



I have received number of questions regarding the announcement of the bilateral agreement signed on November 19, 2020.

I've tried to give a bit of background to this announcement.

I have to say I was a little puzzled by some comments saying that this announcement has taken pilots by surprise! Here is why:

The Bilateral agreement between the USA and Europe is a quick path to allow pilots that were flying Third country "N" registered aircraft while being full time residents in Europe, using only FAA licenses.

It follows a long battle with European and National Aeronautical Authorities that was fought over many years.

The origin goes back to the time when pilots realized that getting an Instrument rating was next to impossible for a private pilot. The European theoretical requirements were so high that it was almost easier to take the ATPL knowledge test then try to tackle the IR knowledge test alone... (Sad but true!). Add to this that training was only possible at registered facilities that were not at all interested in training pilots only for the IR course. They were training aspiring professional pilots "ab initio", only catering to full time students that went from zero hours to a frozen ATP.

Obviously, this was not beneficial to private pilots that were holding a regular job and wanted the additional safety brought by IFR training. For them, it was impossible to quit their job and enter an integrated course.

So, all these pilots decided to take another path. They entered the FAA system, getting a validation of their European private pilot license from the FAA, or going through the full private pilot course. They then obtained their Instrument Rating either in the USA or in one of the European flight schools authorized by the FAA.

It became a mass exodus. Thousands of pilots took this path to be able to increase safety of flight and be able to fly IFR in Europe.

Obviously, the national aeronautical authorities did not think much of this exodus. And we also must understand that pilots using FAA licenses and "N" registered aircraft were pretty much immune to any disciplinary action emanating from the European countries.

So, the European NAA's (National Aeronautical Authorities) started to petition the European Commission and EASA to put a stop to this.

When the national authorities in Europe started petitioning EASA and the European commission to outlaw "N" registered aircraft in Europe, they argued that there were no reasons for aircraft and pilots to be treated differently than automobile owners.

They wanted to mimic the European rules regarding foreigners or European nationals coming back to reside in Europe with the automobile or motorcycle they owned in the USA and have imported into Europe when moving there.

In this case, the owner of the vehicle may benefit from a grace period of six months before he is required to pay Value added Taxes in one of the countries that constitutes the European Economic Community, shall submit to a technical inspection of the vehicle verifying that the vehicle meets European technical and emission standards.

From that moment, the vehicle may not be driven using a foreign drivers license. It is mandatory to obtain a driver's license originating in one of the European countries. Some states in the USA have bilateral agreements in place with France or other European countries allowing for direct issuance of a national driver's license in Europe "no questions asked", others don't. Florida, for example, has a bilateral with France, but Alabama does not. So, If you have a driver's license issued in Alabama, you will have to take the theoretical and practical exams for the automobile drivers license in France.

They wished all "N" registered aircraft to be re-registered under the flag of an European country and all pilots to obtain European licenses.

Obviously, that would have been catastrophic. IAOPA (all the European AOPA's) argued, petitioned, and lobbied using the following arguments:

- All European countries had accepted foreign registered aircraft and Foreign licenses for more that 50 years. So changing the rules was equivalent to renege an acquired benefit.

- European countries and EASA were not abiding to the terms they had accepted on licensing when becoming members of ICAO. (USA would accept private licenses coming from other ICAO member countries, but European countries did not reciprocate), therefore these countries were in breach of the international treaties they had signed.
- European aviation laws were putting undue burden on private pilots that wanted to gain additional qualifications (IR) by rising the theoretical standards of the written exams beyond what was reasonable for private operations on single and twin-engine aircraft, non-complex.
- Europe did not accept readily certification obtained in other countries that had signed ICAO treaties. Therefore, many "N" registered aircraft could not be legally registered in European countries. This was also the case of many STC's granted in the USA, but not recognized in Europe. Therefore, it was impossible to for owners of legal aircraft to register them in the region where they were living. That creating an unbearable financial burden.

After many months of negotiations, the European Commission understood that there were some differences between and automobile, a motorcycle and an aircraft. Going down the path suggested by the NAA's would have created many legal head aches and necessitated the renegotiation of internal treaties.

A solution was found, allowing solving many of the problems encountered:

- "N" registered aircraft would stay under the American flag, provided they owners would pay the same taxes that the ones paid for any type of vehicle imported into Europe (this was already the case before, so no changes there).
- Pilots operating or owning "N" registered aircraft would need to keep their FAA license and medical current (no change there).
- "N" registered aircraft based in Europe would have to be insured with a liability insurance in accordance with European laws (no changes there)
- After signing a bilateral agreement between the FAA and EASA (at the time this started it wasn't possible as EASA was a European agency and not a national government. It necessitated a lot of legal work to change), pilot licenses, at the private level to start with, would be recognized between both parties and the procedure to recognize these licenses and qualifications harmonized.
- Residents of the European Union, by the terms they accepted to gain the right to residency or by the fact that a national citizen has the obligation to abide by the laws of his country, have the obligation to follows the laws relevant to their residency location.

So, in addition to the licenses and qualifications necessary to conform to the laws and rules of the country of registration of their aircraft, pilots shall also carry the same licenses and qualifications from the region where they elected to reside and observe the rules related to maintaining them in good order.

In order to facilitate this, the parties to the bilateral agreement have put in place a system where experience gained under one set of rules will be recognized by the other party.

Now that the bilateral has been signed, we only need to understand when it will come into force.

With the pandemic and the number of pilots using FAA licenses in Europe, there is going to be a bottleneck when trying to get an examiner for a skill test. So, it is probably a good idea to anticipate as much as possible!

This is not a new situation. We have been talking about this since 2010! This is when this whole started. The bilateral agreement took a long time to get signed. In the interval, all FAA IR pilots had the possibility to get their IR converted to their European license, using exactly the same provisions that are stated today in the bilateral agreement. So, if you haven't taken advantage of this system, now is the time !

Things to know:

To the best of my knowledge, here are the things that you need to know to avoid rejection of a license or qualification conversion:

- Medical: Class 2 and Class 1 FAA medicals are acceptable in Europe. You are not supposed to fly using a class 3 or self-medical certification (Basic Med) are not ICAO level medical certificates, therefore cannot be used outside the US Airspace.

- Language proficiency: Although US licenses (most of the time) say “English proficient”, when converting your US licenses to Europe licenses, you will be awarded an ICAO “level 4”. Therefore, you will have to retake your language proficiency exam after 4 years. This only concerns pilots that did not hold a European license at all and are converting their US private pilot license into the European equivalent. If your existing European license is stamped with a level 5 or 6, you will keep that level.
- The FAA used to issue a Foreign based private pilot license without requiring the pilot to take the written exams or a skill test. This is not the case anymore. If requesting a Foreign based PPL from the FAA, you will have to take the written and pass a skill test.
- To fly in the European airspace, both sets of licenses must be up to date. That means that:
 - You will need to continue to formerly take a BFR for your FAA licenses to be valid.
 - You will need to maintain your FAA IR valid by documenting your “six moth experience” or by undergoing an Instrument Proficiency Check (IPC)
 - You will need to continue to document the mandatory tasks related to your “N” registered aircraft (VOR check, etc.)
 - You will need to keep you FAA medical up to date or go through the very tedious procedure of having the FAA check your European license and medical status each time to you pass your European medical (Class 2 or 1), before exercising your pilot’s privileges for the period of validity of your medical (its such a hassle that I don’t see many pilots going that route!).
- You will have to maintain your European license in good standing by keeping your Class rating (SEP or MEP) up to date (flight check or experience based every two years maximum)
- You will have to take an instrument proficiency check every year (this test allows you to revalidate the class rating of the plane you flew during the IPC. If you do a single engine IFR check, you will revalidate your SEP for two years. Just don’t forget to request this from your examiner. Same with MEP).
- If you break any Air laws, rules of the air, or do anything reprehensible, European authorities will now have the power to pull your license and qualifications and effectively ground you. You will not have the faculty of using only your FAA licenses to fly within European airspace.

(For reference, please see the attached document, compiled by Nick Wilcock, AOPA UK, who has taken the time to format the original document for better readability)

Also note that all this is valid at the private pilot level for the moment. The BASA (Bilateral agreement) has provisions to possibly extend, in the future, to CPL and ATPL level licences.

EU-US BASA ANNEX 3

PILOT LICENSING

1. PURPOSE AND SCOPE

1.1. The Parties have assessed each other's standards, rules, practices, and procedures related to private pilot licensing, including night and instrument ratings for the single-engine piston (SEP) land airplane and multi-engine piston (MEP) land airplane categories, but excluding the type ratings, and concluded that they are sufficiently compatible to permit acceptance of each other's approvals and findings. This Annex covers the reciprocal acceptance of findings of compliance and documentation, and the provision of technical assistance regarding private pilot licensing and compliance monitoring. Nothing in this Annex shall be construed to limit the authority of a Party to act in accordance with Article 15 of the Agreement.

1.2. The scope of this Annex covers private pilot EU Part-FCL licenses and FAA private pilot certificates, and private pilot privileges included in other EU Part-FCL licenses and FAA pilot certificates, as well as night and instrument ratings, as specified in Appendix 1 to this Annex, in SEP land airplane and MEP land airplane categories in single-pilot operations, excluding any type ratings. EU Part-FCL commercial pilot licenses for airplanes (CPL [A]) and airline transport pilot licenses for airplanes (ATPL [A]) contain private pilot privileges. The multi-crew pilot license (MPL) only contains private pilot privileges if specifically endorsed in the license. Similarly, FAA commercial pilot and air transport pilot certificates contain private pilot privileges. These licenses and pilot certificates are eligible for conversion under the terms of this Annex if the privileges are applicable.

1.3. The scope of this Annex may be extended to other EU Part-FCL licenses and FAA pilot certificates, ratings and aircraft categories through an amendment to this Annex pursuant to a decision of the Bilateral Oversight Board (BOB) taken in accordance with Article 19.B of the Agreement.

1.4. The extension of the scope of this Annex shall take place following the necessary confidence-building process conducted by the Technical Agents.

1.5. This Annex does not apply to any pilot license or pilot certificate issued by another Contracting State to the Convention on International Civil Aviation of 1944 (Chicago Convention) that has been rendered valid by the FAA or by an Aviation Authority, as detailed in the Technical Implementation Procedures - Licensing (TIP-L).

1.6. This Annex does not limit the right of a holder of an FAA pilot certificate or an EU Part-FCL license issued by an Aviation Authority, to have the pilot certificate or license rendered valid by the other Party in accordance with applicable laws and regulations.

2. DEFINITIONS

2.1. In addition to those definitions found in the Agreement, for the purposes of this Annex, the following definitions apply:

(a) 'Class rating' means:

(i) with respect to an EU Part-FCL license, a valid rating attached to a pilot license. The privileges of the holder of a SEP and MEP class rating are to act as pilot on the class of aircraft specified in the rating as outlined in the 'List of Aeroplanes - Class and Type Ratings and Endorsement List' published on the European Aviation Safety Agency (EASA) website.

(ii) with respect to an FAA pilot certificate, a classification of aircraft within a category having similar operating characteristics as outlined in Title 14, Code of Federal Regulations (14 CFR) § 61.5 (e.g., single-engine land and multi-engine land).

(b) 'Conversion' means the issuance of an EU Part-FCL license on the basis of an FAA pilot certificate or the issuance of an FAA pilot certificate on the basis of an EU Part-FCL license, in accordance with the provisions of this Annex.

(c) 'Currency' means the acceptance of the privileges of a class or type rating on an FAA pilot certificate, based on the recent experience of the certificate holder.

[14 CFR Part 61 and Regulation (EU) No 1178/2011 Annex III Part C].

(d) 'EU Part-FCL license' means a valid flight crew license that complies with the requirements of Part-FCL.

(e) 'FAA pilot certificate' means a valid Federal Aviation Administration pilot certificate that complies with the appropriate requirements prescribed in 14 CFR Part 61.

(f) 'Flight review' means an assessment of flying skills taken with a certified flight instructor holding appropriate FAA examining authority.

(g) 'Instrument rating' means:

(i) with respect to an EU Part-FCL instrument rating, a valid rating on an EU Part-FCL licence allowing for operation under Instrument Flight Rules (IFR) or in weather conditions less than the minimums prescribed for Visual Flight Rules (VFR) that is restricted to single-engine or multi-engine operation, or in the case of a multi-crew pilot license (MPL) additionally restricted to multi-crew operation.

(ii) with respect to an FAA instrument rating, means a valid rating on an FAA pilot certificate subject to currency and class of aircraft requirements, allowing for operation under IFR or in weather conditions less than the minimums prescribed for VFR.

(h) 'Night rating' means a rating attached to an EU Part-FCL license with which the privileges of the private pilot license for airplanes are to be exercised in VFR conditions at night. The night rating is issued without an expiration date.

(i) 'Skill test' means a demonstration of skill for a license or rating issue, including such oral examination as may be required in accordance with Annex I to Commission Regulation (EU) No 1178/2011, (Part-FCL).

(j) 'Special Conditions' means those requirements that have been found, based on a comparison of the respective regulatory licensing systems, not to be common to both systems and that are significant enough to be addressed in this Annex. The list of Special Conditions is contained in Appendix 1 to this Annex.

(k) 'Type rating' means:

(i) with respect to an EU Part-FCL license, a rating attached to a pilot license. The privileges of the holder of a type rating are to act as pilot on the type of aircraft specified in the rating as outlined in the EASA type rating and license endorsement list flight crew - all aircraft excluding helicopters.

(ii) with respect to an FAA pilot certificate, the rating on an FAA pilot certificate for any large aircraft (except lighter than air), turbojet powered airplane, or other aircraft specified by the FAA Administrator through type certification procedures for which a pilot must meet specific aeronautical knowledge and experience and testing requirements in order to act as pilot in command of the aircraft.

(l) 'Valid' means:

(i) With respect to an FAA pilot certificate or EU Part-FCL license, that such certificate or license is not surrendered, suspended, revoked, or expired.

(ii) With respect to an EU Part-FCL rating, the rating's validity period has not expired. The validity date of a rating is stated on the pilot license.

3. JOINT AIRCREW COORDINATION BOARD

3.1. Composition

3.1.1. A Joint Aircrew Coordination Board (JACB), accountable to the BOB, is hereby established under the joint leadership of the EASA and the FAA Executive Directors responsible for Flight Standards. The JACB shall include, from each Technical Agent, representatives responsible for pilot licensing and quality management systems/management systems, as appropriate.

3.1.2. The joint leadership may invite additional participants to the JACB to facilitate the fulfilment of the objectives of this Annex.

3.2. Mandate

3.2.1. The JACB shall meet at least once a year to ensure the effective functioning and implementation of this Annex. Its functions shall include:

(a) developing, approving, and revising the TIP-L, including cooperation, assistance, exchange of information, and continued confidence activities to be used for processes covered by this Annex;

(b) sharing information on relevant safety issues and developing action plans to address them;

(c) ensuring the consistent application of this Annex;

- (d) exchanging information on planned and ongoing rulemaking activities that could affect the basis and scope of this Annex.
- (e) sharing information on significant changes to the Parties' pilot licensing systems that could affect the basis and scope of the Annex.
- (f) resolving technical issues falling within the responsibilities of the Technical Agents and Aviation Authorities that cannot be solved at their level; and
- (g) proposing to the BOB amendments to this Annex.

3.2.2. The JACB shall report unresolved issues to the BOB and ensure the implementation of decisions reached by the BOB regarding this Annex.

4. IMPLEMENTATION

4.1. The Parties agree that a person holding an EU Part-FCL license for airplanes, including a class rating, with or without night rating, or an instrument rating for airplanes, and who has demonstrated compliance with the applicable FAA Special Conditions set forth in Appendix 1, shall be considered to meet the requirements for obtaining an FAA pilot certificate, class rating(s), or an instrument rating in the airplane category.

4.2. The Parties agree that a person holding a FAA pilot certificate for airplanes, or an instrument rating for airplanes, and who has demonstrated compliance with the applicable EU Special Conditions set forth in Appendix 1 and has provided evidence of currency in accordance with applicable provisions of the TIP-L, shall be considered to meet the requirements for obtaining an EU Part-FCL license, a class rating(s), with or without a night rating, or an instrument rating in the airplane category.

4.3. EU Part-FCL licenses or FAA pilot certificates that have been surrendered, suspended, or revoked shall not be reinstated through the terms of this Annex.

4.4. The scope of the ratings and limitations of an FAA pilot certificate or an EU Part-FCL license issued in accordance with this Annex is further specified in the TIP-L. **4.5.** Once an EU Part-FCL license or an FAA pilot certificate has been issued in accordance with this Annex, the holder must, to exercise the privileges of this license or pilot certificate meet the revalidation or renewal requirements, as applicable, of the EU Part-FCL or FAA requirements.

4.6. The FAA, upon issuing an FAA pilot certificate based on an EU Part-FCL license in accordance with this Annex, shall not require the surrender of that EU Part-FCL license. An Aviation Authority, upon issuing an EU Part-FCL license based on an FAA pilot certificate in accordance with this Annex, shall not require the surrender of that FAA pilot certificate.

4.7. The Technical Agents, and where applicable the Aviation Authorities, shall:

- 4.7.1. upon request from the FAA or Aviation Authority that issues an EU Part-FCL license or an FAA pilot certificate in accordance with this Annex, provide each other with the verification or confirmation of authenticity of the original EU Part-FCL license, FAA pilot certificate, or rating; and
- 4.7.2. provide in a form, manner, and schedule established by the JACB, statistical data regarding the EU Part-FCL licenses, FAA pilot certificates, and ratings that have been issued in accordance with this Annex.

4.8. Each Party's Technical Agent, or where applicable an Aviation Authority, shall provide as necessary upon request and after mutual agreement, technical assistance in pilot licensing activities to the other Party's Technical Agent, or where applicable to an Aviation Authority, to advance the purpose of this Annex. The Technical Agents or an Aviation Authority may decline to provide such technical assistance due to lack of resource availability.

4.9. Revisions by either Party to its civil aviation organisation, laws, regulations, procedures, policy, or standards, including those of the Technical Agents and Aviation Authorities, may affect the basis upon which this Annex is executed. Therefore, the Parties, through the Technical Agents and Aviation Authorities, as appropriate, shall advise one another of plans for such changes at the earliest possible opportunity, and discuss the extent to which such planned changes affect the basis of this Annex.

If consultations pursuant to Article 15.C of the Agreement result in an agreement to amend this Annex, the Parties shall seek to ensure that such an amendment enters into force at the same time as, or as soon as possible thereafter, the entry into force or implementation of the change that prompted such amendment.

5. COMMUNICATION AND COOPERATION

5.1. The Technical Agents, through the JACB, shall maintain and exchange a list of contact points for the various technical aspects of this Annex.

5.2. All communications between the Technical Agents, including technical documentation provided for review or approval as detailed in this Annex, shall be in the English language.

5.3. The format for all dates used in communications shall be DD MMM YYYY, e.g., '05 MAY 2014'.

5.4. When urgent or unusual situations develop, the Technical Agents', and where applicable, the Aviation Authorities' points of contact, as identified in the TIP-L, shall communicate and ensure that the appropriate immediate actions are taken.

6. QUALIFICATION REQUIREMENTS FOR THE ACCEPTANCE OF FINDINGS OF COMPLIANCE

6.1. Basic Requirements

6.1.1. Each Technical Agent and any Aviation Authority, as applicable, shall demonstrate to the other Technical Agent the effectiveness of their respective systems for the regulatory oversight of pilots. They shall demonstrate, in particular, effective and adequate:

- (a) legal and regulatory structure;
- (b) organisational structure;
- (c) resources, including sufficient qualified staff;
- (d) training program for their technical staff;
- (e) internal policies, processes, and procedures including a quality system;
- (f) documentation and records;
- (g) oversight program; and
- (h) authority over regulated EU Part-FCL license or FAA pilot certificate holders.

6.2. Initial Confidence

Each Technical Agent has demonstrated to the other Technical Agent the effectiveness of its respective system for the regulatory oversight of activities covered under this Annex through initial confidence building activities. The Technical Agents have also demonstrated to each other the effectiveness of their quality audits and standardisation activities, including audits of Aviation Authorities, as referred to in paragraph 6.3.1.

6.3. Continued Confidence

6.3.1. The Technical Agents and Aviation Authorities shall continue to demonstrate to each other effective oversight as detailed in paragraph 6.1.1 of this Annex

according to the relevant provisions of the TIP-L developed by the JACB.

- (a) In particular, Technical Agents shall:
 - (i) have the right to participate, as an observer, in each other's quality audits and standardisation inspections;
 - (ii) make available to the other Technical Agent the reports from quality audits and standardisation inspections applicable to this Annex, as specified in the TIP-L; and
 - (iii) assist each other in the resolution of audit and inspection findings impacting the implementation of this Annex, where relevant.
- (b) In particular, the FAA and the Aviation Authorities shall:
 - (i) allow quality audits and standardisation inspections as detailed in paragraph 6.3.1(a)(i) above;
 - (ii) share relevant safety information and known limitations that may affect an Aviation Authority's or Technical Agent's capability to fully meet applicable international safety standards or any safety requirements established under the Agreement;
 - (iii) subject to applicable laws and regulations on personal data protection, make available the relevant pilot licensing records and inspection reports including completed enforcement actions; and
 - (iv) provide language interpretation assistance at the Aviation Authority's office during the review of records and documentation that are recorded in its national language, where necessary.

(c) The Technical Agents shall notify each other at the earliest opportunity in the event that a Technical Agent or an Aviation Authority is not able to meet a requirement in paragraph 6.3. If either Technical Agent believes that technical competency is no longer adequate, the Technical Agents shall consult each other and propose an action plan, including any necessary corrective activities, in order to address deficiencies.

(d) In the event that a Technical Agent or an Aviation Authority does not correct deficiencies within the timeframe specified in the action plan, either Technical Agent may refer the matter to the JACB.

(e) When a Party intends to suspend acceptance of findings or approvals made by a Technical Agent or an Aviation Authority, the Party shall promptly notify the other Party in accordance with Article 18.A of the Agreement.

7. FEES

Fees applied shall comply with Article 14 of the Agreement and with applicable statutory and regulatory requirements.

Appendix 1

SPECIAL CONDITIONS

1. General Conditions

1.1. The applicant shall submit an application for conversion of an EU Part-FCL license or an FAA pilot certificate according to this Annex in a standardised form and manner as specified in the TIP-L.

1.2. An applicant who holds an EU Part-FCL license or an FAA pilot certificate that carries a restriction or limitation may be denied application if a similar restriction or limitation is not available in the other system.

2. EU Special Conditions

To be approved in accordance with Part-FCL, pursuant to the terms of this Annex, the applicant shall comply with all of the following EU Special Conditions.

2.1. EU Special Conditions Applicable to the Issuance of an EU Part-FCL License for Airplanes (PPL(A)) and Associated Class and Night Ratings, as Applicable, on the Basis of an FAA Pilot Certificate

2.1.1. The applicant shall demonstrate or provide evidence that he/she has acquired language proficiency in accordance with FCL.055 of Part-FCL unless he/she holds an 'English Proficient' endorsement on the FAA pilot certificate. The 'English Proficient' endorsement shall be deemed to be equal to English language proficiency Level 4, as detailed in the TIP-L.

2.1.2. The applicant shall meet the EU medical requirements as stipulated in Commission Regulation (EU) No 1178/2011 applicable to the PPL(A).

2.1.3. The applicant shall complete a skill test, as detailed in the TIP-L, with an examiner qualified according to Part-FCL.

2.1.4. The applicant shall demonstrate to the examiner before the skill test that he/she has acquired an adequate level of the required theoretical knowledge, as detailed in the TIP-L, within the 24-calendar-month period preceding the month of application.

2.1.5. The applicant applying for a Part-FCL night rating shall provide evidence that he/she has fulfilled the night flying requirements set out in FCL.810 of Part-FCL. Night flying training experience may be credited, as detailed in the TIP-L.

2.1.6. The applicant applying for a single-pilot MEP class rating shall provide evidence that the requirements for the issuance of a MEP land class rating as stated in Part FCL Subpart H are fulfilled. In this case the skill test specified under paragraph 2.1.3 above shall be completed in a MEP land airplane. An applicant who has prior training and flight experience on MEP airplanes may be credited towards the requirements of Part-FCL Subpart H, as detailed in the TIP-L.

2.1.7. An Aviation Authority, upon converting an FAA pilot certificate in accordance with this Annex, shall enter the following statement in item VIII (or XIII) of the EU Part-FCL license: 'PPL(A) issued on the basis of the EU-US Agreement'.

2.2. EU Special Conditions Applicable to the Issuance of an EU PART-FCL Instrument Rating for Airplanes (IR(A)) on the Basis of an FAA Instrument Rating.

2.2.1. The applicant shall demonstrate or provide evidence that he/she has acquired language proficiency in accordance with FCL.055 of Part-FCL unless he/she has an 'English Proficient' endorsement on the FAA pilot certificate. The 'English Proficient' endorsement shall be deemed to be equal to English language proficiency Level 4, as detailed in the TIP-L.

2.2.2. The applicant shall meet the EU medical requirements as stipulated in Commission Regulation (EU) No 1178/2011 applicable to the IR(A).

2.2.3. The applicant shall complete an IR(A) skill test, as detailed in the TIP-L, with an examiner qualified according to Part-FCL.

2.2.4. With regard to the demonstration of theoretical knowledge and as detailed in the TIP-L, if the applicant has a minimum experience of at least 50 hours of flight time under Instrument Flight Rules (IFR) as pilot in command on airplanes, he/she shall demonstrate to the examiner before the IR(A) skill test that he/she has acquired an adequate level of the required theoretical knowledge. In other cases, the applicant shall pass a written examination within the 24-calendar-month period preceding the month of application.

2.2.5. An applicant applying for an instrument rating for single-pilot MEP land airplanes shall provide evidence that the requirements for the issuance of an instrument rating for MEP land airplanes as stated in Part-FCL Subpart G are fulfilled. In this case the IR(A) skill test specified under paragraph 2.2.3 above shall be completed in a MEP land airplane. An applicant who has prior instrument training and flight experience on multi-engine airplanes may be credited towards the requirements of Part-FCL Subpart G, as detailed in the TIP-L.

2.2.6. As detailed in the TIP-L, an applicant applying for an instrument rating shall have completed acclimatisation flying in an EU Member State, within a training organisation approved in accordance with Commission Regulation (EU) No 1178/2011, before the IR(A) skill test is administered. The applicant is exempt from this requirement if he/she has prior experience of at least 50 hours of flight time under IFR as pilot in command on airplanes or prior experience of at least 10 hours of flight time under IFR as pilot in command on airplanes in any of the EU Member States or any European State that participates in EASA in accordance with Article 129 of Regulation (EU) No 2018/1139 of the European Parliament and of the Council (OJ L 212, 22.8.2018, p. 1-22).

2.2.7. An applicant who has obtained an EU Part-FCL instrument rating on the basis of this Annex shall be required to undergo the entire set of theoretical knowledge examinations according to FCL.025 and FCL.615 IR of Part-FCL prior to exercising his/her instrument rating privileges with an EU Part-FCL CPL, MPL or ATPL

2.2.8. An applicant who has obtained an EU Part-FCL instrument rating on the basis of this Annex shall be required to undergo the entire set of theoretical knowledge examinations according to FCL.025 of Part-FCL before being given the full credit for the IR(A) in the different category of aircraft according FCL.035 of Part-FCL.

2.2.9. An Aviation Authority, upon converting an FAA pilot certificate in accordance with this Annex, shall enter the following statement in item VIII (or XIII) of the EU Part-FCL license: 'PPL(A) / IR(A) issued on the basis of the EU-US Agreement'.

3. FAA Special Conditions

To be approved in accordance with 14 CFR Part 61, pursuant to the terms of this Annex, the applicant shall comply with all of the following FAA Special Conditions:

3.1. FAA Special Conditions Applicable to the Issuance of an FAA Pilot Certificate, Airplane Category Single-Engine Land Class Rating and Airplane Category Multi-Engine Land Class Rating on the Basis of an EU Part-FCL License.

3.1.1. The applicant shall be able to read, speak, write and understand the English language. A Part-FCL English language proficiency endorsement of Level 4 or higher shall be accepted as English proficient.

3.1.2. The applicant shall meet the FAA medical certificate requirements to exercise the privileges of an FAA pilot certificate, as prescribed in 14 CFR Part 61.

3.1.3. The applicant shall have passed the required knowledge test, as detailed in the TIP-L, within the 24-calendar-months period preceding the month of application.

3.1.4. The applicant shall complete a flight review with an FAA certified flight instructor who holds appropriate FAA examining authority, as detailed in the TIP-L.

3.1.5. An applicant applying for a multi-engine land rating shall provide evidence that he/she has fulfilled the requirements for the issuance of a multi-engine land rating as stated in 14 CFR Part 61. Training and experience on MEP land airplanes may be credited, as detailed in the TIP-L.

3.2. FAA Special Conditions Applicable to the Issuance of an FAA Instrument-Airplane Rating on the Basis of an EU Part-FCL Instrument Rating.

3.2.1. The applicant shall be able to read, speak, write and understand the English language. A Part-FCL English language proficiency endorsement of Level 4 or higher shall be accepted as English proficient.

3.2.2. The applicant shall meet the FAA medical certificate requirements to exercise the privileges of an FAA pilot certificate, as prescribed in 14 CFR Part 61.

3.2.3. As detailed in the TIP-L, an applicant applying for an instrument rating shall have completed acclimatisation flying in the United States, including its territories, with an FAA certified flight instructor, before the instrument proficiency check with an examiner is administered. The applicant is exempt from this requirement if he/she has prior experience of at least 50 hours of flight time under IFR as pilot in command on airplanes or prior experience of at least 10 hours of flight time under IFR as pilot in command on airplanes in the United States, including its territories;

3.2.4. The applicant shall complete an instrument proficiency check with an examiner, as detailed in the TIP-L.



3.2.5. The applicant shall have passed the required knowledge test, as detailed in the TIP-L, within the 24-calendar-month period preceding the month of application.