


<b>Irish Aviation Authority</b> The Times Building 11–12 D’Olier Street Dublin 2, Ireland <a href="http://www.iaa.ie">www.iaa.ie</a>	<b>Údarás Eitlíochta na hÉireann</b> Foirgneamh na hAmanna 11–12 Sráid D’Olier Baile Átha Cliath 2, Éire	No. PLAM 036 Revision 01 Area ACW Date 15.11.2022	
<b>Safety Regulation Division</b>	<b>Rannán na Rialachán Sábháilteachta</b>		

## TITLE: END OF DEROGATION PROVIDED UNDER AERONAUTICAL NOTICE P28

### INTRODUCTION

Since the introduction of Commission Regulation (EU) No 1178/2011 of 3 November 2011 as regards technical requirements and administrative procedures related to civil aviation aircrew, Ireland has availed of available derogations relating to pilots holding a licence and associated medical certificate issued by a third country involved in the non-commercial operation of aircraft as specified in Article 2(1)(b), points (i) or (ii), of Regulation (EU) 2018/1139.

The last available derogation, Article 12 – 4 of Regulation (EU) No. 1178/2011 as amended by article 1(1) of Regulation (EU) No. 2020/2193 **ceases on 20 June 2022**. The EU has not indicated that further derogations will be forthcoming.

### IMPACT

From 20th June 2022, any pilot who resides in the EU must hold an EASA Part FCL licence when flying any aircraft other than those defined in Annex I of the EU Basic Regulation (Regulation (EU) 2018/1139) e.g. gyroplanes, ex-military, homebuilt and certain historic aircraft, and microlight aeroplanes. The pilot shall also comply with the licensing requirements, as applicable, of the State of registry of the aircraft to be flown.

From 20 June 2022, any pilot who resides in the EU and flies any aircraft in the State other than those defined in Annex I of the EU Basic Regulation without an EASA Part FCL licence may be committing an offence under Article 74 of the Irish Authority Act, 1993.

There are a number of routes that may be open to a holder of 3<sup>rd</sup> country licence to obtain an EASA Part FCL Licence.


### FAA – BILATERAL AIR SAFETY AGREEMENT – TIP-L

If you hold an FAA Private Pilot Licence, a bi-lateral agreement between the EU and the USA allows you to be credited for the licence you hold. Since 18th May 2021, there has been a further simplification of the mutual recognition of PPL, instrument rating and multi-engine rating. At the moment, **this only covers FAA PPL aeroplane** licences.

The details of how to gain an EASA Part FCL licence based on an FAA licence are contained in the [Technical Implementation Procedures – Licensing \(TIP-L\)](#) – From a high level, to gain a PPL, one needs the following:

- The FAA licence needs to be current in accordance with the applicable FAA regulations when the conversion process is initiated. The pilot won’t be required to surrender the FAA licence, so may hold an EASA and an FAA licence.
- A valid FAA medical must be current, and a valid EU medical certificate is required.
- Additional flight training may be required – see TIP-L for details.
- The pilot demonstrates theoretical knowledge, orally, to the examiner before the Skill test.
- English language proficiency. Note: English Proficient endorsement on your licence is deemed to be equal to Level 4. The validity period for ELP level 4 starts from the date of the last documented flight review.
- Skill test in accordance with Regulation (EU) 1178/2011.

Applications to the IAA using [this form](#). Further information is available on the [IAA PLAM.031](#).

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## ICAO COMPLIANT LICENCE (INCLUDING UK CAA ISSUED LICENCE)

If you hold an ICAO licence, issued by a third country in compliance with the requirements of Annex 1 to the Chicago Convention, e.g., UK CAA issued licence that you didn't transfer into the EU before 31st Dec 2020, then, the IAA may convert that licence to an equivalent EASA Part FCL Licence, e.g.:

- a) for the relevant aircraft of PPL, a BPL or an SPL, where the original licence is an equivalent licence; or
- b) a CPL or an ATPL.

You need to choose an ATO or DTO as applicable to obtain further guidance and assistance but the holder of the licence to be converted shall comply with the following minimum requirements for the relevant aircraft category:

- pass a written examination in Air Law and Human Performance (exams taken with the IAA or with another EASA Member State that can provide written verification of the exams taken);
- pass the PPL, BPL, or SPL skill test, as applicable;
- fulfil the requirements for the issue of the relevant class or type rating, in accordance with Subpart H;
- hold a medical certificate, as applicable;
- demonstrate language proficiency in accordance with FCL.055;
- have completed at least 100 hours of flight time as a pilot.

## VALIDATION

Certain 3<sup>rd</sup> country licences may be acceptable for validation under [Commission Delegated Regulation 2020/723](#) for a period of up to one year. Note that at PPL level the criteria for validation are very similar to licence conversion requirements detailed above.

## FURTHER INFORMATION

- [Aeronautical Notice P28](#)
- [Personnel Licensing Advisory Memorandum \(PLAM\) 031](#)
- [Bilateral Air Safety Agreement – TIP-L](#)
- [Application & Skill Test Report Form – For BASA TIP-L Based Applications](#)
- [Application Form and Compliance List Conversion of an ICAO Annex I Compliant Licence to A Part-FCL Licence](#)
- [Licensing FAQs on IAA Website](#)
- [EASA Basic Regulation](#)
- [EASA Aircrew Regulation](#)
- [Commission Delegated Regulation \(EU\) 2020/723 of 4 March 2020 laying down detailed rules with regard to the acceptance of third-country certification of pilots and amending Regulation \(EU\) No 1178/2011](#)
- [EASA FAQs](#)