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TITLE: PROCEDURES FOR IMPLEMENTATION OF COMMISSION REGULATION (EU) 2016/539 OF 6 APRIL 2016 (AMENDING REGULATION (EU) NO 1178/2011) AS REGARDS PILOT TRAINING, TESTING AND PERIODIC LICENCE PROFICIENCY CHECKING FOR PERFORMANCE BASED NAVIGATION (PBN) PRIVILEGES

PART A - GENERAL

1. Purpose of This PLAM

1.1. Commission Regulation (EU) 2016/539 requires that:-

1.1.1. Enterprises (ATOs or AOCs) providing pilot training for initial issue of all new or extended instrument ratings (IRs) shall ensure that the IR training course they offer includes training for PBN privileges, compliant with the amended requirements of Annex I (Part-FCL), by **25 August 2020** at the latest.

1.1.2. “PBN privileges” may be endorsed on existing IRs on IAA-issued pilot licences on a basis of proven current competence by reference to:-

1.1.2.1. Proof of a previously successfully completed a course of PBN theoretical knowledge; and

1.1.2.2. Proof of a previously successfully completed flying training course including PBN; and

1.1.2.3. Proof of successfully completing either a skill test in accordance with Appendix 7 to Annex I (Part-FCL) or a skill test or proficiency check in accordance with Appendix 9 Annex I (Part-FCL) which, in either case, included such required PBN check items as were inserted by Regulation (EU) 2016/539.

1.1.3 The arrangements for achieving the endorsements in paragraph 1.1.2. above must be completed for all IR-holding pilots requiring to engage in PBN operations after the date **25 August, 2018**.

1.2 This PLAM describes the IAA’s policy and planned strategy and procedures for the achievement of the above objectives.

1.3. Clarification of Terminology.

The term “PBN privileges” is used in Regulation (EU) 2016/539 but it is not legally defined in that Regulation. The term “Performance-Based Navigation (PBN)” is inserted as a definition by that Regulation as per the below extract -

“Performance-Based Navigation (PBN)” means area navigation based on performance requirements for aircraft operating along an ATS route, on an instrument approach procedure or in a designated airspace”

Accordingly, the term “PBN privileges”, as used in this PLAM, is reasonably taken to mean, in the general intent of the Regulation – “the use of PBN by the holder of an IR while exercising the privileges of that IR”.

1.4. The terms “Instrument Rating” and “IR” are also deemed to include the “En-Route Instrument Rating” and “EIR” and the “Competency-based Instrument Rating” and “CBIR”, as appropriate to the context in which they are used.

1.5 The term “EASA” when used in relation to a European state which has implemented EU Reg. No. 1178/2011 (as amended, *inter alia*, by EU Reg. 2016/539) means a Member State of the European Union or Iceland, Norway and Switzerland.

2. Legal References

- 2.1. Commission Regulation (EU) No. 1178/2011 (as amended by several Regulations and, in particular, Commission Regulation (EU) 2016/539).
- 2.2. Executive Director Decision 2016/008/R of 2 May 2016 amending the Acceptable Means of Compliance and Guidance Material to Part-FCL and Part-ARA of Commission Regulation (EU) No 1178/2011, as amended, and the Acceptable Means of Compliance and Guidance Material to Part-ORO and Part-ARO of Commission Regulation (EU) No 965/2012, as amended.
- 2.3. Annex I to ED Decision 2016/008/R - Acceptable Means of Compliance and Guidance Material to Part-FCL (PBN) and Part-ARA (PBN related part only).
- 2.4. Annex II to ED Decision 2016-008-R - Acceptable Means of Compliance and Guidance Material to Part-FCL (Learning Objectives (LOs)) — Amendment 2.

3. Licence Records and Endorsement of Proof of PBN Privileges

- 3.1. PBN privileges will be recorded in the IAA Pilot-Licence Administration System (EMPIC).
- 3.2. PBN privileges will be endorsed in pilot's licences under the field "XIII Remarks". The remark will read –
"IR is PBN compliant in accordance with EU Part-FCL"
- 3.3. It will also be possible (for pilots employed in Irish AOCs/ATOs only) to obtain an interim temporary PBN endorsement on a Type or Class Rating Certificate of Test licence page by the insertion by the Examiner of the letters "PBN" in the entry row in which a PBN IR test is recorded, e.g. "B737-800/PBN", "MEIR/PBN". Further details of the foregoing are outlined in paragraph 5.6 below.

4. New Application/LST/LPC Forms

The following Licence Skill Test (LST) (including Application for Initial Issue) and Licence Proficiency Check (LPC) forms have been published on the IAA Website www.iaa.ie to enable compliance with the new amended PBN test format. There is also a new form - Application for PBN Credit (Foreign-Employed Pilots). They are based, with the exception of RPPL-F-159, on the amended Appendices 7 and 9 to Annex I (Part-FCL) of EU Reg. No. 1178/2011.

- 4.4.1. RPPL-F-121E (Initial IR(A) Application and LST) (per App. 7)
- 4.4.2. RPPL-F-122E (Initial IR(H) Application and LST) (per App. 7)
- 4.4.3. RPPL-F-147 (MPA LST/LPC) (per App. 9)
- 4.4.4. RPPL-F-147A (SPA LST/LPC) (per App. 9)
- 4.4.5. RPPL-F-148 (SPH/MPH LST/LPC) (per App. 9)
- 4.4.6. RPPL-F-159 (APPLICATION BY NON-IRISH EMPLOYED PILOTS FOR PBN CREDIT)

PART B – PBN COMPETENCE RECOGNITION FOR CURRENT IR HOLDERS

5. Strategy for Recognising Historical PBN Competence for Holders of IAA-issued IRs Employed by Organisations/Operators who Train for PBN or Engage in PBN Operations

5.1 The IAA Flight Operations Dept.(FOD) is implementing a strategy for enabling the PBN competence recognition of a significant part of the population of IAA-licensed pilots. This will be effected by examining whether existing PBN theoretical knowledge training and PBN flying training courses completed satisfactorily either through dedicated PBN training or from familiarity with PBN operations is equivalent to the competence required by FCL.615. This strategy is aimed at achieving a sectoral PBN recognition of various identified groupings, as follows:-

- 5.1.1. IAA-Certificated TRI/TRE's conducting PBN training/testing in Irish AOC/ATO holding enterprises in the course of Type Rating initial and refresher training and LPC's;
- 5.1.2. Professional pilots employed by Irish AOC/ATO holding enterprises;
- 5.1.3. Irish or foreign GA pilots holding IAA PPLs/CPLs with IRs endorsed;
- 5.1.4. Irish Military Pilots holding an IAA-issued licence/IR or intending to apply for such licence/IR under the military credit recognition scheme;
- 5.1.5. Professional pilots employed by non-Irish AOC/ATO holding enterprises;

5.2. IAA Verification of Historical PBN Training by Irish AOCs/ATOs

Irish AOC and pilot training enterprises which wish to prove historical PBN competence of pilots currently or previously employed by them shall provide details of IR operational training courses which they provided, including training for PBN privileges compliant with the requirements of Annex I (Part-FCL). They must also provide the historical date on which such training was introduced, as the IAA must determine a past date beyond which employment by that enterprise cannot be used to claim historical PBN competence. Evidence of this course must be submitted to the IAA's Flight Operations Dept. (FOD) for assessment and verification. On verification of the submission, the assigned FOD inspector shall notify the enterprise of the acceptance of the submission and shall make detail of the acceptance available to the IAA's Personnel Licensing Dept. (PEL office). The issue of a PBN IR endorsement to any pilot licence holder claiming competence under the enterprise's written confirmation will be dependent, inter alia, on proof of present or former employment by the enterprise within the starting date from which PBN training/testing was accepted.

5.3. PBN Instructor Qualification

IR instructors (FI with IR privileges, IRI, TRI with IR privileges) shall only instruct for PBN privileges if they hold PBN privileges themselves (either endorsed in their licence or instructor certificate or separately confirmed by the Competent Authority of a state if other than the IAA).

5.4. PBN Examiner Qualification

Holders of an Examiner Certificate must have PBN privileges themselves (either endorsed in their licence or examiner certificate or separately confirmed by the Competent Authority of a state if other than the IAA) to assess PBN compliance during tests/checks.

5.5. Initial Issue of PBN Privilege Endorsements to Instructors/Examiners on Historical Competence

5.5.1. The IAA will issue PBN privilege endorsements to Instructors/Examiners employed by Irish AOC and pilot training enterprises who have received a written verification of their PBN course submission from the IAA FOD Dept. (as per paragraph 5.2 above). Instructors and Examiners will have to confirm their own PBN competence by undergoing a PBN-compliant proficiency check or Assessment of Competence within a period of 18 months after receiving PBN privileges.

5.6. Initial Issue of PBN Privilege Endorsements to Irish AOC/ATO Pilots on Historical Competence

5.6.1. The IAA will issue PBN privilege endorsements to pilots employed by Irish AOC and pilot training enterprises which have received a written verification of their PBN course submission from the IAA FOD Dept. (as per paragraph 5.2 above). Pilots will prove PBN competence by undergoing a PBN-compliant proficiency check and they will obtain an interim temporary PBN endorsement on a Type or Class Rating Certificate of Test licence page by the insertion by the Examiner of the letters “PBN” in the entry row in which a PBN IR test is recorded (per paragraph 3.3 above) (See example at Figure 1 below.). The IAA will accept the entry into the Type or Class Rating Certificate of Test licence page as being the entry into the “equivalent record” referred to in the Regulation. When details of the proficiency check is returned to the IAA (whether manually or electronically), the pilot will receive a new licence page with their ‘permanent’ PBN endorsement, per paragraph 3.2 above).

Figure 1 – Specimen Certificate page with PBN temporary endorsement

XII Certificate of Revalidation					
Rating Certificate Endorsement	Date of Rating Test	Date of IR Test	Valid Until	Examiners Certificate	Examiner Signature
B777/787	19/03/2017	19/03/2017	31/03/2018	Issued by the Competent Authority	
B777/787/PBN	24/03/2018	24/03/2018	31/03/2019	John Bloggs	IE.FCL.123456

Licence: IE.FCL.500006

All entries to be made in ink

16/02/2018

5.7. Initial Issue of PBN Privilege Endorsements to Irish Military Pilots on Historical Competence

5.7.1. Historical PBN competence credit will only be given, as proven to be appropriate, to currently serving Irish Air Corps (IAC) pilots and PBN endorsements will only be entered on IAA-issued pilot licences held by such pilots. Recognition of PBN competence credit for military personnel of any state other than Ireland will be a matter for the Competent Authority of the state where military service was rendered. Former pilots of the IAC seeking historical PBN competence credit must meet the civil requirements appropriate to the pilot licence currently held by them.

5.7.2. The IAC officer appointed as the Military/Civil Liaison Officer will be requested by the IAA FOD Dept. to provide details of IR operational training courses which the IAC provided themselves or which they sub-contracted for IAC pilots, including training for PBN privileges compliant with the requirements of Annex I (Part-FCL). Evidence of these courses must be submitted to the IAA’s Flight Operations Dept. (FOD) for assessment and verification. On verification of the submission, the assigned FOD inspector shall notify the enterprise of the acceptance of the submission and shall make detail of the acceptance available to the IAA’s Personnel Licensing Dept. (PEL office). Initial issues of PBN endorsements to IAC Examiners, instructors and pilots will follow a procedure similar to that described in paragraphs 5.2 through to 5.6 above.

5.8. Initial Issue of IR PBN Privilege Endorsements to GA Pilots on Historical Competence

5.8.1 Claims for historical PBN competence credit will only be given, as proven to be appropriate, to any GA pilot who can submit appropriate documentary evidence of compliance with the requirements of Commission Regulation (EU) 2016/539 (refer Appendix, Article 4a, paragraphs 2,3 and 4.. Each claim will be evaluated on its own merits. Self-declarations of PBN credit will not be entertained unless supported by incontrovertible evidence acceptable to the IAA and supplied by an ATO or another Competent Authority.

5.8.2 The IAA will, wherever possible, liaise with providers of PBN training appropriate to GA pilots to provide courses of supplementary PBN training with the aim of enabling PBN compliance by those GA pilots.

5.9. Initial Issue of PBN Privilege Endorsements to Pilots Employed by non-Irish EASA AOC/ATO Holding Enterprises on Historical Competence

5.9.1. The IAA will issue PBN privilege endorsements to pilots employed by non-Irish EASA AOCs and pilot training enterprises who undergo a PBN-compliant proficiency check and who produce a PBN Compliance Certificate or other documentary evidence accepted by the IAA as being equivalent from the relevant Competent Authority of the state where non-Irish EASA AOC or pilot training enterprise is established and approved. These pilots will not be eligible to obtain an interim temporary PBN endorsement (per paragraph 3.3 above). When details of their proficiency check and the supporting documentary proofs are returned to the IAA, they will receive a new licence page with their 'permanent' PBN endorsement, per paragraph 3.2 above). Application for PBN endorsement will be made on new IAA Form No. RPPL-F-159 –

Application for Credit for Theoretical Knowledge and Training Provided by Non-Irish ATO/AOC for Endorsement of PBN Privileges on IAA-Issued Part-FCL Instrument Rating(S)

which is available on the IAA Website www.iaa.ie .

6. Ancillary Arrangements to Ensure PBN Competence by Licence Holders Entering the IAA-Licensing System by SOLI Transfer, Validation or Competency Based IR Course

6.1. Holders of a Pilot Licence with an IR who transfer State of Licence Issue (SOLI) to Ireland from any of the "EASA" Member States after the date **25 August 2018** must have a PBN endorsement on their IR. If no such endorsement is held, they will be given the option of either:-

6.1.1 Reverting to their original SOLI and obtaining a PBN Endorsement before transfer to Ireland is effected; or

6.1.2 If they have appropriate evidence acceptable to the IAA that they will achieve PBN compliance by further training and testing with an Irish AOC/ATO, transfer of SOLI may be effected with a temporary licence endorsement – "PBN compliance of IR in accordance with EU Part-FCL not demonstrated". The 'PBN compliant endorsement' will be issued when the appropriate training and testing documentary evidence is submitted.

6.2. Validation of Third Country Professional Licences for Use with Irish AOC Holders

Third country pilots seeking validation of professional licences for use with Irish AOC holders will be required to acquire PBN Theoretical Knowledge and to undergo PBN training and testing as part of the process to obtain validation. The PBN Theoretical Knowledge is included in the PLAM No. 03/18 entitled: - Syllabus of Theoretical Knowledge for Validation of Pilot Licences For Commercial Air Transport And Other Commercial Activities" which is available on the IAA Website www.iaa.ie . The Operator (AOC/ATO or Commercial Operations) sponsoring the Validation must have a PBN compliant approved course (except for applications for Validations for Short Duration Tasks not requiring PBN operations or PBN privileges).

6.4. Revalidation of IRs and Type Ratings on IAA Licences based on Third Country LPCs

6.4.1. The IAA encourages IAA licence holders who are flying with operators based outside of the EASA states to continue to update the validity of their IRs and Type Ratings on their IAA Licences on the basis of a Third Country LPC, with the concomitant restriction limiting privileges to aircraft registered in that Third Country being endorsed on the licence. As the degree of PBN compliance of the Third Country will not be verified, the IAA will continue this practice but with the addition of the endorsement:-

"PBN compliance of IR in accordance with EU Part-FCL not demonstrated"

6.5 Theoretical Knowledge Examination for Competency Based Instrument Ratings (CBIR)

6.5.1. With reference to EU Part-FCL Appendix 6 – “Modular training courses for the IR” – inserted section “Aa. IR(A) — Competency-based modular flying training course”, paragraph 8 states that -“Applicants for the competency-based modular IR(A) holding a Part-FCL PPL or CPL and a valid IR(A) issued in compliance with the requirements of Annex 1 to the Chicago Convention by a third country may be credited in full towards the training course mentioned in paragraph 4”. For the avoidance of any confusion, the IAA has decided that such applicants will not be exempt from the pass in the theoretical knowledge examinations required by the preceding paragraph 3 of that section. As the PBN theoretical knowledge content of third country IR training syllabi has not been verified, the simple way to ensure compliance with EU Part-FCL PBN competency requirements is for the applicant to pass the EU Part-FCL IR theoretical knowledge examinations.

6.5.2 Any applicant presenting to the IAA for issue of a CBIR (whether initial issue or issue on transfer of SOLI) must be able to provide proof of a pass the EU Part-FCL IR theoretical knowledge examinations.

PART C – PBN APPROVAL OF IR / TYPE COURSES FOR NEW APPLICANTS

7. Strategy for Approving PBN Compliance by Organisations Training for IRs (Initial issue or Extended Privileges) on IAA-issued EU PART-FCL licences

7.1.1 Pilot training organisations (including the Irish Air Corps) must ensure that the IR training course they offer include training for PBN privileges compliant with the requirements of Annex I (Part-FCL) by 25 August 2020 at the latest. In order to meet this deadline, details of such courses must be supplied to the IAA’s Flight Operations Dept. (FOD), General Aviation Flight Standards Division, not later than close of business on **Friday 29 May 2020**, in order to allow adequate lead time for assessment. Submissions made after this date may not be approved in time to allow uninterrupted permission to continue training.

6. Date of Implementation of this PLAM

This PLAM No. 02-18, Issue 1, dated 01/02/18, takes immediate effect on its publication on the IAA Website and is implemented in accordance with the applicable final dates quoted in the PLAM. It does not replace any previous PLAM.

Extract from Commission Regulation (EU) 2016/539 – Article 1

“Commission Regulation (EU) No 1178/2011 is amended as follows:

(1) the following Article 4a is inserted:

”Article 4a - Performance-based navigation instrument rating privileges

1. Pilots may only fly in accordance with performance-based navigation (“PBN”) procedures after they have been granted PBN privileges as an endorsement to their instrument rating (“IR”).

2. A pilot shall be granted PBN privileges where he or she fulfils all of the following requirements:

(a) the pilot has successfully completed a course of theoretical knowledge including PBN, in accordance with FCL.615 of Annex I (Part-FCL);

(b) the pilot has successfully completed flying training including PBN, in accordance with FCL.615 of Annex I (Part-FCL);

(c) the pilot has successfully completed either a skill test in accordance with Appendix 7 to Annex I (Part-FCL) or a skill test or a proficiency check in accordance with Appendix 9 of Annex I (Part-FCL).

3. The requirements of paragraph 2(a) and (b) shall be deemed to have been fulfilled where the competent authority considers that the competence acquired, either through training or from familiarity with PBN operations, is equivalent to the competence acquired through the courses referred to in paragraph 2(a) and (b) and the pilot demonstrates such competence to the satisfaction of the examiner at the proficiency check or skill test referred to in paragraph 2(c).

4. A record of the successful demonstration of competency in PBN shall, upon completion of the skill test or the proficiency check referred to in paragraph 2(c), be entered in the pilot's logbook or equivalent record and signed by the examiner who conducted the test or check.

5. IR pilots without PBN privileges may only fly on routes and approaches that do not require PBN privileges and no PBN items shall be required for the renewal of their IR, until 25 August 2020; after that date, PBN privileges shall be required for every IR.”

(2) :- “in Article 10a, the following paragraph 5 is added:

‘5. Pilot training organisations shall ensure that the IR training course they offer include training for PBN privileges compliant with the requirements of Annex I (Part-FCL) by 25 August 2020 at the latest.’;”