



Miscellaneous

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EASA Aircrew Regulations

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Derogations

Amended Use of Derogations Notified to the European Commission by the United Kingdom under Article 12 of the Aircrew Regulation Effective 1 January 2015

Pursuant to article 12(7) of Regulation (EU) No. 1178/2011 (as amended) ('the Aircrew Regulation'), the United Kingdom has notified to the European Commission the use of the derogations pursuant to article 12(1)-(6) within the territory of the United Kingdom and Northern Ireland, and of the related implementation programme.

Derogation 1 is amended with effect from 1 January 2015 to allow either European or UK rules to apply to the pilots of sailplanes, balloons, airships and powered-lift aircraft until 8 April 2015. This enables pilots who hold Part-FCL licences to continue to fly under UK national legislation if they choose to do so.

The derogations will be further amended when the next amendment to the Aircrew Regulation comes into force on 8 April 2015.

The notification published in ORS4 No. 1010 is withdrawn with effect from 1 January 2015.

Derogations

1) Deferring the Requirement to Hold a Part-FCL Licence for Powered-Lift Aircraft, Airships, Balloons or Sailplanes Until 8 April 2015

Pursuant to article 12(2)(a) from 1 January 2015 until 8 April 2015, Annex I (Part-FCL) will not apply to any person who is flying a UK registered powered-lift aircraft, airship or balloon while exercising the privileges of a licence granted or rendered valid under United Kingdom legislation or to a person flying a sailplane in accordance with UK national legislation.

Reason: To enable any such person to continue to fly such aircraft under UK national legislation until it is mandatory to hold a Part-FCL licence, or to allow such a person to be granted a Part-FCL licence and to fly such an aircraft by exercising the privileges of a Part-FCL licence.

2) Deferring the Requirement to Hold a Light Aircraft Pilots Licence for Aeroplanes or Helicopters

Pursuant to article 12(2)(b), from 17 September 2012 until 8 April 2015 the provisions of Subpart B of Part-FCL will not apply to any person holding a pilot licence granted or validated under United Kingdom legislation flying a UK registered aeroplane or helicopter until that

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person has converted the licence into a Part-FCL Light Aircraft Pilots Licence under Annex II or the person is issued a Part-FCL Light Aircraft Pilots Licence.

Reason: To enable any such licence holder to continue to fly such aircraft under UK national legislation until the holder converts the licence into a Part-FCL Light Aircraft Pilot Licence under Annex II or is issued such a Part-FCL licence.

3) Deferring the Requirements to Hold the Aerobatic, Towing, Mountain and Flight Test Ratings; the Multi-Crew Co-operation Instructor Rating for Helicopters; and the Mountain Instructor and Flight Test Instructor Certificates

Pursuant to article 12(2)(c), (d) and (e), from 17 September 2012 until 8 April 2015:

- a) points FCL.800, FCL.805, FCL.815 and FCL.820 of Part-FCL;
- b) in the case of helicopters, section 8 of Subpart J; and
- c) sections 10 and 11 of Subpart J

will not apply to any person who holds a pilot licence granted or validated under United Kingdom legislation or a Part-FCL licence, flying a UK registered aircraft in circumstances when they would otherwise require a certificate or rating for the flight under any of the above provisions until the holder of the licence is issued the appropriate certificate or rating under such provisions.

Reason: To enable any such licence holder to fly when such a certificate or rating would otherwise be required under the afore-mentioned provisions of Part-FCL to continue to fly until the licence holder is issued the appropriate Part-FCL certificate or rating.

4) Deferring the Application of Part-ORA and Part-ARA to Organisations Conducting the Specified Activities

Pursuant to article 12(2)(g), from 17 September 2012 until 8 April 2015 Annex VII (Part-ORA) will not apply to any organisations providing training for the issue of a private pilot licence, balloon pilot licence or sailplane pilot licence and whose principal place of business is in the United Kingdom until the organisation is issued a Part-ORA organisation certificate.

Reason: To allow any such organisation to continue to provide training whilst the organisation adjusts its procedures and systems to qualify for the issue of an organisation certificate under Part-ORA.

5) Deferring the Application of the European Requirements for the Validation of Third Country Licences for Non-Commercial Flights in Aircraft Registered in a Third Country

Pursuant to article 12(4), from 8 April 2012 until 8 April 2015 the provisions of this regulation will not apply to any holder of a licence and any associated medical certificate issued by or on behalf of any third country where:

- a) there is no agreement concluded between the European Union and the third country covering pilot licences;
- b) the holder does not comply with the conversion requirements of Annex III; and
- c) the holder wishes to exercise the privileges of the licence on a flight which is not for commercial purposes with an aircraft specified in article 4(1)(c) of Regulation (EC) No. 216/2008.

Reason: To enable any holder of such a licence to continue to exercise the privileges of the licence until they comply with the requirements of Annex I or Annex II.