

Proposal to change initial helicopter pilot licence training requirements

November 2017

Introduction

The requirements for the grant of private pilot licences with helicopter category ratings (PPL(H)) and commercial pilot licences with helicopter category ratings (CPL(H)), were modified when Part 61 of *Civil Aviation Safety Regulations 1998* (CASR) commenced on 1 September 2014.

Part 61 introduced a licensing system that is aligned with Annex 1 to the Convention on International Civil Aviation (ICAO Annex 1), Personnel licensing. Changes included the addition of a requirement for basic instrument flight training and the removal of several options for obtaining a CPL(H) including the former special training course.

As an interim measure, the flight training, aeronautical experience and flight test standards in the former Part 5 of *Civil Aviation Regulations 1988* (CAR) for these licences were made available by the inclusion of transitional regulations in Part 202 of CASR. These transitional arrangements end on 31 August 2018.

The case for change

CASA has consulted with the Australian Helicopter Industry Association and helicopter training operators. Industry advice is that the aeronautical experience and basic instrument flight training standards for the recreational pilot licence navigation endorsement, PPL(H) and CPL(H) in Part 61 of CASR are unsatisfactory.

The helicopter sector is not in favour of including basic instrument flight training (BIFT) as a basic licensing requirement. While there is a trend to more IFR operations, the sector continues to be dominated by small Robinson helicopters conducting VFR operations. Robinson R22s and R44s make up approximately half of the helicopter fleet and most lack the necessary instruments for BIFT. Most training aircraft are not currently equipped for instrument flight training. Mandatory instrument flying would incur a significant cost and incur operational penalties. Additionally, the number of flight simulation training devices (FSTDs) is increasing, which will expand the future opportunity for FSTD-based training, including BIFT.

The helicopter sector has expressed a reluctance to introduce BIFT for new pilots on safety grounds. The safety benefits associated with BIFT are acknowledged; however, there are also safety concerns. The safety benefits of BIFT include:

- awareness and skills to deal with inadvertent IMC and brown-out (dust and reduced visibility) and recovery
- improved basic handling skills

The safety concerns include:

- potential for overconfidence and pushing marginal conditions such as extending flight into dusk and dark conditions; particularly in aircraft that lack basic instruments

- limited opportunity to practice flying using instruments in everyday flying
- the consequences of getting into poor conditions, with very limited exposure, are more profound in a helicopter due to the nature of control and stability.

The preferred training model in Australia is also influenced by demographic factors. A significant number of new helicopter pilots come from the rural sector and are initially involved in aerial mustering. The high cost of helicopter flight training has prevented significant uptake of integrated full time training, in contrast to the aeroplane training sector.

The 105 hour experience option in the former regulation 5.127 of CAR aligns with the industry preferred training model. Students often undertake blocks of flying training and complete ground school and examinations with a separate training provider. A 30 hour final module of training helps to consolidate the last phase of training leading up to the licence flight test. A full-time student could complete the full course including practical and theory training in approximately 32 weeks.

The helicopter industry has indicated that the preferred organisational model for delivery of this training is an organisation with an approval under Part 141 of CASR.

The preferred training model does not meet the ICAO requirements for 'approved', integrated, training with the associated 100 hour experience requirement. Additionally, the ICAO requirements for operators conducting 'approved' training align with the requirements for operators under Part 142 of CASR. The helicopter industry has indicated that the issue of a license with a remark indicating non-compliance with ICAO Annex 1 standards would be acceptable.

Although the preferred training model is not compliant with ICAO requirements, the Australian helicopter industry has been successfully delivering training using this model. The sector needs certainty about the future of the standards so that forward planning can be undertaken as students will be enrolling in courses soon that would carry over beyond the transition period, ending 31 August 2018.

Proposed changes

CASA proposes the following changes

1. Amend Part 61 of CASR to include a 105 hour training course option for the CPL(H) licence that reflects the 105 hour experience option in the former regulation 5.127 of CAR.
2. The 105 hour course would be conducted by operators approved under Part 141 of CASR.
3. Remove the mandatory requirement for basic instrument flying training in the RPL(H) navigation endorsement, PPL(H) and CPL(H).

Legislative references

Note: The terms PP(H)L and CP(H)L refer to helicopter category licenses described in former Part 5 of CAR and PPL(H) and CPL(H) refer to the equivalent licences with the helicopter category rating described in CASR Part 61.

CASR 1998

- subparagraph 61.160 (b) (i) Grant of flight crew licences
- subparagraph 6.495 (2) (c) (ii) Requirements for grant of recreational pilot licence endorsements
- paragraphs 61.530 (1) (d) and (e) PPL(H) requirements include 2 hours dual instrument time, for the case of the applicant completing an integrated course of training
- paragraphs 61.550 (1) (e) and (f) PPL(H) requirements include 2 hours dual instrument time, for the case of the applicant completing a non-integrated course of training
- paragraphs 61.595 (1) (d) and (e) CPL(H) requirements include 10 hours dual instrument time, for the case of the applicant completing an integrated course of training
- paragraphs 61.615 (1) (e) and (f) CPL(H) requirements include 10 hours dual instrument time, for the case of the applicant completing a non-integrated course of training
- regulations 61.595 and 61.615 Aeronautical experience requirements for grant of CPL(H) under integrated and non—integrated courses of training
- regulations 202.277A and 202.277B Grant of private and commercial pilot license with helicopter category rating on basis of old requirements

CAR 1988 (as in force before 1 September 2014)

A historical compilation of these rules is available on the Federal Register of Legislation with Register ID [F2014C00614](#).

- regulation 5.87 qualifications for PP(H)L
- paragraph 5.120 (1) (f) aeronautical experience standards for CP(H)L
- regulation 5.127 CP(H)L aeronautical experience required.

Previous qualification requirements

Prior to 1 September 2014, pilots qualified for flight crew licences in accordance with Part 5 of CAR.

The qualification requirements for a PP(H)L were defined in regulation 5.87 of CAR and the aeronautical experience requirements defined in regulation 5.93 of CAR. The experience standard included two pathways to qualify for a licence

- a. holders of an aeroplane or gyroplane pilot licence required an additional 38 hours of flight time in helicopters
- b. other applicants required 50 hours of flight time in helicopters.

The qualification requirements for a CP(H)L were defined in regulation 5.120 of CAR with the aeronautical experience requirements defined in regulation 5.127 of CAR. There were six pathways to qualify for the licence and the criteria were as follows:

the holder of a commercial pilot aeroplane or gyroplane pilot licence could:

- a. have 70 hours of flight time in helicopters

or

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- b. have 60 hours of flight time in helicopters if the applicant completed a *special training course* and the final 30 hours was completed within 3 consecutive months

the holder of a private pilot aeroplane or gyroplane pilot licence could:

- a. have 80 hours of flight time in helicopters
- or
- b. have 70 hours of flight time in helicopters if the applicant completed a *special training course* and the final 30 hours was completed within 3 consecutive months

the applicant could have 125 hours of flight time in a helicopter

the applicant could have 105 hours of flight time in a helicopter, have completed a *special training course*¹ and the final 30 hours were completed within 3 consecutive months.

Additional requirements such as navigation training and dual training times were also prescribed.

There was no instrument time required for the CP(H)L or the PP(H)L.

The Helicopter Day VFR syllabus (issue 3.01 dated 1 October 2008) provides the detailed requirements for training courses that could be used for each of the options described above, including the special training course.

The standards prescribed in Part 5 of CAR were in place from the 1980s.

Licensing requirements under Part 61 of CASR

One of the objectives of the regulatory reform program was to apply the standards of ICAO Annex 1, Personnel licencing.

The helicopter pilot licensing standards in ICAO Annex 1 are different to those that were previously prescribed in Part 5 of CAR. The Annex 1 standards were fully incorporated into Part 61 of CASR. The following summarises the changes:

1. a mandatory requirement for instrument training was introduced for the PPL(H) and the CPL(H) – 2 hours and 10 hours respectively
2. minimum aeronautical experience was prescribed with a distinction between *integrated* and *non-integrated* training as follows:

¹ The *special training course* has the following attributes:

1. It is conducted in accordance with the relevant helicopter syllabus (refer to the Helicopter Day visual flight rules (VFR) Syllabus)
2. Only two types of helicopters are permitted
3. The first 15 hours of training must be conducted in one type of helicopter
4. At least 20 hours of training must be conducted in each type of helicopter used during the course.

- a. PPL(H) – either 35 hours (integrated) or 40 hours (non-integrated) – in both cases, 30 hours helicopter flying
- b. CPL(H) – either 100 hours (integrated) or 150 hours (non-integrated) – in both cases, 90 hours helicopter flying

Prior to the commencement of Part 61, transition regulations were established to facilitate organisations transitioning to the new rules. Regulations 202.277A and 202.277B allow an applicant for a PPL(H) and CPL(H) respectively to qualify for the licence and category rating by using the aeronautical experience, flight training and flight testing standards that were in Part 5 of CAR immediately prior to Part 61 of CASR commencing. These arrangements cease on 31 August 2018.

Pilot licencing systems in other countries/States

The pilot licensing systems in New Zealand, USA and Canada have pathways based on ICAO Annex 1 including the requirement for BIFT. Some systems have additional requirements such as mountain flying or permit the use of FSTD for some of the experience requirements.

Discussion

CASA's regulatory reform program aimed to implement the ICAO Standards and Recommended Practices wherever possible. This approach underpins the helicopter licensing standards currently prescribed in Part 61 of CASR.

In accordance with CASA's regulatory philosophy changes to standards including filing differences to ICAO standards should be considered where evidence exists that warrants the change.

Feedback from industry suggests the standards in Part 5 of CAR have been adequate, although some operators have observed that newly licensed pilots don't always perform to the standards expected by operators.

International harmonisation is desirable for flight crew licensing; however, the benefits are not safety critical. Industry stakeholders have indicated that the local training sector doesn't participate actively in the international training market.

Training for CPL(H) – 105 hour option

The proposal is to add a 105 hour CPL(H) option based on the former special training course under Part 5 of CAR. The following are proposed parameters for the course:

- the period of training for final phase of the course would be no longer than 3 consecutive months and involve at least 30 hours of training;
- the aeronautical experience used to achieve the 105 hour requirement would be limited to flight training time in no more than 2 types of helicopter;
- the student would complete at least 20 hours of training in each type of helicopter used during the 105 hour course;
- the first 15 hours of training would be completed in the same type of helicopter;

An operator's operations manual would describe a course of training for a student seeking to qualify in 105 hours as described above. The operations manual would also define how the operator enrolls a student into the course where previous training had been completed.

To support the proposal, an amendment to Division 61.1.3 of Part 61 of CASR would be required. A new regulation, similar to regulation 61.615, would include the following:

- For the grant of a CPL(H) under this provision, an applicant would need to have:
 - at least 105 hours of flight training time as pilot of a helicopter;
 - at least 40 hours of dual flight time in a helicopter;
 - at least 35 hours of flight time as pilot in command of a helicopter;
 - at least 25 hours of flight time as pilot in command of a helicopter other than cross-country flight time;
 - at least 10 hours of cross-country flight time as pilot in command of a helicopter.

A CASA sample 105 hour course is being produced and will be provided for industry feedback.

Consequences of implementing the proposals

If the proposals are implemented, the concerns expressed by the helicopter sector would be resolved. At the Safe Skies Conference in Canberra on 6 October 2017 a meeting between CASA and key persons from helicopter flight training operators indicated that the proposals would assist in addressing their concerns..

As is the case for licences issued under former Part 5 of CAR; pilots qualifying under these proposals would be granted a licence with a remark describing the non-compliance with ICAO Annex 1 standards. Pilots with non-compliant licences would need the approval of a foreign State to operate an Australian aircraft in that State. In addition, a foreign State can impose additional training and testing requirements for conversion and might not validate the licence.

The option of integrated training would remain available for operators with approvals under Part 142 of CASR.

The proposed PPL(H) and CPL(H) pathways would reduce the complexity of transitioning flight training operators into Part 141 of CASR certificate holders by permitting courses of training similar to the previous standard.

Operators that have transitioned to the 100 hour integrated training pathway and operators that have invested in additional instrumentation for their aircraft might be disappointed with this proposal.

Training and processes

CASA's inspectors and client services staff along with key industry personnel would need to be educated on the proposed changes. The proposed changes would need to be embedded into CASA's flight crew licensing and transition processes. This includes forms, the flight test management system, information sheets, guidance material and the CASA website.

Cost

The proposal would likely reduce the costs of undertaking PPL(H) and CPL(H) flight training. The largest saving would be for pilots only wanting to fly helicopters and who are not seeking a night VFR rating in the short term. A regulatory impact statement or exemption would be prepared in accordance with Office of Best Practice Regulation procedures as part of the change.

Consistency

The proposal is consistent with CASA's regulatory philosophy and aligns with industry feedback. The proposal isn't consistent with ICAO Annex 1 standards. Other States have varying requirements with most including a requirement for basic instrument flying.

Closing date for comment

CASA will consider all comments received as part of this consultation process and incorporate changes as appropriate. Comments on this proposal should be submitted through the [online response form](#) by close of business 3 December 2017.

How we handle your feedback

At the end of the response period for public comment, we will register and review each comment and submission received through the online response form, but will not acknowledge individual responses. We will consider the submissions to this proposal before making any change to the regulations or other legislative instrument.

We will make all submissions publicly available on the CASA website unless a respondent requests that their submission remain confidential. Information about how we consult and how to make a confidential submission is available on the [CASA website](#).

When the submissions are published we will also publish a summary of consultation. The summary of consultation will summarise the feedback received, detail our plans for future policy, and outline any further consultation or planned rule making on this subject.

If we do change the rules information about the rule making will be available in the Explanatory Statement that is published with the final rule on the Federal Register of Legislation. You can subscribe to our [consultation and rule making mailing list](#) to be notified of future consultation or rule making on this subject.