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|  | Reference No: 01-18 Issue 1.0 Issue Date: 09/01/2018 Area : FCL | SAFETY REGULATION DIVISION IRISH AVIATION AUTHORITY PERSONNEL LICENSING ADVISORY MEMORANDUM (PLAM) |
| TITLE | END OF JAR-FCL PILOT LICENCE REPLACEMENT PERIOD ADVICE TO HOLDERS OF A JAR-FCL PILOT LICENCE ISSUED BY IRELAND OR BY ANOTHER EU OR JAA MEMBER STATE WHO ARE APPLYING TO THE IAA FOR REPLACEMENT WITH AN EU PART-FCL (“EASA”) LICENCE (INCLUDING REPLACEMENT REQUIRED BECAUSE OF TRANSFER OF STATE OF LICENCE ISSUE (SOLI) TO IRELAND | |
| THIS PLAM IS ISSUED FOR INFORMATION PURPOSES ONLY, IT DOES NOT AMEND OR SUPERSEDE THE APPLICABLE REGULATIONS. IF ANY DOUBT EXISTS, PLEASE REFER DIRECTLY TO THE APPLICABLE REGULATIONS. | | |

1. Purpose of this PLAM

1.1. The IAA initiated the replacement of JAR-FCL compliant pilot licences with EU Part-FCL (commonly referred to as “EASA”) pilot licences on 08 April, 2013. The end of the replacement period will be on 08 April 2018 (effectively it will be Friday 06 April 2018 – last working day in that week). (Refer EU Regulation 1178/2011, Article 4, extract at Appendix).

1.2. This PLAM describes the arrangements being put in place by the IAA for personnel applying to the IAA for replacement of IAA-issued JAR-FCL or ICAO pilot licences with EASA pilot licences. It also sets out arrangements for personnel who are effectively receiving replacement on the basis of transfer of “State of Licence Issue” (SOLI), who are holders of either an:-

- (a) JAR-FCL licence issued by an EU Member State other than Ireland, or a
- (b) JAR-FCL licence issued before 08 April 2013 by a “Mutually Recognized” full JAA Member State (non-EU).

2. References

- 2.1. Commission Regulation (EU) No. 1178/2011 (as amended).
- 2.2. Irish Aviation Authority (Personnel Licensing) Order, 2000 (S.I. No. 333 of 2000) (as amended).

3. Last Dates for Receipt of Applications and for Issue of Licences

3.1. The last date on which an application may be made to the IAA for replacement of a JAR-FCL pilot licence with an “EASA” pilot licence or for transfer of SOLI which requires such a replacement will be the close of business (17.30) on **Friday 02 February 2018**. (However, refer to supplementary conditions relating to an IAA-issued pilot licence in paragraph 5 of this PLAM). Any application entered up until that date must be received as an original document by post or by courier. An application may not be entered by Fax or Email. An application received after that date will be returned to the applicant with an instruction to contact his or her own Competent Authority for arrangements for replacement (before any application for change of SOLI to Ireland is made). An incomplete application or one sent without the required **legible** supporting documentation or the required fee will also be returned to the applicant.

3.2. The last date on which an EASA pilot licence will be signed for issue (on foot of an application made under paragraph 3.1 above) will be **Friday 06 April 2018**. (They will be issued by registered post or courier as soon as possible thereafter).

4. Applications Received by IAA but Not Completed by the Closing Date

4.1. All submitted licences (and their supporting Medical Certificates) must be verified as regards authenticity with the SOLI Competent Authority. Where any SOLI Competent Authority refuses to verify the licence or the Medical Certificate or fails to do so by the closing date or indicates that the licence is suspended or has been withdrawn, then such licence will not be considered for transfer and replacement.

4.2. An application for transfer and replacement which remains incomplete (for whatever reason) after the final licence issuing date will be returned to the applicant with a letter explaining the reason and referring them to their own Competent Authority for arrangements for replacement (if applicable). Any fees paid will be refunded.

5. Arrangements for IAA-Issued JAR-compliant or ICAO Pilot Licences

5.1. An application for replacement received from the holder of an IAA-issued JAR-compliant pilot licence will be accepted right up until 06 April 2018 (application should be made on **IAA Form No. RPPL-F-119**, available on the IAA Website www.iaa.ie). The IAA cannot, however, guarantee to replace such licences by 06 April 2018 and such licence holders are, therefore, requested to make their application as soon as practically possible. An application for replacement which remains incomplete (for whatever reason) after the date 06 April 2018 will still be considered for replacement under EU Regulation No. 1178/2011, Article 9, paragraph 1 (extract at Appendix) which provides for full credit for issue of an EASA licence provided that the training and testing for the licence were completed in accordance with JAR-FCL by 08 April 2016.

5.2 Applications for conversion received from holders of IAA-issued ICAO-compliant pilot licences will be accepted right up until 06 April 2018. The IAA cannot, however, guarantee to convert such licences by 06 April 2018 (they require conversion either under EU Regulation 1178/2011, Annex II, or under a Credit Conversion Report agreed with EASA – a potentially lengthy procedure). Such licence holders are therefore requested to make their application as soon as practically possible. An application for conversion which remains incomplete (for whatever reason) after the date 06 April 2018 will be considered for conversion under EU Regulation No. 1178/2011, Article 9, paragraph 2 (extract at Appendix) which provides for the possibility of credit for issue of an EASA pilot licence on the basis of a credit report established by the IAA in consultation with the EASA. Applicants for conversion under this paragraph should be aware that any additional costs arising from the IAA's input into such a credit report and subsequent consultation with the EASA would be recovered from the applicant in accordance with the IAA Fees Order applicable at the time.

5.3. In both of the circumstances outlined in subparagraphs 5.1 and 5.2 above, due regard will be given to the applicant's currency as a pilot at the appropriate level, including the maintenance of currency under a pilot licence and (if applicable) an Instrument Rating issued by a third country. This consideration will be given in the context of an applicant's disposition under:-

(a) AMC1 FCL.740(b)(1) – “Validity and renewal of class and type ratings”

“Renewal of Class and Type Ratings: Refresher Training”

(b) AMC1 FCL.625(c) - “IR-Validity, revalidation and renewal”

“Renewal of Instrument Rating: Refresher Training”

6. Effect of this PLAM on JAR-FCL Flight Engineer Licences

6.1. A Flight Engineer Licence issued in accordance with JAR-FCL 4 (Flight Engineer) by the IAA is not affected by this PLAM. It will continue to be eligible for credit towards the issue of an EASA pilot licence (all other conditions being met) in accordance with EU Regulation 1178/2011 (Article 7- “Existing national flight engineers' licences” - and FCL.510.A(c)(2) of Annex I (Part-FCL)).

6.2 A transfer of SOLI to Ireland of a Flight Engineer Licence, issued in accordance with JAR-FCL 4 (Flight Engineer) by those other EU Member States that implemented JAR-FCL 4, will continue to be accepted in accordance with JAR-FCL 4.065 – “State of licence issue”.

7. Date of Implementation of this PLAM

7.1. This PLAM - No. 01-18, Issue 1, dated 09/01/18, is implemented with immediate effect on publication on the IAA Website. It does not replace any previous PLAM.

Extracts from EU Regulation 1178/2011

Article 4 – “Existing national pilots’ licences”

1. JAR-compliant licences issued or recognised by a Member State before this Regulation applies shall be deemed to have been issued in accordance with this Regulation. Member States shall replace these licences with licences complying with the format laid down in Part-ARA by 8 April 2018 at the latest.

2. Non-JAR-compliant licences including any associated ratings, certificates, authorisations and/or qualifications issued or recognised by a Member State before the applicability of this Regulation shall be converted into Part-FCL licences by the Member State that issued the licence.

3. Non-JAR-compliant licences shall be converted into Part- FCL licences and associated ratings or certificates in accordance with:

- (a) the provisions of Annex II; or
- (b) the elements laid down in a conversion report.

4. The conversion report shall:

- (a) be established by the Member State that issued the pilot licence in consultation with the European Aviation Safety Agency (the Agency);
- (b) describe the national requirements on the basis of which the pilot licences were issued;
- (c) describe the scope of the privileges that were given to the pilots;
- (d) indicate for which requirements in Annex I credit is to be given;
- (e) indicate any limitations that need to be included on the Part-FCL licences and any requirements the pilot has to comply with in order to remove those limitations.

(Note: In the Regulation, a ‘JAR-compliant licence’ means the pilot licence and attached ratings, certificates, authorisations and/or qualifications, issued or recognised, in accordance with the national legislation reflecting JAR and procedures, by a Member State having implemented the relevant JAR and having being recommended for mutual recognition within the Joint Aviation Authorities’ system in relation to such JAR.)

Article 9 – “Credit for training commenced prior to the application of this Regulation”

1. In respect of issuing Part-FCL licences in accordance with Annex I, training commenced prior to the application of this Regulation in accordance with the Joint Aviation Authorities requirements and procedures, under the regulatory oversight of a Member State recommended for mutual recognition within the Joint Aviation Authorities’ system in relation to the relevant JAR, shall be given full credit provided that the training and testing were completed by 8 April 2016 at the latest.

2. Training commenced prior to the application of this Regulation in accordance with Annex 1 to the Chicago Convention shall be given credit for the purposes of issuing Part-FCL licences on the basis of a credit report established by the Member State in consultation with the Agency.

3. The credit report shall describe the scope of the training, indicate for which requirements of Part-FCL licences credit is given and, if applicable, which requirements applicants need to comply with in order to be issued with Part-FCL licences. It shall include copies of all documents necessary to demonstrate the scope of the training and of the national regulations and procedures in accordance with which the training was commenced.