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# IRELAND

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## AERONAUTICAL NOTICE

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**LICENSING REQUIREMENTS FOR EASA PART-FCL LICENSED PILOTS CARRYING OUT MILITARY, CUSTOMS, POLICE, SEARCH & RESCUE, FIREFIGHTING OR COASTGUARD ACTIVITIES WHICH ARE NOT SUBJECT TO REGULATION (EC) No. 216/2008 (AS AMENDED)**

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) (as amended) (hereinafter referred to as "the Order"), hereby directs that :-

1. The holder of a commercial or airline transport pilot licence and, if appropriate, an instrument rating endorsed thereon, issued in accordance with Regulation (EC) No 216/2008 (as amended) shall be exempt from the requirements of Article 5 (requirement to hold an appropriate licence issued or validated by the Authority or a JAA licence) and Article 19 (requirement to hold an instrument rating for flight under Instrument Flight Rules) of the Order when they are acting as a flight crew member of an aircraft registered in the State which is carrying out either military, customs, police, search and rescue, firefighting or coastguard activities or services, provided that :-
  - a. Such flight crew member is at all times the holder of a valid commercial or airline transport pilot licence, and, if appropriate, an instrument rating endorsed thereon, and a Class 1 medical certificate all issued in accordance with Regulation (EC) No 216/2008 (as amended); and,
  - b. the holder of such a licence shall not, for the purposes of this Direction, exercise any privilege relating to instruction or examining in flying which may be attached to or be associated with the licence unless otherwise authorised in writing by the Authority; and,
  - c. the exemption from Article 19 of the Order shall not apply to the holder of an En-Route Instrument Rating issued under EU regulation; and,
  - d. if the Authority sees fit to do so, it may at any time, in writing, prohibit the holder of such a licence from exercising the licence privileges allowed by this Exemption and, in that event, such licence shall cease to be deemed to be a licence exempted by the Authority under the provisions of this Direction.
  
2. In the event that any person considers that "similar activities or services" within the meaning of Paragraph 2 of *Article 1* of Regulation (EC) No 216/2008 (as amended) should be exempted from the requirements of the Order, they shall submit a case in writing to the Authority for inclusion of such activity or service in an amendment of this Direction.

Director, Safety Regulation Division  
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 an EASA Part FCL professional pilot licence from the requirement to hold an Irish-issued national licence or an Irish-issued validation or any JAA Member State's JAR-FCL Licence when acting as a flight crew member of an aircraft registered in the State which is carrying out either military, customs, police, search and rescue, fire fighting or coastguard activities.
2. The exemption is necessary because Regulation (EC) No 216/2008 which, inter alia, provides for the issue of the EASA Part-FCL pilot licence, also acts so as to remove these 'state activities' from its scope. These 'state activities' are thereby left subject to national or JAR-FCL pilot licensing requirements.

(Refer Paragraph 2 of *Article 1* - "Scope" – of CHAPTER I- "PRINCIPLES" of Regulation (EC) No 216/2008 (as amended by Reg. (EC) No 1108/2009) - which states that:-

"2. This Regulation shall not apply to:  
products, parts, appliances, personnel and organisations referred to in paragraph 1(a) and  
(b) while carrying out military, customs, police, search and rescue, firefighting, coastguard  
or similar activities or services" (hereinafter referred to as "state activities")

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