



# Opinion No 05/2023

in accordance with Article 76(1) of Regulation (EU) 2018/1139

## Cruise relief co-pilots (RMT.0190)

## Regular update of flight crew licensing and medical requirements (RMT.0287, RMT.0587)

## Better flight crew licensing requirements for general aviation (RMT.0678)

### EXECUTIVE SUMMARY

This Opinion encompasses proposals for amendments to Regulations (EU) No 1178/2011 and No 965/2012, as developed by the following rulemaking tasks.

#### RMT.0190 ‘Requirements for relief pilots’

Draft amendments to ensure that cruise relief co-pilots (CRCPs) are adequately trained to safely operate an aeroplane in the cruise segment of a flight, and that appropriate operating procedures are established for the transfer of authority from the commander to the CRCP.

#### RMT.0287 (Subtasks 2a and 2b) ‘Regular update of Part-MED, of Part-ARA Subparts ARA.AeMC and ARA.MED, and of Part-ORA Subpart ORA.AeMC’

Draft amendments aiming to improve the level of safety and clarify already existing rule text, in order to make the regulatory framework more precise and effective, to fill the gaps identified through the implementation experience and to remove unnecessary burden for competent authorities (CAs), aeromedical examiners (AMEs) and aeromedical centres (AeMCs).

Additionally, draft amendments aim to safely increase the pilot age limit for pilots involved in single-pilot helicopter emergency medical services (HEMS) operations, which are expected to have a positive social impact on the patients in need of helicopter emergency intervention, by increasing the coverage of HEMS operations, and on the pilots’ possibility to retire at an age closer to the legal retirement age.

#### RMT.0587 ‘Regular update of regulations regarding pilot training, testing and checking, and related oversight’

Draft amendments concerning updates, improvements and clarifications on miscellaneous topics, such as helicopter training topics (vortex ring stage, autorotative landing), multi-pilot operation in single-pilot aircraft, and the use of flight simulation training devices (FSTDs) for training, testing and checking.

#### RMT.0678 (Subtask 2) ‘Simpler, lighter and better flight crew licensing requirements for general aviation’

Draft amendments to provide updates, improvements and clarifications on miscellaneous topics in the field of flight crew licensing (FCL) for general aviation, such as pilot privileges for electrically powered aeroplanes, credits for private pilot licence (PPL) applicants who have started light aircraft pilot licence (LAPL) training, and non-complex helicopter type rating revalidation via refresher training.

The proposed regulatory material is expected to improve the regulatory framework in the context of the above-listed areas, while maintaining a high level of safety, particularly by better addressing CRCP activities, by providing more proportionate requirements for general aviation, by alleviating pilot age limits for pilots involved in single-pilot HEMS operations and by clarifying miscellaneous issues.

#### REGULATION(S) TO BE AMENDED/ISSUED

- [Regulation \(EU\) No 1178/2011](#) (Aircrew)
- [Regulation \(EU\) No 965/2012](#) (Air Operations)

#### ED DECISIONS TO BE AMENDED

N/A

#### AFFECTED STAKEHOLDERS

Member States and national competent authorities (NCAs), pilots, instructors, examiners, training organisations, air operator certificate holders, AeMCs and AMEs.

### WORKING METHOD(S)

Development	Impact assessment(s)	Consultation
RMT.0190: by EASA with support of an RMG	RMT.0190: Light	RMT.0190: NPA — Public
RMT.0287: by EASA with support of an RMG	RMT.0287: Light (Subtask 2a); Detailed (Subtask 2b)	RMT.0287: NPA — Public (Subtask 1a); NPA — Focused (Subtask 1b)
RMT.0587, RMT.0678: by EASA	RMT.0587, RMT.0678: Light	RMT.0587: NPA — Focused RMT.0678: NPA — Public

#### Related documents / information

RMT.0190: [ToR RMT.0190](#), [NPA 2014-25](#); RMT.0287: [ToR RMT.0287](#), [NPA 2017-22](#); RMT.0587: [ToR RMT.0587](#), [NPA 2023-104](#); RMT.0678: [ToR RMT.0678](#); [NPA 2020-14](#)

#### PLANNING MILESTONES

Refer to the latest edition of the *EPAS Volume II*.



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## 1. About this Opinion

### 1.1. How this regulatory material was developed

EASA has developed this Opinion as a result of the following rulemaking tasks (RMTs), which are included in Volume II of the *European Plan for Aviation Safety for 2023–2025*<sup>1</sup>.

**RMT.0190** Requirements for relief pilots.

**RMT.0287** Update of pilot age limits for HEMS pilots, including mitigating measures in Part-MED and Regulation (EU) No 965/2012, regular update of Part-ARA Subparts ARA.AeMC and ARA.MED, and of Part-ORA Subpart ORA.AeMC, as well as of the related acceptable means of compliance (AMC) and guidance material (GM).

**RMT.0587** Regular update of regulations regarding pilot training, testing and checking, and related oversight.

**RMT.0678:** Simpler, lighter and better flight crew licensing requirements for general aviation.

Although all of the above-listed RMTs address different issues, which are largely not interrelated, they all propose amendments to the same regulation (Regulation (EU) No 1178/2011 and, in the case of RMT.0190 and RMT.0287, Regulation (EU) No 965/2012).

EASA developed the regulatory material in question in line with Regulation (EU) 2018/1139<sup>2</sup> (the Basic Regulation) and the Rulemaking Procedure<sup>3</sup>, as well as in accordance with the objectives and working methods described in the Terms of Reference (ToR) for these RMTs<sup>4 5 6 7</sup>. In the case of RMT.0190, EASA was supported by a rulemaking group (RMG) that included experts from both national competent authorities (NCAs) and industry. In the case of RMT.0287, each of the subtasks that are within the scope of this Opinion, namely Subtasks 2a and 2b, have been supported by individual RMGs involving subject matter experts relevant for the subtasks.

The draft regulatory material was consulted in accordance with the ToR for these RMTs, as detailed below.

<sup>1</sup> [European Plan for Aviation Safety 2023–2025 | EASA \(europa.eu\)](#)

<sup>2</sup> 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 (OJ L 212, 22.8.2018, p. 1) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1535612134845&uri=CELEX:32018R1139>).

<sup>3</sup> EASA is bound to follow a structured rulemaking process as required by Article 115(1) of Regulation (EU) 2018/1139. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 01-2022 of 2 May 2022 on the procedure to be applied by EASA for the issuing of opinions, certification specifications and other detailed specifications, acceptable means of compliance and guidance material ('Rulemaking Procedure'), and repealing Management Board Decision No 18-2015 (<https://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-01-2022-rulemaking-procedure-repealing-mb>).

<sup>4</sup> RMT.0190: <https://www.easa.europa.eu/en/document-library/terms-of-reference-and-rulemaking-group-compositions/tor-rmt0190-rmt0191-fc004ab>

<sup>5</sup> RMT.0287: <https://www.easa.europa.eu/en/document-library/terms-of-reference-and-rulemaking-group-compositions/tor-rmt0287-med001>

<sup>6</sup> RMT.0587: <https://www.easa.europa.eu/en/document-library/terms-of-reference-and-rulemaking-group-compositions/tor-rmt0587>

<sup>7</sup> RMT.0678: <https://www.easa.europa.eu/en/document-library/terms-of-reference-and-rulemaking-group-compositions/tor-rmt0678>

**RMT.0190** NPA 2014-25<sup>8</sup>, followed by a focused consultation meeting with the EASA Advisory Bodies in June 2022

RMT.0287

Subtask 2a: NPA 2017-22<sup>9</sup>

Subtask 2b: Focused consultation workshop with the EASA Advisory Bodies on 5 May 2022

**RMT.0587** Focused consultation with the EASA Advisory Bodies (consultation meeting in June 2022, followed by an additional written consultation on selected elements in February/March 2023 (NPA 2023-104<sup>10</sup>))

**RMT.0678** NPA 2020-14<sup>11</sup>, followed by a focused consultation meeting with the EASA Advisory Bodies in June 2022

For information and subsequently to the publication of this Opinion, EASA will publish the draft AMC and GM that are intended to be issued to support the implementation of the amendments to the Regulations as proposed in this Opinion.

## 1.2. The next steps

The Opinion is submitted to the European Commission, which, based on the Opinion's content, shall decide whether to adopt the amendments to the EU Regulations as proposed in the Opinion.

Following the amendment of Regulation (EU) No 1178/2011 and Regulation (EU) No 965/2012, EASA will issue decisions with the related AMC and GM to support the implementation of those Regulations. When issuing these decisions, EASA will also provide feedback to commentators and information to the public on who engaged in the process and/or provided comments during the consultation, on which comments were received, on how such engagement and/or consultation was used in rulemaking, and on how the comments were considered.

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<sup>8</sup> <https://www.easa.europa.eu/en/document-library/notices-of-proposed-amendment/npa-2014-25>

<sup>9</sup> <https://www.easa.europa.eu/en/document-library/notices-of-proposed-amendment/npa-2017-22>

<sup>10</sup> <https://www.easa.europa.eu/en/document-library/notices-of-proposed-amendment/focused-consultations/npa-2023-104>

<sup>11</sup> <https://www.easa.europa.eu/en/document-library/notices-of-proposed-amendment/npa-2020-14>

## 2. In summary — why and what

### 2.1. Why we need to act — issue/rationale

The issues that triggered the RMTs included in this Opinion are briefly outlined in the following list.

#### RMT.0190

With the introduction of Part-FCL, requirements were included that allow the acquisition of a type rating with restricted privileges, specifically for relief co-pilots during cruise flight above flight level 200 (CRCPs). However, further detailing these high-level requirements is necessary to establish a robust framework for the role of CRCPs.

For more details, please refer to the ToR RMT.0190<sup>12</sup> and NPA 2014-25<sup>13</sup>).

#### RMT.0287

Subtask 2a:

Following the implementation of Regulation (EU) No 1178/2011, certain errors and gaps in Part-ARA Subparts ARA.AeMC and ARA.MED, and Part-ORA Subpart ORA.AeMC were reported by the Member States or were identified through the standardisation inspections.

Furthermore, with advancements in the field of medicine and additional knowledge gained through the implementation experience, additional updates and clarifications have been added to existing requirements, and in some cases new requirements have been added to implement Safety Recommendation 2017-S35 issued by the Finnish Safety Investigation Authority, such as:

- new requirements to ensure proper cooperative oversight of AMEs and AeMCs in the cases where they exercise their activities in more than one Member State;
- requirements to mandate that the CA shall retrieve the revoked certificate and inform the NCAs of the other Member States to prevent fraud;
- deletion of point ARA.MED.330 requirements to avoid any potential conflict with the medical research standards of the EU.

Subtask 2b:

Aeroplane/helicopter flight crew engaged in single-pilot commercial air transport (CAT) operations cannot exercise the profession beyond the age of 60 in accordance with Regulation (EU) No 1178/2011, point FCL.065. In operational terms, the requirement triggered several requests for exemptions mainly in HEMS, also due to the insufficient number of qualified pilots to cover the increasing need for HEMS missions. Since 2012, EASA has given positive recommendations to 11 exemption notifications. The number of exemptions and increasing statutory retirement age across the EU led EASA to launch a research study in 2017 on the appropriateness of the existing pilot age limitations for commercial pilots. The research results showed that extending the age limit for CAT pilots flying single-pilot operations from 60 years to the pilot's 65th birthday would be possible subject

<sup>12</sup> RMT.0190: <https://www.easa.europa.eu/en/document-library/terms-of-reference-and-rulemaking-group-compositions/tor-rmt0190-rmt0191-fd004ab>

<sup>13</sup> <https://www.easa.europa.eu/en/document-library/notices-of-proposed-amendment/npa-2014-25>

to mitigating measures. As a result, EASA has considered Subtask 2b as a first step into revisiting the pilot age limits.

### **RMT.0587**

The continuing exchange of information between EASA and the Member States (standardisation inspections, Advisory Body meetings, general implementation support provided by EASA to Member States and stakeholders) together with inputs from the EASA Rotorcraft Safety Roadmap revealed non-controversial issues within the requirements of Regulation (EU) No 1178/2011 and related AMC and GM that require correction, clarification or updates, such as:

- clarifications on helicopter training topics (vortex ring state, autorotative landing, safety awareness briefing);
- introduction of the possibility to have a multi-crew pilot licence (MPL) replaced by a commercial pilot licence (CPL);
- clarification on the performance-based navigation (PBN) training syllabus as part of instrument rating training courses;
- clarifications related to the framework for multi-pilot operation in single-pilot aeroplanes;
- clarifications on the use of FSTDs for training, testing and checking;
- miscellaneous clarifications, updates, corrections, and improvements.

A detailed list of all legal references affected by RMT.0587 can be found in Section 2.3.2.

### **RMT.0678**

The EASA GA Roadmap identified areas within Regulation (EU) No 1178/2011 that cause problems for general aviation. Next to a number of proportionality issues, Part-FCL requirements for small aeroplanes do not sufficiently address innovative propulsion concepts (single-engine electric engines, hybrid engines).

For more details, please refer to ToR RMT.0678<sup>14</sup> and NPA 2020-14<sup>15</sup>.

## **2.2. What we want to achieve — objectives**

The overall objectives of the EASA system are defined in Article 1 of the Basic Regulation. The regulatory material presented here is expected to contribute to achieving these overall objectives by addressing the issues described in Section 2.1.

More specifically, with the regulatory material presented here, EASA intends to achieve:

- a more robust and comprehensive regulatory framework for CRCPs;
- improvements, updates and clarifications of the requirements of Regulation (EU) No 1178/2011, in the field of FCL and aeromedical certification and related authority and organisational requirements;
- more proportionate FCL requirements for general aviation; and

<sup>14</sup> RMT.0678: <https://www.easa.europa.eu/en/document-library/terms-of-reference-and-rulemaking-group-compositions/tor-rmt0678>

<sup>15</sup> <https://www.easa.europa.eu/en/document-library/notices-of-proposed-amendment/npa-2020-14>

- a higher coverage of HEMS operations.

## 2.3. How we want to achieve it — overview of the amendments

### 2.3.1. General

In order to achieve the objectives of RMT.0190, RMT.0287, RMT.0587 and RMT.0678, amendments are proposed to Annex I (Part-FCL), Annex IV (Part-MED), Annex VI (Part-ARA) and Annex VII (Part-ORA) to Regulation (EU) No 1178/2011, and Annex III (Part-ORO) and Annex V (Part-SPA) to Regulation (EU) No 965/2012.

For the regulatory proposals under RMT.0287, there should be a deferred applicability date (6 months from the date of publication) to allow the NCAs, AeMCs and HEMS operators to implement the updated requirements.

### 2.3.2. List of requirements that are proposed to be amended or newly introduced through each RMT

The following table provides a short overview of all the requirements of Regulation (EU) No 1178/2011 and Regulation (EU) No 965/2012 that are proposed to be amended or, in some cases, newly introduced. For a detailed description of and rationale behind all proposed amendments, please refer to the rationale text boxes which can be found after each draft amendment, as set out in Annexes I and II to this Opinion.

Regulation (EU) No 1178/2011		
Article 2	Definitions	RMT.0587 RMT.0678
Article 3	Pilot licensing and medical certification	RMT.0587
Article 3a	Transitional measures for medical assessment protocols applied in accordance with point ARA.MED.330 of Annex VI (Part-ARA) and medical certificates issued on the basis thereof	RMT.0287
Article 4	Existing national pilots' licences	RMT.0678
Article 4h	Transitional provisions for holders of a mountain rating	RMT.0678
Annex I (Part-FCL)		
FCL.020	Student pilot	RMT.0678
FCL.025	Theoretical knowledge examinations for the issue of licences and ratings	RMT.0587 RMT.0678
FCL.035	Crediting of flight time and theoretical knowledge	RMT.0587
FCL.045	Obligation to carry and present documents	RMT.0678
FCL.060	Recent experience	RMT.0190

FCL.065	Curtailement of privileges of licence holders aged 60 years or more in commercial air transport	RMT.0287 (2)(b)
FCL.115	LAPL – Training course	RMT.0678
FCL.105.A	LAPL(A) – Privileges and conditions	RMT.0678
FCL.110.A	LAPL(A) — Experience requirements and crediting	RMT.0678
FCL.135.A	LAPL(A) — Extension of privileges to another class or variant of aeroplane	RMT.0678
FCL.140.A	LAPL(A) — Recency requirements	RMT.0678
FCL.110.H	LAPL(H) — Experience requirements and crediting	RMT.0678
FCL.135.H	LAPL(H) — Extension of privileges to another type or variant of helicopter	RMT.0678
FCL.140.H	LAPL(H) — Recency requirements	RMT.0678
FCL.205.A	PPL(A) – Privileges	RMT.0587
FCL.210.A	PPL(A) — Experience requirements and crediting	RMT.0678
FCL.205.H	PPL(H) – Privileges	RMT.0587
FCL.210.H	PPL(H) – Experience requirements and crediting	RMT.0587
FCL.210.H	PPL(H) – Experience requirements and crediting	RMT.0678
FCL.205.As	PPL(As) – Privileges	RMT.0587
FCL.325.A	CPL(A) – Specific conditions for MPL holders	RMT.0587
FCL.405.A	MPL – Privileges	RMT.0587
FCL.510.A	ATPL(A) – Prerequisites, experience and crediting	RMT.0190
FCL.710	Class and type ratings — variants	RMT.0678
FCL.725	Requirements for the issue of class and type ratings	RMT.0587 RMT.0678
FCL.740	Validity and renewal of class and type ratings	RMT.0678
FCL.720.A	Experience requirements and prerequisites for the issue of class or type ratings – aeroplanes	RMT.0190 RMT.0587



FCL.725.A	Theoretical knowledge and flight instruction for the issue of class and type ratings – aeroplanes	RMT.0587
FCL.730.A	Specific requirements for pilots undertaking a zero flight time type rating (ZFTT) course – aeroplanes	RMT.0190
FCL.740.A	Revalidation of class and type ratings — aeroplanes	RMT.0678
FCL.745.A	Advanced UPRT course – aeroplanes	RMT.0587
FCL.740.H	Revalidation of type ratings — helicopters	RMT.0678
FCL.810	Night rating	RMT.0678
FCL.815	Mountain rating	RMT.0678
FCL.820	Flight test rating	RMT.0587
FCL.835	Basic instrument rating	RMT.0678
FCL.915	General prerequisites and requirements for instructors	RMT.0678
FCL.930	Training course	RMT.0678
FCL.945	Obligations for instructors	RMT.0678
FCL.915.FI	FI – Prerequisites	RMT.0678
FCL.930.FI	FI – Training course	RMT.0678
FCL.910.TRI	TRI – Restricted privileges	RMT.0587
FCL.930.TRI	TRI – Training course	RMT.0587
FCL.905.CRI	CRI – Privileges and conditions	RMT.0678
FCL.905.IRI	IRI – Privileges and conditions	RMT.0587
FCL.930.IRI	IRI – Training course	RMT.0678
FCL.910.SFI	SFI – Restricted privileges	RMT.0587
FCL.930.SFI	SFI – Training course	RMT.0587
Appendix 1	Crediting of theoretical knowledge	RMT.0587 RMT.0678
Appendix 4	Skill test for the issue of a CPL	RMT.0587
Appendix 8	Cross-crediting of the IR part of a class or type rating proficiency	RMT.0587

Appendix 9	Training, skill test and proficiency check for the MPL, and the ATPL, and for type and class ratings, and proficiency checks for the BIR and the IR	RMT.0587 RMT.0678
<b>Annex IV (Part-MED)</b>		
MED.A.010	Definitions	RMT.0287 (2)(b)
MED.A.040	Issuance, revalidation and renewal of medical certificates	RMT.0287 (2)(b)
MED.B.005	General medical requirements	RMT.0287 (2)(b)
MED.B.010	Cardiovascular System	RMT.0287 (2)(b)
MED.B.015	Respiratory System	RMT.0287 (2)(b)
MED.B.070	Visual System	RMT.0287 (2)(b)
MED.B.075	Colour Vision	RMT.0287 (2)(b)
MED.B.080	Otorhinolaryngology (ENT)	RMT.0287 (2)(b)
MED.D.020	Training courses in aviation medicine	RMT.0287 (2)(b)
<b>Annex VI (Part-ARA)</b>		
ARA.GEN.305	Oversight programme	RMT.0587
ARA.GEN.360	Change of competent authority	RMT.0287
ARA.FCL.200	Procedure for issue, revalidation or renewal of a licence, rating or certificate	RMT.0678
ARA.FCL.300	Examination procedures	RMT.0587
ARA.FSTD.120	Continuation of an FSTD qualification	RMT.0587
ARA.MED.120	Medical assessors	RMT.0287
ARA.MED.125	Referral to the licensing authority	RMT.0287

ARA.MED.126	Limitation, suspension or revocation of medical certificates	RMT.0287
ARA.MED.128	Consultation procedure	RMT.0287
ARA.MED.130	Medical certificate format	RMT.0287
ARA.MED.135	Aero-medical forms	RMT.0287
ARA.MED.145	GMP notification to the competent authority	RMT.0287
ARA.MED.150	Record-keeping	RMT.0287
ARA.MED.151	Medical confidentiality	RMT.0287
ARA.MED.200	Procedure for the issue, revalidation, renewal or change of an AME certificate	RMT.0287
ARA.MED.240	GMPs exercising the privileges in accordance with MED.A.040	RMT.0287
ARA.MED.245	Continuing oversight of AMEs and GMPs	RMT.0287
ARA.MED.246	Cooperative oversight of AMEs and AeMCs	RMT.0287
ARA.MED.250	Limitation, suspension or revocation of an AME certificate	RMT.0287
ARA.MED.255	Enforcement measures	RMT.0287
ARA.MED.315	Review of examination reports	RMT.0287
ARA.MED.325	Secondary review procedure	RMT.0287
ARA.MED.330	Special medical circumstances	RMT.0287
Appendix I	Flight crew licence	RMT.0587
Appendix III	Certificate for approved training organisations (ATOs)	RMT.0587
Appendix IV	Flight simulation training device qualification certificate	RMT.0587
Appendix V	Certificate for Aero-Medical Centres (AeMCs)	RMT.0587 RMT.0287
Appendix VII	Certificate for Aero-medical examiners (AMEs)	RMT.0287
<b>Annex VII (Part-ORA)</b>		
ORA.FSTD.225	Duration and continued validity	RMT.0587
ORA.AeMC.105	Scope	RMT.0287

ORA.AeMC.115	Application	RMT.0287
ORA.AeMC.120	AeMC certificate	RMT.0287
ORA.AeMC.135	Continued validity	RMT.0287
ORA.AeMC.160	Reporting	RMT.0287
ORA.AeMC.200	Management system	RMT.0287
ORA.AeMC.205	Contracted activities	RMT.0287
ORA.AeMC.210	Personnel requirements	RMT.0287
<b>Annex VIII (Part-DTO)</b>		
DTO.GEN.135	Termination of entitlement to provide training	RMT.0587
<b>Regulation (EU) No 965/2012</b>		
<b>Annex III (Part-ORO)</b>		
ORO.FC.201	In-flight relief of flight crew members	RMT.0190
<b>ANNEX V (PART-SPA)</b>		
SPA.HEMS.130	Crew requirements	RMT.0287

## 2.4. What are the stakeholders' views

During the consultations of draft regulatory material as specified in Section 1.1, comments were received from interested parties, including industry, NCAs and stakeholder organisations. Additional comments were received during the (subsequent) focused consultations with the EASA Advisory Bodies. EASA reviewed the comments received and duly considered them.

This section provides an overview of substantive comments received and EASA's reaction to them. For RMT.0190, RMT.0287 Subtask 2a and RMT.0678, comment-response documents (CRDs) will be published subsequently to the publication of this Opinion, providing individual responses to all comments received.

### 2.4.1. RMT.0190

This section contains a summary of essential changes to the amendments as proposed with NPA 2014-25, based on comments received for that NPA and during the focused consultation workshop in June 2022. More details can be found in the rationale text boxes associated with each proposed amendment, as presented in Annex II to this Opinion. Finally, individual replies to all comments received for NPA 2014-25 are presented in CRD 2014-25.

Following comments received for NPA 2014-25 and based on discussions during the focused consultation workshop in June 2022, the proposed amendments of that NPA were further adapted in the following areas.

- The recency requirements as per point FCL.060 of Part-FCL were amended to provide more options for CRCPs to maintain recent experience.
- The new requirements for training and testing, as needed to lift the CRCP restriction (new point (c) in point FCL.720.A of Part-FCL), were redrafted to better describe the necessary training and testing in this context.
- Point FCL.730.A of Part-FCL is proposed to be amended, to allow access to zero flight time type rating based on experience gained as CRCP.
- For Appendix 9 to Part-FCL Section A, draft point 19 (NPA 2014-25, point 18) is amended to adapt and clarify the required content for training, testing and checking of CRCPs. As now proposed, applicants for a CRCP type rating will need to complete the regular type rating training course (including take-off and landing manoeuvres). However, for the subsequent skill test and proficiency checks they will be only required to perform landing manoeuvres in the role of the pilot monitoring. For consistency, point ORO.FC.A.201(b)(2)(iii) is clarified along these lines, in the context of operator recurrent training and checking.

#### 2.4.2. RMT.0287

This section contains a summary of essential comments received for NPA 2017-22 and during the focused consultation workshop in May 2022, and a summary of subsequent changes to the draft regulatory material. More details can be found in the rationale text boxes associated with each proposed amendment, as presented in Annexes I and II to this Opinion. Finally, individual replies to all comments received for NPA 2017-22 are presented in CRD 2017-22.

Within the scope of RMT.0287, essential stakeholder comments were received on the following topics.

##### — **Special medical circumstances**

The regulatory proposal to clarify point ARA.MED.330 received multiple comments requesting to completely delete the requirement altogether, since the vast majority of commentators considered that the content of point ARA.MED.330 is not ethical and allows for unequal treatment and unsafe practices. EASA consulted again with the medical experts of the Member States and industry that are part of the Medical Experts' Group (MEG). The result of this consultation also confirmed with overwhelming majority that point ARA.MED.330 should be deleted.

##### — **Format and content of the medical certificate**

Several commentators made suggestions to improve the format and content of the medical certificate. One of the most common comments in this regard was the request for a standardised medical certificate number across the Member States. In this context, it was decided not to change the implementing rule but to add an AMC for clarifications on the format of the medical certificate number.

##### — **Pilot age limit for pilots involved in single-pilot HEMS operations**

Several commentators suggested that the age limit alleviation should be extended to all types of commercial single-pilot operations from the start, while other commentators considered that

increasing the age limit above the age of 62 exceeds the current acceptable risk level for in-flight incapacitation and should not be considered at all. Based on discussions and the related conclusions during the focused consultation workshop, it was decided that the proposed age limit alleviation would not be limited to HEMS flight alone but would be extended to other activities performed by the respective pilot with the HEMS aircraft — such as ferry flights, operations that no longer qualify as HEMS but qualify as air ambulance and other situations — in order to limit the operational disruptions caused by the need to change the pilot and allow the pilots that benefit from the increased age limit to have a sufficient number of flight hours to maintain their operational skills.

### 2.4.3. RMT.0587

The draft amendments to Regulation (EU) No 1178/2011, as developed under RMT.0587, were presented to the EASA Advisory Bodies during a focused consultation workshop in June 2022. This section provides an overview of the essential comments received during and after that focused consultation workshop, along with subsequent changes to the draft regulatory material (amendments to presented proposals or development of additional amendments). More details on all proposed amendments developed by RMT.0587 (see Section 2.3.2 for an overview of affected legal references) and further amendments based on the comments received can be found in the rationale text boxes associated with each proposed amendment, as presented in Annexes I and II to this Opinion.

Within the scope of RMT.0587, the following essential stakeholder comments and changes to the draft proposals are highlighted.

#### — Replaceability of an MPL by a CPL

The proposal to allow the replacement of an MPL by a CPL (instead of endorsing CPL privileges onto the MPL) was highly supported. For details, please refer to the draft amendments to points FCL.325.A and FCL.405.A and the related rationale text boxes.

#### — Multi-pilot operation in single-pilot aircraft

With RMT.0587, new requirements were developed and presented during the focused consultation workshop, to clarify the conditions for operating a single-pilot aeroplane class in multi-pilot operation (point FCL.725(da), additional adjustments in Part-FCL, Appendix 9). During the focused consultation workshop, several participants proposed to further amend point FCL.725 to simplify and clarify the framework for operating single-pilot aeroplanes in multi-pilot operation in general; particularly, to no longer require licence endorsements related to the form of operation, and to leave the administration of single-pilot and multi-pilot privileges to the operator for which a pilot is flying. Such a solution had already been largely introduced for helicopter type ratings (Regulation (EU) 2021/2227<sup>16</sup>), and it was suggested that the requirements for aeroplane and helicopter type ratings should be aligned in this regard. In reaction to and following these comments, the Agency decided to comprehensively redraft point FCL.725(d) and to simplify and align the framework for licence endorsements related to multi-pilot operation in single-pilot aircraft (aeroplanes and helicopters). For details, please refer to the draft amendments to point FCL.725 and Appendix 9 to Part-FCL, and the related rationale text boxes.

<sup>16</sup> Commission Implementing Regulation (EU) 2021/2227 of 14 December 2021 amending Regulation (EU) No 1178/2011 as regards the requirements for all-weather operations and for instrument and type rating training in helicopters (OJ L 448, 15.12.2021, p. 39) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R2227&qid=1696944622151>).

#### — Use of FSTDs during TRI training

In general, the proposal to amend point FCL.930.TRI for consistency with Part-FCL, Appendix 9, Section A, point 1 was supported during the focused consultation workshop. However, comments highlighted the necessity to, in the context of these clarifications, develop additional AMC to illustrate training elements for the purpose of extending an 'FSTD-only' TRI(H) to conduct landing training in a helicopter. The Agency will develop such additional AMC and add it to the ED decision on amendments to AMC and GM, following the amending regulation that includes the RMT.0587 proposed amendments.

#### — Engine shutdown during CPL skill test

RMT.0587 proposed to amend Appendix 4 to Part-FCL (CPL skill test) to provide more flexibility, namely the option to conduct skill test elements related to VHF omnidirectional radio ranges (VORs) and non-directional beacons (NDBs) in FSTDs. Following a comment received during the focused consultation workshop, Appendix 4 to Part-FCL is proposed to be further amended to allow the examiner to decide not to complete the exercise on shutting down and restarting the engine in flight. For details, please refer to the draft amendments to Appendix 4 to Part-FCL and the related rationale text box.

#### — Autorotative landing during single-engine helicopter skill tests and proficiency checks

RMT.0587 developed an amendment to Appendix 9 to Part-FCL, Section C, Exercise 2.6.1, to allow skill tests and proficiency checks in single-engine helicopters to include a power recovery instead of an autorotative landing, provided that the applicant completed an autorotative landing during training in the preceding year. During the focused consultation workshop, some participants proposed alternative solutions, while others supported the proposal. The Agency, after further internal review, decided to keep the proposal unchanged, since it is considered the best compromise. For details, please refer to the draft amendments to Appendix 9 to Part-FCL, Section C, Exercise 2.6.1 and the related information in the rationale text box.

#### — FSTD recurrent evaluations

The proposals for revising the framework for FSTD recurrent evaluations (as originally developed with EASA RMT.0196 but 'accelerated' under RMT.0587) were supported. For details, please refer to the draft amendments to points ARA.FSTD.120 and ORA.FSTD.225 and the related rationale text boxes.

#### 2.4.4. RMT.0678

This section contains a summary of essential comments received for NPA 2020-14 during the focused consultation workshop in June 2022, and a summary of the subsequent changes to the draft regulatory material. More details on all the comments and amendments to the drafts can be found in the rationale text boxes associated with each proposed amendment, as presented in Annexes I and II to this Opinion. Finally, individual replies to all comments received for NPA 2020-14 are presented in CRD 2020-14.

Within the scope of RMT.0678, the following essential stakeholder comments and changes to the draft proposals are highlighted.

### — General support

Many comments supported the proposals contained in NPA 2020-14, namely the revised framework for the single-engine piston (SEP) class rating (including single-engine electric aeroplanes), the inclusion of the 5-hour night visual flight rules (NVFR) training into the 45-hour PPL(A) training course, and the refresher training for helicopter type rating revalidation.

### — Framework for electric variants with the SEP aeroplane class rating

Following many comments, the requirements for maintaining privileges of electric variants within the SEP aeroplane class rating were simplified (deletion of draft point FCL.741.A; privileges for both piston and electric engine variants to be maintained in accordance with the general framework for differences training). For details, please refer to the draft amendments to point FCL.710 and the related rationale text box.

### — Inclusion of hybrid engines within the SEP aeroplane class rating

Some commentators asked to also include further future engine designs in the new SEP aeroplane class, namely hybrid engines (where a piston engine and an electric engine will together power one single propeller). In reaction to these comments, the new definition for 'SEP aeroplane' in Article 2 is further amended to include such hybrid engine designs. For details, please refer to the draft amendments to Article 2 and the related rationale text box.

### — Credits for PPL applicants who completed (parts of) LAPL training

Some commentators proposed to further alleviate the framework for giving credits to student pilots who commenced a LAPL training course but would like to continue and complete the training through a PPL training course, followed by the issuance of a PPL. In reaction to these comments, the regulatory structure was slightly simplified (deletion of proposed point (d) in point FCL.210; point FCL.210.A(b) comprehensively revised instead), but without changing the essential crediting limits, in the interest of consistency and compliance with the International Civil Aviation Organization. For details, please refer to the draft amendments to point FCL.210.A and the related rationale text box.

### — One-hour duration of the refresher training flight for the SEP aeroplane class rating

NPA 2020-14 proposed to delete the requirement for refresher training to last for at least 1 hour. A high number of commentators did not support this deletion, highlighting that this 1-hour requirement should be kept to ensure a proper conduct of the training. Hence, the 1-hour requirement in points FCL.140.A and FCL.740.A is kept. For details, please refer to the draft amendments to point FCL.740.A and the related rationale text box.

### — Refresher training for all non-complex helicopters

NPA 2020-14 proposed to introduce the possibility to revalidate single-engine piston helicopter (SEP(H)) type ratings via a refresher training instead of a proficiency check. In reaction to many comments received, the scope of this revalidation option was extended from SEP(H) to any single-engine turbine helicopter up to a maximum take-off mass (MTOM) of 3 175 kg (see point FCL.740.H, as proposed to be redrafted).



— **Privileges of aeroplane licence holders to intentionally shut down a touring motor glider (TMG) engine in flight**

NPA 2020-14 proposed several changes in Part-FCL to clarify that holders of an aeroplane licence with associated TMG privileges are not entitled to intentionally shut down the engine in flight unless they also hold a sailplane pilot licence (SPL). With regard to these proposals, both supporting and opposing comments were received for the NPA. The subsequent discussion during the focused consultation workshop in June 2022 showed that the topic remains controversial. The Agency therefore decided not to include these proposed amendments to Part-FCL, as proposed in NPA 2020-14 (AMC1 FCL.115; point FCL.105.A(b), point FCL.705(b); Appendix 9, Section B, paragraph 5, Exercise 5.5), and to assess the issue in more detail through another RMT.

**2.4.5. Advice from the MAB (Article 6(9) of MB Decision No 01-2022)**

Before publishing this Opinion, advice was sought from the MAB in accordance with Article 6(9) of MB Decision No 01-2022 by sharing the draft Explanatory Note as well as the draft rule text. A low number of responses was received, not containing substantial disagreement that had not been raised and considered already during previous technical consultations. Some comments highlighted minor editorial errors or proposed minor text modifications for clarity — these inputs are appropriately reflected in the final text versions.

### 3. What are the expected benefits and drawbacks of the proposed regulatory material

#### 3.1. RMT.0190

Please refer to the impact assessment included in NPA 2014-25, which remains valid for this Opinion.

As regards changes to the proposals as presented to the NPA (see Section 2.4.1 above):

- the revised version of point FCL.060(b)(3) of Part-FCL and the consistent amendment to point ORO.FC.A.201 of Part-ORO provide more options for maintaining recent experience as CRCP;
- the updated proposals for amending Appendix 9 to Part-FCL, as regards the content of training, skill test and proficiency check for CRCPs, mirror the current practice in training industry.

Hence, these changes are expected to facilitate the achievement of the objectives of this Opinion (see Section 2.2) without negative additional impacts. For this reason, there is no need to update the impact assessment conducted with the NPA.

#### 3.2. RMT.0287

The amendments proposed with Subtask 2a ('Regular updates') comprise corrections, clarifications, updates and alleviations, and therefore by nature do not constitute major changes. For more details, please refer to the Chapter 4 'Impact assessment' included in NPA 2017-22.

As regards Subtask 2b (pilot age), the potential impact was assessed and consulted with the EASA Advisory Bodies as part of assessing the best intervention strategy (BIS). As a result of the comments received during the BIS consultation, the Agency decided to limit the scope of this task to the pilots involved in single-pilot HEMS operations. This decision was based on the potential negative impact of the possibility to discharge all the needed life-saving HEMS missions due to the insufficient number of HEMS pilots expected in the near future, and on the fact that some specificities of the HEMS operations may act as mitigating measures to ensure that the level of safety is maintained. The BIS identified that the updates proposed with Subtask 2b would provide multiple benefits, which are summarised below.

- Positive social impact on pilots by allowing the existing population of HEMS pilots to have the opportunity to work until the age of 65.
- Positive social impact on the general population by allowing more HEMS missions to be performed, and, consequently, more people in need of emergency medical care to benefit from them.
- Elimination of the need of exemptions and related workload for HEMS operators, NCAs and the agency.
- Collection of aggregated anonymised data to analyse health trends to facilitate safety assessment for alleviation of pilot age limits for other categories of commercial pilots.

### 3.3. RMT.0587

The amendments proposed with RMT.0587 ('Regular updates') comprise corrections, clarifications, updates and alleviations that are expected to provide minor benefits.

### 3.4. RMT.0678

Please refer to the impact assessment included in NPA 2020-14. Further changes that were applied to the NPA proposals, as described in this Opinion, constitute further improvements, clarifications and alleviations. For this reason, there is no need to update the impact assessment conducted with the NPA.



#### 4. Proposed regulatory material

Please refer to the following annexes.

- Annex I: Draft Commission Implementing Regulation ...-... amending Commission Regulations (EU) Nos 1178/2011 and 965/2012
- Annex II: Draft Annexes to Commission Implementing Regulation ...-... amending Commission Regulations (EU) Nos 1178/2011 and 965/2012



## 5. Monitoring and evaluation

EASA will monitor and, if necessary, evaluate the amended and new requirements through its regular standardisation activities, and based on information received through its Advisory Bodies.

Specifically, the amendments proposed by RMT.0287 Subtask 2b could be monitored by the following indicators:

- number of pilots engaged in HEMS who gain benefit of the proposal and continue flying up to the age of 65 in EASA Member States;
- number and analysis of the accidents/incidents of pilots in single-pilot commercial operations who gain benefit from the proposal and continue flying up to the age of 65 in EASA Member States;
- number and proportion of pilots between 60 and 65 years old assessed as unfit during their recurrent medical examination.

This data could be collected by organising a survey to the NCAs at least 3 years after the relevant requirements are fully implemented.



## 6. Proposed actions to support implementation

EASA will support the implementation of the amended and new requirements, as proposed with this Opinion, through focused communication with its Advisory Bodies and by providing individual support to NCAs, where requested.



## 7. References

- Bureau d'enquêtes et d'analyses pour la sécurité de l'aviation civile, 'Safety Recommendation FRAN-2022-002', <https://bea.aero/en/investigation-reports/notified-events/detail/accident-to-the-airbus-as350-registered-f-gibm-on-07-03-2021-at-touques/>.
- Mihai, C., 'Literature review regarding the colour vision requirements for aircrew', EASA, 2019, <https://www.easa.europa.eu/en/document-library/research-reports/easarepresea20191>.
- Safety Investigation Authority, Finland, '2017-S35 aeromedical examiners' competency based recurrent training', 2017, <https://turvallisuustutkinta.fi/en/index/turvallisuussuosituksset/suosituksset/1517504362664.html>.
- Safety Investigation Authority, Finland, 'L2021-03 amateur-built aircraft accident at Hyvinkää aerodrome on September 27, 2021', 2022, <https://www.turvallisuustutkinta.fi/en/index/tutkintaselostukset/ilmailuonnettomuuskientutkinta/tutkintaselostuksetvuosittain/2022/l2021-03amateur-builtaircraftaccidentathyvinkaaerodromeonseptember272021.html>.
- Simons, R., 'Literature review regarding considerations concerning the effects of shift work and fatigue of HEMS pilots aged 60–65', EASA, 2023 <https://www.easa.europa.eu/en/document-library/research-reports/literature-review-regarding-considerations-concerning-effects>.
- Simons, R., 'Literature review regarding extending age limits of HEMS pilots to 65 years: Mental health and cognitive screening – Considerations and recommendations', EASA, 2023 <https://www.easa.europa.eu/en/document-library/research-reports/literature-review-regarding-extending-age-limits-hems-pilots-65>.
- Simons, R., van Drongelen, A., Roelen, A., Maire, R., Brouwer, O., van Dijk, H. and Valk, P., *Age Limitations – Commercial air transport pilots*, EASA, 2019 <https://www.easa.europa.eu/en/document-library/research-reports/easarepresea20171>.