

## ***Entry into force of the BFCL regulation***

*This notice is for information only. It can be used as guidance and/or awareness.*

### Applicability:

Licensing	Applicants for the Balloon national licence, BPL, FI(B) and FE(B)
Medical	Not applicable
Training organisation	ATO/DTO
FSTD	Not applicable

### Aircraft Category:

Airplane <input type="checkbox"/>	Helicopter <input type="checkbox"/>	Sailplane <input type="checkbox"/>	Balloon <input checked="" type="checkbox"/>	Airship <input type="checkbox"/>
Microlight <input type="checkbox"/>	Paramotor <input type="checkbox"/>	RPAS <input type="checkbox"/>		

### **1. Introduction**

On the 5<sup>th</sup> of March 2020, a new European regulation (EU) 2020/357 has been published regarding the balloon licences. This regulation has been in force since the 8<sup>th</sup> of April 2020, but Belgium has decided to postpone this date to the 7<sup>th</sup> of December 2020 on the basis of a derogation.

On the 8<sup>th</sup> of December 2020, the Part-BFCL in Annex III of the regulation (EU) 2020/357 will entry into force in Belgium. Therefore, from this date, the BCAA will start to convert the national licences, issued in accordance with the Ministerial Decree of 27 OKTOBER 1982 (hereafter National Balloon Licence), to Part-BFCL balloon licences and transfer the Part-FCL balloon licences to their equivalent Part-BFCL upon request of the holder.

### **2. Guidance and/or Awareness**

The consequences of this entry into force are listed below.

#### **2.1. As a student**

##### 2.1.1. As a student in the Part-FCL system

As student for a Part-FCL balloon licence, your training at an ATO or a DTO is automatically taken into account for the issuing of a Part-BFCL balloon pilot licence (BPL), provided that the BPL is issued by 8 April 2021 at the latest. After this date, your ATO/DTO should have adapted the training to Part-BFCL requirements and you should continue your training according the program described in Part-BFCL

##### 2.1.2. As student in the national system

If you are currently in training for the issue of a national balloon licence, or holder of a national balloon training licence, the deadline to finish your training and pass the practical test with an examiner, is extended to **end of March 2021**. This on condition that your training started before 8 December 2020 and you hold a valid medical certificate. If you fail to pass the practical exam before 30 March 2020 you will not be entitled to receive any credits for training received under the national system.

At the end of your training you will, subject to fulfilling the conditions of the conversion report, receive a Part-BFCL licence.

## 2.2. As a pilot

### 2.2.1. As holder of a Part-FCL licence (LAPL(B) and BPL)

After the 8<sup>th</sup> of December 2020, your Part-FCL balloon licence (LAPL(B) and BPL) remains valid. Licences will be automatically transferred to Part-BFCL BPL when reissuing for administrative reasons or upon a request of licence holders. Note that the LAPL(B) no longer exists in Part-BFCL and is transferred to a BPL.

### 2.2.2. As holder of a valid national balloon pilot licence

Your existing national BPL is going to be converted in the corresponding Part-BFCL BPL, based on a conversion report. This report contains the conditions that must be fulfilled to convert your National balloon licence. The existing privileges and additional ratings are transferred on the new licence. The conversion is initiated by the BCAA only upon request of the holder, through the conversion request form, before the 8<sup>th</sup> of April 2021.

### 2.2.3. As holder of an expired national balloon licence

If you hold an expired National Balloon Licence you must convert your licence before the 8<sup>th</sup> of April 2021. You will receive a BFCL licence for hot-air balloons limited to class A. After that date your national licence will no longer be converted into a BFCL licence and you will be required to fulfil all the conditions for the issue of a BFCL licence.

### 2.2.4. In all cases (national and Part-FCL licence holders)

The issue of a Part-BFCL BPL by the BCAA does not exempt the holder from meeting all the additional conditions as described in regulation (EU) 2020/357, in particular the possession of a valid medical certificate and the legal experience requirements to ensure the licence legal validity.

There is no more validity date to exercise the privileges of qualifications and additional ratings of a BPL holder, but a recent experience is requested to exercise these privileges, qualifications and ratings. More information can be founded in the applicable regulation (see § 3 below).

#### Example:

*You hold a free balloon national licence with an associated qualification (category “hot air balloons”) and an additional rating (commercial operation rating). This national licence expires on the 11<sup>th</sup> of June 2021.*

*Before the 8<sup>th</sup> of April 2021, you request for the reissuing of your licence through the conversion form request, choosing the appropriate category, group and additional rating (category “hot air balloons” and the relevant group and commercial operation rating). The new Part-BFCL BPL has no expiry date, neither for the associated qualification (class “hot air balloons”, chosen group) nor for the rating (commercial operation rating). Nevertheless, you shall comply with the recency requirements for you BPL licence, qualifications and ratings: BFCL.160 BPL – Recency requirements. It is your responsibility as pilot to check before each flight that you are in the conditions to execute the flight.*

## 2.3. As an instructor

### 2.3.1. As holder of a Part-FCL instructor certificate

Your Part-FCL FI(B) certificate is automatically transferred to a Part-BFCL FI(B) certificate. The existing privileges and ratings are transferred on the new certificate. There is no request to be done by the holder. The BCAA will start to issue the new Part-BFCL FI(B) certificate as from the 8<sup>th</sup> of December 2020. Your new certificate will be sent before end of January. Your current Part-FCL certificate remains valid until the new one is issued.

Example:

*Your Part-FCL FI(B) expires on the 31<sup>st</sup> of March 2021. A new Part-BFCL FI(B) certificate will be issued automatically by the BCAA. The new Part-BFCL FI(B) certificate is recognized as valid regarding recent experience requirements until the 31<sup>st</sup> of March 2021. From the 1<sup>st</sup> of April 2021, you shall comply with the below-mentioned requirements.*

2.3.2. As holder of a national instructor certificate

Your existing instructor certificate is automatically converted to Part-BFCL FI(B) certificate. The existing privileges and additional ratings are transferred on the new certificate. The conversion is initiated by the BCAA upon request of the holder, through the conversion request form, before the 8<sup>th</sup> of April 2021.

Example:

*Your national FI(B) certificate expires on the 11<sup>th</sup> of June 2021. Before the 8<sup>th</sup> of April 2021, you request for the reissuing of your certificate through the conversion form request. The new Part-BFCL FI(B) certificate is recognized as valid regarding recent experience requirements until the 11<sup>th</sup> of June 2021. From the 12<sup>th</sup> of April 2021, you shall comply with the below-mentioned requirements.*

2.3.3. In both cases (national and Part-FCL instructor certificate holders)

There is no more validity date for FI(B) certificate, but a recent experience is requested to exercise these privileges. Therefore, the BCAA recognizes to holder recent experience in accordance with the requirements of Part-BFCL for the entire period of validity of his/her current national or Part-FCL certificate. At the end of this period, the holder has to comply with the recent experience requirements stated in BFCL.360 FI(B).

The issue of a Part-BFCL FI(B) certificate does not exempt the holder from meeting all the additional conditions as described in regulation (EU) 2020/357, in particular the possession of a valid medical certificate and the legal experience requirements to ensure the certificate legal validity.

**2.4. As an examiner**

2.4.1. As holder of a Part-FCL examiner certificate

The Part-FCL FE(B) certificate is automatically transferred to Part-BFCL FE(B) certificate. The existing privileges and ratings are transferred on the new certificate. There is no request to be done by the holder. The BCAA initiates the new Part-BFCL FE(B) certificate issuing from the 8<sup>th</sup> of December 2020. Your new certificate will be sent before end of January. Your current Part-FCL certificate remains valid until the new one is issued.

As the validity of the FE(B) in Part-BFCL is extended to 5 years (formerly 3 years in Part-FCL), the validity of your existing Part-FCL FE(B) certificate is extended to the initial expiry date plus 2 years.

Example:

*Your Part-FCL FE(B) expires on the 31<sup>st</sup> of March 2021. A new Part-BFCL FE(B) certificate will be issued automatically by the BCAA. The new Part-BFCL FE(B) certificate is valid until the 31<sup>st</sup> of March 2023.*

2.4.2. As holder of a national examiner certificate

The national FE(B) certificate is automatically converted to Part-BFCL FE(B) certificate. The existing privileges and ratings will be transferred on the new certificate. The conversion is initiated by the BCAA upon request of the holder, through the conversion request form, before the 8<sup>th</sup> of April 2021.

As the validity of the FE(B) in Part-BFCL is limited to 5 years, the validity of the existing national FE(B) certificate is established to conversion date plus 5 years.

Example:

*Your national FE(B) expires on the 11<sup>th</sup> of June 2021. Before the 8<sup>th</sup> of April 2021, on the 15<sup>th</sup> of March 2021, you request for the reissuing of your licence through the conversion form request. The conversion date is 15<sup>th</sup> of March 2021. The new Part-BFCL FE(B) certificate is valid until the 14<sup>th</sup> of March 2026.*

2.4.3. In both cases (national and Part-FCL licence holders)

The issue of a Part-BFCL FE(B) certificate does not exempt the holder from meeting all the additional conditions as described in regulation (EU) 2020/357, in particular the possession of a valid medical certificate and the legal experience requirements to ensure the certificate legal validity.

## **2.5. As an ATO/DTO**

Your training programmes shall be adapted to Part-BFCL requirements by the 8<sup>th</sup> of April 2021 at the latest.

## **3. Reference in legislation**

- Commission Implementing Regulation (EU) 2020/357 of 4 March 2020 amending Regulation (EU) 2018/395 as regards balloon pilot licences (EASA website: [Balloon Rule Book - Easy Access Rules](#))
- Regulation (EU) 2020/359 of 4 March 2020 amending Regulation (EU) No 1178/2011 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
- 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

## **4. Questions**

All questions related to the publication of this document, please in a first time, contact your federation via [bfcl@balloonfederation.be](mailto:bfcl@balloonfederation.be).

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