

**FRENCH REPUBLIC**

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**Ministry for Ecology, Sustainable Development,  
Transportation and Housing,**

Order of April 5, 2012  
concerning the application of Commission Regulation (EU) n° 1178/2011 amended of  
November 3, 2011 laying down technical requirements and administrative procedures related  
to civil aviation aircrew in accordance with Regulation (EC) n° 216 / 2008 of the European  
Parliament and Council

NOR: DEVA1209952A

**The Minister for Ecology, Sustainable Development, Transportation and Housing,**

Having regard to Regulation (EC) No 216/2008 of the European Parliament and Council of 20  
February 2008 on common rules in the field of civil aviation and establishing a European  
Aviation Safety Agency, and repealing Directive 91/670 / EEC Council Regulation (EC) No  
1592/2002 and Directive 2004/36/EC (1), and in particular Article 7, paragraph 6, Article 8,  
paragraph 5 and Article 10, paragraph 5;

Having regard to Regulation (EU) No. 1178/2011 amended the Commission's November 3,  
2011 establishing the technical requirements and administrative procedures for cabin crew in  
civil aviation in accordance with Regulation (EC) No 216/2008 of the European and Council;  
Having regard to Regulation (EU) No 290/2012 of the Commission on 30 March 2012  
amending Regulation (EU) No. 1178/2011 laying down technical requirements and  
administrative procedures for cabin crew in civil aviation in accordance with Regulation ( EC)  
No 216/2008 of the European Parliament and Council;

Having regard to the code of transport;

Having regard to the code of civil aviation;

Having regard to the ministerial order of 31 July 1981 relating to licences and qualifications  
of professional aircrew in civil aviation (aircraft operating personnel with the exception of  
testing and reception personnel);

Having regard to the ministerial order of 31 July 1981 relating to licences and qualifications  
of non-professional aircrew in civil Aviation (Aircraft operating personnel);

Having regard to the ministerial order 29 March 1999 on licensing and qualifications of flight  
crew member of aircraft (FCL1);

Having regard to the opinion of the council of aircrew at its meeting on March 30, 2012,

Has adopted this regulation:

## **Article 1**

This Order is intended to set out the dates for implementing the provisions of Annexes I to IV of Regulation (EU) No. 1178/2011 referred to above and Annexes V to VII of Regulation (EU) No 290/2012 mentioned above.

This Order is made under Article 12 of Regulation (EU) No. 1178/2011 mentioned above, and Article 2 of Regulation (EU) No 290/2012 mentioned above.

## **Article 2**

Pursuant to paragraph 1 ter of Article 12 of Regulation (EU) No. 1178/2011 mentioned above, Annexes I to VII of this Regulation shall apply from 8 April 2013, subject to the other dates set out in Articles 3 to 14 of this Order.

## **Article 3**

Pursuant to paragraph 2 of Article 12 of Regulation (EU) No. 1178/2011 amended aforementioned, the following provisions of Annex I (PART FCL) of this Regulation shall apply from 8 April 2015:

- a) the provisions relating to pilot licence for powered lift aircraft, airships, sailplanes and balloons;
- b) the provisions of Subpart B (light aircraft Pilot Licence), except for provisions relating to the light aircraft pilot licence (Airplane), which apply as of April 8, 2013 ;
- c) the provisions of paragraphs FCL.800 ( aerobatic rating), FCL.805 ( Sailplane towing and banner towing ratings ), FCL.815 (Mountain rating);
- d) the provisions of section 8 ( multi-crew-co-operation instructor (MCCI)) of Subpart J (Instructors) as it applies to helicopters;
- e) the provisions of section 10 (Mountain rating instructor (MI)) of Subpart J.

## **Article 4**

Until April 8, 2014, pursuant to paragraph 3 of Article 12 of Regulation (EU) No. 1178/2011 amended aforementioned, the licences of aircraft and helicopters issued under the provisions of the orders of July 31 1981 referred to above may exercise the privileges of their licence without having to convert it according to Article 4.2 of Regulation (EU) No. 1178/2011 mentioned above. As of this date, they may continue to exercise the privileges of their licence as long to convert it.

## **Article 5**

Pursuant to paragraph 2 of Article 2 of Regulation (EU) No 290/2012 of 30 March 2012, the following provisions of this Regulation shall apply from the following dates:

- a) April 8, 2014: ORA.GEN.200 paragraph (a) (3) of Annex VII to the holders of a FSTD qualification certificate that is not approved training organization, or hold an operator's certificate air;
- b) April 8, 2015: Annexes VI and VII for training organizations and aero-medical centers do not comply with JAR;
- c) April 8, 2014: CC.GEN.030 paragraph (documents and filing) of Annex V;
- d) April 8, 2015: Annex V as it relates to the cabin crew members involved in commercial operations of helicopters;
- e) April 8, 2015: Annexes VI and VII as they relate to training organizations that provide training as part of the licensing of light aircraft pilot, licence or balloon pilot glider pilot licence, except where they apply to the light aircraft pilot licence (plane);
- f) April 8, 2014: Regulation (EU) No. 1178/2011 as it applies to pilots holding a licence

issued by a state outside the European Union and undertaking non-commercial operations on aircrafts referred to Article 4 (1) (b) or c) of Regulation (EC) No 216/2008;

g) April 8, 2015: Section 3 (specific requirements LAPL) of Part B (Requirements for medical certification of pilots) of Annex IV except insofar as it applies to the light aircraft pilot licence (Aeroplane);

h) April 8, 2014: Subpart C (Requirements for medical fitness of cabin crew) of Annex IV.

#### **Article 6**

Implementation dates set out in Articles 3 and 5 of this Order may be advanced as necessary. In this case, the provisions of Article 13 apply.

#### **Article 7**

As of April 8, 2012, any person may request a new certificate of approved training organization (ATO) provided they meet the requirements of Regulation (EU) No. 1178/2011 mentioned above.

Until April 8, 2013, the privileges of that certificate privileges are restricted to training in order to obtain a JAR FCL licence.

#### **Article 8**

As of April 8, 2012, persons holding a training organization approval under Article L.6511-5 transport code (FTO or TRTO) issued before April 8, 2012, may upon request obtain a certificate of training organization (ATO) in accordance with Regulation (EU) No. 1178/2011 referred to above, provided they meet all of its requirements.

Until April 8, 2013, the privileges of that certificate privileges are restricted to training in order to obtain a JAR FCL licence.

#### **Article 9**

Any person, who reported their training organization under Article L.6511-6 of the transportation Code, may request a certificate of training organization (ATO) in accordance with Regulation (EU) No. 1178/2011 mentioned above, effective April 8, 2012. Until April 8, 2013, the privileges of that certificate privileges are restricted to training in order to obtain a JAR FCL licence.

#### **Article 10**

Pilot licence in accordance with JAR pursuant to Article 4 of Regulation (EU) No. 1178/2011 referred to above are replaced by a licence according to the ARA PART as the holders to present themselves to the competent authority for the re-issuance of their licence.

#### **Article 11**

Persons holding a certification of simulator pursuant to Article L.6511-7 the Code of transport, may obtain a FSTD qualification certificate from 1 October 2012.

#### **Article 12**

Subsection (g) of the 1335 FCL of the Annex to the Order of 29 March 1999 concerning licence and qualifications of flight crew member of aircraft (FCL 1) is repealed as of April 8, 2012.

#### **Article 13**

This order shall be notified to the European Commission and the European Aviation Safety Agency, as required by Article 12 of Regulation (EU) No. 1178/2011 and Article 2 of Regulation (EU) No 290/2012.

#### **Article 14**

The Director General of Civil Aviation is responsible for the implementation of this Order, to be published in the Official Journal of the French Republic.

Dated April 5, 2012

The Minister for Ecology, Sustainable Development,  
Transport and Housing,  
For the Minister and by delegation:  
The Director of Safety of Civil Aviation,  
F. ROUSSE