

JAA LICENSING SECTORIAL TEAM



Version :

JAA Sectorial Team on Licensing Requirements, JAR-FCL

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
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General

002	CAA – Denmark	This NPA does not give rise to any comments from the CAA -Denmark		Noted.
024	CAA – Sweden	Having concluded a national consultation procedure, we are pleased to inform you that we are in favour of the proposed amendments. However we would like to point out and draw to your attention that there are discrepancies between the justification text and the draft text to the amendment of Appendix 1 to JAR-FCL 1.005. (see Appendix 1 to JAR-FCL 1.005)		Noted.
025	Cessna Aircraft Company - USA	No comment		Noted.

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Appendix 1 to JAR-FCL 1.005

024	CAA - Sweden	Having concluded a national consultation procedure, we are pleased to inform you that we are in favour of the proposed amendments. However we would like to point out and draw to your attention that there are discrepancies between the justification text and the draft text to the amendment of Appendix 1 to JAR-FCL 1.005.	See also text below.	Noted.
<p>The proposed amendment is meant to be an alleviation for pilots, holding a national CPL(A)/IR with ATPL(A) theoretical knowledge, applying for a JAR-FCL licence. However, when reading the two texts in conjunction, it gives the impression that the justification is made more stringent than the amended rule. The justification on page 5 of the explanatory note mentions pilots employed in the General Aviation sector flying single-pilot multi-engine aeroplanes in approved multi-pilot systems with less than 500 hours on multi-pilot aeroplanes. The draft text on the other hand specifies multi-pilot operations on single-pilot aeroplanes in accordance with JAR-OPS 1 or equivalent national operational requirements. We believe that the justification must be wrong, as the number of engines on the aeroplane is not an issue to be considered when judging if an applicant is qualified to obtain a JAR-FCL licence. The relevant criteria must be whether a pilot has the required experience of multi-pilot operations.</p>				
031	Marduc Aeronautical Consultancy – The Netherlands	Proposed different text, add in column (3) : Any further JAA requirement (iii) Demonstrate to the satisfaction of the Authority a knowledge of the relevant parts of JAR-FCL 1 (aeroplane) and JAR-OPS as set out in AMC FCL 1.005 & 1.015.	To prevent the possibility that a SFI(A) will instruct without this JAR-FCL and OPS knowledge.	Rejected, not included in this NPA. Working Paper required.

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Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
062	DGAC – France	<p>Propose different text :</p> <p>In boxes (d) (2) and (e)(2) the wording would be :</p> <p><i>>500 on multi-pilot aeroplanes, or in multi-pilot operations on single-pilot aeroplanes JAR/FAR 23 commuter category in accordance with JAR-OPS 1 or equivalent national operational requirements</i></p>	<p>This wording is consistent with the JAR-FCL 1.280 (a) (1) and the new JAR-FCL 1.250 (a) (3)(ii) in this NPA-FCL 1-16 page 23</p>	Accepted.

JAR-FCL 1.015

012	CAA - Belgium	Delete paragraph (d)	<p>When an Authority issues a licence which deviates from JAR-FCL, any statement or reference to JAA should be deleted. Such licence must be issued as 'national restricted' licences. This is the only way to avoid any equivocation.</p>	Rejected.
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JAR-FCL 1.025				
013	CAA - Belgium	(1) Delete the word "renewal" at the end of the sentence. (2) Should this paragraph (b) be added or is this paragraph replacing old paragraph (b).	We propose to delete renewal. Once you renew your rating you obtain a new expiry date. We believe this paragraph is to be added.	(1) Rejected. (2) New text paragraph (b) added to existing paragraph.
039	CAA – United Kingdom	Replace proposed text in paragraph (b) with: "When issuing or revalidating/renewing a rating, the Authority may extend the validity period of the rating until the end of the month in which the validity would otherwise expire."	1] First, the text in the NPA proposal does not explicitly define which month is being referred to: the text above does. 2] Second, the qualifying clause in the text in the NPA proposal is confusing and superfluous. There is no need to refer to a date which:- "remains the expiry date of the rating as long as...". Once the date of expiry of the validity period is established it cannot be changed. The licence holder will simply revalidate the rating privileges before the expiry date or renew the privileges afterwards in accordance with the standard requirements set out elsewhere in JAR-FCL.	Accepted, but with the following text change : (b) <i>Validity of the licence and revalidation of a rating.</i> (1) The validity of the licence is determined by the validity of the ratings contained therein and the medical certificate (see IEM FCL 1.025). (2) When issuing or revalidating / renewing a rating, the Authority may extend the validity period of the rating until the end of the month in which the validity would otherwise expire, that date remains the expiry date of the rating.
033	ENAC - Italy	Propose different text.	The principle of validity established	Accepted, see also response to comment

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		This new paragraph should be added at the end of previous old paragraph and the word "renewal" must be deleted at the end of paragraph.	by JAR-FCL 1.025 should be valid as general concept as it appears in the old paragraph. The new paragraph (b) of NPA should be integrated at the end of old paragraph.	039.

Appendix 1a to JAR-FCL 1.055

040	CAA – United Kingdom	<p>Replace proposed paragraph 11, new text in 3rd sub paragraph text with:-</p> <p>"At FTOs conducting theoretical knowledge instruction only, the positions of HT and CGI may be combined. The nominated person shall have a sound managerial capability, hold or have held a professional pilot licence related to the course to be conducted with ratings as appropriate and shall meet the requirements set out in paragraph 19 below."</p>	See text below !	Accepted.
<p>All FTOs, even those conducting theoretical knowledge instruction only, should have a Head of Training. The HT is responsible to the Authority for ensuring that the FTO complies with JAR-FCL requirements and is the principal contact between the FTO and the Authority. So, where the position of HT is combined with one of the other management positions, the nominated person must satisfy JAR-FCL requirements for both positions in so far as they are applicable to the courses being offered by the FTO. In this particular case the requirement for the HT to hold or have held a professional pilot licence ensures that the FTO has someone with a background in the practical application of the knowledge being taught on courses.</p>				

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063	DGAC – France	The wording must be as follows (if I may) ! - Paragraph 2 : A FTO needs s only to meet - Paragraph 11 : [...] and the nominated person needs s only to meet	Editorial	Accepted. Editorial to paragraph 11 covered with amendment as proposed in comment 040.

Appendix 3 to JAR-FCL 1.055

041	CAA – United Kingdom	Propose different text See text below !	See text below !	Accepted, with addition of PPL(A) in (i). And the addition of a reference to Appendix 1 to JAR-FCL 1.130 & 1.135 in the title.
<p>1] Underneath title add:- “[see Appendix 1 to JAR-FCL 1.251 and AMC FCL 1.251]”</p> <p>2] Add new paragraph 6 as follows:</p> <p><i>“Training Courses</i></p> <p>Distance Learning will only be approved as a component of a course of theoretical knowledge instruction for the following courses:-</p> <p>i modular courses of theoretical knowledge instruction for the CPL(A), IR(A) and ATPL(A).</p> <p>ii courses of additional theoretical knowledge for a class or type rating for a single pilot high performance aeroplane.”</p>			<p>For the avoidance of doubt. See proposed Appendix 1 to JAR-FCL 1.160 and 1.165(a)(4), 1.205 and 1.285 and Appendix 1 to JAR-FCL 1.251. The latter is included because the instruction covers topics that are part of the theoretical knowledge syllabus content for the grant of a professional licence and because the completion of the instruction is a pre-requisite for training for the class/type rating for a single pilot high performance aeroplane.</p>	

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042	CAA – United Kingdom	Propose different text paragraph 4, last sentence Replace existing sentence with: 'The amount of time spent in actual classroom instruction shall be not less than 10% of the total duration of the course.'	The reference to a requirement for at least 65 hours or 10 days classroom time is not sensible. The hours requirement for the CPL, IR and ATPL modular courses are different. The 65 hour/10 day requirement does not seem to take account of this nor the fact that the ATPL modular course can be reduced for holders of CPLs and IRs nor the fact that holders of helicopter licences and ratings get credit under JAR-FCL #.050 for aeroplane licences and ratings. Nor does it recognise the new requirements for part professional licence knowledge for single pilot high performance aeroplane class/type ratings. The amount of classroom time required should reflect the needs of each specific course. Specifying a percentage of course duration achieves this.	Accepted.

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JAR-FCL 1.065				
014	CAA - Belgium	Propose different text to paragraph (b) : (b) In exceptional circumstances an applicant for a licence can ask to continue his training or to accept his medical assessment in another JAA Member State. This State will, together with the State where he started his training or he undergone his medical examination consider if the circumstances are acceptable and decide on the credit which can be given to the applicant.	- As long as paragraph (a) stays in this paragraph (a) is the general rule and only in exceptional case must be deviated from this general rule. We can easily accept cases as given in the justification document. - As long as we are not REALLY harmonised (see deviations list + all other cases brought up in the LST) we should not allow (and make a regulation for that) shopping around different countries (most cases presented up to now are not like this mentioned in the justification document). - Even the EU directive didn't allow "shopped" licences.	Rejected. See response to comment 064.
034	ENAC – Italy	Propose different text to paragraph (b) : " In exceptional circumstances and where the requirements of paragraph (a) above cannot be completed under the Authority of one JAA Member State,....."	The content of paragraph (a) is the general rule and only in exceptional circumstances must be deviated from this general rule. The paragraph (a) of NPA is too generic and indefinite.	Rejected. See response to comment 064.

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064	DGAC – France	Propose different text See text below !	The previous wording was unclear.	Accepted, with the following amendment to JAR-FCL 1.065 as mentioned below. The LST agreed during the review of this comment to amend paragraph (a) to remove the inconsistency that would otherwise exist with the agreed final wording in paragraph (b)
<p>(b) In circumstances acceptable by the authority of one JAA Member State, and when the requirements of paragraph (a) above are not completed under the authority of that State by an applicant, an agreement may be made with another JAA Member State to complete the training and testing under the authority of that other member state.</p> <p>Any such agreement shall allow credit for:</p> <ul style="list-style-type: none"> (i) theoretical knowledge training and examinations; (ii) medical examination and assessment; (iii) flight training and testing, <p>This credit must be acceptable by that other Member State to complete the required training and testing for this applicant in order to issue the licence.</p>			<p><i>(a) An applicant shall demonstrate the satisfactory completion of all requirements for licence issue to the Authority of the "State of licence issue"</i></p> <p><i>(b) In circumstances agreed by both Authorities, an applicant who has commenced training under the responsibility of one Authority may be permitted to complete the requirements under the responsibility of the other Authority.</i></p> <p><i>The agreement shall allow for :</i></p> <ul style="list-style-type: none"> <i>(1) theoretical knowledge training and examinations;</i> <i>(2) medical examination and assessment;</i> <i>(3) flight training and testing,</i> <p><i>The Authorities shall agree the State of Licence issue.</i></p>	

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JAR-FCL 1.080

006	Marduc Aeronautical Consultancy – The Netherlands	Propose different text in paragraph (b) 4 (iv) : (iv) Flight Instructors / Synthetic Flight Instructor / Flight Examiner.	To keep record, track, and proof of the activity during training	Rejected, not in NPA. Working Paper required.
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AMC FCL 1.125

015	CAA - Belgium	General comment : What happens with point 107 & 108 of the syllabus.		Noted, no changes to items 107 and 108.
043	CAA – United Kingdom	Retain original text	The proposed text eliminates specific communications skills that must be tested theoretically and practically, replacing them with general requirements that have little useful meaning. The proposed changes to the syllabus do not meet the ITU requirements for the issue of Flight Radiotelephony privileges.	Accepted.

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AMC FCL 1.160 & 1.165(a)(2)

065	DGAC - France	Add "aeroplane" and 2 comma for clarification See text below !		Accepted.
<p>operation of <i>either a single-engine or a multi-engine aeroplane</i> in the exercises of 5(e), including , <i>in the case of a multi-engine aeroplane</i> , operation of the aeroplane solely by reference to instruments with one engine simulated inoperative and engine shut down and restart; (the latter exercise at a safe altitude unless carried out in a synthetic training device).</p>				

AMC FCL 1.160 & 1.165(a)(4), 1.205 and 1.285

045	CAA – United Kingdom	General comment This AMC should be referenced to JAR-FCL 1.055.	See text below !	Accepted, will become AMC FCL 1.055(d)
<p>This AMC contains information specifically about the approval of training organisations and the courses they would be approved to run. It is not about CPL, IR or ATPL issue requirements. It should therefore be referenced to JAR-FCL 1.055.</p> <p>Paragraph 1 of this proposed AMC should also include a reference to meeting requirements for the issue of the first class or type rating for a single pilot high performance aeroplane because one of the pre-requisites for training for such a rating is completion of theoretical knowledge instruction that covers topics from the theoretical knowledge syllabus for a professional licence. There is no reason why this instruction cannot be given by an FTO already approved to run modular ATPL theoretical knowledge instruction courses. Appendix 1 to JAR-FCL 1.251 should also be added to the other JAR-FCL provisions listed under the title of the AMC.</p>				

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044	CAA – United Kingdom	Propose different text in paragraph 1, 1 st sentence after "...CPL, IR or ATPL..." insert " or first single pilot high performance aeroplane class/type rating." Under the title of Appendix 1 to JAR-FCL 1.251 add "[See AMC FCL 1.160 etc., etc.]"	The theoretical knowledge required as a pre-requisite for training for the first single pilot high performance aeroplane class/type rating is taken from the professional aeroplane licence theoretical knowledge syllabus so there is no reason why an FTO approved to run such courses following this syllabus could not provide the training to applicants for the aeroplane rating.	Accepted, add also PPL(A) and add reference to Appendix 1 to 1.130 & 1.135. See also comment 041.
046	CAA – United Kingdom	Propose different text in paragraph 3.g delete: '...at least every second working day.'	This is excessively prescriptive. The means of monitoring student progress should be acceptable to the approving authority and be stipulated in the training manual. Effectiveness of these monitoring arrangements can themselves then be monitored through the quality system.	Accepted.
JAR-FCL 1.165				
035	ENAC – Italy	add at the end of paragraph (a) Course ..." the course should be combined with a theoretical knowledge training course" .. the sentence : as set out in JAR FCL 1.160	For uniformity with the sentence of JAR FCL 1.160	Rejected, not in NPA. Working Paper required.

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JAR-FCL 1.195

036	ENAC – Italy	add at the end of paragraph (a) Course ..." the course should be combined with a theoretical knowledge training course" .. the sentence : as set out in JAR FCL 1.160	For uniformity with the sentence of JAR FCL 1.160	Rejected.
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JAR-FCL 1.240

047	CAA – United Kingdom	The proposed additional text to paragraphs 1.240(a)(2) and (a)(3) should be added to (a)(5), (a)(6) and (a)(7) as well.	JAR-FCL already requires the holder of a non JAA State licence to satisfy the applicable conditions set out in JAR-FCL 1.250, JAR-FCL 1.255 and JAR-FCL 1.260 to transfer class and type ratings from the non JAA State licence to a JAR-FCL licence. JAR-FCL 1.251 contains another albeit new set of conditions. The addition of the requirement to comply with JAR-FCL 1.251 when transferring a class/type rating from a non JAA State licence ensures that the rating can only be transferred to a JAR-FCL licence when all JAR-FCL conditions are met.	Accepted.
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JAR-FCL 1.245

079	CAA – The Netherlands	General Comment	In (iii) is spoken about a mixture. What do they mean with a mixture. In tolly 24 hours and is a combination possible ! f.i. 10 hours SEP and 14 hours TMG ?	Noted. Interpretation is correct. But only a total of 12 hours are required.
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JAR-FCL 1.250

003	CATS – England United Kingdom	Propose to delete paragraph (a)(3) (ii). Do not implement this new paragraph.	Very non-standard SOPs and operating environments are bound to occur in part JAR 23 OPS. For this reason I believe it to be less disciplines than FAR 25 aircraft. Therefore, it is <u>even more</u> important for these pilots to receive MCC training.	Noted, proposed text transferred to NPA-FCL 1 – 19 and current Long Term Exemption remains in force.
005	Marduc Aeronautical Consultancy – The Netherlands	Propose to delete paragraph (a)(3) (ii). - Shall not be considered to meet the requirements of MCC	About this group of pilots it is very well possible that none of them ever received any CRM training, an operation where it is needed badly. If the pilot now commence his type training on a MPA(A) he is lacking all the basic MCC subjects. During MPA training, CRM should be a skill.	Noted, proposed text transferred to NPA-FCL 1 – 19 and current Long Term Exemption remains in force.

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029	Flight Safety Boeing – France	Propose to delete paragraph (a)(3)(ii). - Shall not be considered to meet the requirements of MCC	Pilots without MCC certificate need too much extra introductions in crew co-ordination during the MPA type qualification course ref. AMC FCL 1.261(d).	Noted, proposed text transferred to NPA-FCL 1 – 19 and current Long Term Exemption remains in force.
030	Global Solutions – The Netherlands	Propose to delete paragraph (a)(3)(ii). - Shall not be considered to meet the requirements of MCC	Pilots flying in a Multi-Pilot Operation on Single Pilot Aeroplanes were never properly introduced to the Lifeware-Lifeware interface. Therefore, missing all the basic multi-crew co-operation elements, normally introduced in the AMC FCL 1.261(d).	Noted, proposed text transferred to NPA-FCL 1 – 19 and current Long Term Exemption remains in force.
060	European Cockpit Association	Propose different text to paragraph (a)(3)(ii) : Applicants <i> Holders of a JAR FCL CPL IR licence issued in accordance with Appendix 1 to JAR-FCL 1.005 </i> having <i> with </i> an experience of at least 500 hours as pilot in multi-pilot operation in accordance with JAR-OPS 1 on single pilot aeroplanes JAR/FAR 23 Commuter category, shall be considered to meet the requirement of MCC <i> when he has at least 500 hours in this condition;</i>	If this paragraph is maintained in the NPA version, all new holders of a JAR-FCL pilot licence who fly on a single pilot aeroplane commuter will never have to pass an MCC course. The MCC course in that case would only apply for pilots following an ATP course and wanting to obtain a multi pilot aeroplane rating. The ECA proposal limits the exemption to national licence holders before implementation date (grand father right). Complementary action : add in JAR-	Noted, proposed text transferred to NPA-FCL 1 – 19 and current Long Term Exemption remains in force.

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			OPS 1 a requisite MCC course for flying on multi-pilot operation on single-pilot aeroplane Commuter category for the same safety reasons it is necessary on multi-pilot aeroplane.	
066	DGAC – France	Propose different text for paragraph (a)(3)(ii) <i>Applicants having an experience of at least 500 hours as a pilot in multi-pilot operation in accordance with JAR-OPS on single pilot-aeroplanes JAR/FAR 23 Commuter category under national regulation, shall be considered to meet the requirement of MCC;</i>	This credit is acceptable for the transition period and must not be the rule in the future the normal way to get all the necessary skills to operate an aircraft under multi-operation task share is to follow the MCC course. That means that also for single pilot-aeroplanes operated under JAR OPS the MCC course must be seated.	Noted, proposed text transferred to NPA-FCL 1 – 19 and current Long Term Exemption remains in force.
077	CAA – The Netherlands	Propose to delete paragraph 3 (ii).	See text below !	Noted, proposed text transferred to NPA-FCL 1 – 19 and current Long Term Exemption remains in force.
<p>Initial JAR-FCL requires a high level of experience for a MCC Instructor. (Have or have held a MP type rating, 1500 hours on a MP type, have completed a MCC course and finally conducted 3 hours MCC instruction under supervision.)</p> <p>This indicates the importance of the required quality that should be reached during a MCC Course. Instruction can only be given by highly experienced pilots. Now, according this NPA, the MCC requirement for a type rating can be replaced by 500 hours experience in a multi-pilot environment on a single-pilot multi engine aircraft. (For instance a Piper Seminole !) This means that a very simple air operation on a very simple single aircraft and replace a MCC course.</p>				

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This is totally in contradiction with the philosophy of JAR-FCL.
 Further more regarding the 500 hours there is no bases and time frame mentioned.
 If this is accepted it also should be concluded that a MCC course has to be required before commencing flying in any kind of multi pilot operation, multi-pilot and single pilot aeroplanes. Finally, the JAR-FCL logbook doesn't facilitated the possibility to log time flown in multi-pilot operation in accordance with JAR-OPS on single-pilot aeroplanes Jar/FAR 23 commuter category.

JAR-FCL 1.251

011	CAE / NLS Maastricht – The Netherlands	Propose to add a credit to the existing procedure. I CPL holders already holding a Type Rating on (pressured) high performance aeroplanes and/or Multi-pilot aeroplanes are not required to take the theoretical knowledge test for a first Type or Class Rating for single pilot high performance (HPA) aircraft.	As lot of pilots are already flying on an CPL and IR on turbo props and even on MPA, there should be a credit for this category of pilots similar to other grandfather rights. They are flying in congested and complex high altitude airspace for years and have gained a lot of experience.	Rejected, covered by paragraph (a) it is only applicable for 'a first type or class rating for a single-pilot high performance aeroplane.
048	CAA – United Kingdom	Propose different text paragraph (a)(3) : After "...demonstrate appropriate theoretical knowledge..." insert "...by having passed the written examination...".	For the avoidance of doubt. It is evident from the appendix and AMC FCL related to this new requirement that a written examination must be passed and the ATPL examinations are written examinations anyway.	Accepted, see response to comment 067.

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067	DGAC –France	Propose different text paragraph (a)(3) : See text below !		Accepted, with and addition to Appendix 1 to JAR-FCL 1.251 under EXAMINATION, " The written examination...." And amendment to paragraph (b)
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New wording in consistency with the helicopter wording in the NPA-FCL 2-17 page 30 the helicopter wording could also be harmonised with this new lay out !

(3) (i) hold a certificate of satisfactory completion of an pre-entry approved course in accordance with Appendix 1 to JAR-FCL 1.251 to be conducted by a FTO or a TRTO; or

(ii) have passed at least the ATPL(A) theoretical knowledge examinations in accordance with JAR-FCL 1.285;or

(iii) hold a valid ICAO ATPL(A) or CPL/IR with theoretical knowledge credit for ATPL(A);

(b) The holder of a licence issued by a JAA Member State which includes a class or type rating for a high performance single pilot aeroplane shall be credited with the theoretical knowledge requirement of paragraph (a)(3) above when that rating is transferred to a JAR-FCL licence issued by that State.

Appendix 1 to JAR-FCL 1.251

016	CAA – Belgium	Propose different text. (1) Point 4 is missing (2) 5. Theoretical knowledge instruction for the HPA <u>must</u> be provided by an FTO approved to conduct theoretical knowledge training for the ATPL(A) <u>or by a</u> TRTO offering training for HPA...	By using may in the proposed text there is no obligation to follow the course.	(1) Accepted, renumbering is required. (2) Rejected.
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050	CAA – United Kingdom	Propose different text in 3 rd sentence delete "...application..." and insert "...training...".	Alignment with JAR-FCL 1.251(a) Pre-requisite Conditions for Training. This assumes that the intention is for the additional theoretical knowledge to be gained before the class/type rating training required by JAR-FCL 1.261 begins.	Accepted, with the following amendments in paragraph 4: "Training Course providers will be required to certify completion of the training and demonstration of knowledge by the applicant as a pre-requisite for application training for the addition to a licence of an initial type or class rating for aeroplanes designated as high performance.
049	CAA – United Kingdom	In paragraph 6 replace existing first sub paragraph with: 'There is no mandatory minimum or maximum duration of the theoretical knowledge instruction, which may be conducted by distance learning. The subjects to be covered in the course and written examination are shown in the accompanying table.'	1. Where is paragraph 4? Appendix 1 Editorial.	Accepted, changes made in paragraph 5.
068	DGAC – France	General Comment There is provision for JAR-FCL references in paragraph 6 antepenultimate line (third from last one) which are still open.		Accepted, insert Appendix 1 to JAR-FCL 1.470.

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AMC FCL 1.251

069	DGAC – France	<p>General comment to paragraph 4.</p> <p>Never in the JAR-FCL we have made such references for procedures on national licences ! Either this wording "<i>or national licences of a JAA Member State</i>" has to be kept and this concept has to be used in the all JAR-FCL as necessary either the wording has to be removed.</p>		<p>Accepted, with the following change to the last sentence of paragraph 4 : " The certificate will be valid indefinitely and must be submitted with the application <i>for</i> to add the first HPA type or class rating. to a JAR-FCL or national licence of a JAA Member State.</p>
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AMC FCL 1.261(d)

008	Marduc Aeronautical Consultancy – The Netherlands	<p>Propose different text to exercise 10.</p> <p>To add in the MCC exercises 10 iflight director and autopilot, <i>TCAS</i>, one engine simulated inoperative.....</p>	<p>For safety related issues, the TCAS training should be introduced during MCC training. This introduction should not take place during the MPA type training. During the MPA training the specific airline procedure will be added.</p>	<p>Rejected, not part of the NPA. Working Paper is required.</p>
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JAR-FCL 1.280

051	CAA – United Kingdom	Paragraph (a) Replace proposed text with:- "Of the 1500 hours flight time, up to 100 hours of flight time may have been completed in FS and FNPT of which a maximum of 25 hours may have been in FNPT."	Flight simulators and FNPTs are different kinds of STD. It is inaccurate to infer, as the NPA does, that FNPTs are a kind of flight simulator.	Accepted.
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Appendix 1 to JAR-FCL 1.285

052	CAA – United Kingdom	Delete last paragraph in its entirety.	With reference to the justification [which refers to the changes made to JAR-FCL 1.055] and because the requirement for the training to be conducted at an approved FTO is already mentioned in the 1 st paragraph of this appendix, the last paragraph is superfluous.	Accepted.
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Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
061	European Cockpit Association	Propose different text in paragraph 2 : An applicant shall be the holder of either a CPL(A) for a professional pilot or a PPL(A) for a private pilot, issued in accordance with JAR-FCL PPL(A) issued in accordance with ICAO Annex I.	See text below !	Rejected. The pre-entry requirement to hold a PPL(A) issued in accordance with ICAO Annex I should be the same for all courses.
<p>In view of the fact that the ATPL theoretical knowledge is a pre-requisite for a multi-pilot rating instruction (JAR-FCL 1.250), an applicant for the ATPL(A) theoretical knowledge instruction shall as a minimum be the holder CPL(A) for a professional pilot, and a PLL(A) for a private pilot.</p> <p>Equally, the ATL theoretical knowledge examination will be accepted for the CPL or IR during the 36 months from the date gaining a pass in all the required examination papers (JAR-FCL 1.495(a)) and 7 years from the last validity date of the IR entered in the CPL(A).</p> <p>The indication in the NPA << ...the holder of a ICAO PPL.>> will increase the confusion as to the destination of this modular theoretical knowledge course. This course is not appropriate for an ab-initio candidate as it would be impossible to complete a modular CPL and IR course in that timeframe having passed the ATPL theoretical knowledge examination. The applicant would have to request an exemption from the Authority.</p> <p>The 36 month is appropriate for an applicant in ATP integrated course and the modular ATPL theoretical course for a professional applicant holding at least a CPL to pass an IR in the 36 months.</p>				

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
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JAR-FCL 1.330

017	CAA – Belgium	Propose different text to paragraph (d). 1) the issue of an IR(A) single engine aeroplanes. 2) the issue of an IR(A) multi engine aeroplanes, provided that the instructor <i>meets the requirements of JAR-FCL 1.380(a)</i> ; provided...	The FI who meets the requirements of JAR-FCL 1.380(a) has also the privileges of a CRI(SPA) (see paragraph (e) of JAR-FCL 1.330). It is not necessary he holds a CRI(SPA) rating on his licence.	Accepted.
037	ENAC – Italy	Delete one "A" in IRA(A)	Editorial	Accepted.
053	CAA – United Kingdom	Propose different text paragraph (d)(2) : After "...provided that the instructor..." insert "has the privilege to give instruction in accordance with JAR-FCL 1.330(e) or..." and in front of " CRI(SPA) ..." insert "...valid...".	Suitably qualified FI rating holders can also give flight instruction in multi engine aeroplanes and the multi engine aeroplane instructing privilege should always be valid before giving instruction for the IR in a multi engine aeroplane.	Rejected, see response comment 017

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
070	DGAC – France	<p>General Comment For consistency with the new wording (d) (2), the § 1.330 (e) must read as follow :</p> <p>(e) the issue of a single-pilot multi-engine type or class rating, provided that the instructor meets the requirements of JAR-FCL 1.380(a); holds a CRI (SPA) for multi engine aeroplanes</p>		Rejected, see response comment 017.

JAR-FCL 1.355

001	IAOPA	Propose to delete new paragraph (b).	See text below !	Rejected. The LST is of the opinion that a FI should be checked at each alternate revalidation of the FI rating.
<p>We consider that the proposal to introduce a “mandatory alternate FI revalidation proficiency check” would represent unsound legislation for the following reasons.</p> <ul style="list-style-type: none"> - No clear safety case has been made. - JAR-FCL FI requirements have not been in place for sufficiently long for any defined “lowering of standards” to be proven. - We were sold the “seminar concept” on the grounds that it would make revalidation easier, since it can be booked and achieved much more easily than the revalidation proficiency check. 				

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
<p>- The seminar procedure has settled down well now and is understood by all concerned.</p> <p>- Now that FEs have their examining standards checked every 3 years, they are standardised far more than hitherto. Poor instructional standards would have led to an increased failure rate at the PPL Skill Test, fairly obviously. Has this happened? No. Far better to focus on weak areas of Skill Tests (which NAAs must now know as they get all those report forms returned), circulate those to Heads of Training at RFs and FTOs, requiring them to bring them to the attention of their FIs. You would then have continuous attention to standardisation and detail.</p> <p>In conclusion we object in the strongest possible terms to this proposal. Flight Instructors need to be considered and would not wish to see the increase in legislative, financial and personal inconvenience which would result from this nugatory proposal.</p>				
028	RAF Brize Norton Flying Club Ltd – United Kingdom	Propose to delete new paragraph (b).	See text above !	Rejected. See response to comment 001.
054	CAA – United Kingdom	See text below !	The requirements should be appropriate to the need.	Rejected. See response to comment 001.
<p>The text in the NPA will require the holder of an FI rating to pass a proficiency check at every second revalidation regardless of whether or not he/she also passed a proficiency check at the previous revalidation of the rating. Also it is not clear where the counting starts from to determine what constitutes the second revalidation.</p> <p>On the basis of the justification what seems to have been intended is that if a pilot revalidates the FI rating with instructing experience and a seminar, for the next revalidation he/she must pass a proficiency check as one of the two from three options.</p> <p>Is this what was really intended? It would deal with the concerns expressed in the justification but would do so in a slightly different and slightly less onerous way than the current NPA text requires.</p>				

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
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076	CAA – The Netherlands	Delete the proposed amendment, “ to require FI(A) rating holders to pass a proficiency check at every second revalidation”.	See text below !	Rejected. See response to comment 001.
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The argument that FI(A) holders become unrestricted without further testing or standardisation is unfounded.

Reasons :

- initially for standardisation the FI seminars were developed.
- Secondly the minimum hours required for revalidating the FI licence has been increased from nil till 100 hrs in three years and 30 hours in the last year before the licence expires.
- Third, FTOs are required to maintain quality control and standardisation regarding the performance of their Flight Instructor.

Further more :

With the introduction of JAR-FCL and the revalidation requirements already caused that a large number of good qualified free lance instructors gave up their profession.

Next to this the requirements to become a flight instructor has been increased significantly and caused a significant increment of costs for young pilots. Already at this moment we are noticing that it becomes difficult for flying schools to maintain their minimum number of flight instructors.

Adding a proficiency check at every second revalidation will add another psychical and financial barrier, for pilots to become flight instructor.

AMC FCL 1.355

007	Marduc Aeronautical Consultancy – The Netherlands	Propose different text to paragraph (a)(2)(5). 5. The content of the FI/IRI refresher seminar should include at least the following :	To make the text more clear, to prevent misunderstanding. One could read it and only have one subject in the seminar. This change will make sure all subjects are mentioned.	Rejected, not in NPA. Working Paper required.
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Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
JAR-FCL 1.390				
018	CAA – Belgium	Propose different text to paragraph (b). The privileges of the holder of an IRI(a) rating are limited to conduct flight instruction for (a) the issue of an IR(A) single-engine aeroplanes; (b) the issue of an IR(A) multi-engine aeroplanes, provided that the instructor <i>meets the requirements of JAR-FCL 1.380(a)</i> .	(Same as for JAR-FCL 1.330(d)) The FI who meets the requirements of JAR-FCL 1.380 (a) has also the privileges of a CRI(SPA). It is not necessary to hold a CRI(SPA) rating on the licence.	Accepted.
055	CAA – United Kingdom	In paragraph (b) : After "...provided that the instructor..." insert "has the privilege to give instruction in accordance with JAR-FCL 1.330(e) or..." and in front of " CRI(SPA) ..." insert "...valid...".	Suitably qualified FI rating holders can also give flight instruction in multi engine aeroplanes and the multi engine aeroplane instructing privilege should always be valid before giving instruction for the IR in a multi engine aeroplane.	Rejected, see response to comment 018
081	CAA – The Netherlands	Propose different text. The privileges of the holder of an IRI(A) to conduct flight instruction	Editorial	Accepted.

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
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JAR-FCL 1.416

082	CAA – The Netherlands	Request to combine MCCI and CRM trainer privileges and requirements to fill in the grey area that stays undefined if only MCC instructors are mentioned in JAR-FCL.	To achieve a better coherence between JAR-FCL and JAR-OPS in the MCC / CRM area.	Rejected. Item to be discussed for future FCL and OPS harmonisation.
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JAR-FCL 1.417

004	Marduc Aeronautical Consultancy – The Netherlands	Propose different text to paragraph (a)(2) : (a) (2) Have at least 1500 hours flying experience as pilot on Multi-Pilot Aeroplanes during commercial air transportation.	This to prevent of having MCCI instructors without JAR-OPS experience. A pilot who flew in JAR 23 will have multi hours, but probably flew not in MCC concept.	Rejected. See response to comment 022.
019	CAA – Belgium	Why do we refer to AMC FCL 1.365 in paragraph (a)(3) ? Is this correct ?	There is no reference to an MCCI course in AMC FCL 1.365.	Noted, see response to comment 022.
022	KLM Flight Academy – The Netherlands	Propose different text : See text below !	See text below !	(a)(1) : Accepted. (a)(3) : Rejected, with a reference to new AMC FCL 1.417. A new one has been developed based on AMC FCL 1.365. (a)(4) : Rejected. (b) : Rejected

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
				<p>- A reference to MCCI(A) to be added to JAR-FCL 1.300(b)</p> <p>- JAR-FCL 1.310(c) to be amended to cover also "Authorisations".</p>
		<p><i>(a) An applicant for a MCCI(A) authorisation shall:</i></p> <p><i>(1) hold or have held within the last 3 years a professional pilot licence issued by a JAA Member State or a non- JAR-FCL professional licence acceptable to the Authority and a type rating on a multi-pilot aeroplane.</i></p> <p><i>(2) have a least 1500 hours flying experience as pilot on multi-pilot aeroplanes</i></p> <p><i>(3) have completed on a FNPT II or a flight simulator an approved MCCI course received training in instruction, acceptable to the Authority (see AMC- FCL 1.365).</i></p> <p><i>(4) have conducted on a complete MCC course at least 3 hours of flight instruction /MCC- instruction on the relevant FNPT II or flight simulator under the supervision and to the satisfaction of a TRI(A), SFI(A) or MCCI(A) notified by the Authority for this purpose. participated in a CRM - training</i></p> <p><i>(b) If the privileges are to be extended to another type of FNPT II or flight simulator the holder shall complete (a) (4) above on that type of FNPT II or FS.</i></p>	<p>The MCCI(A) requirements in NPA 16 are such that applying for a MCCI(A) authorisation is restricted to, relatively, retired airline pilots.</p> <p>Before JAR-FCL KLS (KLM Flight Academy) has been giving MCC training, integrated in a Jet Orientation Course, since 1994. For conducting this training instructors were used with different backgrounds : mostly retired captains with abundant experience in flying and instruction but also some young FI's with relatively little experience. These FI's have proven to be valuable MCC-instructors after received proper MCC-training themselves.</p> <p>Training in instruction acceptable to the Authority should provide quality assurance for the training of airline captains who retired more than 3 years ago as well as for training new MCCIs who do not have experience as an airline pilot.</p>	

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
026	EAAPS	Propose different text : See Comment 022 !	See Comment 022 !	Noted, see response to comment 022.
032	Marduc Aeronautical Consultancy – The Netherlands	Propose different text under (a)(5) (5) Have demonstrated to the satisfaction of the Authority a knowledge of the relevant parts of JAR-FCL 1 (aeroplane) and JAR-OPS as set out in AMC FCL 1.005 & 1.015	To prevent the possibility that an MCCI(A) will instruct without this relevant knowledge.	Rejected. See response to comment 022.
056	CAA – United Kingdom	(a) Paragraph (a)(1), remove existing text “and a type rating on a multi pilot aeroplane”, and replace removed text with : “or have equivalent military experience”. (b) Paragraph (a)(2), replace existing text with “have at least 750 hours flying experience as pilot on multi-pilot operations.”	(a) The current precludes those pilots that have experience in Public Transport operations as multi pilot crews in aircraft that are certificated for single pilot operations. It also excludes pilots with appropriate military experience. (b) For consistency with (a) above and also that this would be a reasonable level of experience given that the qualification is for MCC course without Type Rating.	(a) Rejected. (b) Rejected. See response to comment 022.
071	DGAC – France	Propose different text (a) (2) have a t least	Editorial spelling mistake	Accepted.

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
072	DGAC – France	There is no MCCI course described in AMC FCL 1.365		Noted, see response to comment 022.
074	DGAC – France	See text below !		Withdrawn, covered comment 073.

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
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JAA COMMITTEE ON FLIGHT CREW LICENSING

(FCL-C)

JAA FCL 2001/1 Meeting
Palma 8 - 11 January 2001

REPORT

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Agenda Item 7 Outstanding Working papers

31 The following working papers were discussed:

WP 144CAA Denmark

JAR-FCL 1.417 MCCI(A) Requirements and **JAR-FCL 1.418** MCCI(A) Revalidation and Renewal

DE presented proposed text for the MCC instructor, pointing out that this would be a special MCC instructor. There was considerable discussion from the FCL-C, particularly as to the "to hold or have held" clause. It was finally agreed that the following text would be accepted for NPA 15 and should there be any problems, they could be considered then:

JAR-FCL 1.147 MCCI(A) Requirements (See AMC FCL 1.365)

- (a) An applicant for a MCCI(A) Authorisation shall:
 - (i) hold or have held within the last 3 years, a professional pilot licence issued by a JAA Member State or a non-JAR-FCL professional licence acceptable to the Authority and a valid type rating on a multi-pilot aeroplane (rest of text unchanged)

JAR-FCL 1.148 MCCI(A) Revalidation and Renewal. Unchanged from Working Paper

It was pointed out that under the above arrangements, a MCCI(A) might only operate for 3 years (period of validity of authorisation) and should he/she wish to continue working in this role, it would be necessary to become an SFI.

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
080	CAA – The Netherlands	<p>Same as 022 !</p> <p>We have knowledge of the proposal of the KLM Flight Academy. We support their proposal and we propose to change the text in the way they suggest.</p>		Noted, see response to comment 022.

JAR-FCL 1.418

009	KLM – The Netherlands	<p>Propose different text, new paragraph.</p> <p>(a) For revalidation of a MCCI(A) authorisation the applicant shall within the last 12 months of the validity period of the authorisation :</p> <p>(1) (i) have held a type rating on a multi-pilot aeroplanes, and</p> <p>(2)(ii) have completed the requirement in JAR-FCL 1.416(a) (4). Or</p> <p>(3) during a MCC session in the relevant FNPT II or flight simulator have demonstrated his competence as MCCI(A) to the satisfaction of the Authority.</p>	<p>The original text of (a) is misleading because it can be read as :</p> <p>Comply with (1) and comply with (2) or (3) instead of,</p> <p>Comply with (1) and (2) or comply with (3)</p>	Noted, see response to comment 073.
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Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
010	KLM – The Netherlands	Propose different text : - In paragraph (a) "revalidation" instead of "validation". - In paragraph (a)(2) "1.417(a)(4)" instead of "1.416(a)(4)".	Editorial mistakes.	Accepted.
023	KLM Flight Academy – The Netherlands	Propose different text See text below !	See text below !	Rejected, see response to comment 073.
<p><i>(a) For validation of a MCCI(A) authorisation the applicant shall within the last 12 months of the validity period of authorisation:</i></p> <p><i>(1) have held a type rating on a multi-pilot aeroplanes. Conduct at least 1 MCC training</i></p> <p><i>(2) Have completed the requirement in JAR-FCL 1.416(a)(4) Receive refresher training on Human Factors and CRM</i></p> <p><i>Or</i></p> <p><i>(3) during a MCC session in the relevant FNPT II or flight simulator have demonstrated his competence as MCCI(A) to the satisfaction of the Authority.</i></p> <p><i>(b) If the authorisation has lapsed the applicant shall:</i></p> <p><i>(1) meet any requirement of refresher training at the discretion of the Authority. Conduct a MCC training under supervision of a MCCI</i></p> <p><i>(2) during a MCC session in the relevant FNPT II or flight simulator have demonstrated competence MCCI(A) to satisfaction of the Authority. Receive refresher training on Human Factors and CRM</i></p>			<p>As a MCC training must be a part of an integrated ATPL curriculum at a FTO, the requirement for revalidation and renewal as proposed in JAR-FCL 1.418(a) (1) must be deleted because if MCCIs need to have held a type rating MPA within the last 12 months of the validity period of the authorisation, they will, most likely, have left the FTO and started to work for an airline. This will make it very difficult for a FTO to maintain a group of MCCIs that is sufficiently large for their training requirements. On top of this retired airline pilots will not be able to revalidate their MCCI – authorisation if the article is not deleted.</p>	

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
027	EAAPS	See Comment 023	See Comment 023	Noted, see response to comment 073.
038	ENAC – Italy	In paragraph (a) add RE at the word "validation" at the first sentence.	Editorial	Accepted.
057	CAA – United Kingdom	(a) Paragraph (a)(1), remove existing text, and replace removed text with : "have been current in multi pilot operations". (b) Paragraph (a)(2), replace existing text "1.417(a)(4)", with "1.418(a)(4)".	(a) Consistency with proposed changes to 1.417 (b) Typographical error	Rejected.
073	DGAC – France	Propose different text ! See text below	- (a) and (a) (2) : are editorial - The requirement in (1) is not necessary because "have held" is covered by the new requirement in JAR-FCL 1.417 (a)(1) - Those requirements have been set for the pilots which have lost their licence for medical reason. It has been said during the discussion of the WP (see the attachment extract from LST # 1 report) that after 3 years this MCCI(A) must become a SFI. This concept is not in the requirement in this NPA but France is from the opinion that at least the necessary skills to operate as MCCI have to be demonstrated.	Accepted, with the deletion of proposed (a)(3) and (a)(2) renumbered in (a)(1). Proposed (b)(2) replaced by the text of (a)(2) See text below !

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
		<p>(a) For revalidation of a MCCI(A) authorisation the applicant shall within the last 12 months of the validity period of authorisation:</p> <p>(1) have held a type rating on a multi-pilot aeroplanes.</p> <p>(2) Have completed the requirement in JAR-FCL 1.416(a)(4) 1.417(a)(4)</p> <p align="center">Or</p> <p>(3) during a MCC session in the relevant FNPT II or flight simulator have demonstrated his competence as MCCI(A) to the satisfaction of a TRI(A), SFI(A) or MCCI(A) notified by the Authority for this purpose the Authority.</p> <p>(b) If the authorisation has lapsed the applicant shall:</p> <p>(1) meet any requirement of refresher training at the discretion of the Authority, and</p> <p>(2) during a MCC session in the relevant FNPT II or flight simulator have demonstrated his competence as MCCI(A) to the satisfaction of a TRI(A), SFI(A) or MCCI(A) notified by the Authority for this purpose the Authority</p>		<p>(a) For revalidation of a MCCI(A) authorisation the applicant shall within the last 12 months of the validity period of authorisation have completed the requirement in JAR-FCL 1.417(a)(4)</p> <p>(b) If the authorisation has lapsed the applicant shall:</p> <p>(1) meet any requirement of refresher training at the discretion of the Authority, and</p> <p>(2) Have completed the requirement in JAR-FCL 1.417(a)(4).</p>

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
074	DGAC – France	See text below !		Noted, see response to comment 073

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
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JAA COMMITTEE ON FLIGHT CREW LICENSING

(FCL-C)

JAA FCL 2001/1 Meeting

Palma 8 - 11 January 2001

REPORT

.../...

Agenda Item 7 Outstanding Working papers

31 The following working papers were discussed:

WP 144CAA Denmark

JAR-FCL 1.417 MCCI(A) Requirements and **JAR-FCL 1.418** MCCI(A) Revalidation and Renewal

DE presented proposed text for the MCC instructor, pointing out that this would be a special MCC instructor. There was considerable discussion from the FCL-C, particularly as to the "to hold or have held" clause. It was finally agreed that the following text would be accepted for NPA 15 and should there be any problems, they could be considered then:

JAR-FCL 1.147 MCCI(A) Requirements (See AMC FCL 1.365)

- (a) An applicant for a MCCI(A) Authorisation shall:
 - (i) hold or have held within the last 3 years, a professional pilot licence issued by a JAA Member State or a non-JAR-FCL professional licence acceptable to the Authority and a valid type rating on a multi-pilot aeroplane (rest of text unchanged)

JAR-FCL 1.148 MCCI(A) Revalidation and Renewal. Unchanged from Working Paper

It was pointed out that under the above arrangements, a MCCI(A) might only operate for 3 years (period of validity of authorisation) and should he/she wish to continue working in this role, it would be necessary to become an SFI.

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
078	CAA – The Netherlands	Propose different text, See text below !	Solely maintaining a MP type rating shouldn't mean that the instructor remains current in MCC instruction. To be able to maintain a satisfactory level of standardisation and quality control, demonstration instruction competence towards a person who is notified by the Authority for this purpose is essential.	Noted, see response to comment 073.
<p>(a) For revalidation of a MCCI(A) authorisation the applicant shall within the last 12 months of the validity period of the authorisation :</p> <p>(1) Have completed the requirements in JAR-FCL 1.417(a)(4) [i.s.o. JAR-FCL 1.416]</p> <p>Or</p> <p>(2) during a MCC session in the relevant FNPT II or FS have demonstrated his competence as MCCI(A) to the satisfaction of a TRI(A), SFI(A) or MCCI(A) notified by the Authority for this purpose.</p>				

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
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JAR-FCL 1.485

058	CAA – United Kingdom	See text below !	See text below !	Accepted, with the following amendment for the first sentence : “An applicant shall be recommended for an examination by the approved FTO responsible for applicant’s training when the applicant has completed the appropriate elements of the course of theoretical knowledge instruction to a satisfactorily standard.”
Proposed different text in paragraph (b). Delete 1 st sentence and replace with:- “An applicant shall be recommended for an examination by the approved FTO responsible for applicant’s training when the applicant has satisfactorily completed the appropriate elements of the course of theoretical knowledge instruction to a standard that in the judgement of the HT or CGI, if appointed, will enable the applicant to be entered for the examination with a good prospect of passing it.”		An applicant should only be recommended to sit an examination if he/she has a good chance of passing the examination. The alternative text above better achieves the aim described in the justification. It is similar to the proposed NPA for AMC FCL 1.160 and 1.165(a)(4), 1.205 and 1.285, paragraph f. Also this requirement is properly the responsibility of the FTO not the applicant and so should be taken out of 1.485 entirely. It could be put in a new separate provision in Sub part J entitled Responsibilities of the FTO. Another suitable place would be JAR-FCL 1.030. This presently covers general arrangements for [flight] testing but could be extended to cover examinations as well.		

Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
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JAR-FCL 1.490

020	CAA - Belgium	Propose different text. ...is allowed by JAR-FCL, within the time and attempts or sittings limits.....	Paragraph (c) of JAR-FCL 1.490 foresees also a limitation of attempts which are not taken over in paragraph (d).	Rejected.
075	DGAC – France	General Comment It seems that the wording of the paragraph (d) means the same thing that the new paragraph (c) ! That must be checked with the LSST(E) and the paragraph (d) must be removed if necessary.		Accepted.

IEM FCL 1.490

021	CAA - Belgium	General comment. Why this items are not taken in JAR-FCL 1.001 Definitions ?		Rejected, they only refer to Subpart J.
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Comment/Response Document NPA-FCL 1 – 16 (Aeroplane)

Comment number	Commentator	Proposed text/comment	Reason(s) for proposed text/comment	Response
059	CAA – United Kingdom	<ol style="list-style-type: none"> 1. Replace title with: 'Terminology used in Sub part J for Procedures for the Conduct of Theoretical Knowledge Examinations.' 2. Under title delete: '[see JAR-FCL 1.490]' 3. Replace introductory sentence with: 'The meaning of terms used in Sub part J is given below.' 	<ol style="list-style-type: none"> 1. Editorial - consistency with title of Sub part J. 2. Editorial – the terms are used in provisions other than JAR-FCL 1.490. 3. Editorial. 	<ol style="list-style-type: none"> 1. Accepted. 2. Accepted. 3. Accepted.