

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)

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)

THE EUROPEAN COMMISSION,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91<sup>(1)</sup>, and in particular Article 23(1), Article 27(1) and Article 62(14) thereof,

Whereas:

- (1) Commission Regulation (EU) No 1178/2011<sup>(2)</sup> lays down detailed rules for technical requirements and administrative procedures related to civil aviation aircrew.
- (2) The implementation of Regulation (EU) No 1178/2011 revealed that certain requirements contained editorial errors or ambiguities. In addition, a number of deadlines or provisions, originally included to give Member States sufficient time to bring their national rules in line with Regulation (EU) No 1178/2011, have lapsed. This has led to problems with the implementation and clarity of the Union rules. Those requirements should be clarified and corrected. New definitions should be introduced to ensure that the terms are implemented in a uniform manner.
- (3) In order to enhance the proportionality and transparency of the regulatory system for general aviation, the rules applicable to light aircraft pilots, private pilots, sailplane pilots and balloon pilots should be amended to provide for the expansion of privileges and to clarify the content of training and examinations. When providing for the expansion of privileges, sea ratings, recency requirements, requirements of the theoretical knowledge examinations and crediting requirements should be clarified.
- (4) The requirements for the instrument rating for aeroplanes and helicopters should be amended to clarify the theoretical knowledge and flight instruction provisions, revalidation and renewal requirements.

- (5) Amendments to class and type rating requirements should be made to clarify and ensure consistency with regard to variants, validity and renewal. Furthermore, amendments should be made to clarify the aerobatic rating, sailplane and banner towing ratings, night rating and mountain rating requirements.
- (6) The implementation of the rules revealed that some of the requirements applicable to instructors and examiners are unclear. As a result, with regard to instructors, the requirements in relation to instructor certificates, prerequisites, assessment of competence, validity, privileges and conditions, training course content, revalidation and renewal should be amended. With regard to examiners, the requirements in relation to examiner certificates, standardisation, prerequisites, assessment of competence, validity, privileges and conditions, revalidation and renewal should be amended.
- (7) Regulation (EU) 2018/1139 provides for the possibility to recognise training and experience on aircraft not subject to Regulation (EU) 2018/1139 (Annex I ‘Aircraft referred to in point (d) of Article 2(3)’ for the purpose of obtaining a Part-FCL licence. For this reason, relevant rules for training organisations and competent authorities should be amended to enable such recognition.
- (8) The implementation of the rules relating to declared training organisations (DTOs)<sup>(9)</sup> revealed the need to clarify the applicable rules to ensure effective regulatory oversight of DTOs. The requirements should be amended to ensure that the possibility to train in a DTO should only be permitted if that DTO is located within the territory for which the Member States are responsible under the Chicago Convention.
- (9) The implementation of the rules relating to the possibility to transfer Part-FCL licences and associated medical certificates revealed the need to clarify the responsibilities of the involved competent authorities and the timing of the transfer of the oversight responsibility. For this reason, the relevant rules should be amended.
- (10) The measures provided for in this Regulation have been suggested in Opinion No 05/2017 issued by the European Union Aviation Safety Agency pursuant to points (b) and (c) of Article 75(2) and Article 76(1) of Regulation (EU) 2018/1139 and in the context of subsequent technical discussions.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 127 of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

- (1) [OJ L 212, 22.8.2018, p. 1.](#)
- (2) 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.](#))
- (3) Commission Regulation (EU) 2018/1119 of 31 July 2018 amending Regulation (EU) No 1178/2011 as regards declared training organisations ([OJ L 204, 13.8.2018, p. 13.](#))