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14 September 2007
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Dear Colleague

CAA CONSULTATION AND PLD IMPACT ASSESSMENT 01-07
ICAO LANGUAGE PROFICIENCY FOR FLIGHT CREW

I am pleased to announce that the UK Civil Aviation Authority is consulting and undertaking an Impact Assessment (IA) for the Introduction of International Civil Aviation Organisation Language Proficiency Requirements.

The reason for this consultation is because we have an international obligation to meet new requirements for Language Proficiency mandated by the International Civil Aviation Organisation (ICAO) and the Joint Aviation Authorities (JAA).

In March 2003, ICAO amended Annex 1 to add a requirement for all aeroplane and helicopter pilots, flight navigators and air traffic controllers to be assessed in their command of the language used for radio communication. A scale of 1 to 6 has been advised where native speakers would be assessed at Expert Level 6. For those where the language is not the mother tongue ICAO set a minimum of Operational Level 4 for licence issue. Proficiency is to be added as a remark in Section XIII of the licence. The new standard requires re-assessment at regular intervals but only gives recommendations on the periods that should be used. ICAO does not specify the language, but only "that used for radio communication".

The new requirements come into effect on 5 March 2008 at which time all those intending to operate or control international flights must have the licence endorsement. This includes private pilots operating outside controlled airspace, but excludes NPPL holders.

The JAA has transposed the requirements for pilots into JAR-FCL, which now contains the following provisions for us:

- To include the language proficiency endorsement in all licences from the date of adoption of the JAR. The endorsement need not show the level of proficiency or any expiry date;
- To introduce a procedure prior to 5 March 2008 to endorse all licences;
- To allow "grandfather rights" at Level 4 for all licence holders with a radiotelephony operator's certificate;
- To assess language level through an aviation specialist trained to assess command of the language, a language specialist with aviation-related training or a team consisting of an operational and language expert. Expert Level 6 does not require a formal assessment or re-evaluation and assessment at this level may be made by a suitably qualified aviation specialist;

- To make arrangements for a means of assessment either from its own resources, or delegate to an acceptable language specialist body;
- To recommend that re-evaluation is conducted at intervals of 3 years for Level 4 or 6 years for Level 5. Provision is made to utilise regular test and proficiency checks undertaken by professional pilots to replace formal one-off assessment at these intervals;
- To base the assessment method on the use of standard R/T phraseology and plain language in aviation-related situations where this is not appropriate.

All recently issued or renewed licences have included a Language Proficiency endorsement since 1 June 2007. We propose to re-issue all those licences where the holders possess a FRTOL between now and 5 March 2008. This issue will be free-of-charge. Where the process can be made convenient or efficient, we will liaise with airlines and other operators to re-issue their pilots' licences en bloc. NPPL holders will not be affected.

In summary, we intend to comply with JAR-FCL/ICAO requirements and meet the 5 March 2008 target. Once this consultation is complete and our arrangements for pilots for the introduction of Language Proficiency are agreed the final stage will be to complete a UK Law Change (Air Navigation Order), which we anticipate in late 2007 or mid 2008 depending on Parliamentary process.

The enclosed IA contains full details of the proposals for licence endorsement and the suggested approach for training and testing.

Your comments and views should be sent, preferably by e-mail, to:

NPA – FCL 26 Coordinator
Personnel Licensing Department
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR

e-mail: npa-fcl26@caa.co.uk

To arrive no later than 30 November 2007.

Comments and views, which are received, will be made available for review at the CAA Central Library at Aviation House, Gatwick, and on the CAA SRG Website. Please be aware that all responses will be dis-identified prior to release of information, to ensure details are not disclosed.

More information can be found at:

www.caa.co.uk/pld/ (the IA)

www.jaa.nl/

www.icao.int/

Yours sincerely

Graham Forbes
Head of Personnel Licensing Department