



Bulletin 01/2019 Helicopter Examiner



Editorial Head of Flight Personnel

Dear Examiners



We were tasked with restructuring the fee schedule for examiner services and have now implemented those changes. It still isn't off the table, however. We are committed to offering you further support

on the matter and can be contacted regarding any follow-up issues that arise in connection with this change.

In March, we were also called by the Competition Commission (COMCO) regarding the situation. They consider our tariff-setting guidelines (FOCA Ordinance on Fees within the Code of Conduct) to be "coordinated interference" in the free market. According to COMCO's purist view of the situation, each and every expert should charge his or her own fees on the basis of economic considerations. This approach is at odds with the central accounting solutions employing fixed rates, which have been set up at the request of many experts. We do not need to take any action yet. I would like to request, however, that you adopt a mindful approach on the matter.

Thank you very much to all of you for your efforts and the many constructive discussions.

I would like to take this opportunity to provide you with a brief summary of developments, project launches and ongoing work from within our section:

- If EASA called for a "cool-down" in its 2017 - 2021 rule-making period, we are not noticing much of any impact here in the office. It must be added, however, that industry - with its innovations and developments - is what keeps the rule-making carousel moving.
- Voting will take place regarding several amendments to Part-FCL in the upcoming committee meetings in June and October based on Opinions 05/2017 and 01/2019. The amendments include the removal of glider and balloon requirements from Part-FCL and the creation of separate rules for these, the replacement of the current En-route IR (EIR) by Basic IR (BIR), and the creation of rules governing the use of specific aircraft from Annex 1 of the new Basic Regulation for training and testing/checking.
- A new Basic Regulation was needed to add more flexibility to the system in general, regulate the growing risks of IT security and also to prevent the regulatory situation from lagging behind with respect to the swiftly evolving drone scene. This will not affect our examiner system.

- Below we describe a change introduced in September 2018 that concerns the renewal of class and type ratings.
- We are enthusiastically working on preparing the new edition of the Examiner Guides. Hopefully, this year's publication will provide you with a practical, comprehensive, and - above all - consistent tool for use in your day-to-day work as examiners.
- EASA is expected to certify Pipistrel's electric airplane, the SW128, this summer. Several Swiss schools are using its predecessor model, the Alpha Electro AW167, as part of a test programme and want to offer basic training on the new aircraft as quickly as possible. We are working hard on formulating an exemption that would sensibly regulate the use of this type of aircraft in basic training and its crediting for the SEP.
- A binding rule finally needs to be found for former military aircraft that are currently used for civil purposes rather than only allowing them to be operated on the basis of special rules and permits. A project to this effect has already been launched.
- ICAO introduced its Language Proficiency Requirements ten years ago. Since implementation of these requirements has varied from one country to the next, this has repeatedly provoked polemics that are not entirely unjustified. EASA is collaborating with ICAO to take this opportunity to harmonise the situation within the EASA states. SBFP will actively contribute ideas within this committee. At the same time, we will also be looking for ways to make changes at the national level. We are currently engaged in a constructive dialogue with AeCS on the matter.

I hope you enjoy reading this issue, experience satisfying moments as an examiner and have a fantastic flying season.

Best regards
Hansmartin Amrein

Editorial Inspector SPH/MPH

Dear Helicopter Examiners

Your status as examiner leads you to follow rules that are constantly evolving. As refresher courses for examiners take place only every three years, this newsletter is an opportunity to inform you about any changes and developments in EASA FCL regarding your work as an examiner.

Best regards
Emmanuel Ansermot

New faces in our section

Since the end of 2018 we are pleased to have Michaela Reber and Benedikt Kissling as our new theory inspectors. You may contact them at theory-examination@bazl.admin.ch for your theory, radiotelephony and language proficiency questions.

Michaela was the assistant to the inspectors before and is now replaced since 1st April by Yvonne Agosti. Please contact Yvonne for any examiner administration issues: yvonne.agosti@bazl.admin.ch

PPL/SPL/BPL theory exams done in another EASA member state

Since April 1st, 2019 FOCA recognises PPL/SPL/BPL theory exams of other EASA Member States, provided they comply with the applicable EU regulation; this was already the case for ATPL/CPL/IR theory examinations. The same is valid for radiotelephony exams done in other EASA Member State, on condition that they were done to the same theoretical and practical extent, as required in Switzerland. All theory examinations passed in another EASA Member States must be confirmed to FOCA, by the applicable Competent. This confirmation must take place before the applicable skill test for the license, or IR, could take place; accordingly, an examiner shall obtain a formal FOCA "go ahead" before proceeding for the skill test, if the candidate did not pass his theory examination under the authority of FOCA.

FLEXCO

All of you know FLEXCO in the meantime.
(Flight Examiner Control)

This registration tool is for us the only method to prove towards EASA that we are able to have a complete oversight about all the exams taken on Swiss license holders. In the past the reliability was not always up to the standards we expected from our examiner community. We are aware of short notice changes due to e.g. sickness of an examiner, operational constraints and so on, but we also had an increased number of missing registrations just because of negligence.

If a test/check is not properly announced at least 48 hours before the event, our QC (quality control) will ask the examiner for an explanation. The respective inspector will decide if there was a justifiable excuse or not. In the later case we would send a written warning to the examiner. Thereafter he is aware of the situation and if he is not able to fulfil this task correctly in the future we will ban him from taking checks on CH.FCL license holders for up to 6 months.

If you have a justifiable reason for a short notice change up to one hour before the check, the "new" examiner should insert an update with a reference to the original planned and notified check in the system. So QC and myself can have a follow up of the situation. Despite of the red colour in the system we will accept such changes if the reason behind is not only negligence. We hope we will see together with your help an improvement again in our FLEXCO system.

Sometimes the examiner has forgotten his password for the system.

On the log-in site of www.flexco.ch you can ask for a new password. Bear in mind that very often that new password is sent to your spam folder.

New AMC1 FCL.740

The old AMC1 FCL.740 regarding renewal of class or type ratings has changed in Amendment 5 AMC/GM to Part-FCL valid since 14th Sept. 2018.

In other words: it is always the ATO, DTO or the instructor to determine how much training for the renewal is needed.

The respective AIC has been deleted as of End of March this year. To give the community a fair transition period we accept renewals according the old rule until latest 31st of August 2019.

Here below you find the new text:

AMC1 FCL.740(b) Validity and renewal of class and type ratings

RENEWAL OF CLASS AND TYPE RATINGS: REFRESHER TRAINING AT AN ATO, A DTO OR WITH AN INSTRUCTOR

(a) The objective of the refresher training is for the applicant to reach the level of proficiency necessary to safely operate the relevant type or class of aircraft. The amount of refresher training needed should be determined on a case-by-case basis by the ATO, the DTO or the instructor, as applicable, taking into account the following factors:

- (1) the experience of the applicant;*
- (2) the amount of time elapsed since the privileges of the rating were last used;*
- (3) the complexity of the aircraft;*
- (4) whether the applicant has a current rating on another aircraft type or class; and*
- (5) where considered necessary, the performance of the applicant during a simulated proficiency check for the rating in an FSTD or an aircraft of the relevant type or class.*

It should be expected that the amount of training needed to reach the desired level of proficiency will increase analogously to the time elapsed since the privileges of the rating were last used.

PBN

Pursuant to Regulation (EU) 2016/539, as of 26 August 2020 all IR holders need to hold PBN privileges. Instrument Ratings without PBN privileges will be limited in their validity to 25 August 2020. As a result, pilots who could not obtain PBN privileges by then will lose their Instrument Rating privileges.

Recently, we reminded all Instrument Rated Pilots who did not yet acquire PBN privileges by e-mail. Nevertheless, we kindly ask you to inform pilots about this limitation and the subsequent consequences if you take a skill test or proficiency check without PBN.

Updated EASA Easy Access Rule

EASA recently released an updated version of its Aircrew Regulation Easy Access Rules, published on March 11th, 2019. While not being an official legal publication, it provides a single reference document with the Implementation Rules and the Acceptable Means of Compliance up-to-date at the time of publication. When using such a document, it is essential to keep in mind that no mention is made about the entry into force of new or modified IRs, which could in some cases only be applicable way after their publication. Furthermore, new IRs are not immediately applicable in Switzerland, since they have first to go through the Comité Mixte.

Temporary Permission to act as pilot

In some instances, Examiners may issue Temporary Permissions. However, this possibility should be used with great caution, ideally only when really necessary, and such permission should definitely not be issued when the slightest doubt exists. No Temporary Permission shall be granted for a new CPL privilege or IR privilege.