

# IRELAND

SAFETY REGULATION DIVISION  
IRISH AVIATION AUTHORITY  
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## AERONAUTICAL NOTICE

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### **EXEMPTION FROM NATIONAL REQUIREMENTS FOR EU PART-FCL LICENSED PILOTS OPERATING AIRCRAFT REFERRED TO IN ANNEX II OF REGULATION (EC) No. 216/2008**

The Irish Aviation Authority, in pursuance of Article 4 and Article 36 of the Irish Aviation Authority (Personnel Licensing) Order, S.I. No. 333 of 2000 (hereinafter referred to as "the Order"), hereby directs that :

1. The holder of a valid balloon pilot licence (BPL), sailplane pilot licence (SPL) or a Light Aircraft Pilot Licence (LAPL), a private pilot licence (PPL), commercial pilot licence (CPL) or airline transport pilot licence (ATPL) (aeroplane or helicopter) and if appropriate, an instrument rating (IR) or instructor rating endorsed on such licence, issued in accordance with Regulation (EC) No 1178/2008, as amended, (hereinafter referred to as a "Part-FCL licence") shall be exempt, as appropriate to the circumstances, from the requirements of:
  - a. Article 5 (requirement to hold an appropriate flight crew licence issued or validated by the Authority or a JAA licence); and
  - b. Article 19 (requirement to hold an appropriate instrument rating for flight under Instrument Flight Rules); and
  - c. Article 17 (requirement to hold an appropriate instructor rating for giving flight instruction within the State)of the Order when they are acting as a pilot or as a flight instructor in an aircraft registered in the State which is listed in and subject to Annex II of Regulation (EC) No 216/2008 (hereinafter referred to as "Annex II") provided that the licence holder has :-
  - a. a valid class, type, group, instrument or instructor rating appropriate to the aircraft and the operation in which it is engaged;
  - b. a valid medical certificate appropriate to the privileges exercised;
2. This exemption shall also apply, within the territorial limits of the State, to the pilot of an Annex II aircraft registered in another state, provided that the pilot is permitted to do so both by the pilot's state of Part-FCL licence issue and by the state of registration of the aircraft.
3. This exemption shall **not** apply to:
  - a. any examiner privilege which may be attached to or associated with the licence unless the holder thereof is otherwise authorised in writing as an examiner by the Authority;
  - b. weight-shift controlled aeroplanes and powered parachute aeroplanes.
  - c. gliders with a maximum empty mass, of no more than 80 kg when single-seater or 100 kg when two-seater, including those which are foot launched;
  - d. any other aircraft which has a maximum empty mass, including fuel, of no more than 70 kg.
  - e. the holder of an EU En-Route Instrument Rating (EIR), the UK IMC Rating or the EU Sailplane Cloud Flying Rating, (in respect of Article 19 of the Order);
4. If the Authority sees fit to do so, it may at any time, in writing, prohibit the holder of a Part-FCL licence from exercising the privileges allowed by this Exemption.

Chief Executive,  
Irish Aviation Authority

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## EXPLANATORY NOTE

(This note is not part of the Direction and does not purport to be a legal interpretation).

1. This Direction exempts the holder of a Part-FCL pilot licence from the requirement to hold an Irish-issued national licence or an Irish-issued validation of a foreign licence when acting as a pilot of an aircraft which is listed in or subject to Annex II of Regulation (EC) No 216/2008.
2. This exemption is necessary because Regulation (EC) No 216/2008 which, inter alia, provides for the implementing rules governing the conditions applicable to a Part-FCL pilot licence, also acts so as to make such licences invalid for the operation of 'Annex II aircraft'. Pilots of Annex II aircraft are thereby left subject to national or JAR-FCL pilot licensing requirements. This exemption eliminates the requirement to hold both a national and a Part-FCL pilot licence for the same category, class or type of aircraft.

**(Note:** Refer to Regulation (EC) No 216/2008 Paragraph 4 of *Article 4* -“Basic principles and applicability” which states: - “4. Paragraph 1 shall not apply to aircraft referred to in Annex II.”)

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