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Title	Qualifications for flying in Instrument Meteorological Conditions
NPA Number	NPA 2011-16

British Gliding Association (office@gliding.co.uk) has placed **6** unique comments on this NPA:

Cmt#	Segment description	Page	Comment	Attachments
121	(General Comments)	0	<p>The British Gliding Association (BGA) is the governing body for gliding within the UK. The BGA currently has derogated responsibility for the safety management of UK gliding as a self-regulated sport flying activity. As such, the BGA has historically carried out and continues to carry many of the functions which are now being gathered by Part-FCL, Part-OPS and others.</p> <p>These functions, under the oversight of the UK CAA, have been carried out successfully for over half a century, giving the BGA unique experience in regulating flying activity. In general, the achieved level of safety is equivalent to nationally regulated gliding activity in other Member States. In certain aspects, a higher level of safety is achieved because the self regulation is recognised - importantly - by participants as relevant and necessary. The UK CAA has frequently stated that there is no reason to regulate UK gliding activity. Put simply, 35 years of detailed national and BGA accident and incident data identifies that additional regulation is unnecessary. However, the BGA accepts that a regulatory framework is in place, that Part FCL has been established and as such, the proposals within NPA 2011-16 are welcome as an <u>essential</u> extension of Part FCL.</p> <p>Flight within cloud has always been an integral part of UK glider flying; it is an integral part of this Member State's safety record. The extras hazards that would be introduced by exclusion from cloud are well established; they have been previously stated by the gliding community and reflected by the EASA FCL008 working group.</p> <p>The BGA welcomes this NPA and supports, strongly, the main thrust of the proposed Sailplane Cloud Flying Rating. We offer four responses:</p> <ol style="list-style-type: none"> <u>LAPL(S) & SPL</u> The SCFR is vital for safe glider flying in the UK. 	

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			<p>This NPA indicates that it will be available to both LAPL(S) and SPL holders. The BGA considers it essential that this privilege is retained and therefore that the SCFR is established within the regulation resulting from this NPA.</p> <p>2. <u>Dual Flight Training Requirement</u> With a specified skill test in place, this qualification is competency based, a welcome contrast to much of the rest of Part-FCL that is welcomed by the BGA. The requirement for a specific minimum of dual flight instruction of 5hrs is excessive. Doubtless, some pilots will need to fly more than this minimum. Their training will be directed by gaining the skills to pass the test. Others, perhaps having done other instrument training elsewhere, will be able to pass the test after less than 5hrs training. For these, the 5hr requirement is an unfair, unnecessary, extra expense.</p> <p>The BGA has a safe record of glider cloud flying: it has never needed to specify any minimum amount of training. We do, however, recognise the realities of negotiating this sort of figure and could accept, as a poor compromise, a 3hr dual flight instruction minimum.</p> <p>3. <u>TMGs</u></p> <p>The BGA is in sympathy with the concerns expressed by the UK CAA and others about the privileges of the rating including use in TMGs. It is essential, however, that training for this rating be possible in TMGs.</p> <p>Every TMG of which we are aware is restricted, by its Flight Manual, to VFR only. We would not recommend that any TMG pilot should fly under IFR.</p> <p>We would be content if use of the SCFR rating were to be prohibited in TMGs, but must repeat: It is essential that training for the SCFR be possible in TMGs.</p> <p>Recommendation</p> <p>We recommend that the following be added to FCL.830 “(d) The privileges of the Sailplane Cloud Flying</p>	

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			<p>Rating may not be exercised in a TMG”</p> <p>4. <u>Restricted SCFR</u> The BGA had proposed that, in addition to the SCFR, a Restricted SCFR be made available for flight under IFR but clear of cloud. This RSCFR would need no new flying skills for a licence holder, but would require the Theoretical Knowledge training from the SCFR. We are still of the view that there could be airspace categories where such RSCFR would be important, and are disappointed that the group did not include it.</p> <p><u>Summary</u></p> <p>The BGA:</p> <ol style="list-style-type: none"> 1. Strongly supports the SCFR & considers it essential that the rating be available to both LAPL(S) & SPL holders 2. Recommends that the requirement for 5 hrs dual flight instruction be removed – if a minimum training time requirement can be justified, then in our view that time should not exceed 3hrs. 3. Recommends that <u>training</u> in TMGs is essential for the SCFR, but would be content to see pilots prohibited from exercising the privileges of an SCFR in TMGs. 4. Recommends that the RSCFR option is re-considered by EASA. 	
639	A. Explanatory Note - I. Introduction	4 - 5	Para 7. We support the proposal to permit existing UK IMC privileges to be continued through a Part FCL rating with certain conditions on the basis of a conversion report.	
641	A. Explanatory Note - IV. Options considered and major impacts identified	13 - 15	<p>Option Considered. Although we fully support the proposal for an SCFR, we are disappointed that EASA were unable to develop an option that resulted in a SCFR and a RSCFR. We believe the two ratings would be complementary, would reflect current safe operating practices in at least 8 member states, with the RSCFR providing a stepping stone to the SCFR, given appropriate credit against SCFR training requirements.</p> <p>We believe EASA should reconsider the RSCFR, noting the evidence and advice supplied through FCL008.</p>	
192	B. Draft Opinion and Decision - I. Draft Opinion	16 - 22	<p>FCL830. The BGA is in sympathy with the concerns expressed by the UK CAA and others about the privileges of the rating including use in TMGs.</p> <p>It is essential, however, that training for this rating be possible in TMGs.</p>	

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444	B. Draft Opinion and Decision - I. Draft Opinion	16 - 22	<p>It is noted that that Article 4 of the Aircrew Regulation was amended at the EASA Committee to make provision for Member States to allow pilots to exercise limited privileges within the airspace of the Member State concerned before qualifying for a LAPL.</p> <p>UK IMC qualifications may be regarded as a step towards obtaining the sailplane cloud flying rating. It is proposed therefore that a similar provision may be made within FCL for national ratings for flight under IFR to be exercised within the airspace of the relevant country only.</p> <p>We propose the following text;</p> <p>FCL.600 IR - General (a) Operations under IFR of an aeroplane, helicopter, airship or powered-lift aircraft shall only be conducted by holders of a PPL, CPL, MPL and ATPL with an IR appropriate to the category of aircraft or when undergoing skill testing or dual instruction.</p> <p>(b) In Member States where national legislation permits flight in accordance with IFR under specified circumstances, the holder of a pilot licence may fly under IFR in the airspace of that Member State only, provided that the pilot holds the national qualification of that Member State appropriate to the circumstances of the flight.</p>	
642	B. Draft Opinion and Decision - I. Draft Opinion	16 - 22	<p>FCL830. With a specified skill test in place, this qualification is competency based, a welcome contrast to much of the rest of Part-FCL. The requirement for a specific minimum of dual flight instruction of 5hrs is excessive.</p>	

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			<p>Doubtless, some pilots will need to fly more than this minimum. Their training will be directed by gaining the skills to pass the test.</p> <p>Others, perhaps having done other instrument training elsewhere, will be able to pass the test after less than 5hrs training. For these, the 5hr requirement is an unfair, unnecessary, extra expense.</p> <p>The BGA has a safe record of glider cloud flying: it has never needed to specify any minimum amount of training.</p> <p>We do, however, recognise the realities of negotiating this sort of figure and could accept, as a poor compromise, a 3hr dual flight instruction minimum.</p>	