

# **Section B – Procedures for the Issuance of an EU Part-FCL Private Pilot License, Instrument Rating and/or Night Rating on the Basis of an FAA Pilot Certificate and/or Instrument Rating**

## **1. Introduction**

This section details how a pilot certificated by the FAA at the private pilot grade or higher with privileges for the airplane category and/or instrument rating, may qualify to be licensed in accordance with EU Part-FCL for a private pilot license, instrument rating and/or night rating for the airplane category, subject to the terms of the Agreement and Annex 3.

### **1.1 Applicability and Conditions**

- 1.1.1 These procedures apply to the holders of an FAA pilot certificate and/or instrument rating, excluding type ratings. Instrument ratings acquired through Instrument Rating Foreign Pilot (IFP) test are not subject to this agreement.

NOTE: The Sport and Recreational Pilot Certificate and Touring Motor Glider (TMG) rating is excluded from Annex 3.

- 1.1.2 Any license, certificate or rating issued by another Contracting State to the Chicago Convention which has been rendered valid by the FAA via 14 CFR § 61.75 shall not be converted into a Part-FCL license through Annex 3 of the Agreement.
- 1.1.3 Type ratings cannot currently be converted from one system to the other. Therefore, if a pilot holds an FAA type rating, privilege or endorsement for which a type rating is required according to Part-FCL, a Part-FCL type rating will not be issued in accordance with this Agreement.
- 1.1.4 The FAA airman needs to be current in accordance with applicable FAA regulations when the conversion process is initiated.  
  
NOTE: Pilots flying under the FAA’s BasicMed authorization are not eligible for conversion under Annex 3. BasicMed pilots will be required to get an FAA medical if they wish to take advantage of the Annex.
- 1.1.5 A person must not hold at any time more than one license per category of aircraft issued either in accordance with Part-FCL or under Annex 3 of the Agreement.
- 1.1.6 An EU PART-FCL license will not be reinstated through the terms of Annex 3 after being surrendered, suspended, or revoked.
- 1.1.7 An AA, upon converting an FAA pilot certificate in accordance with Annex 3, shall not require the surrender of that FAA pilot certificate.

- 1.1.8 In order to exercise the privileges of the EU Part-FCL pilot license or EU Part-FCL ratings, the pilot must meet the appropriate recency requirements according to the Commission Regulation (EU) No 1178/2011.
- 1.1.9 A pilot who is exercising the privileges of an FAA pilot certificate is required to meet the FAA currency requirements to exercise the privileges of his/her FAA pilot certificate.

## **1.2 Aviation Authority Responsibilities**

- 1.2.1 The AA shall issue, subject to the terms of Annex 3, a private pilot license in the single-engine piston (SEP) land airplanes and multi-engine piston (MEP) land airplanes, instrument rating and/or night rating on the basis of a valid FAA private pilot or higher-grade certificate and applicable ratings.
- 1.2.2 If the AA does not issue a license or rating to an eligible applicant who has demonstrated compliance with the applicable EU Special Conditions, the AA shall notify and provide the reasoning of the rejection to the applicant and EASA.

## **2. Initial Conversion Process**

### **2.1 General Requirements**

- 2.1.1 The conversion process will require compliance with a variety of general and specific requirements. The general requirements are:
  - (a) In order to have a Part-FCL private pilot license PPL(A), associated class and night ratings, and/or a Part-FCL instrument rating issued on the basis of an FAA pilot certificate and/or instrument rating, the applicant must apply to an AA responsible for pilot licensing of any EU Member State.
  - (b) The application for a license or rating will be submitted in a form and manner established by the AA
  - (c) If the applicant already holds a Part-FCL license, he/she must submit the application to the AA, which initially issued the pilot license, except when the pilot has requested a change of competent authority and a transfer of his/her licensing and medical records to that authority.

#### **2.1.2 License Confirmation**

- (a) Upon receiving an application from an FAA certificate holder, the AA shall request and receive a license confirmation from the FAA to ensure that the FAA certificate is authentic, valid, and that there is no certificate action, including the surrender, suspension, revocation or expiration of the certificate. It must also contain the details of the license, the issue dates of

the ratings, whether or not the license has been issued by another International Civil Aviation Organization (ICAO) contracting state, and the medical expiration and country of the medical. The request will be sent to Civil Aviation Registry (AFB-700). The FAA shall provide the verification to the AA.

- (b) The applicant must provide proof of the existing FAA certificate (or photocopy) to the AA issuing the license.

### 2.1.3 Eligibility for conversion under Annex 3

- (a) The applicant must provide the application form and the pilot logbook(s).
- (b) The pilots holding an FAA certificate that are already residing in an EU Member State before the applicability of Annex 3, shall prove their currency by self-declaration that is contained in the application form. The proof of residence before the applicability is determined on the basis of the applicable national regulations, as appropriate.
- (c) All other pilots holding an FAA certificate with PPL(A)/IR(A) whose ratings were issued after the applicability of Annex 3 must prove their currency through means of the self-declaration and through the FAA issued verification letter. The AA shall deem the ratings current only in the following cases:
  - for the instrument and multi-engine ratings: if the initial FAA rating has been issued within the last 12 months.
  - for the single-engine rating: if the initial FAA rating has been issued within the last 24 months.

In this case, the FAA verification letter will include the initial rating issue dates for licenses and ratings issued after the applicability of Annex 3.

- (d) Airmen who do not satisfy the conditions defined in (b) or (c) above do not qualify for conversion under the terms of Annex 3.
- (e) An FAA pilot does not need to meet the currency requirements to carry passengers prior to initiating the application process (for example, 14 CFR § 61.57(a) and (b) need not be met).
- (f) The applicant's FAA medical certificate must be current and a valid EU medical certificate is required.

#### 2.1.4 Issue of the License and/or Rating and Record-Keeping

- (a) Upon receiving an application for the issue of a license or rating and any supporting documentation, the AA shall verify whether the applicant meets the applicable requirements. When satisfied that the applicant meets the applicable requirements of Annex 3, the AA shall issue the Part-FCL license and/or rating.
- (b) The AA shall include the records of the application and supporting documentation into its record-keeping system according to the record-keeping requirements of Annex VI (Part-ARA) to Commission Regulation (EU) No 1178/2011.

#### 2.1.5 Demonstration of the Theoretical Knowledge to an Examiner

- (a) In the case when the applicant is demonstrating to the examiner before the skill test that he/she has acquired an adequate level of required theoretical knowledge, the examiner should follow the guidance provided by the AA and verify the logbook of the candidate.
- (b) The demonstration should be completed before the flight and should cover all the subjects and learning objectives of the theoretical knowledge as detailed by the AA.
- (c) After a successfully completed demonstration, the examiner will provide a written confirmation that the applicant has demonstrated an adequate level of required knowledge. This confirmation will be marked in the skill test form and logbook as established by the AA.
- (d) If the demonstration reveals a lack in theoretical knowledge, the flight will not be conducted and the skill test is failed. This failed skill test shall be written in the candidate's logbook and the skill test report with the fail endorsed will be sent to the AA.
- (e) If the applicant has failed to pass the demonstration of the theoretical knowledge after 2 attempts, he/she must undertake appropriate theoretical knowledge training at an ATO or DTO, as applicable, in accordance with Commission Regulation (EU) No 1178/2011. The extent and scope of the training needed will be determined by that training organization, based on the needs of the applicant. After the completion of such training, the level of theoretical knowledge will be completed by written examination under the responsibility of an AA.

#### 2.1.6 Pilot Training (when additional training is required)

- (a) When the applicant needs to complete training in order to fulfill the requirements in paragraphs 2.2.6 and 2.3 below, the flight instruction will be

completed in a training organization, according to Part-ORA or PART-DTO, as applicable. The flight instruction will be documented in a specific training record and signed by the instructor(s) who provided the training. Should the training be conducted in the EU system, the instructor will be qualified in accordance with Commission Regulation (EU) No 1178/2011.

- (b) The training record must at least specify the aircraft type and registration used for the training, the number of flights, the total amount of flight time under instruction and, if applicable, instrument flight time under instruction. It must also specify all the exercises completed during the training by using the syllabi contained in Commission Regulation (EU) No 1178/2011.
- (c) The training organization having provided the training should keep the training records containing all the details of the flight training given for a period of at least 3 years after the completion of the training.
- (d) The airplane used for the flight time under instruction provided must be:
  - (i) Fitted with primary flight controls that are instantly accessible by both the student and the instructor (for example dual flight controls or a center control stick). Swing-over flight controls should not be used;
  - (ii) Suitably equipped to simulate instrument meteorological conditions (IMC); and
  - (iii) Registered in an ICAO Contracting State in accordance with ICAO SARPs and match the definition and criteria of the respective Part-FCL aeroplane category.

## **2.2 Private Pilot License - Eligibility Requirements**

A person who holds a valid FAA pilot certificate in the airplane category and wishes to apply for a Part-FCL private pilot license for airplanes must meet the applicable requirements of Annex 3 and this Section.

### **2.2.1 Medical Certificate**

The applicant must meet the relevant EU medical requirements as stipulated in Commission Regulation (EU) No 1178/2011 for the privileges sought by the applicant and obtain a European medical certificate. The medical certificate must be at least class 2 and appropriate to the license and ratings to be requested.

### **2.2.2 Language Proficiency**

- (a) The applicant must demonstrate or provide evidence that he/she has acquired language proficiency in accordance with FCL.055 unless the applicant holds an 'English proficient' endorsement on his/her FAA pilot certificate. The 'English proficient' endorsement is deemed to be equal to

English language proficiency level 4 according to Part-FCL. The validity period for English language proficiency level 4 will start from the date of the last documented flight review.

- (b) If the applicant wishes to have English language proficiency level 5 or 6 endorsed on his/her license under Part-FCL, he/she needs to follow the method of language assessment established by the AA in accordance with FCL.055.

### 2.2.3 Theoretical Knowledge

The applicant must demonstrate to the examiner before the skill test that he/she has acquired an adequate level of theoretical knowledge of 'Air law' and 'Communication' at the private pilot level according to the AA.

### 2.2.4 Methods of Verifying FAA Pilot Currency

- (a) The applicant will provide the application form (see Appendix 1 to Section B) and a pilot logbook(s) to the AA to demonstrate his/her currency for the FAA pilot certificate.
- (b) The currency, as defined in Annex 3, will be verified by the verification letter from the FAA providing the issue date of the ratings as defined in paragraphs 2.1.2 and 2.1.3.
- (c) If an AA is unable to verify an applicant's currency through the documentation that is provided by the applicant, the AA should consult the date of issuance on the verification letter provided by the FAA registry (See paragraph 2.1.3 (c), above). If an AA has a question concerning the contents of the verification letter, the AA should contact the FAA Airmen Certification Branch (AFB-720) via email or by phone.

### 2.2.5 Skill test

- (a) The applicant must pass the skill test in accordance with the requirements of Regulation EU No 1178/2011 as written in FCL.235, and FCL.725 and the relevant Appendix, with a Part-FCL flight examiner FE (A), who has privileges to conduct skill tests for the issue of the PPL(A) or single-pilot MEP land class rating, as applicable.
- (b) Before the skill test is taken, the applicant must have passed the demonstration of required theoretical knowledge in accordance with paragraph 2.1.5 of this Section; completed the relevant flight training, if applicable; and fulfilled the relevant experience requirements as stated in this instruction. The records of training and experience, including a pilot logbook, will be made available to the examiner.

- (c) The applicant must complete the skill test on the same class of airplane (i.e., SEP land or MEP land) for which he/she is seeking for a class rating.
- (d) If the applicant already holds a privilege to act as a pilot on a SEP land airplane on his/her FAA certificate and he/she applies for both the multi-engine and SEP land class ratings, the skill test on MEP land airplane also covers the skill test on SEP land airplane.

#### 2.2.6 Single-Pilot Multi-engine Piston Class Rating (MEP Land)

- (a) The applicant for a single-pilot MEP land class rating shall hold class privileges in airplane multi-engine land (MEL) on his/her FAA certificate.
- (b) In addition to the requirements in paragraphs 2.2.1 through 2.2.5 above, the applicant must provide evidence that he/she has acquired the minimum training and flight experience on MEP land airplanes as required in Part-FCL Subpart H.
- (c) The training and flight experience may be completed either in the FAA system or in the EU Part-FCL system or in combination of both. The applicant shall provide evidence of the training and experience in the form and manner established by the AA.
- (d) The prior training and flight experience of the applicant will be credited as follows:
  - (i) Flight experience of 70 hours as pilot in command (PIC) on airplanes may have been gained either in the FAA system or in the EU Part-FCL system or in combination of both.
  - (ii) Theoretical knowledge examination and at least 7 hours of theoretical knowledge instruction in multi-engine airplane operations may be fulfilled with similar theoretical knowledge in the FAA system. Applicants who hold either a valid FAA flight instructor certificate with multi-engine privileges or a valid FAA multi-engine type rating may be deemed as having completed the theoretical knowledge portion.
  - (iii) The requirement of at least 2 hours and 30 minutes of dual flight instruction under normal conditions of single-pilot MEP airplane operations, and not less than 3 hours 30 minutes of dual flight instruction in engine failure procedures and asymmetric flight techniques may be fulfilled with similar dual instruction exercises in the FAA system or with similar flight experience as PIC on single-pilot MEP airplanes.
  - (iv) The applicant who has not fulfilled the theoretical knowledge and flight training requirements as stated in (i) through (iii) above in the FAA system, will complete the missing training at the DTO or ATO in accordance with Commission Regulation (EU) No 1178/2011.

- (e) The Part-FCL single-pilot MEP class rating may be issued at the same time with the Part-FCL pilot license in accordance with the license conversion process described in this Section, or the rating may be added to an existing Part-FCL license, provided that the applicable requirements are fulfilled.

## **2.3 Night Rating – Eligibility Requirements**

### 2.3.1 General

- (a) A person who holds a valid FAA pilot certificate for airplanes without a limitation regarding night flying privileges and wishes to apply for the Part-FCL night rating for airplanes must meet the relevant requirements stated in Annex 3 and in this Section.
- (b) The absence of a night flying limitation on an FAA pilot certificate means that the FAA has found the person qualified to operate an aircraft during the time between the end of evening civil twilight and the beginning of morning civil twilight, as published in the Air Almanac, converted to local time (reference night definition in 14 CFR part 1, § 1.1).
- (c) The Part-FCL night rating may be issued at the same time with the Part-FCL pilot license in accordance with the license conversion process described in this Section, or the rating may be added to an existing Part-FCL license, provided that the applicable requirements are fulfilled.

### 2.3.2 Medical Certificate

The applicant must fulfill the requirement in paragraph 2.2.1 above.

### 2.3.3 Flight Training and Experience

- (a) The applicant for the Part-FCL night rating must have fulfilled at least 5 hours of flight time in the airplane category at night, including:
  - (i) At least 3 hours of dual instruction, and
  - (ii) At least 1 hour of cross-country navigation with at least one dual cross-country flight of at least 50 km (27 NM) and 5 solo take-offs and 5 solo full-stop landings.
- (b) The flight training and experience may be completed either in the FAA system or in the EU Part-FCL system or in combination of both. The applicant will provide evidence of the training and experience in the form and manner established by the AA.
- (c) The applicant, who has not fulfilled the training and flight experience requirements as stated in 2.3.3(a)(i) through (a)(ii) above in the FAA



system, will complete the missing training at the DTO or ATO in accordance with Commission Regulation (EU) No 1178/2011.

## **2.4 Instrument Rating – Eligibility Requirements**

### **2.4.1 General**

- (a) A pilot who holds a valid FAA instrument rating for airplanes and who wishes to apply for the Part-FCL instrument rating for airplanes must meet the relevant requirements stated in Annex 3 and in this Section.
- (b) The Part-FCL instrument rating may be issued at the same time with the Part-FCL pilot license in accordance with the license conversion process described in this Section, or the rating may be added to an existing Part-FCL license, provided that the applicable requirements are fulfilled.

### **2.4.2 Medical Certificate**

The applicant must meet the relevant EU medical requirements as stipulated in Commission Regulation (EU) No 1178/2011 for the privileges sought by the applicant and obtain a European medical certificate. The medical certificate must be at least class 2 including the provisions for an instrument rating and appropriate to the license and other ratings to be requested.

### **2.4.3 Language Proficiency**

The applicant must fulfill the requirement in paragraph 2.2.2 above.

### **2.4.4 Theoretical Knowledge**

- (a) The applicant must demonstrate theoretical knowledge of ‘Air law’ and ‘Flight planning and monitoring’ and ‘Communication’ at the instrument rating level.
- (b) If the applicant has a minimum experience of at least 50 hours of flight time under Instrument Flight Rules (IFR) as PIC on airplanes, he/she will demonstrate to the examiner before the assessment of instrument flying skills that he/she has acquired an adequate level of the required theoretical knowledge. The demonstration will be completed according to paragraph 2.1.5 and Appendix 2 to Section B of the TIP-L.
- (c) In all other cases, the demonstration of the level of theoretical knowledge will be completed by written examination under the responsibility of an AA.
- (d) The written examination referred to in paragraph 2.4.4(c) above will be completed as follows:

- (i) The examination will comprise of multiple-choice questions selected from the European Central Question Bank (ECQB) according to the theoretical knowledge procedures stated in the Part-ARA (number of questions per subject and examination time) and corresponding AMC/GM material for modular IR(A), completed according to FCL.625 and Annex 6 Section A to Part-FCL.
- (ii) A pass in an examination will be awarded to the applicant achieving at least 75% of the marks. There is no penalty marking.
- (iii) The applicant has successfully completed the required theoretical knowledge examination when he/she has passed the examination within the 24-calendar-month period preceding the month of application.
- (iv) If the applicant has failed to pass the examination within 4 attempts, he/she must undertake appropriate theoretical knowledge training at a training organization (ATO) approved in accordance with Commission Regulation (EU) No 1178/2011. The extent and scope of the training needed will be determined by that ATO, based on the needs of the applicant.
- (v) The AAs follow strict security procedures to avoid test compromise. If the AA finds that the applicant is not complying with the examination procedures during the examination, this will be assessed with a view to failing the applicant, either in the examination of a single subject or in the examination as a whole. The AA shall ban applicants who are proven to be cheating from taking any further examination for a period of at least 12 months from the date of the examination in which they were found cheating.
- (e) If the applicant is applying for both private pilot license and instrument rating according to Annex 3, he/she needs to demonstrate the level of theoretical knowledge for both private pilot license (see 2.1.5, above) and instrument rating, as stated in this instruction.

#### 2.4.5 Methods of Verifying FAA Pilot Instrument Currency

- (a) The applicant will provide the application form and a logbook(s) to the AA to demonstrate his/her currency for the held FAA pilot certificate.
- (b) The currency must be verified by the verification letter from the FAA providing the issue date of the ratings.
- (c) If an AA is unable to verify an applicant's currency through the documentation that is provided by the applicant, the AA should consult the date of issuance on the verification letter provided by the FAA registry (See paragraph 2.1.3 (c), above). If an AA has a question concerning the contents of the verification letter, the AA should contact the FAA Airmen

Certification Branch (AFB-720) via email or by phone.

#### 2.4.6 Skill Test

- (a) The applicant must pass the skill test with a qualified Part-FCL IRE (A) according to Appendix 7 and, if necessary Appendix 9 to Commission Regulation (EU) No 1178/2011.
- (b) Before the skill test is taken, the applicant must have demonstrated an adequate level of required theoretical knowledge according to paragraph 2.4.4 above; completed the relevant flight training, if applicable; and fulfilled the relevant experience requirements as stated in this instruction. The records of training and experience, including a pilot logbook, will be made available to the examiner.
- (c) For an IR(A) for MEP land airplane, the applicant must complete the skill test in a MEP airplane. For an instrument rating for SEP land airplane, the applicant must complete the skill test in a SEP aircraft. If the applicant already holds class privileges in airplane SEP and MEP land on his/her FAA certificate and he/she applies for the Part-FCL instrument rating for both the MEP land and SEP land airplanes, a successful skill test in a MEP land airplane will also meet the requirements for the skill test on SEP land airplanes, as written in point FCL.620(c) of EU Regulation 1178/2011.
- (d) If the applicant is applying for both private pilot license and instrument rating according to Annex 3, the skill test may be combined, as long as all the requested items will be completed. In this case, the combined skill test will be flown with a qualified Part-FCL examiner, as stated in paragraphs 2.2.5 and 2.4.6(a) of this Section.

#### 2.4.7 Instrument Rating for Single-Pilot MEP Land Airplanes

- (a) The applicant for an instrument rating for single-pilot MEP land airplanes must hold a Part-FCL MEP land class rating or be issued a Part-FCL MEP land class rating in accordance with Annex 3 (see 2.2.6 (e) in Section B of this instruction..
- (b) In addition to other requirements under paragraphs 2.4.1 through 2.4.6 the applicant must provide evidence that he/she has acquired the minimum instrument training on multi-engine airplanes to meet the requirements of Appendix 6 to Part-FCL. The training may be replaced by similar instrument flight experience as PIC on single-pilot MEP airplanes, as specified below.
- (c) The training and flight experience may be completed either in the FAA system or in the EU Part-FCL system or in combination of both. The

applicant will provide evidence of the training and experience in a form and manner established by the AA.

- (d) The prior instrument flight training and flight experience of the applicant may have been gained either in the FAA system or in the EU Part-FCL system or in combination of both.
  - (i) The requirement of instrument flying training, as stated in the Section A of Appendix 6 to Part-FCL, may be fulfilled in the FAA system with a similar amount of instrument flight experience as PIC on multi-engine airplanes after initial issue of the IR(A) rating.
  - (ii) The applicant, who has not fulfilled the flight experience requirements as stated in (i) above in the FAA system, will complete the missing training at an ATO approved to do so in accordance with Commission Regulation (EU) No 1178/2011.

#### 2.4.8 Acclimatization Flying

- (a) The applicant for an instrument rating for single-pilot single-engine or single-pilot multi-engine land airplanes does not need to complete acclimatization flying, if he/she has:
  - (i) Prior experience of at least 50 hours of flight time under IFR as PIC on airplanes gained after initial issue of the IR(A); or
  - (ii) Prior experience of at least 10 hours of flight time under IFR as PIC on airplanes in any of the EU Member States or any European State that participates in EASA (in accordance with art. 129 of Regulation (EU) No 2018/1139), gained after initial issue of the IR(A).
  - (iii) The instrument flight time on airplanes, during which a pilot has been piloting an aircraft solely by reference to instruments and without external reference points, gained after initial issue of the IR, will be credited towards the flight time under IFR requirements in points 2.4.8(a)(i) and (ii) by having the pilot log the time spent under an IFR clearance in his/her logbook and certifying this with their signature.
- (b) When applicable, the acclimatization flying will be completed as follows:
  - (i) The flying exercises will be based on the modular IR(A) flying training syllabus established in Appendix 6 Section A to Part-FCL.
  - (ii) The amount of flying exercises needed to reach the level of proficiency as prescribed in Appendix 7 and Appendix 9 to Part-FCL necessary to safely operate the aircraft will be decided by a training organization approved in accordance with Commission Regulation (EU) No 1178/2011.

- (iii) The acclimatization flying will be completed within a training organization approved in accordance with Commission Regulation (EU) No 1178/2011 in one of the Member States before the skill test is taken.

### **3. Revalidation and Renewal of the Ratings**

The revalidation and renewal of the ratings and the language proficiency endorsements associated with the Part-FCL license issued according to Annex 3 must be conducted according to relevant Part-FCL rules.

### **4. Conversion of Additional Ratings after Initial Conversion**

- 4.1** Additional ratings which are in the scope of Annex 3 can be included on the Part-FCL license after the initial conversion. The applicant needs to fulfil the relevant requirements for the rating.
- 4.2** All ratings which are outside of the scope of Annex 3 will be issued according to Commission Delegated Regulation (EU) 2020/723, as amended..

### **5. Appeal and Conflict Resolution**

There is no right of appeal to the FAA against the decision by an AA to limit, suspend or revoke any EU Part-FCL pilot license.