

Issued as part of the process of public consultation by the CAA

NOTICE OF PROPOSED AMENDMENT

(NPA 04/19)

AMENDMENT OF

AIR NAVIGATION TECHNICAL

REGULATIONS

ANTR PART II

(LICENSING REGULATIONS)

Flight Crew – Aeroplane (ANTR FCL 1)

Who this NPA applies to:

It is anticipated that this proposal will affect the following groups in the aviation industry:
Operators of Bahraini registered aircraft, aircraft engineering facilities and CAA staff

AERONAUTICAL LICENSING DIRECTORATE

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1. INTRODUCTION

- 1.1 The Kingdom of Bahrain's aviation safety requirements are currently contained in the Civil Aviation Law and Air Navigation Technical Regulations. It has become CAA policy that the Air Navigation Technical Regulations will be gradually amended to reflect ICAO Annex SARPs and industry best practice (EASA). This NPA applies to Air Navigation Technical Regulations ANTR Part II (ANTR FCL 1).
- 1.2 The purpose of this Notice of Proposed Rule Making (NPA) is to:
- (a) Continue the process of formal public consultation on proposed amendments of the Air Navigation Technical Regulations; and
 - (b) Ensure the adequacy of regulations governing operations of CAA registered in accordance with ICAO SARPS and international best regulatory practices; and
 - (c) Determine the effect on the aircraft operator of the proposed regulations.
- 1.3 The CAA now seeks comments on this proposal from the aviation industry and the concerned parties before proceeding further.
- 1.4 Abbreviations
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| NPA | Notice of Proposed Amendment |
| SARPS | ICAO Standards and Recommended Practices |
| CAA | Civil Aviation Affairs of the Kingdom of Bahrain |

2. OBJECTIVE

- 2.1 The objective of this NPA is to amend ANTR Part II (ANTR FCL 1) Subpart F to the existing EASA regulations FCL.740 and AMC1 FCL.740(b)(1) on validity and renewal of class and type ratings. Amendment to ANTR FCL 1 is required to be more exacting with regard to expired ratings and harmonize with EASA Regulations.
- 2.2 A number of regulatory criteria have been identified to guide the development of the Air Navigation Technical Regulations. The criteria require that the new regulation should:
- (a) be clear, concise and unambiguous;
 - (b) be consistent with the Kingdom of Bahrain's international obligations;
 - (c) be harmonized with ICAO SARPS and European standards, unless unique CAA circumstances require otherwise;
 - (d) be outcome-based, to the greatest extent practicable;
 - (e) be cost effective or cost neutral; and
 - (f) be enforceable.

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3. REGULATORY PROPOSAL

- 3.1 The CAA considers that revision and modification of existing regulations along the lines of ICAO (SARPs) and industry best practice (EASA), is appropriate and consistent with CAA future objectives and regional harmonization.
- 3.2 The CAA considers that revision and modification of existing regulation along the lines of the European model is appropriate and consistent with future objectives and regional harmonization.
- 3.3 Amendment action is planned for **22 May 2019**.

4 AFFECT OF CHANGES

- 4.1 The persons affected by this NPA are:
- 4.1.1 Operators of the Bahraini registered aircraft;
 - 4.1.2 Engineering facilities; and
 - 4.1.3 CAA staff.
- 4.2 Effect on Existing Regulation. This NPA contains all of the necessary amendments for compliance with the existing EASA regulations FCL.740 and AMC1 FCL.740(b)(1) on validity and renewal of class and type ratings. Amendment to ANTR FCL 1 is required to be more exacting with regard to expired ratings and harmonize with EASA Regulations.
- 4.3 The effect of the proposed new regulations is considered to be generally cost neutral, with greater operational flexibility and guidance.
- 4.4 There would be no additional change in CAA inspections and compliance with the proposed regulations will be monitored and enforced through normal CAA surveillance activity.

5 PRESENTATION

The complete proposed amendment to the ANTRs is issued to Bahrain operators and published on CAA Q-Pulse System.

6 HOW TO SUBMIT COMMENTS ON THIS NPA

The Notice of Proposed Amendment process is the CAA's method of notifying and seeking comment from industry and the public with respect to proposed changes to rules. All submissions are evaluated and assessed with a view to incorporating any necessary changes to the draft regulations prior to their formal promulgation as law. In order to simplify collation and summarizing of comments, it is requested that responses be made on the NPA Response Sheet provided (Refer page 6) or a copy of the sheet, with additional comments attached as necessary. Responses can be individual or from industry working groups. Written comments quoting NPA 04/19 should be forwarded by **22 May 2019** to the CAA by post to P. O. Box 586, Kingdom of Bahrain or e-mail to Aerolicensing@mtt.gov.bh.

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7 SUMMARY OF RESPONSES

Subsequent to the closing date for comments, a Summary of Responses will be made publicly available in conjunction with the issue of the Final Rules for each Part. The CAA may contact persons in respect to submissions in order to clarify issues but is not obliged to individually acknowledge or respond to comments or submissions.

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NPA 04/19 RESPONSE SHEET
(ANTR FCL 1)

Please return this response sheet by **22 May 2019** by post to P. O. Box 586, Kingdom of Bahrain, or e-mail to Aerolicensing@mtt.gov.bh. Please indicate your acceptance or otherwise of the proposal by ticking [✓] the appropriate box below. Any additional constructive comments, suggested amendments or alternative action will be welcome and may be provided on this response sheet or by separate correspondence.

- The proposals are *acceptable without change*.
- The proposals are *acceptable but would be improved if the following changes were made:* (Please provide explanatory comment).

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- The proposals are *not acceptable but would be acceptable if the following changes were made:* (Please provide explanatory comment).

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- The proposals are *not acceptable under any circumstances.* (Please provide explanatory Comment).

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- Any other comments.

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Name.....Organization:.....

Address/Contact No:.....

Signed:.....Date:.....

Aviation Safety Rules & Regulations

ANTR FCL 1

Amendment to ANTR FCL 1 Subpart F is based on EASA Regulations FCL.740 and AMC1 FCL.740(b)(1) Validity and renewal of class and type ratings. ANTR FCL 1 is amended to be more exacting with regard to expired ratings and harmonize with EASA regulations. Consequential changes to ANTR OPS 1 Subpart N is also included in the amendment.

Bahrain CAA Publication Revisions Highlight Sheet

ANTR: **Part II – ANTR FCL 1** CAP:____ TPM:

The following pages of ANTR FCL 1 have been revised to be in line with EASA Regulations FCL.740 and AMC1 FCL.740(b)(1) specifically with regards to expired ratings.

Item	Paragraph number	Page	Reason
1	---	ALL	All instances of “an operator” to be amended to “the operator”. All instances of “the Authority” to be amended to “BCAA”.
Section 1			
2	ANTR FCL 1.245	1-F-6	Item (f) Expired Ratings amended.
Section 2			
3	AMC FCL 1.245(f)(1)	2-F-4	New regulation.
Consequential Change to ANTR OPS 1 Subpart N			
4	ANTR OPS 1.970	1-N-8	Add Note reference to ANTR FCL 1.245(f) and AMC FCL 1.245(f)(1).

AMC/IEM F –CLASS AND TYPE RATING

AMC FCL 1.245(f)(1) Type and class ratings – Validity, revalidation and renewal2-F-4

ANTR-FCL 1.245 Type and class ratings – Validity, revalidation and renewal

(See Appendices 1 to 3 to ANTR-FCL 1.240)

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(f) *Expired Ratings*

- (1) If a type rating or multi-engine class rating has expired, the applicant shall: ~~meet any refresher training requirements as determined by the Authority and complete a proficiency check in accordance with Appendices 1 and 2 or 3 to ANTR-FCL 1.240. The rating will be valid from the date of completion of the renewal requirements.~~

(i) meet any refresher training requirements as determined by the BCAA (see AMC FCL 1.245(f)(1); and

(ii) complete a proficiency check in accordance with Appendices 1 and 2 or 3 to ANTR-FCL 1.240.

The rating will be valid from the date of completion of the renewal requirements.

- (2) If a single-pilot single-engine class rating has expired, the applicant shall complete the skill test in Appendices 1 and 3 to ANTR-FCL 1.240.

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AMC FCL 1.245(f)(1)

Type and class ratings – Validity, revalidation and renewal

RENEWAL OF CLASS AND TYPE RATINGS: REFRESHER TRAINING

- a) Paragraph (f)(1) of ANTR FCL 1.245 determines that if a class or type rating has lapsed, the applicant shall take a refresher training at an ATO. The objective of the training is to reach the level of proficiency necessary to safely operate the relevant type or class of aircraft. The amount of refresher training needed should be determined on a case-by-case basis by the ATO, taking into account the following factors:
- (1) the experience of the applicant. To determine this, the ATO should evaluate the pilot's log book, and, if necessary, conduct a test in an FSTD;
 - (2) the complexity of the aircraft;
 - (3) the amount of time elapsed since the expiry of the validity period of the rating. The amount of training needed to reach the desired level of proficiency should increase with the time lapsed. In some cases, after evaluating the pilot, and when the time elapsed is very limited (less than 3 months), the ATO may even determine that no further refresher training is necessary. When determining the needs of the pilot, the following items can be taken into consideration:
 - (i) expiry shorter than 3 months: no supplementary requirements;
 - (ii) expiry longer than 3 months but shorter than 1 year: a minimum of two training sessions;
 - (iii) expiry longer than 1 year but shorter than 3 years: a minimum of three training sessions in which the most important malfunctions in the available systems are covered;
 - (iv) expiry longer than 3 years: the applicant should again undergo the training required for the initial issue of the rating or, in case of helicopter, the training required for the 'additional type issue', according to other valid ratings held.
- (b) Once the ATO has determined the needs of the applicant, it should develop an individual training programme that should be based on the initial training for the issue of the rating and focus on the aspects where the applicant has shown the greatest needs.
- (c) After successful completion of the training, the ATO should give a certificate, or other documental evidence that the training has been successfully achieved to the applicant, to be submitted to the Authority when applying for the renewal. The certificate or documental evidence needs to contain a description of the training programme.

SUBPART N – FLIGHT CREW

ANTR OPS 1.970 Recent experience

- (a) The operator shall ensure that:
- (1) A pilot is not assigned to operate an aeroplane as part of the minimum certificated crew, either as pilot flying or pilot non-flying, unless he has carried out three take-offs and three landings in the previous 90 days as pilot flying in an aeroplane, or in a flight simulator, of the same type/class.
 - (2) A pilot who does not hold a valid instrument rating is not assigned to operate an aeroplane at night as commander unless he has carried out at least one landing at night in the preceding 90 days as pilot flying in an aeroplane, or in a flight simulator, of the same type/class.
- (b) The 90 day period prescribed in sub-paragraphs (a)(1) and (2) above may be extended up to a maximum of 120 days by line flying under the supervision of a Type Rating Instructor or Examiner. For periods beyond 120 days, the recency requirement is satisfied by a training flight or use of a Flight Simulator of the aeroplane type to be used.

Note: For expired ratings, see ANTR FCL 1.245(f) and AMC FCL 1.245(f)(1).