



Issued: 3 June 2016

Part-FCL, Appendix 9
The Meaning of ‘Available’ in the Context of the Use of Flight Simulators and Other Training Devices for Pilot Licensing Purposes

This Information Notice contains information that is for guidance and/or awareness.

Recipients are asked to ensure that this Information Notice is copied to all members of their staff who may have an interest in the information (including any ‘in-house’ or contracted maintenance organisations and relevant outside contractors).

Applicability:	
Aerodromes:	Not primarily affected
Air Traffic:	Not primarily affected
Airspace:	Not primarily affected
Airworthiness:	Not primarily affected
Flight Operations:	AOC Holders; Operators of Aircraft for which there are simulators qualified for use
Licensed/Unlicensed Personnel:	Flight Crew Licence Holders; Approved Training Organisations (including former JAR-FCL FTO/TRTO)

1 Introduction

1.1 The purpose of this Information Notice (IN) is to explain what ‘available’ means for holders of UK issued EASA Part-FCL licences in the context of using Full Flight Simulators (FFS) and Other Training Devices (OTD) to comply with Annex I, Appendix 9 of Regulation (EU) No. 1178/2011 as amended.

1.2 Appendix 9 states:

“CONDUCT OF THE TEST/CHECK”

6. “... Full flight simulators and other training devices, when available, shall be used, as established in this Part”.

2 Scope

2.1 Part-FCL specifies the following tests/checks, the content of which is set out in Appendix 9:

MPL	Initial issue
ATPL(A) and (H)	Initial Issue
Low Vis Operations Section 6	Initial qualification, revalidation and renewal

IR (A), (H) and (As)	Revalidation and renewal
Class and Type Rating (A), (H), (PL), (As)	Initial issue, revalidation and renewal
FI	FI course pre-entry proficiency check
STI	Revalidation and renewal

2.2 The following interpretation by the UK CAA is applicable to holders of UK-issued EASA Part-FCL licences. Holders of licences issued by other Member States should seek advice from their own National Aviation Authority on their policy. All non-UK EASA Member State examiners wishing to conduct tests/checks on the holders of UK-issued licences must be briefed on UK policy in accordance with FCL.1015.

2.3 If an FFS or OTD is 'available', as defined below, it must be used; if not, then an aircraft may be used.

2.4 An FFS or OTD is considered 'available' when it:

- a) has a valid qualification certificate in accordance with Annex VII of Regulation (EU) No. 1178/2011 as amended;
- b) is serviceable;
- c) replicates an aircraft type contained within the candidate's licence endorsement.
- d) Is accessible:
 - i) to instructors and examiners qualified and authorised to conduct the training and testing required by the licence-holder;
 - ii) within the scope and scale of the candidate's/operator's training programme;
 - iii) within reasonable operations' programming constraints and without undue disruption to crew roster and operational scheduling.

Note 1: An examiner conducting tests/checks or assessments of competence outside of an AOC operation who intends to use an aircraft for the purposes of Part-FCL should advise the CAA's Shared Services Centre (Technical Approvals) of their intention and why a simulator is not available against the criteria above. This requirement does not apply to those conducting revalidation and renewal LPCs on light SEP and MEP aircraft, where meaningful testing in generic training devices would be impracticable.

Note 2: All UK AOC holders must advise their assigned Flight Operations Inspector of their intent to use an aircraft rather than a simulator that they consider not to be 'available' for training, testing or checking in accordance with the interpretation above. Clearly, an operator's SMS would play a key part in how the decision to use an aircraft is assessed.

Note 3: As part of the case assessments required at Notes 1 and 2, the CAA may require that an application for exemption from Appendix 9 requirements be submitted.

3 Justification

3.1 In this context, Part-FCL aims to prevent the use of an aircraft for manoeuvres and exercises that may involve reduced safety margins, where use of a simulator, where available, carries little or no risk to flight safety.

4 Queries

- 4.1 Any queries or further guidance required as a result of this communication should be addressed to:

SSC Technical Governance and Support Services
Civil Aviation Authority
GE, Aviation House
Gatwick Airport
RH6 0YR

E-mail: ISPTechnicalSupportTeam@caa.co.uk

5 Cancellation

- 5.1 This Information Notice will remain in force until further notice.