

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
Appendix 1 to JAR-FCL 1.005	063 CAA, UK	Paragraph (a) should be read as follows: " <u>for ATPL and CPL complete as a proficiency check...</u> ".	Accepted
JAR-FCL 1.016	062 CAA, Finland	Minimum requirements 30 hours of ground instruction and 10 hours of dual flight instruction	Not accepted, hours not necessary
	176 DGAC, France 108 ECA, Belgium 115 ECA, Belgium	Minimum hours (15 for CPL and 25 for IR)	
	234 EPAG, France	Add at the end: "...when the experience of the applicant is significant of the highest privileges that would be granted by the JAA licence and IR, if applicable, applied for."	
	027 Martinair Holland	Detailed requirements for experience	
	202 Oxford Air Training, UK	Except for ATPL; For individuals holding a CPL/IR the minimum course will be the modular CPL course and the ME on SE IR modular course as appropriate. The theoretical knowledge must be demonstrated to CPL/IR or ATPL level by passing the appropriate JAR-FCL theoretical knowledge exams	Not accepted
	064 CAA, UK	Delete last part (FTO): how about PPL from RF and how about multi-pilot and TRTO	Last part deleted. Add: " <u>The Authority may be guided as to the credits to be granted on the basis of a recommendation from an appropriate training organisation</u> "
	246, 259 FAA, USA	A proposal to place an FTO in the position of determining what requirements an applicant would have to meet amounts to abrogation of an Authority's responsibility. Etc.. see comment Some JAA Member States use testing for pilot licenses as a revenue generator FAA requests that the JAA withdraw this proposal.	
	091 NATA, USA	This is against JAA harmonisation	Noted
JAR-FCL 1.017	177 DGAC, France	Add "authorisation" after "ratings" in the title and in the first line	Accepted, add <u>authorisations</u> 3 times

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
JAR-FCL 1.055 and appendices	107	GAMTA, UK	Retain existing, pre-NPA 10 text of 1.055. Removal of 2(a) and (b) will inevitably destroy Europe's professional pilot training industry. Costs in certain non-JAA countries are much lower Costs in JAA States will increase anyway, with the implementation of JAR-FCL. There will be long term safety implications if Europe's pilots are not being trained at all in European conditions of weather and airspace. We would urge you resist such pressure and challenge the legitimacy of the relevant of GATT.	The FCL/C sees no merit in trying to maintain the restrictions concerning principle place of business and ownership but will make sure that equal standards are met regardless of place of business. Special conditions will be developed to assure that. Control and supervision of schools outside JAA states is vital. JAR-FCL 1.055 (a)(2) has been amended to assure that jurisdiction is a precondition for approvals. See attached proposal
	180	DGAC, France	New subpara in 1.005: <u>Wherever a reference is made to JAA Member State this means full Member State.</u>	Accepted as new para to JAR-FCL 1.005(a)(3)
	242 265 231	Banyan, USA FXE Airport Association, USA Wisconsin Aviation, USA	- Commercially motivated regulations - Preserving a struggling European market - Penalise students taking advantage of the exceptional quality and high calibre of flight training in US flight schools - Entire aviation industry will experience a domino effect....since many of the students work as flight instructor in the US - Will discourage pilots from pursuing training...despite increase in demand	Noted
	232	Cross executive Air, USA	Prohibiting US flight schools from training European students is short-sighted first and detrimental economic sanction at the extreme	Noted
	244	David Faile, USA	The proposed JAA regulations that would eliminate the training of flight crews in the US are a deal that will stifle an industry worth more than \$30 million.	Noted
	245	FAA, USA	Restrictions added that do not exist under current requirements. FAA moved many of its restrictions. That strategy does little to embrace harmonisation by moving away from trade restrictions and moving toward safety-driven requirements	Noted

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
JAR-FCL 1.055 and appendices	243 <i>NATA, USA</i>	The ambiguous nature of the conversion process continues to be a stumbling block for US flight training	Noted
	235 <i>Voyager, USA</i>	Approximately 80% of our total annual revenue (\$448.000 in 1998) is derived from "European citizens and we feel that if the above proposal is adopted by the EU itself, our company will suffer a catastrophic downturn in business to the point where we may not be able to continue trading. We do object with regard to PPL training.	Noted
	233 <i>EAAPS, France</i>	<p>What is the reason to change? Changes are made for commercial considerations. Is this not outside the remit of the JAA? What are special conditions? If special conditions are defined and accepted, will they have to be accepted by the other JAA member states? If not, will the licences issued bear an explicit endorsement? What would be the liability implications for a pilot/instructor/FTO holding a JAR-FCL licence, rating, approval when the JAA is dissatisfied? How will the JAA deal with the: = unfairness to the JAA FTOs that have no choice, but to apply to their own NAA =- breach of safety, as the JAA FTOs choice will be guided by various reasons which might have a direct or indirect negative effect on safety = confusion, if and how any other JAA NAA would in return be entitled to interfere with the non JAA FTO and its approval See further comment</p>	<p>See response to comment 107</p> <p>Yes, special conditions will be incorporated in JAR-FCL and therefore licences will not be endorsed.</p>

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
JAR-FCL 1.055 and appendices	222	<i>Aerotec Escuela de Pilotos, Spain</i>	Revert to previous text We do not see how national administrations would handle disciplinary issues for FTO training centres in countries not under any JAA civil authority "Fiscal flying paradise" Differences may arise between FTO facilities in and outside a JAA territory	See response to comment 107
	200	<i>Airmed, Spain</i>	Return to previous text: Is SPIC figure allowed in outside country? A compulsory item in JAR-FCL could not be allowed in that Country. Perhaps an illegal JAR-FCL actuation could be legal there. And in this case what Authority could act against the School?	See response to comment 107
	146	<i>Spanish Flying School Association, Spain</i>	State must accept JAR-FCL as Country Law The State and the Flying school must be adapted to JAR-FCL and must be inspected periodically by another JAA Member State	See response to comment 107
	272	<i>Aero Madrid Flight School, Spain</i>	Yes, special conditions will be incorporated in JAR-FCL and thus licences will not be endorsed.	See response to comment 107
JAR-FCL 1.055 and Appendices and JAR-FCL 1.300 and Appendix	010	<i>AOPA, Germany</i>	AOPA-Germany is highly concerned to allow training for JAR-FCL licenses and ratings outside JAA member states. European flying schools have less business. Jobs are lost Less hours are flown at GA airports. Less fuel, less landing fees. Pilots do not know European weather, airspace structure, radio phraseology	Covered
JAR-FCL 1.055	217	<i>DAC Luxembourg</i>	<i>Delete "Full".</i>	Covered by Change in JAR-FCL 1.005.
JAR-FCL 1.055(a)(1)	260 247	<i>FAA, USA</i>	What is full member State? Only part of training done outside?	Covered by new text in JAR-FCL 1.005
	178	<i>DGAC France</i>	<i>Last sentence: replace by "if part of the training is completed outside of JAA member States. See Appendix 1(b) to JAR-FCL 1.055</i>	Partly accepted.

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
JAR-FCL 1.055(a)(1) and (2)	050 GAMA, USA	"FTOs and TRTOs must comply with the applicable requirements of JAR-FCL" Current para (a) is inconsistent with the obligations under Article II of the GATS	Covered by new text in JAR-FCL 1.055 (a)(2)
	216 CAA, Luxembourg	See extensive comment	Covered by new text in JAR-FCL 1.055 (a)(2)
JAR-FCL 1.055(a)(2)	017 LFV, Sweden	<u>For FTOs wishing to offer training for professional licences and associated ratings when located outside a JAA full member State, approval will be granted when in compliance with JAR-FCL by the state which receives the application. FTO shall meet all requirements of JAR-FCL.</u> Same requirement as for TRTO	Covered by new text in JAR-FCL 1.055(a)(2)
	065 CAA, UK	Add after FTOs: "...and organisations specialising in theoretical instruction	Covered; added " <u>Flight Training</u> " to JAR-FCL 1.055 (d) in the beginning
	109 ECA	What is special conditions?	Covered
	179 DGAC, France	5 th line add after approval: "by a JAA member State's Authority" JAA member States Authority can only grant approvals Withdraw para until new appendix is produced listing the special conditions. No blank check. There is no urgent need as long as JAR-FCL has not been satisfactorily implemented.	Covered by new text
	015 AOPA, UK	FCL/C should reconsider new proposal. AOPA (UK) is extremely concerned with the development of the system to allow training for JAR-FCL licences and ratings outside JAA Member States. We fear many will decide to cut the course short once they have accumulated the necessary experience for a PPL or CPL, thus undermining the principle. The safety aspect is also a problem, with pilots being trained in better weather conditions, returning to work in Europe. It takes many hours to acclimatise to the European weather after the blue skies of Florida.	Covered by new text
	012 AECMA, France	TRTO within JAA Member State should also have possibility to do part of training outside	Covered by para 7 of Appendix 2 to JAR-FCL 1.055

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
JAR-FCL 1.055(a)(2)	219 <i>DAC, Luxembourg</i>	What are special conditions?	Covered
	248, 260 <i>FAA, USA</i>	Subparagraph (a)(2): "organisation" does it refer to a FTO? What are special conditions? The term "professional licenses" precludes an FTO to meet all other conditions which conflicts with the title of Appendix 1a to 1.055 and subparagraph (a)(1). No courses for PPL and CPL? A new restriction?	Not accepted this will lead to an uncontrollable situation. See response to comment 269
	249, 260 <i>FAA, USA</i>	PPL training limited to JAA Member States? Against harmonisation objectives and the spirit of free trade	Was in NPA-FCL- 7 out for comments, and no comments from FAA. Not accepted, this will lead to an uncontrollable situation. The procedure to become a RF is just to complete the registration form. This registration form is accepted without formality.
	<i>Letter from Mr.P.Harper, CAA, UK</i>	Registered facilities must also have the possibility to do part of the training outside	This restriction was basis for the acceptance for the concept of Registered Facilities. See also response above.
	066 <i>CAA, UK</i>	1) Delete " <i>located in the JAA full member States</i> " and insert " <i>whose principle place of business and registered office is located in a JAA full member State.</i> " 2) add new 2 nd sentence " <i>Part of the instruction may be performed outside the JAA full member State (see Appendix 1b to JAR-FCL 1.055)</i> "	1) and 2) The scope of training outside JAA member States should not be extended further, at least for the time being, in order to keep supervision, inspection and jurisdiction possible.
	067 <i>CAA, UK</i>	After " <i>...by the Authority..</i> " delete " <i>...in respect of..</i> " and insert " <i>...subject to complying with..</i> " Editorial	Accepted
	054 <i>GAMA, USA</i>	Outside FTOs should also be allowed to conduct ground school courses	See response to 066
	260, 250 <i>FAA, USA</i>		
	098 <i>Flight Safety International, USA</i>	Even the ground school cannot be conducted in a non JAA State	See response to 066

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
Appendix 1(a) to 1.055	144 <i>Western Michigan University, USA</i>	Strongly support deletion	Thank you
	236 <i>MOT, Germany</i>	No Authority is obliged... Should be JIP material	Necessary information for applicants
	251 261 <i>FAA, USA</i>	Paragraph 3: Suggest to make a cost recovery procedure or through an implementation procedure, or both. Compliance with the letter and spirit of GATT and furtherance of harmonisation between JAA and FAA	Noted
	096 <i>Flight Safety International, USA</i>		
	051 <i>GAMA, USA</i>		
	093 <i>Flight Safety International, USA and Executive Office of the President of The United States Trade Representative</i>	Delete paragraph 2: Paragraphs 2(a) and 2(b) are inconsistent with the JAA Member States' obligation under Article II of the GATS Deletion brings paragraphs into compliance with other international agreements.	Noted
	218 <i>DAC, Luxembourg</i>	"No Authority is obliged to grant an approval..." Should also be in paragraph 3 of Appendix 2 to 1.055	Accepted
Appendix 1(b) to 1.055	181 <i>DGAC, France</i>	Amend title to read " <i>Partial training..</i> " Subpara (d) Replace " <i>should</i> " by " <i>shall</i> "	Accepted Accepted
	252 <i>FAA, USA</i>	Root paragraph: What are the provisions for an FTO totally training outside? Could an European airline not comply by having it principal place of business (or operating an airline) in a JAA member State yet have an (its) FTO conducting total pre-licensing training outside a JAA member State, as appears to be the case now?	Covered by the development of JAR-FCL 1.055(a)(2) and Appendix 1c to JAR-FCL 1.055
	260 <i>FAA, USA</i>		
	262 <i>FAA, USA</i>		

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
Appendix 1(b) to 1.055	269	<i>Finnair, Finland</i>	Add CPL/IR integrated course	Rejected for the time being Right now we have only experience with ATP integrated courses and the organisational structure including trained instructors is existing. Extension to include other courses will lead to a lot of more additional requests and an uncontrollable number of applications for training of European pilots will come up. The decision may be reconsidered when JAR-FCL is implemented.
	110	<i>ECA, Belgium</i>	1. Add in Title "Partial" 2. a proposal for a minimum of 15 hours of acclimatisation flight in para (c) 3. "shall" must be "should"	1. " <i>Partial</i> " is accepted with comment 181 2. "15 hours of acclimatisation flight" no need for specific minimum hours since the skill test can only be performed in Europe; Spain, France and Germany do not agree the other way around: " <i>should</i> " must be " <i>shall</i> " accepted with comment 181
	206	<i>LBA, Germany</i>	1. Proposals for text change: <u>FTOs partly ...as indicated in JAR-FCL 1.055 (a)(1) may perform training...</u> 2. Clarification a. <u>Provided the additional requirements...</u> Clarification 3. <u>(c) Alternatively an additional training of at least 10 h has to be performed for accommodation respectively acclimatisation to the European airspace structure, the ATC communication, the weather etc..."</u> More flexibility for NAA's	1. is covered 2. covered by special conditions 3. a majority is of the opinion that the IR skill test must be taken in the European Airspace
	088	<i>Swissair Aviation School, Switzerland</i>	Para (c): Acclimatisation flying in the airspace of JAA member State See comment	Leave as it is
	182	<i>DGAC, France</i>	Para (c): In 4th line add " <i>with a minimum of 10 hours of flight</i> " after " <i>acclimatisation flying</i> " What is the meaning of the last sentence?	See response to 110 Proposal to delete the sentence
	018	<i>LFV, Sweden</i>	Delete (a), (b), (d) and (e) An FTO shall meet all requirements of JAR-FCL even if the training takes place partly outside JAA member states	Covered by next text

Paragraph	Comment Number and Origin	Summary of Comments	Response	
Appendix 1(b) to 1.055	253 260	<i>FAA, USA</i>	Subparagraph a: Delete the words training will be confined to all or part of the ATP integrated course.	Dealt with before in 066

Comment-Response Document NPA-FCL-10

145	Western Michigan University, USA	Delete the word "partly" from the first line of the new Appendix	Misunderstanding
087	Swissair Aviation School, Switzerland	Paragraph (b): replace "completely independent from the relevant FTO" by "not connected with the applicants training" Unnecessarily restrictive	Comments not accepted Add at the end of the para (b): <u>"except with the express consent in writing of the Authority"</u>
145	Western Michigan University, USA		
068	CAA, UK	-There is no flight safety or safety regulatory case to justify the restriction to ATP integrated courses only or parts thereof - See other proposals: e.g. to add organisations specialising in theoretical instruction, etc.	See 066
254 260 100 055	FAA, USA Flight Safety International, USA GAMA, USA	Student needs to travel back to Europe for phase tests, Economic burden to student Recommend that the JAA authorise TRTOs in a non-member state, pre-approval to accomplish the practical examination in the simulator/aircraft.	Misunderstanding.
090	NATA, USA	Proposal for new text: NATA questions the proposed language that places severe limitations on training conducted outside JAA Member States.. The exclusion of other training programs has no concern for safety and is motivated solely by the immediate economic needs for airline pilots.	Noted
255, 260	FAA, USA	Subparagraph (c): IR test in JAA member State and unspecified amount of acclimatisation flying in JAA Member State These requirements cannot be shown to have any basis in safety. They are not in keeping with harmonisation objectives and the spirit of free trade.	The FCL/C considers that acclimatisation is safety related.
089	Swissair Aviation School, Switzerland	Subpara (c) Add at the end: "or at locations determined by the approving Authority" The proposed text is too restrictive and might be contrary to the aim for quality of training.	See text change to paragraph (c)

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
Appendix 1(a) and 1(b) to JAR-FCL 1.055	028 <i>Martinair Holland</i>	Merge Appendix 1a and 1b into a single appendix.	Not accepted
Appendix 1(b) to 1.055 and Appendix 1 to 1.300	116 <i>EFIS/ESCA, Belgium</i>	Proposed regulation is contrary to the fundamental principles justifying the JAA existence. Stick with pure European training with JAA instructors Temporary compromise: Training can be done outside provided that the training is given by JAA instructors	Covered by the new wording
Appendix 2 to 1.055	257 260 <i>FAA, USA</i>	This proposed appendix would preclude training organisations from providing the training for a person to simultaneously accomplish a type rating and a higher license.	Still possible as long as the applicant meets the other requirements
	099 <i>Flight Safety International, USA</i>		
	052 <i>GAMA, USA</i>	Delete entire paragraph 2.	Rejected
	026 <i>Martinair Holland</i>	Editorials	Frustration noted
	095 <i>Flight Safety International, USA</i>	Editorials	Noted
	001 137 <i>AIA, USA ATA USA</i>	Agree	Thank you
	155 <i>Augsburg Airways Germany</i>		
	160 <i>FlightSafety Boeing USA,</i>		
	094 <i>FlightSafety International</i>		
	117 <i>Hapag Loyd, Germany</i>		
	043 <i>Martinair, Holland</i>		
	208 <i>Monarch Airlines, UK</i>		
	168 <i>TAP, Portugal</i>		
	198 <i>THY, Turkey</i>		
	223 <i>FlightSafety Boieng Training USA</i>		
237 <i>MOT, Germany</i>	Para 3: Last sentence should be in JIP	Not relevant due to changes	
256 260 263 <i>FAA, USA</i>	Subparagraph 2(b): The FAA makes the same observations about the conflict between an acceptable means of compliance and a requirement that it made about proposed Appendix 1a	Misunderstanding; Appendices are requirements	

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
AMC FCL 1.055	029	Martinair, Netherlands	Text is not an AMC, but is purely explanatory	Rejected. Same text as in JAR-OPS. Maintain the same standard and wording
	002	AIA, USA	Agree	Accepted thanks
	161	FlightSafety Boeing, USA		
	224	Flight Safety Boeing, USA		
	097	Flight Safety International, USA		
	053	GAMA, USA		
	175	SAS, Sweden	<p><i>"A FTO/TRTO must establish and document a quality system acceptable to the authority. For the structure and content reference is made to JAR-OPS 1.035 and AMC OPS 1.035"</i></p> <p>The aim is the same but there are significant differences in the use of vocabulary and structure. JAR-OPS should be the standard.</p>	Partly accepted. New text at the end of AMC FCL 1.055: <u>"The quality system in JAR-FCL and in other JARs may be integrated."</u>
	273	ERA	<p>Additional text at end of title: <u>"Not operating in accordance with JAR-OPS"</u></p> <p>Operators who are operating in acc. With JAR-OPS are subject to a Quality Control System under JAR-OPS 1.035, which includes training</p>	Covered. See comment 175
069	CAA, UK	<p>4th Para From 2nd and 3rd lines delete <i>'..full time'</i></p> <p>All instructors should be included when deciding if an FTO or TRTO can be regarded as a very small or small organisation not just full times+</p>	Accepted. Delete <i>"full time"</i> (twice in AMC FCL 1.055 (2) in paragraph 4	

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
AMC FCL 1.055	220 DAC, Luxembourg	This IEM could be shortened: the same provisions are repeated again and again in almost each para.	Covered. See comment 029
	070 CAA, UK	Para 1 Accountable Manager: Delete existing text and add: <i>“Accountable Manager: The person acceptable to the Authority who has authority for ensuring that all operations can be carried out to the standard required by the Authority, and any additional requirements defined by the FTO/TRTO. This may be the Head of Training.”</i> Clarification. There is no proper definition in the proposed IEM. The above text is from JAR-OPS modified for JAR-FCL.	Partly accepted. Delete “May be the Head of Training” Add: <u>“A person acceptable to the Authority who has authority for ensuring that all training activities can be financed and carried out to the standards required by the Authority, and additional requirements defined by the FTO/TRTO.”</u> Add to Appendix 1a (para 9) and 2 (Para 8) to JAR-FCL 1.055: <i>“An FTO/TRTO shall nominate a person acceptable to the Authority who shall satisfy the Authority that sufficient funding is available to conduct training to the approved standard. Such person shall be known as the accountable manager.”</i>
	183 DGAC, France	Insert definition of JAR-OPS for Accountable Manager	Accepted. See comment 070 and 071.
	071 CAA, UK	Para 2: Delete <i>“The Head of Training”</i> and insert: <i>The Accountable Manager</i> Clarification. As written the text implies that the Head of Training must be the Accountable Manager	Partly accepted. See comment 070 and 183.
	019 LFV, Sweden	Para 4: 4.2 Add: <i>not be a Chief Flying Instructor or Chief Ground Instructor</i> Quality Manager should not hold any of these positions	Rejected. Do not cover small organisation.
	072 CAA, UK	4.3 Second sentence is a requirement and the committee should consider if it ought to move to Appendix 1a and 2 to 1.055. A chief instructor is not a post recognised in JAR-FCL, is it Head of Training?	Partly accepted. Delete: <i>“it will not be acceptable for”</i> Insert: <u>“<i>should not</i>”</u> Replace “chief instructor” by <u>“<i>Head of Training, Chief Flying Instructor and Chief Ground Instructor.</i>”</u>

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response		
AMC FCL 1.055	031	Martinair, Netherlands	<p>Para 6.12 Delete para: Customer satisfaction is, in principle, not an element of a quality assurance programme aimed at ensuring “safe and efficient training” (IEM 1.055 para 3).</p>	Rejected. See comment 029.	
	032	Martinair, Netherlands	<p>Para 10 Most is stated in para 14. Little difference between “inspection” and “audit”. If comment not accepted than at least maintenance should be deleted as it is not agreed that maintenance is a “typical subject area for quality inspection” by an FTO/TRTO. Most FTOs/TRTOs will be using JAR 145 approved organisations for their maintenance. What requires auditing, is the FTO/TRTO’s relationship with the maintenance provider used (see para 14 point h of the IEM).</p>	Rejected. There is a need even in the maintenance field.	
	220	DAC, Luxembourg	<p>Para 17.1.2 Refers to 4.8.4. There is no paragraph 4.8.4</p>	Accepted: delete “4.8.4” insert “ <u>16</u> ”	
	Appendix 1 to JAR-FCL 1.075	184	DGAC, France	<p>Delete “issued in accordance with ICAO” since JAR-FCL are not totally in accordance with ICAO (validity period of class 2 medical certificate...).</p>	Will be clarified with ICAO
		020	LFV, Sweden	<p>Size of each page shall be one eighth A4. Delete “not less”.</p>	Not accepted
JAR-FCL 1.080	238	MOT, Germany	<p>Add “occupying a pilot’s seat” at end of paragraph (c)(1)(i) for clarification of commander/pilot-in-command. Add new paragraph (d) to clarify evidence of specific JAR-FCL qualifications</p>	Comment withdrawn – not part of NPA 10	

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
Appendix 1 to JAR-FCL 1.130 & 1.135	204 CAA, Denmark	Paragraph 1, change the third "at least 120 questions" to "at least 100 questions".	Not accepted
	033 Martinair Holland	PPL is a recreational licence, and the requirements should reflect it.	Not accepted
	021 LFV, Sweden	Add " <u>at the discretion of the Authority</u> " after "...or more days..".	Accepted
JAR-FCL 1.185	034 Martinair Holland	No objection	Noted
	073 CAA, UK	Insert " <u>to achieve a pass in all sections of.</u> " after " who fails" After " until" delete "a new" and insert "... <u>the.</u> ". Changes make it clear that failure in any section of the check renders the rating invalid until a complete pass has been achieved.	Accepted text change, same for 1.245 (d) (076), 1.315(b) (082)
JAR-FCL 1.215	111 ECA, Belgium	Delete autogyro Or add also to JAR-FCL 1.215(a)	Both comments accepted by deleting <u>autogyro's</u>
	074 CAA, UK		
JAR-FCL 1.240 & 1.245	258 FAA, USA	This proposed subpara would impose upon an applicant for a class or type rating or both all the requirements of JAR-FCL for that rating...(read further the comment)	Rejected as we only insist on the applicable paragraphs
	264 FAA, USA		
	101 Flight Safety Int'l, USA		
	056 GAMA, USA		
JAR-FCL 1.240 & 1.245	075 CAA, UK	Move to Subpart A it is a special situation of the kind dealt with in these provisions where licensing decisions taken by individual member States acting at their own discretion are not binding on other member States	Rejected
JAR-FCL 1.240	035 Martinair Holland	This explanation to this para suggests that a pilot can (subject to the NAA's agreement) obtain a rating on their JAA licence on an aeroplane registered or operated in a non-JAA State is to be welcomed. If it is so that rating can only be used in non-JAA state delete. If it is not so then the text requires revision	Rejected partly misunderstanding
	185 DGAC, France	Add to (a)(4): " <u>The restriction may be removed when the holder has completed at least 500 hours of flight as a pilot on the type/class and complied with the revalidation criteria as in JAR-FCL 1.245</u> "	Accepted (editorial: change: "...criteria as in paragraph 1.245" to "...requirements of JAR-FCL 1.245")
	022 LFV, Sweden	delete whole para, not acceptable	Rejected: the para enables pilots to work on aircraft registered outside JAA member States.

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
JAR-FCL 1.245	023 LFV, Sweden	delete para	Rejected
	076 CAA, UK	Insert "to achieve a pass in all sections of.." after " who fails" After " until" delete "a new" and insert "...the..". Changes make it clear that failure in any section of the check renders the rating invalid until a complete pass has been achieved.	Accepted by comment 073
JAR-FCL 1.245(e)(3)	077 CAA, UK	After "..operated by.." insert " ..an operator" To confirm to similar wording in (e)(2)	Accepted add " <u>..an operator of a</u> " after "...operated by.."
JAR-FCL 1.245(e)(4)	186 DGAC, France	first line amend to read "..issued <u>and</u> used.."; licences issued by a JAA member State are covered in 1.245(e)(1) and (2) – editorial?	Rejected; text is correct
JAR-FCL 1.245(f)(1)	187 DGAC, France	add after (b) (1)	Add after "...by the Authority" : " <u>and complete a proficiency check in accordance with Appendix 1 to JAR-FCL 1.240.</u> "
JAR-FCL 1.261	239 MOT, Germany	Paragraph (d)(2): Addition to text of NPA 5 "Where MCC training is combined with training for an initial type rating on a multi-pilot aeroplane <u>also other FTD's may be used as part of the overall approval of the combined course</u> ". In case of combination of MCC training and type training for a multi-pilot aeroplane, also other FTD's may be used subject to approval.	Covered by NPA-FCL- 5
Appendix 1 to 1.261	266 133 Finnair, Finland	Transfer Appendix to Subpart N of JAR-OPS 1 as an AMC. Rewrite text as an AMC and deletion of 1 st item. Reason: nature of the text is JAR-OPS 1	a) Not accepted. TRWG was a combined working group FCL/OPS. If OPS committee wants to introduce it is an AMC it is their decision. For FCL it should stay in as an Appendix b) Accepted. No. 1 is deleted the rest will be renumber
	036 Martinair Holland	Agree. This improvement in the ZFT requirements is strongly supported. See also comment to JAR-FCL 1.365	Noted
	188 DGAC, France	Title: Add ZFTT	All proposals accepted. Abbreviation ZFTT will be added to new number 1 and also to abbreviations list
	133 Finnair, Finland		

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
Appendix 1 to 1.261	205	CAA, Denmark	<p>Addition text under Para 2. Approval of Zero Flight Time Training</p> <p><i>“(f) Approval for ZFTT will only be given to training organisations having a specific approved arrangement with JAR-P(S Air Operator assuring that the requirements as to similarity between simulator and aeroplane, student prerequisite and line flying are met and type rating after ZFTT will be restricted to that operator until line flying under supervision, including line check, has been accomplished.”</i></p>	Accepted with modifications (see new para (f) in new number 1. Similarity between simulator and aeroplane is assured by the user approval
	112 188	ECA, Belgium DGAC, France	Paragraph 2(b): Add at the end of the sentence “(see JAR-STD)”	Accepted
			Paragraph 2(c) and 3(c): Replace “should” by “shall”. Editorial	Accepted
			Paragraph 3(b) Replace “jet-turbine” by “turbo jet” as in JAR-OPS	Accepted
			Paragraph 4(b): Amend to read “the first four take-offs and landings carried out by a pilot following ZFTT shall be flown under the supervision of a TRE(A)..”. Take-offs are as important as landings.	Accepted Rejected
	270	Finnair, Finland	<p>Paragraph 2(c): “At least 8 additional take-off and landing exercises in lieu of aeroplane flight training shall be conducted by a TRI in type rating course.” Additional take-off and landing exercises in lieu of aeroplane flight training shall be included in the type rating course and should be conducted by a TRI.</p>	Accepted but reduced to 6 take offs and landings

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
Appendix 1 to 1.261	013 AECMA, France	Paragraph 1: Transfer to an AMC Paragraph 2(e): If “should” is used it will prohibit an operator to conduct ZFTT for introduction of a new aeroplane even if already experienced in ZFTT and if simulator is available.	Covered by deletion of paragraph 1: Rejected to allow TRI's to gain some experience on the relevant type.
	078 CAA, UK	Paragraph 2(c): Amend as follows: ' <i>a minimum of 6 take-off and landing exercises..... and should be conducted by a TRE</i> ' since NPA 5 introduced 6 landings as a minimum requirement in the aeroplane.	Accepted but conducted by a TRI
	138 Air Transport Association, USA	Paragraph 3(a): Delete paragraph 3(a) And renumber (b) to (a) and (c) to (b). Pilot qualified enough for ZFTT since someone with fewer hours or route sectors will not be serving as Pilot in Command. This is a much safer and proven test practise around the world and this requirement only serves to increase costs and add risk to aeroplane training.	Rejected: the experience requirements have been applied for many years in Europe. More evidence would be required to lower these requirements
	151 Air Holland		
	156 Augsburg Airways, Germany		
	162 and 225 Flight Safety Boeing training International, USA		
	057 GAMA, USA		
	044 Martinair, Netherlands		
	209 Monarch Airlines, UK		
	169 TAP Air Portugal		
	193 Turk Hava Yollari, Turkey		
	003 AIA, USA		
	079 CAA, UK	Paragraph 3(b): should read as follows: “A relevant type of aeroplane is a similar category of aeroplane with a MTOM of not less than 35% of the MTOM of the aeroplane on which the ZFT training is being given”. The quoted not less than 10 tonnes MTOM or passenger seating for more than 20 is not adequate when the new type may well be a wide-body heavy jet.	Rejected. Is considered to be too restrictive in the light of existing experience.

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
Appendix 1 to 1.261	014	AECMA, France	Paragraph 4: Refers to Line Flying after ZFTT; is relevant to JAR-OPS. Line Flying should be consider as part of an Operator's Conversion Course. Paragraph 4 should be replaced by a "bridge" to JAR-OPS. 4. ZFTT will be only approved in the frame of an Operator's Conversion Course which shall include a module for Line Flying under Supervision (refer to JAR-OPS). Then 4a and 4b transfer to an IEM: "This IRM provides guidance for Line Flying Under Supervision after ZFTT, the approval of contents and arrangements are contained in JAR-OPS: a. Line Flying b. B. The first four landings.....	Partly accepted by adding new para (f) to new number 1: <u>Approval for ZFTT will only be given to a training organisation provided by an operator or a training organisation having a specific approved arrangement with a JAR-OPS 1 air operator assuring that student pre-requisites are met and the type rating will be restricted to that operator until flying under supervision has been accomplished.</u>
	139	ATA, USA	Paragraph 4(a): "as soon as possible but not more than 15 days after the completion of.." should replace "within 7 days". This additional time will allow the trainee to return to Member State (if trained abroad) and re-adjust to local time	Partly accepted; new text " <u>as soon as possible but not later than 15 days after completing the ZFTT</u> "
	152	Air Holland,		
	154	Augsburg Airways, Germany		
	132	Finnair, Finland		
	163 and 226	FlightSafety Boeing Training International USA		
	102	FlightSafety International, USA		
	118	Hapag Lloyd, Germany		
	045	Martinair, Netherlands		
	210	Monarch Airlines, UK		
	170	TAP, Portugal		
	199	THY, Turkey		
	004	AIA, USA		
		058	GAMA, USA	Delete paragraph 4(a): Requirements for JAR-OPS This additional time will allow.. (see above)
AMC FCL 1.261 (c)(2)	240	MOT, Germany	Paragraph 3: last sentence unclear. Paragraph 4: "skill test" shouldn't be an objective in itself and in sentence 4 "Skill test" may be one	The comment is not valid for NPA 10. This AMC was adopted in NPA 5 nevertheless the type rating working group should examine the proposals or answer the questions.

Comment-Response Document NPA-FCL-10

		in a flight simulator and/or in the aeroplane. Insofar mentioning STD is not clear		
Appendix 1 to 1.300	037	<i>Martinair, Holland</i>	Add text to explain that the instruction is given at an FTO or TRTO only	Accepted: text added in the heading: “ <i>..in an FTO or TRTO..</i> ”
	038	<i>Martinair, Holland</i>	Add text to clarify that the Authority is the JAA NAA issuing the organisation’s approval to be located outside the JAA	Rejected, text is sufficiently clear
	024	<i>LFV, Sweden</i>	Paragraph 1: Item 1 shall be deleted. The instructors shall meet the JAR-FCL requirements	Rejected. This para requires higher standards than JAR-FCL; “dual” deleted “equivalent” is needed
	113	<i>ECA, Belgium.</i>	Paragraph 1 (a)(i): Add: “ <i>..for the instruction of the relevant level to be given..</i> ” Only instruction on the relevant level is suitable.	1) Covered under 1(a)(ii) 2) Meaning is all instruction is covered not only flight or ground 3) Additional para 2 (a)(vi) rejected as it is no requirement for JAR-FCL TRI(A)
	080	<i>CAA, UK</i>	Paragraph 1 (a)(ii): At end of provision delete ‘ <i>...(c) and/or (d)</i> ’; and insert ‘ <i>...(c), (d) and/or (e)</i> .’ No reason to prohibit instructors from giving multi-engine instruction.	Accepted
	086	<i>Swissair Aviation School, Switzerland</i>	1000 hours should be <u>500</u> hours	Accepted
	189	<i>DGAC, France</i>	Paragraph 1 (a)(iii): Add “including human factors as in the “teaching and learning syllabus”	Covered. Included in theoretical instruction para 1 (a)(iii). Exclusion of MCC accepted. Deletion of dual is already covered.
	271	<i>Finnair, Finland</i>	“ <u>..but shall comprise at least 30 hours of ground instruction and 10 hours for dual flight instruction (which may include a maximum of 5 hours in full flight simulator or FNPT II) and 15 hours of dual flight instruction performed by a ..</u> ”	Rejected. There is little experience outside Europe on integrated courses. We know nothing about the standards of instructors in other parts of the world.
	189	<i>DGAC, France</i>	Paragraph 1 (b): Add new subparagraph “no instruction for MCC”	Covered
	081	<i>CAA, UK</i>	Paragraph 1 b (iv): Delete (1)(b) (iv) There is no flight safety or safety regulatory case to justify these restrictions.	Rejected. Justification is found in para 1 (a)(ii) “experience relevant to intended training”

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
Appendix 1 to 1.300	203	Oxford Air Training School, UK	<p>Add paragraph (c): <i>“Instruction may only be given under the direct control of a CFI(A) or nominated deputy holding a JAR-FCL licence and instructor rating as set out in para 16 of Appendix 1 to JAR-FCL 1.055, who is to be present when training is given in the non JAA State.”</i></p> <p>The methods of training and concept of approved ab-initio training are not fully appreciated in many non JAA states. Experience with instructors in the USA confirms that this is so.</p>	Covered by adding this text to Appendix 1b to JAR-FCL 1.055 as a paragraph (e)
	024	LFV, Sweden	Paragraph 2(iii): Delete “or equivalent” and “dual” Instructors shall meet the JAR-FCL requirements	See above
	267	Finnair, Finland	<p>Paragraph 2 (a)(ii): “Comply with experience requirements of JAR-FCL 1.365(a)(2) and (3)”</p> <p>Delete (3)</p> <p>Add: <i>“<u>have completed within a period of 12 months at least three route sectors as a crew member or observer on the flight deck of the applicable type</u>”</i></p> <p>30 route sectors far exceeds the currency requirements for TRI and TRE</p>	Accepted with different wording
	140	ATA, USA		
	150	Air Holland		
	157	Augsburg Airways, Germany		
	134	Finnair, Finland		
	164	Flight Safety Boeing, USA		
	227	Flight Safety Boeing, USA		
	103	Flight Safety International, USA		
	059	GAMA, USA		
	046	Martinair, Netherlands		
	211	Monarch Airlines, UK		
	171	TAP, Portugal		
	196	THY, Turkey		
005	AIA, USA			

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
Appendix 1 to 1.300	009	AIA, USA	Comply with the experience requirements of JAR-FCL 1.365(a) (2) and <u>completed within the 12 months preceding the application at least 6 route sectors, to include take-offs and landings as a pilot-in-command or co-pilot on the applicable aeroplane type, or similar type as agreed by the Authority, of which not more than 3 sectors may be completed in a flight simulator. Alternatively if PC or co-pilot time is not available for TROs, required flight sectors in the airplane may be satisfied by observation of at least 3 revenue flight sectors from the jump seat.</u>	Covered by changing para 2 (a)(ii)
	189	DGAC, France	Paragraph 2 (a)(iii): “ <i>dual instruction</i> ” is not relevant for T/R as, most of the time, the TRI is not in a pilot’s seat “ <i>flight instruction for the issue of a T/R</i> ” is correct	Covered by changing para 2 (a)(iii)
	024	LFV, Sweden	Paragraph 2 (a)(iii): Delete “ <i>or equivalent</i> ” and “ <i>dual</i> ” The instructors shall meet the JAR-FCL requirements	See above
	268	Finnair, Finland	Paragraph 2 (a)(v): Add after 1.370 “(a), (b)(2), (b)(3) <u>and have completed within 12 months at least three sectors as a flight crew member or observer in the applicable type</u> ” 30 sectors far exceeds the currency requirements for TRI and TRE	Accepted with different wording
	141	ATA, USA		
	149	Air Holland		
	158	Augsburg Airways, Germany		
	135	Finnair, Finland		
	165	Flight Safety Boeing, USA		
	228	Flight Safety Boeing, USA		
	106	Flight Safety International, USA		
	121	Hapag Lloyd, Germany		
	047	Martinair Holland		
	212	Monarch Airlines, UK		
172	TAP, Portugal			
194	THY, Turkey			
006	AIA, USA			

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response	
Appendix 1 to 1.300	142	ATA, USA	Covered by JAR-FCL 1.300 (a)(2) (l)	
	148	Air Holland		
	159	Augsburg Airways, Germany		
	166	Flight Safety Boeing, USA		
	229	Flight Safety Boeing, USA		
	104	Flight Safety International, USA		
	060	GAMA, USA		
	119	Hapag Lloyd, Germany		
	048	Martinair, Holland		
	213	Monarch Airlines, UK		
	173	TAP, Portugal		
	197	THY, Turkey		
	007	AIA, USA		
	113	ECA, Belgium	Paragraph 2(b)(iii): Add at the end "on flight and ground" Clarifies the meaning of the sentence	Rejected see above
Appendix 1 to 1.300	143	ATA, USA	Delete Paragraph 2 (b)(iii). MCC is used as an integral part of airline training procedures and any TRTO should be allowed to provide the MCC training if they have a qualified (NAA approved) MCC course	Rejected there is no information on the standards of MCC instruction outside JAA member States
	049	Martinair, Holland		
	147	Air Holland		
	153	Augsburg Airways, Germany		
	167	Flight Safety Boeing, USA		
	230	Flight Safety Boeing, USA		
	105	Flight Safety International, USA		
	061	GAMA, USA		
	120	Hapag Lloyd, Germany		
	214	Monarch Airlines, UK		
	174	TAP, Portugal		
	195	Turk Hava Yollari, Turkey		
	008	AIA, USA		

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
Appendix 1 to 1.300	113 ECA, Belgium	Paragraph 2 (b)(vi): Add : “ <i>have followed instruction on human performance and limitations relevant to flight instruction in relation with behavioural attitudes</i> ” In cases of instructors coming from different cultural environments instruction on behavioural attitudes is needed to give the instructor a better understanding of the pilots he will be dealing with.	Covered – see above
JAR-FCL 1.315(b)	082 CAA, UK	Same as 073	Covered
AMC FCL 1.340	190 DGAC, France	1.Convert AMC into an Appendix for more consistency with JAA policy. 2.Transfer all the syllabus after “ <i>Basic night Flying</i> ” in a new long briefing no 20. 3.Make “ <i>night flying instruction</i> ” optional. 4.Paragraph 1.330(c) should be read as “ <i>night flying provided a night qualification is held and the relevant part of the FI course has been completed.</i> ”	1. Is covered 2. Accepted 3. Not accepted 4. Not accepted
	039 Martinair Holland	Agree	Thanks
	114 ECA, Belgium	In Part 2: two times there is an item 9, second time should be item 10	Accepted
	083 CAA, UK		
AMC FCL 1.365	040 Martinair Holland	The elements required to be trained on the aeroplane should be handled in a simulator because it reduces the risk of accidents and incidents during training and the environmental impact of aeroplane training and be more cost-effective.	Not related to NPA 10, will be dealt with in the future on the basis of an existing WP from AEA
JAR-FCL 1.380(a)(2) and (b)(2)	011 AOPA, Germany	Paragraph (a)(2) “ <i>completed at least 20 hours as PIC on the applicable type or class of aeroplane of which at least 10 hours shall be in the last 12 months</i> ”. More consistency with the proposal to para (a)(2)	Partly accepted : change 50 hours to <u>30</u> hours and 15 hours to <u>10</u> hours Also a change to para (c): change 50 to <u>10</u> and add the following sentence at the end “ <i>For an extension of a CRI(A) from SE to ME aeroplanes the requirements of (a) above shall be met.</i> ”
	016 AOPA, UK		
	084 CAA, UK		
	041 Martinair, the Netherlands	Agree	Noted
JAR-FCL 1.425	221 DAC, Luxembourg	(d)(2) “ <i>revalidation proficiency check</i> ” should be more often mentioned in the text. If the revalidation proficiency checks are not sent back to the Authority, impossible to know later which ratings have been revalidated.	Accepted – add: to (d)(2) “ <i>proficiency check form</i> ” Editorial for Change 1 version
AMC FCL 1.470	122 DGAC, France	Add to line 071 01 02 05 after “ <i>internal doors and curtains</i> ” the items (see comment)	Accepted – add text
	123 DGAC, France	Add a new paragraph : 021 01 08 04 (see comment)	Accepted – add text . There is an editorial in 123: 021 01 08 04 must

Comment-Response Document NPA-FCL-10

Paragraph	Comment Number and Origin	Summary of Comments	Response
			be 021 01 09 04 Pressurisation (2x)
	124 DGAC, France	071 01 02 05 add "safety"	Accepted
	125 DGAC, France	071 01 02 07 "Communication and navigation equipment requirements" replaced by "Aeroplane maintenance".	
	126 DGAC, France	071 01 02 09: add "Flight and Duty Time limitations and rest requirements".	Accepted, add and added at the end: Reserved
	127 DGAC, France	071 01 02 10 add "Cabin Crew".	
	128 DGAC, France	071 01 02 08 add "Flight Crew".	Accepted add
	129 DGAC, France	Distribution of questions with regard to the topic of the syllabus. See comment	Not part of NPA 10 , not accepted
	130 DGAC, France	Creation of a new topic "061.XX.00.00 Radioelectric position lines".	SET reported that there are well over 100 MCQs covering this topic under 061 03 03 00, and the SET would be reluctant to change as this time. Thus, it was rejected by the ESC
	131 DGAC, France	New division in the subject 090 which allows to call VFR Communications "091" and IFR Communication "092" as in the other subjects.	Accepted: BA indicated a little error: see second page of the comment – 090 03 02 01 must be 090 03 02 00 in the whole line
	191 DGAC, France	Withdrawn	Withdrawn
AMC FCL 1.470	207 LBA, Germany	The test time for 010 Air Law should be 02:00 and for 071 Operational Procedures 01:00. 062 06 05 00 Satellite assisted navigation should be the same content for Aeroplane and Helicopter (delete the dots).	1. Not accepted 2. 2. Accepted to keep the headline and delete the last 5 subparagraphs and which means also the dots
	042 Martinair Holland	Re-draft to show all modifications.	Noted, technically not possible to indicate the changes in this syllabus
	085 CAA, UK	See attached revised syllabus for JAR-FCL subject 060 Navigation.	1. Accepted put a dot for A (not in H) 2. Accepted 3. Accepted 4. Same as 207 no. 2, so accepted
JAR-FCL 1.490(d)	201 Oxford Air Training, UK	Delete the amendment and revert the original text	Rejected: but "candidate" is changed to "applicant"

Comment-Response Document NPA-FCL-10

<i>Paragraph</i>	<i>Comment Number and Origin</i>	<i>Summary of Comments</i>	<i>Response</i>
General comments	092 ALPA, USA	No comments	Agree
	215 Britannia A/ways, UK		
	136 CAA Czech Rep		
	192 Crossair, Switzerland		
	241 Transport Canada		
	025 Martinair, the Netherlands	Low quality of Explanatory Notes (not enough explanations of the reasons why text proposal/consequences)	Noted