PART-ARA

CERTIFICATE FOR APPROVED TRAINING ORGANISATIONS (ATOs)

European Union (*)

Competent Authority

APPROVED TRAINING ORGANISATION CERTIFICATE

[CERTIFICATE NUMBER/REFERENCE]

Pursuant to Commission Regulation (EU) No 1178/2011 and subject to the conditions specified below, the [Competent Authority] hereby certifies

[NAME OF THE TRAINING ORGANISATION]

[ADDRESS OF THE TRAINING ORGANISATION]

as a Part-ORA certified training organisation with the privilege to provide Part-FCL training courses, including the use of FSTDs, as listed in the attached training course approval.

CONDITIONS:

This certificate is limited to the privileges and the scope of providing the training courses, including the use of FSTDs, as listed in the attached training course approval.

This certificate is valid whilst the approved organisation remains in compliance with Part-ORA, Part-FCL and other applicable regulations.

Subject to compliance with the foregoing conditions, this certificate shall remain valid unless the certificate has been surrendered, superseded, limited, suspended or revoked.

Date of issue:

Signed:

[Competent Authority]

(*) "European Union" to be deleted for non-EU Member States.
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APPROVED TRAINING ORGANISATION CERTIFICATE

TRAINING COURSE APPROVAL

Attachment to ATO Certificate Number:

[CERTIFICATE NUMBER/REFERENCE]

[NAME OF THE TRAINING ORGANISATION]

has obtained the privilege to provide and conduct the following Part-FCL training courses and to use the following FSTDs:

Training course	Used FSTD(s), including letter code (1)

(1) As indicated on the qualification certificate.

This training course approval is valid as long as:

(a) the ATO certificate has not been surrendered, superseded, limited, suspended or revoked; and

(b) all operations are conducted in compliance with Part-ORA, Part-FCL, other applicable regulations, and, when relevant, with the procedures in the organisation's documentation as required by Part-ORA.

Date of issue:

Signed: [Competent Authority]

For the Member State/EASA

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Appendix IV to ANNEX VI PART-ARA

FLIGHTIntroduction
SIMULATION
TRAINING
DEVICE
QUALIFICATION
CERTIFICATE

EASA Form 145 shall be used for the FSTD qualification certificate. This document shall contain the FSTD Specification including any limitation(s) and special authorisation(s) or approval(s) as appropriate to the FSTD concerned. The qualification certificate shall be printed in English and in any other language(s) determined by the competent authority.

Convertible FSTDs shall have a separate qualification certificate for each aircraft type. Different engine and equipment fit on one FSTD shall not require separate qualification certificates. All qualification certificates shall carry a serial number prefixed by a code in letters, which shall be specific to that FSTD. The letter code shall be specific to the competent authority of issue.

European Union (*)

Competent Authority

FLIGHT SIMULATION TRAINING DEVICE QUALIFICATION CERTIFICATE

REFERENCE:

Pursuant to Commission Regulation (EU) No 1178/2011 and subject to the conditions specified below, the [competent authority] hereby certifies that

FSTD [TYPE AND LETTER CODE]

located at [NAME and ADDRESS OF THE ORGANISATION]

has satisfied the qualification requirements prescribed in Part-OR, subject to the conditions of the attached FSTD specification

This qualification certificate shall remain valid subject to the FSTD and the holder of the qualification certificate remaining in compliance with the applicable requirements of Part-OR, unless it has been surrendered, superseded, suspended or revoked.

Date of issue: .....

Signed: .....

(*) "European Union" to be deleted for non-EU Member States.

[competent authority]

FSTD QUALIFICATION CERTIFICATE: [Reference]

FSTD SPECIFICATIONS

A. Type or variant of aircraft:

B. FSTD qualification level:

C. Primary reference document:

D. Visual system:

E. Motion system:

F. Engine fit:

G. Instrument fit:

H. ACAS fit:

I. Windshear:

J. Additional capabilities:

K. Restrictions or limitations:

L. **Guidance information for training, testing and checking considerations**					
CAT I	RVR	m	DH	ft	
CAT II	RVR	m	DH	ft	
CAT III (lowest minimum)	RVR	m	DH	ft	
LVTO	RVR	m			
Recency					
IFR-training/check					/
Type rating					
Proficiency checks					
Autocoupled approach					
Autoland/roll out guidance					/
ACAS I/II					/
Windshear warning system/predictive windshear					/
WX-radar					
HUD/HUGS					/
FANS					
GPWS/EGPWS					/
ETOPS capability					
GPS					
Other					

Date of issue: .....

Signed: .....

For the Member State/EASA

[F9 Appendix V to ANNEX VI PART-ARA]

CERTIFICATE FOR AERO-MEDICAL CENTRES (AeMCs)

European Union (1)

Competent Authority

AERO-MEDICAL CENTRE CERTIFICATE

REFERENCE:

Pursuant to Commission Regulation (EU) No 1178/2011 and subject to the conditions specified below, the [competent authority] hereby certifies

[NAME OF THE ORGANISATION]

[ADDRESS OF THE ORGANISATION]

as a Part-ORA certified Aero-medical centre with the privileges and the scope of activities as listed in the attached terms of approval.

CONDITIONS:

1. This certificate is limited to that specified in the scope of approval section of the approved organisation manual;
2. This certificate requires compliance with the procedures specified in the organisation documentation as required by Part-ORA.
3. This certificate shall remain valid subject to compliance with the requirements of Part-ORA unless it has been surrendered, superseded, suspended or revoked.

Date of issue ..... Signed: .....

(1) 'European Union' to be deleted for non-EU Member States
EASA Form 146 Issue 1

Appendix VI to ANNEX VI PART-ARA

[[F9](BLANK PAGE)**]**

Appendix VII to ANNEX VI PART-ARA

CERTIFICATE FOR AERO-MEDICAL EXAMINERS (AMEs)

European Union (*)

Competent Authority

AERO-MEDICAL EXAMINER CERTIFICATE

CERTIFICATE NUMBER/REFERENCE:

Pursuant to Commission Regulation (EU) No 1178/2011 and subject to the conditions specified below, the [competent authority] hereby certifies

[NAME OF THE AERO-MEDICAL EXAMINER]

[ADDRESS OF THE AERO-MEDICAL EXAMINER]

as aero-medical examiner

CONDITIONS:

1. This certificate is limited to the privileges specified in the attachment to this AME certificate;
2. This certificate requires compliance with the implementing rules and procedures specified in Part-MED.
3. This certificate shall remain valid for a period of 3 years until [xx/yy/zzzz (**)] subject to compliance with the requirements of Part-MED unless it has been surrendered, superseded, suspended or revoked.

Date of issue: xx/yy/zzzz

Signature: [Competent Authority]

(*) 'European Union' to be deleted for non-EU Member States

(**) Expiry date: day/month/year

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AERO-MEDICAL EXAMINER CERTIFICATE

Attachment to AME certificate number:

PRIVILEGES AND SCOPE

[Name and academic title of the aero-medical examiner] has obtained the privilege(s) to undertake aero-medical examinations and assessments for the issuance of medical certificates as stated in the table below and to issue these medical certificates for:

LAPL	[yes/date]
Class 2	[yes/date]
Class 1 revalidation/renewal	[yes/date]/[no]

Date of issue: xx/yy/zzzz

Signature: [Competent Authority]

[F7Appendix VIII to ANNEX VI (Part-ARA)

Training programme approval for a declared training organisation (DTO)

EUROPEAN UNION[0]

Competent authority

Issuing authority:

Name of DTO:

DTO reference number:

Training programme(s) approved:	*Doc reference:*	*Remarks:*
Examiner standardisation — FE(S), FIE(S), FE(B), FIE(B)[b] Examiner refresher seminar — FE(S), FIE(S), FE(B), FIE(B)[b]		

The above-mentioned training programme(s) has (have) been verified by the above-mentioned competent authority and found to be in compliance with the requirements of Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011.

Date of issue:

Signed: [competent authority]

a 'European Union' to be deleted for non-EU Member States.

b To be adjusted as applicable.

EASA Form XXX Issue 1 — Page 1/1**]|**

(1) **[**[F1]OJ L 167, 4.7.2003, p. 23.**]**

(2) **[**[F1]**[**[F10]Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).**]]**

Textual Amendments

F1 Inserted by Commission Regulation (EU) No 290/2012 of 30 March 2012 amending Regulation (EU) No 1178/2011 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.

F10 Inserted by Commission Implementing Regulation (EU) 2019/27 of 19 December 2018 amending Regulation (EU) No 1178/2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EU) 2018/1139 of the European Parliament and of the Council (Text with EEA relevance).

Status:
Point in time view as at 31/01/2020.

Changes to legislation:
There are outstanding changes not yet made to Commission Regulation (EU) No 1178/2011. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.