

Acceptance of third-country certification of pilots

UK Regulation (EU) 2020/723

Published by the Civil Aviation Authority, 2024

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First published 2022

First edition

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Acceptance of Third-Country Certification of Pilots Regulation

UK Regulation (EU) 2020/723

List of Revisions

Published	Reason for publication
December 2022	First issue

Disclaimer

This version is published by the Civil Aviation Authority in order to provide a consolidated and sequential presentation of current regulations with the related acceptable means of compliance (AMC) and guidance material (GM), as well as certification specifications (CS) as appropriate.

It has been prepared by combining the UK Government published regulations with the adopted AMC, GM and CS, made and issued by CAA under Official Records Series 9 decisions in accordance with Article 76 of the UK Basic Regulation.

There may be a period of time between the regulations and AMC, GM and CS being updated and the amendment to this consolidated version. Users must bear in mind that this is an unofficial version of the legislation, AMC, GM and CS. The authoritative versions (which Courts of Law will refer to) are:

(i) the King's Printer's Edition of Statutory Instruments available at www.legislation.gov.uk; and

(ii) Official Record Series 9 decisions published by the CAA available at <https://publicapps.caa.co.uk/>.

Note from the Editor

The content of this document is arranged as follows: the cover regulation (recitals and articles) of the implementing rule (IR) appear first, then the IR annex points, followed by the related acceptable means of compliance (AMC) and guidance material (GM) paragraph(s).

In case of certification specifications (CS), a CS paragraph is followed by the related AMC paragraph.

Under the Retained EU Law (Revocation and Reform) Act 2023 (“REUL Act”), previous references to retained EU law are replaced by the term “assimilated law” and are written as either UK Reg (EU) No. #####/year or UK Reg (EU) year/#####.

All elements (i.e. cover regulation, IRs, CS, AMC and GM) are colour-coded and can be identified according to the illustration below.

Cover Regulation

Implementing Rule

Certification Specification

Acceptable Means of Compliance

Guidance Material

An ellipsis in square brackets [...] indicates that text has been intentionally left out, such as the result of an earlier amendment to the regulation, AMC, GM or CS.

Note that the Regulations text may refer to the 'old', repealed, Basic Regulation legislation reference (Regulation (EC) No. 216/2008) rather than 2018/1139. General UK legal principles mean that the UK Reg (EU) 2018/1139 should be referred to in these cases and amendments to the legal text will follow in due course.

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Acceptance of Third-Country Certification of Pilots

Consolidated version of UK Regulation (EU) 2020/723

Preamble

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91, and in particular Article 68(3) thereof,

Whereas:

(1) With the adoption of Regulation (EU) 2018/1139 and in particular its Article 68, the Commission is now empowered to adopt delegated acts with regard to the acceptance of certificates and other documentation attesting compliance with civil aviation rules issued in accordance with the laws of a third country, whilst ensuring an equivalent level of safety to that provided for in Regulation (EU) 2018/1139.

(2) The main objective of this Regulation is to bring the current legal framework into line with Regulation (EU) 2018/1139 and therefore the content of Article 8, Annex III and related provisions of Commission Regulation (EU) No 1178/2011 concerning the acceptance of third country certificates should be transferred into a delegated act. Furthermore, those provisions should now also include rules on acceptance of third-country sailplanes and balloons certificates.

(3) Regulation (EU) No 1178/2011 lists conditions for the acceptance of licences from third countries. Under certain conditions, a pilot licence issued by a third country may currently be accepted by Member States or the holder of such a third country licence can obtain credit when applying for a licence in accordance with Regulation (EU) No 1178/2011. Such credit is currently determined based on a recommendation from an approved training organisation.

(4) The rules applicable to training organisations providing training for certain non-commercial pilot licences and ratings have been simplified and the declared training organisation ('DTO') has been introduced, pursuant to Commission Regulation (EU) 2018/1119. Therefore, the rules concerning the acceptance of licences from third countries should be updated in order to permit DTOs to give credit to holders of third country licences who apply for a licence issued under the Union legal framework.

(5) Article 8 of Regulation (EU) No 1178/2011 as well Annex III to that Regulation, currently containing requirements for the acceptance of licences from third countries, should therefore be deleted,

HAS ADOPTED THIS REGULATION:

Section 1 — General Provisions

Article 1 Scope

This Regulation lays down the detailed rules for the conditions for the acceptance of pilot licences and associated ratings, privileges or certificates, as well as associated medical certificates issued in accordance with laws of third countries.

Article 2 Definitions

1. The definitions contained in Regulation (EU) No 1178/2011, Commission Regulation (EU) 2018/395 and Commission Implementing Regulation (EU) 2018/1976 shall apply for the purposes of this Regulation.
2. In addition, for the purposes of this Regulation, 'manufacturer flights' means the flights referred to in Article 6(3) of Commission Regulation (EU) No 965/2012.

Article 3 Acceptance of licences from third countries

Without prejudice to international agreements concluded between the United Kingdom and a third country in accordance with point (a) of Article 68(1) of Regulation (EU) 2018/1139, the Civil Aviation Authority ("the CAA") may:

- (a) in accordance with Section 2 of this Regulation accept pilot licences and associated ratings, privileges or certificates, as well as associated medical certificates issued in accordance with laws of third countries;

(b) in accordance with Article 3 of Regulation (EU) No 1178/2011, Article 3a of Regulation (EU) 2018/395 or Article 3a of Implementing Regulation (EU) 2018/1976, as applicable, issue equivalent licences to applicants who already hold an equivalent licence, rating, privilege or certificate issued in accordance with Annex 1 to the Convention on International Civil Aviation, signed on 7 December 1944 in Chicago ('the Chicago Convention') by a third country, provided that those applicants comply with the requirements of Section 3 and taking account of any credit based on a recommendation from an approved training organisation or a declared training organisation;

(c) give full credits as regards the requirements to undergo a training course prior to undertaking the theoretical knowledge examinations and the skill test to holders of an airline transport pilots licence ('ATPL') issued by or on behalf of a third country in accordance with Annex 1 to the Chicago Convention provided that those holders have completed the experience requirements for the issue of an ATPL in the relevant aircraft category as set out in Subpart F of Annex I to Regulation (EU) No 1178/2011 and provided that the third country licence contains a valid type rating for the aircraft to be used for the ATPL skill test;

(d) issue aeroplane or helicopter type ratings to holders of licences issued in accordance with Regulation (EU) No 1178/2011 that comply with the requirements established by a third country for the issue of such ratings; those ratings shall be restricted to aircraft registered in that third country and used by an operator established or resident in that country, but this restriction may be removed when the pilot complies with the requirements in Article 10 to this Regulation.

Section 2 — Validation of Licences

Article 4 General provisions for validation of licences

1. The CAA may validate a pilot licence issued by a third country in compliance with the requirements of Annex 1 to the Chicago Convention.

[...]

3. The validation of a licence shall have a validity period, which does not exceed one year, and its privileges shall only be exercised as long as the licence remains valid.

The CAA may extend the validity only once and only by a maximum of one year, if during the validity period the pilot has applied for a licence in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 or is undergoing training for the issuance of such

a licence. In that last case, the extension shall cover the period of time necessary for the licence to be issued in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011.

4. The holders of a licence validated by the CAA shall exercise their privileges in accordance with the requirements stated in Annex I (Part-FCL) to Regulation (EU) No 1178/2011.

Article 5 Pilot licences for commercial air transport and other commercial activities

For the validation of pilot licences for commercial air transport and other commercial activities, the holders shall comply with the following requirements, as applicable, for the privileges sought:

- (a) complete, as a skill test, the type or class rating revalidation requirements of Annex I (Part-FCL) to Regulation (EU) No 1178/2011, as relevant to the privileges of the licence held;
- (b) demonstrate knowledge of the relevant parts of the operational requirements and Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (c) demonstrate language proficiency in accordance with Point FCL.055 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (d) hold a valid Class 1 medical certificate, issued in accordance with Annex IV (Part-MED) to Regulation (EU) No 1178/2011;
- (e) in the case of aeroplanes, in addition to the requirements in points (a) to (d), comply with the experience requirements set out in table 1 in the Annex to this Regulation;
- (f) in the case of helicopters, in addition to the requirements in points (a) to (d), comply with the experience requirements set out in table 2 in the Annex to this Regulation.

Article 6 Pilot licences for non-commercial activities with an instrument rating

For the validation of private pilot licences with an instrument rating, or Commercial Pilot Licences ('CPL') and Airline Transport Pilot Licences ('ATPL') with an instrument rating where the pilot intends only to exercise private pilot privileges, holders shall comply with all of the following requirements:

- (a) complete the skill test for instrument rating and the type or class ratings relevant to the privileges of the licence held, in accordance with Appendix 7 and Appendix 9 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (b) demonstrate knowledge of Air Law, Aeronautical Weather Codes, Flight Planning and Performance (IR) and Human Performance;
- (c) demonstrate language proficiency in accordance with FCL.055 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (d) hold at least a valid Class 2 medical certificate issued in accordance with Annex 1 to the Chicago Convention;
- (e) have a minimum experience of at least 100 hours of instrument flight time as pilot in command ('PIC') in the relevant category of aircraft.

[Article 7 Pilot licences for non-commercial activities without an instrument rating](#)

For the validation of private pilot licences, or CPL and ATPL licences without an instrument rating where the pilot intends only to exercise private pilot privileges, holders shall comply with all of the following requirements:

- (a) demonstrate knowledge of Air Law and Human Performance;
- (b) pass the private pilot licence ('PPL') skill test as set out in point FCL.235 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (c) fulfil the relevant requirements of Subpart H of Annex I (Part-FCL) to Regulation (EU) No 1178/2011, for the issuance of a type or class rating as relevant to the privileges of the licence held;
- (d) hold at least a Class 2 medical certificate issued in accordance with Annex 1 to the Chicago Convention;
- (e) demonstrate language proficiency in accordance with FCL.055 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (f) have a minimum experience of at least 100 hours as pilot in the relevant category of aircraft.

Article 8 Validation of pilot licences for specific tasks of limited duration

1. Notwithstanding the provisions of the Articles above, in the case of manufacturer flights, the CAA may accept a licence issued in accordance with Annex 1 to the Chicago Convention by a third country for a maximum of 12 months for specific tasks of limited duration, such as instruction flights for initial entry into service, demonstration, ferry or test flights, provided that the applicant complies with the following requirements:

- (a) holds an appropriate licence and medical certificate and associated ratings or qualifications issued in accordance with Annex 1 to the Chicago Convention;
- (b) is employed, directly or indirectly, by an aircraft manufacturer or by an aviation authority.

In this case, the privileges of the holder shall be limited by the CAA to performing flight instruction and testing for initial issue of type ratings, the supervision of initial line flying by the operators' pilots, delivery or ferry flights, initial line flying, flight demonstrations or test flights, as appropriate to the tasks foreseen under this paragraph.

2. By way of derogation from Articles 4 to 7, the CAA may, for competition flights or display flights of limited duration, validate a licence issued by a third country allowing the holder to exercise the privileges of a PPL as specified in Annex I (Part-FCL) to Regulation (EU) No 1178/2011, a Balloon Pilot Licence (BPL) as specified in Annex III (Part-BFCL) to Regulation (EU) 2018/395 or an Sailplane Pilot Licence (SPL) as specified in Annex III (Part-SFCL) to Implementing Regulation (EU) 2018/1976, provided that all of the following requirements are complied with:

- (a) prior to the event, the organiser of the competition or display flights provides the CAA with adequate evidence on how it will ensure that the pilot will be familiarised with the relevant safety information and manage any risk associated with the flights;
- (b) the applicant holds an appropriate licence and medical certificate and associated ratings or qualifications issued in accordance with Annex 1 to the Chicago Convention.

3. By way of derogation from the provisions of Articles 4 to 7, the CAA may validate a licence which is equivalent to one of those referred to in paragraph 2 and issued in compliance with the requirements of Annex 1 to the Chicago Convention by a third country for a maximum of 28 days per calendar year for specific non-commercial tasks, provided that the applicant complies with all of the following requirements:

- (a) holds an appropriate licence and medical certificate and associated ratings or qualifications issued in accordance with Annex 1 to the Chicago Convention;

(b) has completed at least one acclimatisation flight with a qualified instructor prior to carrying out the specific tasks of limited duration.

Section 3 — Conversion of Licences

Article 9 Conditions for conversion of licences

1. The CAA may convert a licence for the relevant aircraft category into a PPL in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011 with a single-pilot class or type rating, a BPL in accordance with Annex III (Part-BFCL) to Regulation (EU) 2018/395 or an SPL in accordance with Annex III (Part-SFCL) to Implementing Regulation (EU) 2018/1976, where the original licence is issued in compliance with the requirements of Annex 1 to the Chicago Convention by a third country and the licence is, alternatively:

- (a) an equivalent licence to the licences referred to in paragraph 1;
- (b) a CPL or an ATPL.

2. The holder of the licence to be converted shall comply with the following minimum requirements for the relevant aircraft category:

- (a) pass a written examination in Air Law and Human Performance;
- (b) pass the PPL, BPL or SPL skill test, as relevant, in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011, Annex III (Part-BFCL) to Regulation (EU) 2018/395 or Annex III (Part-SFCL) to Implementing Regulation (EU) 2018/1976;
- (c) fulfil the requirements for the issue of the relevant class or type rating, in accordance with Subpart H;
- (d) hold a medical certificate, as required and issued in accordance with Annex IV (Part-MED) to Regulation (EU) No 1178/2011;
- (e) demonstrate language proficiency in accordance with FCL.055 of Annex I (Part-FCL) to Regulation (EU) No 1178/2011;
- (f) have completed at least 100 hours of flight time as a pilot.

Section 4 - Acceptance of Class and Type Ratings

Article 10 Conditions for acceptance of class and type ratings

A valid class or type rating contained in a licence issued by a third country may be inserted in a licence issued in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011, provided that the applicant:

- (a) complies with the experience requirements and the prerequisites for the issue of the applicable type or class rating in accordance with Part-FCL;
- (b) passes the relevant skill test for the issue of the applicable type or class rating in accordance with Part-FCL;
- (c) is in current flying practice;
- (d) has no less than:
 - (i) for aeroplane class ratings, 100 hours of flight experience as a pilot in that class;
 - (ii) for aeroplane type ratings, 500 hours of flight experience as a pilot in that type;
 - (iii) for single-engine helicopters with a maximum certificated take-off mass of up to 3175 kg, 100 hours of flight experience as a pilot in that type;
 - (iv) for all other helicopters, 350 hours of flight experience as a pilot in that type.

Article 11 Amendments to Regulation (EU) No 1178/2011

Regulation (EU) No 1178/2011 is amended as follows:

- (a) Article 8 is deleted;
- (b) Annex III is deleted.

Article 12 Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union .

Signatures

Subjects

Aviation

[...]

Done at Brussels, 4 March 2020.

For the Commission

The President

Ursula von der Leyen

Annex I

Conditions for acceptance of licences issued by or on behalf of third countries

Table 1 Experience requirements for aeroplanes

Licence held	Total flying hours experience	Privileges	
(1)	(2)	(3)	
ATPL(A)	> 1500 hours as PIC on multi-pilot aeroplanes	Commercial air transport in multi-pilot aeroplanes as PIC	(a)
ATPL(A) or CPL (A)/IR ¹	> 1500 hours as PIC or co-pilot on multi-pilot aeroplanes according to operational requirements	Commercial air transport in multi-pilot aeroplanes as co-pilot	(b)
MPL	> 1500 hours as co-pilot on multi-pilot aeroplanes according to operational requirements	Commercial air transport in multi-pilot aeroplanes as co-pilot	(ba)
CPL (A)/IR	> 1000 hours as PIC in commercial air transport since gaining an IR	Commercial air transport in single-pilot aeroplanes as PIC	(c)
CPL (A)/IR	> 1000 hours as PIC or as co-pilot in single-pilot aeroplanes according to operational requirements	Commercial air transport in single-pilot aeroplanes as co-pilot according to operational requirements	(d)
ATPL(A), CPL (A)/IR, CPL(A)	> 700 hours in aeroplanes, including 200 hours in the activity role for which acceptance is sought, and 50 hours in that role in the last 12 months	Exercise of privileges in aeroplanes in operations other than commercial air transport	(e)
CPL(A)	> 1500 hours as PIC in commercial air transport including 500 hours on seaplane operations	Commercial air transport in single-pilot aeroplanes as PIC	(f)

Table 2 Experience requirements for helicopters

Licence held	Total flying hours experience	Privileges	
(1)	(2)	(3)	
ATPL(H) valid IR	> 1000 hours as PIC on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as PIC in VFR and IFR operations	(a)
ATPL(H) no	> 1000 hours as PIC on multi-pilot helicopters	Commercial air	(b)

Licence held	Total flying hours experience	Privileges	
IR privileges		transport in multi-pilot helicopters as PIC in VFR operations	
ATPL(H) valid IR	> 1000 hours as pilot on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as co-pilot in VFR and IFR operations	(c)
ATPL(H) no IR privileges	> 1000 hours as pilot on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as co-pilot in VFR operations	(d)
CPL(H)/IR ²	> 1000 hours as pilot on multi-pilot helicopters	Commercial air transport in multi-pilot helicopters as co-pilot	(e)
CPL(H)/IR	> 1000 hours as PIC in commercial air transport since gaining an IR	Commercial air transport in single-pilot helicopters as PIC	(f)
ATPL(H) with or without IR privileges, CPL(H)/IR, CPL(H)	> 700 hours in helicopters other than those certificated under CS-27/29 or equivalent, including 200 hours in the activity role for which acceptance is sought, and 50 hours in that role in the last 12 months	Exercise of privileges in helicopters in operations other than commercial air transport	(g)

Note 1: CPL(A)/IR holders on multi-pilot aeroplanes shall have demonstrated ICAO ATPL(A) level knowledge before acceptance.

Note 2: CPL(H)/IR holders on multi-pilot helicopters shall have demonstrated ICAO ATPL(H) level knowledge before acceptance.