



Modular light aircraft pilot licences

RMT.0678

EXECUTIVE SUMMARY

General Aviation (GA) is a high priority for the European Aviation Safety Agency (EASA). EASA dedicates effort and resources towards creating simpler, lighter and better rules for GA. Recognising the importance of GA and its contribution to a safe European aviation system, EASA in partnership with the European Commission and other stakeholders has created the GA Road Map.

The objective of this Opinion is to address a proportionality issue related to the introduction of the option to follow a modular training route in order to obtain a light aircraft pilot licence (LAPL) pursuant to Annex I (Part-FCL) to Regulation (EU) No 1178/2011 (the 'Aircrew Regulation').

Article 12(2a)(b) of the Aircrew Regulation allows for an opt-out from the requirements of Part-FCL, Subpart B until 8 April 2018, therefore, most EASA Member States (MSs) still apply their national licensing requirements to issue national licences the privileges of which are similar to those of an LAPL. Some MSs' national licensing requirements provide for a 'modular training route' to issue a basic licence: after having successfully completed a particular training module, an applicant is issued with a limited ('modular') licence with respectively limited privileges (e.g. only for local flights without passengers). Thus, module by module, the applicant may gradually fulfil the requirements for obtaining a licence with further privileges, comparable to an LAPL pursuant to Part-FCL, Subpart B. However, Part-FCL does not provide for such modular training routes, and MSs will no longer have the opt-out option to use those modular training routes for the issuance of such licences as of 8 April 2018.

Considering both the positive effects of such modular training on GA in said MSs as well as the objective to promote GA through the GA Road Map, this Opinion proposes to amend Article 4(7) of the Aircrew Regulation in order to introduce the option for MSs to follow a modular training route for the issuance of an LAPL. Applicants for and holders of such modular LAPLs will need to comply with all Part-FCL requirements except that the MS may tailor the flight training and skill test to the limited privileges of the licence. These limited privileges of such a modular-LAPL holder will also be restricted to the territory of the issuing MS. Modular-LAPL holders will be entitled to obtain the full LAPL after having successfully completed the full flight training and skill test as required by Part-FCL.

The proposed changes are expected to increase efficiency/proportionality by allowing MSs to continue with modular training routes for LAPLs. This will promote leisure and sport aviation by providing cost-reduced training modules followed by LAPLs with respective limitations.

Action area:	General Aviation		
Affected rules:	Regulation (EU) No 1178/2011		
Affected stakeholders:	Pilots, instructors, examiners, training organisations, competent authorities (CAs)		
Driver:	Efficiency/proportionality	Rulemaking group:	No
Impact assessment:	Light	Rulemaking Procedure:	Accelerated

• EASA special rulemaking procedure milestones

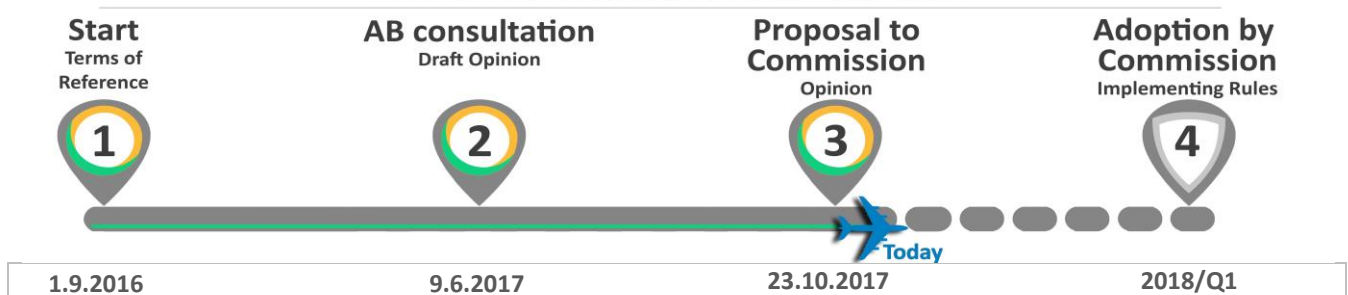


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1. About this Opinion

1.1. How this Opinion was developed

EASA developed this Opinion in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

This rulemaking activity is included in the EASA 5-year Rulemaking Programme³ under rulemaking task (RMT).0678. The scope and timescales of the task were defined in the related ToR⁴.

The *draft* text of this Opinion has been developed by EASA and consulted with the EASA Advisory Bodies (ABs) in accordance with Article 16 'Special rulemaking procedure: accelerated procedure' of EASA Management Board (MB) Decision No 18-2015⁵. This regulatory proposal is expected to have a negligible impact as the proposed amendments are only an additional option for MSs to comply with the LAPL requirements: it is at their discretion to select or not this additional option. Additionally, this proposal affects a limited group of stakeholders (lower end of GA). Prior to the consultation with the ABs, EASA performed a focused consultation on this regulatory proposal with the affected stakeholders: the essential elements of this proposed amendment were presented to the participants of the combined GA Technical Bodies (TeB) and GA pre-Sectorial Committee meeting held on 1 December 2016 on the EASA premises. During that meeting, participants showed full support for this RMT. While EASA received both positive (6) and negative (5) written comments on the proposal during a written focused consultation with the Aircrew TeB members in June/July 2017, many MSs indicated at the Member States Advisory Body (MAB) meeting of 26 and 27 June 2017 that they would finally support the RMT, based on the already developed draft rule text circulated before that meeting.

The final text of this Opinion and the draft regulation has been developed by EASA, taking into consideration technical comments received during the AB consultation. The draft rule text proposed by EASA is published on the EASA website⁶.

The major milestones of this rulemaking activity are presented on the title page.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1) (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1467719701894&uri=CELEX:32008R0216>).

² EASA is bound to follow a structured rulemaking process as required by Article 52(1) of Regulation (EC) No 216/2008. Such a process has been adopted by the EASA Management Board (MB) and is referred to as the 'Rulemaking Procedure'. See MB Decision No 18-2015 of 15 December 2015 replacing Decision 01/2012 concerning the procedure to be applied by EASA for the issuing of opinions, certification specifications and guidance material (<http://www.easa.europa.eu/the-agency/management-board/decisions/easa-mb-decision-18-2015-rulemaking-procedure>).

³ <http://easa.europa.eu/rulemaking/annual-programme-and-planning.php>

⁴ <https://www.easa.europa.eu/system/files/dfu/ToR%20RMT.0678%20Issue%201.pdf>

⁵ See footnote No 2.

⁶ <http://easa.europa.eu/document-library/opinions>



1.2. The next steps

This Opinion contains the proposed amendments to Regulation (EU) No 1178/2011⁷ and their potential impacts. It is submitted to the European Commission to be used as a technical basis in order to prepare an EU regulation.

⁷ Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1) (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1506506547506&uri=CELEX:32011R1178>).



2. In summary — why and what

2.1. Why we need to change the rules — issue/rationale

When drafting the initial Part-FCL requirements for the LAPL under RMT FCL.001, it was considered to introduce a modular training route in order to obtain the full LAPL. Notice of Proposed Amendment (NPA) 2008-17B⁸, in which LAPL was still referred to as 'leisure pilot licence (LPL)', contained proposals for a 'basic LPL' which would allow the holder to fly on single-engine piston aeroplanes or touring motor gliders (TMGs) with a certified maximum take-off mass (MTOM) of 2000 kg or less or on single-engine piston helicopters with a certified MTOM of 2000 kg or less, carrying a maximum of one passenger and in local flights within no more than 50 km from the aerodrome of departure (please refer to FCL.105.BA/H of said NPA). Later on, when applying for the full LPL, holders of a basic LPL would receive credits based on the privileges already held (please refer to FCL.110.A(b)/FCL.110.H(b) of said NPA).

The rationale behind such proposals was that the national licensing requirements of some MSs, notably France, already included similar modular training routes to obtain basic flight crew licences; those MSs wished therefore to continue applying such a modular approach. However, those proposals did not receive the required consent and were not incorporated into Part-FCL, Subpart B on LAPLs as the majority of the MSs had safety concerns about introducing such a basic licence complying with even lesser requirements than LAPL which itself does not comply with the relevant ICAO provisions. However, in order to cater for the needs of certain MSs, Article 4(7) of the Aircrew Regulation was introduced, allowing MSs to authorise student pilots under certain conditions to exercise limited privileges without supervision and without meeting all the requirements for the issuance of an LAPL.

Article 12 (2a)(b) of the Aircrew Regulation allows for an opt-out from the requirements of Part-FCL, Subpart B until 8 April 2018, therefore, most MSs still apply their national licensing requirements to issue basic licences the privileges of which are comparable to those of an LAPL. In this context, some MSs have called for introducing a full modular training route for the LAPL into Part-FCL because as of said date Article 4(7) of the Aircrew Regulation does not allow the issuance of a licence with limited (modular) privileges and does not provide for such a modular training route comparable to that of the national licensing requirements.

This issue was subsequently tabled during the EASA's GA Road Map⁹ meetings, where the idea of the modular training route to obtain an LAPL was considered an opportunity to promote aerial sport as based on the experience gained in some MSs under their national systems, this had a very positive effect on the GA domain: the number of young pilots starting with training for a basic licence increased as they took advantage of the option to obtain a first licence with basic flying privileges after successfully completing the first training module. This first licence is used to acquire experience before moving to the next training module, resulting in GA pilots with better overall flying experience. Additionally, said MSs have so far not faced any safety issue related to this training concept.¹⁰

⁸ <https://www.easa.europa.eu/system/files/dfu/NPA%202008-17b.pdf>.

⁹ <https://www.easa.europa.eu/easa-and-you/general-aviation/general-aviation-road-map>.

¹⁰ The French Bureau of Investigation and Analysis for Civil Aviation Safety (Bureau d'Enquêtes et d'Analyses pour la sécurité de l'aviation civile (BEA)) provided information according to which holding a 'brevet de base' (basic licence) so far has not been identified as a factor increasing the likelihood of an accident.

For these reasons, it was decided to include the ‘modular LAPL’ into RMT.0678 on ‘Simpler, lighter and better Part-FCL requirements for general aviation’. However, as the new rules would not enter into force by 8 April 2018, following the standard Rulemaking Procedure, it was decided to separate the modular LAPL from the other topics under this RMT and apply Article 16 of MB Decision No 18-2015 for the reasons provided above (please refer to Section 1.1). By using this ‘Accelerated Procedure’, it is ensured that the new rules on the modular LAPL will enter into force by 8 April 2018, thereby allowing the MSs concerned to undergo a smooth transition from the current opt-out from the Part-FCL requirements to the application of the new Part-FCL LAPL requirements.

2.2. What we want to achieve — objectives

The overall objectives of the EASA system are defined in Article 2 of Regulation (EC) No 216/2008. This proposal will contribute to the achievement of the overall objectives by addressing the issues outlined in Chapter 2.

The specific objective of this proposal is to ensure simpler, lighter and better Part-FCL requirements for GA by providing the option to the MSs to introduce a modular training route in order to obtain a full LAPL pursuant to Part-FCL, Subpart B. Modular training routes to be implemented by MSs on the basis of the proposed amendments are intended to serve as a test case. Therefore, this option should be introduced for a limited period of 5 years within which the European Commission, supported by EASA, will monitor and assess the implementation of the modular training route in order to decide whether to maintain this option as a permanent provision.

2.3. How we want to achieve it — overview of the proposals

Considering the initial development of Part-FCL (see Section 2.1) and comments received during the drafting of ToR RMT.0678 Issue 1, the concept of a modular LAPL is still not unanimously supported by all MSs: some are not in favour of such a concept within their licensing system, while others strongly support this initiative, highlighting its major importance for the GA as well as for the promotion of a new generation of GA pilots.

A way forward would be to allow those supporting MSs in favour of an LAPL to implement it but not require other MSs to do so or even to allow holders of modular LAPLs to enter their airspace or transfer their licence (see FCL.015(d)) into another MS that has not in place such a modular concept. Therefore, the modular LAPL should only become an option (see also Articles 4(7) and 4(8) of the Aircrew Regulation on specified limited instrument rating (IR) privileges): a new rule on the ‘modular LAPL’ should be introduced for a 5-year period, including the obligation for MSs to carry out a safety review of the modular-LAPL implementation, based on which the European Commission will assess whether the modular LAPL may eventually become a permanent provision.

In order to achieve this, it is proposed to replace Article 4(7) of the Aircrew Regulation with a new article containing the provisions for a modular-LAPL option, by using the Accelerated Rulemaking Procedure, thus incorporating this option into the Aircrew Regulation in time (by 8 April 2018). It would be at the discretion of the MS implementing this option to define the particular steps of the modular flight training and the associated privileges to be obtained with the respective modular LAPLs, hence providing additional flexibility for the regulation of this lower end of GA. However, all requirements of Part-FCL, Subpart B other than those for the flight training would fully apply.



The following clarifications refer to the individual subparagraphs of the proposed new Article 4(7), as included in the Annex to this Opinion ('Draft Commission Regulation (EU) No .../... of XXX amending Commission Regulation (EU) No 1178/2011 as regards modular light aircraft pilot licences').

The introductory sentence of the revised text of said **Article 4(7)** provides MSs with the option ('may') to issue an LAPL with specified limited privileges, i.e. a modular LAPL. Although the MS is allowed to define the particular scope of the privileges (see subparagraph a), certain privileges are in any case excluded (see subparagraph c). This new provision would be valid until 8 April 2023. As explained above in Section 2.2, after assessing the implementation of this option in the MSs, it will be decided whether to extend the validity of this provision or maintain it as a permanent one.

The following subparagraphs of Article 4(7) contain the conditions under which MSs may select this option.

Note: currently, the scope of this option is limited to the LAPL for aeroplanes and helicopters so as not to interfere with the ongoing RMTs on the revision of FCL requirements for sailplanes and balloons¹¹.

Subparagraph a requires an MS to determine the scope of privileges of a modular LAPL the MS intends to issue, taking into consideration the results of a safety risk assessment of the privileges granted and the training required.

Subparagraph b requires that applicants for and holders of a modular LAPL in principle comply with all requirements of Part-FCL, which are applicable to the LAPL — only the content of both the flight training and skill test for the issuance of the licence may be tailored to the limited privileges: certain elements of the flight training (as set out in Part-FCL and the related acceptable means of compliance (AMC)/guidance material (GM)) may be disregarded, if outside the limited scope of privileges. Those other elements may be included in subsequent training modules, gradually leading to the completion of a full training as provided for in Part-FCL. All other general requirements of Part-FCL (e.g. theoretical knowledge instruction and examination, requirements on minimum age or language proficiency, medical requirements, recency requirements, requirements for obtaining privileges for another class or changing to another variant of the same class; for the requirements related to the carriage of passengers, please refer to the explanations of Article 4(7)(c)(v) below) will also apply to the modular LAPL which is a Part-FCL licence with limited privileges.

Subparagraph c establishes limitations for holders of a modular LAPL, taking into consideration the concept of modular training determined by an MS. Subparagraph c(i) limits the privileges granted to a holder of a modular LAPL to the territory of the issuing MS (see Section 2.4.5 for further explanations). Subparagraph c(ii) excludes a modular-LAPL holder from obtaining additional ratings pursuant to Part-FCL, Subpart I as the modular training concept focuses on acquiring basic pilot competence only. Subparagraph c(iii) clarifies that the credits available to holders of an LAPL, as laid down in points FCL.210.A(b) and FCL.210.H(b) (upgrade to a private pilot licence (PPL) with credits for the flight training course), cannot be used by holders of a modular LAPL as these credits are tailored to pilots having already completed all flight training as required by Part-FCL, Subpart B. For consistency with subparagraph c(i), subparagraph c(iv) does not allow to transfer a modular LAPL from one MS to another (change of CA). Subparagraph c(v) does not allow modular-LAPL holders to act as pilots during

¹¹ Balloons: RMT.0654 (<https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0654>)
Sailplanes: RMT.0701 (<http://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-rmt0701>)

flights as the ones referred to in Article 6(4a) of Regulation (EU) No 965/2012¹² (e.g. cost-shared flights) for the same reason as the one provided for subparagraph c(ii) above. Subparagraph c(vi) ensures that in the case of modular LAPLs, the total flight time experience requirement for carrying passengers is equivalent to the respective requirements in points FCL.105.A(b) and FCL.110.H(a).

Subparagraph d requires that unlike other Part-FCL licences, a modular LAPL be issued with a validity date no later than 8 April 2023, the day on which the initial 5-year validity period of this new paragraph on modular LAPL will end. If it will be decided not to extend this validity period and thereby to abandon the modular-LAPL concept, this provision ensures that already issued LAPLs will be no longer valid. At the same time, this subparagraph clarifies that the endorsement of a validity period of possibly 5 years will not exempt the holder of such an LAPL from the obligation to comply with the recency requirements of Part-FCL. In this context, if the 5-year validity period will eventually not be extended, modular-LAPL holders will be able to upgrade to a full LAPL pursuant to Part-FCL, Subpart B by complying either with the proposed new Article 4(7)(e) provisions (see below) or, where compliance with the recency requirements will no longer be possible due to the licence expiry after 8 April 2023, with specific conversion requirements to be laid down in case of discontinuation of the option.

Subparagraph e requires the applicants for a modular LAPL to fulfil the following three conditions in order to gradually obtain the full LAPL pursuant to Part-FCL:

- to demonstrate to the CA that all training (modules) they received so far results in complying with all training requirements of Part-FCL;
- to comply with the LAPL recency requirements when applying for the full LAPL; this provision ensures that no licence is issued to a pilot who has completed the training modules a long time ago, without having recent flying experience; and
- to undergo a skill test for the LAPL, as required by Part-FCL.

Subparagraph f requires the MS to inform the European Commission, EASA and the other MSs about the modular LAPLs it issues and the related safety risk assessments.

Subparagraph g requires the MSs to exercise appropriate oversight of activities related to modular LAPLs and to take appropriate action, if necessary to address any safety risks or concerns.

Subparagraph h requires the MSs to carry out a safety review of the modular-LAPL implementation and submit the related report to the European Commission by 8 April 2021; the European Commission would then have another 2 years, until 8 April 2023, to conduct further evaluations in order to decide whether to extend or not the applicability of the modular-LAPL option.

2.4. What are the stakeholders' views — outcome of the consultation

2.4.1. Introduction

As already mentioned in Section 1.1, EASA has received 11 written comments during the focused consultation on the proposal to introduce a modular LAPL. While most of the supporting comments did not include any sort of justification or additional information, the comments not supporting the proposal contained further explanations. The following sections summarise the main arguments by

¹² Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1) (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1506527503866&uri=CELEX:32012R0965>).



commentators not supporting the proposal and clarify how EASA's final proposal addresses these issues.

2.4.2. Sufficient existing LAPL rules

Some commentators stated that the existing LAPL rules would be sufficient as a low-level entry point for GA. Additionally, concerns were raised about the flight experience required for flying solo being further lowered.

EASA believes that based on experience gained with modular training routes provided for by national law, MSs should be given the opportunity to maintain such successful training concepts and further evaluate how to incorporate them into Part-FCL as this would also promote aerial sport to younger generations. Currently, Part-FCL does not require the student pilot to have completed a certain amount of dual flight instruction to operate the first solo flight. The instructor grants the authorisation to fly solo to a student pilot holding the appropriate medical certificate and having demonstrated that they have gained the competence required for solo flights. The same principle would apply to a training course following a modular training route. A reduction of the competence required for the first solo flight is therefore not to be expected.

2.4.3. Inconsistency with the harmonised EU regulatory framework

Some commentators stated that the introduction of the modular-LAPL option would not be in line with the overall objective of establishing and maintaining a harmonised EU regulatory framework as some MSs would implement the modular-LAPL option while others would not.

EASA, after carefully considering this argument, believes that the provision of additional flexibility to the lower end of GA is in this case not to be deemed a setback in the general context of the harmonised EU rules. Please refer to Section 2.5 for further information.

2.4.4. Request for further clarification on the impact assessment (IA)

The paper circulated for the focused consultation contained a summary from the IA performed by EASA on the introduction of the modular-LAPL option. One commentator, however, requested to see the full impact assessment for further clarifications. For this reason, the full text of the IA is provided in Chapter 3 of this Opinion.

2.4.5. Other issues

One MS commented that its size and related airspace structure would be unsuitable for a modular LAPL with privileges for local flights. Another MS raised concerns about the following precarious situation, both in legal and competitiveness terms: MSs sharing a border where one MS introduces the modular-LAPL option while the other one does not.

When revising the draft rule text of this Opinion, EASA took into consideration that not all MSs would be willing to implement the modular-LAPL option for various reasons. The final rule text now contains provisions for minimising the margin for cross-border issues. The privileges of a modular-LAPL holder are limited to the territory of the MS issuing the LAPL, and the LAPL cannot be transferred to another MS (FCL.015). Due to these limitations, cross-border training business is not to be expected, thus reducing the chance of competition issues.



2.5. What are the expected benefits and drawbacks of the proposals

The expected benefits and drawbacks of the proposals are summarised in this Section. For the full impact assessment of alternative options, please refer to Chapter 3.

The proposed modular-LAPL option will increase efficiency/proportionality as it facilitates the 'entry into the world of aviation' through cost-reduced training modules as well as through licences with privileges limited according to those cost-reduced training modules.

Furthermore, MSs implementing the proposed option will be able to maintain a modular training system for the LAPL, whereas MSs not implementing it will not be required to maintain existing or establish new arrangements for a modular LAPL to allow holders of modular LAPLs issued by other MSs to enter their airspace. In addition, a modular-LAPL holder will not be able to request a change of CA.

Moreover, no safety drawback is expected for the following two reasons:

- MSs implementing the modular LAPL will base the privileges of a modular LAPL and the related flight training and testing on a safety risk assessment; and
- already implemented modular training concepts have a reported good safety record (please refer to Section 2.1).

Finally, as it is expected that not all MSs will follow the modular LAPL training route, resulting in differences among the routes for obtaining the full LAPL among MSs, this could be considered a drawback in terms of harmonisation (common EU standards in training). As both the Basic and the Aircrew Regulation already provide for exemptions and opt-out options (e.g. Articles 4(7) and 4(8) of the Aircrew Regulation, or the possibility for MSs to decide whether general medical practitioners (GMPs) act as aeromedical examiners pursuant to Article 7(2) of the Basic Regulation as well as MED.D.035(a)(2) of Annex IV (Part-MED) to the Aircrew Regulation) and EASA aims through the GA Road Map to make regulations more proportionate for GA, the proposed flexibility measures are not considered a drawback in terms of proportionality and GA. The modular-training approach will only affect the flight training and testing, but not high-level training standards, and will promote GA by making basic pilot privileges even more affordable and accessible.

2.6. How we monitor and evaluate the rules

Please refer to Section 3.6.



3. Impact assessment (IA)

3.1. What is the issue

Please refer to Section 2.1.

3.2. What we want to achieve — objectives

Please refer to Sections 2.2 and 2.3.

3.3. How it could be achieved — options

This Section details the different options of implementing a modular training route to obtain an LAPL.

Table 1 — Selected policy options

Option No	Short title	Description
0	No modular LAPL	No policy change: no change to the rules; risks remain as outlined in the issue analysis: a modular training route to obtain an LAPL will not be introduced into the Aircrew Regulation. National requirements providing such modular training routes to obtain a national basic licence will be valid until 8 April 2018. After this date, Part-FCL, Subpart B will fully apply in all MSs, not allowing to follow a modular training route to obtain an LAPL.
1	Modular LAPL (Article 4(7) of the Aircrew Regulation)	Amendment to Article 4(7) of the Aircrew Regulation (see Section 2.3) and entry into force thereof by 8 April 2018 at the latest: MSs willing to (continue to) provide a modular training route to obtain an LAPL will be able to do so, by establishing particular training modules and related limited privileges of a modular LAPL, restricted to the territory of the issuing MS. Issuance of the full LAPL will be possible only after full compliance with the Part-FCL, Subpart B requirements. MSs will not be required to implement this option.
2	Modular LAPL (Part-FCL, Subpart B)	Revision of Part-FCL, Subpart B to incorporate the modular LAPL into the Part-FCL requirements: these new requirements will not be ready by 8 April 2018 ¹³ ; from that date until the entry into force of the revised Part-FCL, Subpart B, MSs will need to apply the current Part-FCL rules and will not be allowed to provide modular training routes to obtain an LAPL. The revised Part-FCL, Subpart B, including the modular LAPL, will be mandatorily applicable in all MSs.

¹³ According to the 5-year Rulemaking Programme (see Footnote No 3), the related NPA for RMT.0678 is planned to be published in 2019/Q3.

3.4. What are the impacts

3.4.1. Analysis of impacts of the different options

The following tables present the impacts of each different Option (Table 2a for Option 0, Table 2b for Option 1, and Table 2c for Option 2). Each impact is scored with 0 (neutral), + (positive), – (negative) or a combination of + and – (+/–).

Table 2a — Option 0 ‘No modular LAPL’

Criteria	Description of the impact	Result
Safety impact	No impact. The current safety level is maintained.	0
Social impact	A negative social impact could be assumed for GA student pilots in those MSs whose national rules provide for modular training routes to obtain an LAPL ¹⁴ . They would either have to discontinue their training or GA pilot career due to the expected increase in the cost for obtaining the LAPL (see also the ‘Economic impact’ below) as there would be no option to follow a modular training route. In addition, a decrease in the number of student pilots and thus a negative social impact for the GA training providers might be expected. In those MSs that do not provide for a modular training route to obtain a LAPL in their national rules, no impact is expected.	–
Economic impact	A negative economic impact is expected for those MSs with national rules currently providing for modular training routes to obtain an LAPL as they would not be allowed to do so by 8 April 2018. This would negatively impact GA student pilots benefitting from the cost-reduced training modules followed by limited licences as they would need to bear the considerably higher cost of a full course followed by the full licence. GA training providers could also be negatively impacted as their income would decrease due to the reduced number of student pilots. In those MSs that do not provide for such a modular training route in their national rules, no impact is expected.	–
GA and proportionality	A negative impact on the GA community of the MSs concerned is expected as this Option does not support the implementation of the GA Road Map and hinders the promotion of leisure and sport aviation.	–

¹⁴ These MSs are mentioned in the issue analysis (Section 2.1).

Table 2b — Option 1 ‘Modular LAPL — Article 4(7) of the Aircrew Regulation

Criteria	Description of the impact	Result
Safety impact	<p>Neutral safety impact</p> <p>MS-based modular training would lead to respectively reduced privileges for the modular-LAPL holder, therefore, a safety-relevant discrepancy between training received and consequent pilot privileges will not exist. In addition, MSs currently applying modular training routes to obtain a basic licence in accordance with national rules have reported that no safety issues were linked with the modular training routes and the licences issued following such training¹⁵.</p> <p>In those MSs that do not provide for such a modular training route in their national rules, no impact is expected.</p> <p>For these reasons, no safety impact is expected under this Option.</p>	0
Social impact	<p>Positive social impact</p> <p>Those MSs whose national rules currently provide for modular training routes to obtain an LAPL would be able to maintain those modular training routes pursuant to the Aircrew Regulation. In this context, GA student pilots would be allowed to continue their training and pursue a pilot career. The training providers in the affected MSs would benefit from retaining their business. Therefore, this Option is considered to have a positive social impact in comparison with Option 0 (no amendment to the Aircrew Regulation).</p> <p>In those MSs that do not provide for such a modular training route in their national rules, no impact is expected.</p>	+
Economic impact	<p>Positive economic impact</p> <p>The GA sector in the MSs concerned would benefit from maintaining the cost-reduced modular training courses. The positive social impact described above is expected to have a positive economic impact as well.</p> <p>In those MSs that do not provide for such a modular training route in their national rules, no impact is expected.</p>	+
GA and proportionality	<p>A positive impact on the GA community is expected as the modular training routes are deemed an additional element of flexibility as well as an instrument of leisure and sport aviation promotion.</p>	+

¹⁵ See Section 2.1.

Table 2c —Option 2 ‘Modular LAPL — Part-FCL, Subpart B

Criteria	Description of the impact	Result
Safety impact	<p>Neutral safety impact</p> <p>MS-based modular training would lead to respectively reduced privileges for the modular-LAPL holder, therefore, a safety-relevant discrepancy between training received and consequent pilot privileges will not exist. In addition, MSs currently applying modular training routes to obtain a basic licence in accordance with national rules have reported that no safety issues were linked with the modular training routes and the licences issued following such training¹⁶.</p> <p>In those MSs that do not provide for such a modular training route in their national rules, no impact is expected.</p> <p>For these reasons, no safety impact is expected under this Option.</p>	0
Social impact	<p>Positive and negative social impact</p> <p>Those MSs whose national rules currently provide for modular training routes to obtain an LAPL would be able to maintain a modular training route pursuant to the Aircrew Regulation provisions and the revised Part-FCL, Subpart B. GA student pilots would be allowed to continue their training and pursue a pilot career. The training providers in the affected MSs would benefit from retaining their business. Therefore, this Option is considered to have a positive social impact in comparison to Option 0 (no amendment to the Aircrew Regulation). However, the rulemaking process for the revision of Part-FCL, Subpart B (including all rulemaking deliverables and consultations) would require considerably more time for the new rule to enter into force compared to the revision of the Aircrew Regulation proposed under Option 1, effective as of 8 April 2018. From that date until the entry into force of the revised Part-FCL, Subpart B including requirements for a modular LAPL, MSs would not be allowed to follow modular training routes based on national rules, which is considered a setback for GA as well as for the promotion of leisure and sport aviation in the MSs concerned. Additionally, the revised Part-FCL rules would have to accommodate the inputs and needs of all MSs, whereas it might not be possible to fully take into consideration the already existing national legislation of some MSs. This Option would therefore provide less flexibility than the proposed amendment to Article 4(7) of the Aircrew Regulation under Option 1.</p> <p>GA pilots would be also negatively affected: between 8 April 2018 and the date of entry into force of the revised Part-FCL, they would be either ‘grounded’ or required to upgrade to a higher licence. There might also be a negative impact on their training and pilot career due to the delays in implementing the modular LAPL (see Section 3.3 on the description of options).</p> <p>Summarising the social impacts of this Option (positive impact of introducing Part-FCL requirements for a modular LAPL, negative impact of delayed entry into force of said requirements and uncertain outcome of the rulemaking</p>	+/-

¹⁶ See Section 2.1.

	process), the total impact is assumed to be both positive and negative: negative in the short term due to the delayed implementation of the modular LAPL and positive in the long term when a modular LAPL will be available.	
Economic impact	<p>Slightly negative economic impact</p> <p>The GA sector in all MSs concerned would benefit from maintaining the cost-reduced modular training courses, which is considered a positive impact in the long term. However, in those MSs that provide for modular LAPL training in their national rules, as already explained under the social impact of this Option, from 8 April 2018 until the entry into force of the revised Part-FCL, GA training providers would no longer be able to offer cost-reduced training modules, resulting in a possible temporary loss of income. This expectable situation is considered to have a negative economic impact in the short term.</p> <p>Summarising the economic impacts of this Option (positive impact of introducing Part-FCL requirements for a modular LAPL, negative impact of interim loss of income for GA training providers as well as high cost for GA student pilots to obtain an LAPL), the total impact is assumed to be a slightly negative one: although a modular LAPL will be available in the long term, the expected interim loss of income for GA training providers is more important.</p>	-
GA and proportionality	<p>Positive impact on the GA community</p> <p>The same impact as under Option 1 is expected.</p> <p>On the other hand, the implementation of the modular LAPL as a binding requirement in Part-FCL might negatively impact proportionality, being against the subsidiarity principle.</p>	+/-

The proposed regulatory changes under all options require that applicants for a modular LAPL undergo flight training and testing appropriate to the privileges sought. Additionally, as already mentioned in Section 2.3, all Part-FCL requirements other than those referring to the practical flight training (e.g. theoretical knowledge instruction and examination, requirements on minimum age, language proficiency, medical requirements, recency requirements etc.) fully apply. It can therefore be concluded that all options proposed are in compliance with the provisions of the Basic Regulation, in particular Annex III thereto.



3.5. Conclusion

Table 2d — Overall impacts of all options

Criteria	Option 0	Option 1	Option 2
	No modular LAPL	Modular LAPL (Article 4(7))	Modular LAPL (Part-FCL, Subpart B)
Safety	0	0	0
Social	–	+	+/-
Economic	–	+	–
GA and proportionality	–	+	+/-
Overall	–	+	+/-

As illustrated in Table 2a, Option 0 ('No modular LAPL') will have no safety impact but negative social and economic impacts, and may have a negative impact on the GA community at least in the MSs concerned.

As illustrated in Table 2b, Option 1 ('Modular LAPL — Article 4(7) of the Aircrew Regulation') will have no safety impact and, additionally, is considered to have positive social and economic impacts. It is an instrument for promoting leisure and sport aviation and therefore supporting GA.

As illustrated in Table 2c, Option 2 ('Modular LAPL — Part-FCL, Subpart B') will have no safety impact and, additionally, is considered to have a both positive and a negative social impact, a slightly negative economic impact, and a both positive and negative impact on the GA community.

In summary, Option 1 is considered to be the best option to appropriately address the issue as it has no impact on safety, positive social and economic impacts as well as on GA, and is the only option that has no negative impacts in any of the assessed domains.

3.6. Monitoring and evaluation

As described in Sections 2.2 and 2.3, MSs will be required to monitor the implementation of the modular training route to obtain an LAPL, review its safety aspects and send a report to the European Commission by 8 April 2021 at the latest. Such reports would need to include statistical data on accidents and incidents involving modular-LAPL holders, the number of modular LAPLs issued, information on the average duration of training courses for the different modules, as well as the pass rates of applicants for a modular LAPL in the skill tests.

The European Commission, supported by EASA, will further evaluate whether the modular-LAPL option, initially to be introduced with a time limitation, would be permanently incorporated into the regulatory framework, either by extending the validity date of the amended Article 4(7) of the Aircrew Regulation or by eventually revising Part-FCL, Subpart B.

Done at Cologne, 23.10.2017

Patrick KY
[signed by]
Executive Director



4. References

4.1. Affected regulations

Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311, 25.11.2011, p. 1)

4.2. Affected decisions

N/a.

4.3. Other reference documents

- Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1)
- ToR RMT.0678 Issue 1
<https://www.easa.europa.eu/system/files/dfu/ToR%20RMT.0678%20Issue%201.pdf>
- NPA 2008-17B
<https://www.easa.europa.eu/system/files/dfu/NPA%202008-17b.pdf>
- GA Road Map
<https://www.easa.europa.eu/easa-and-you/general-aviation/general-aviation-road-map>

