

Title:	Opinion and Instruction Document – Balloon Regulation
Package Number	0157-2
Package Title	GA Pilot Licensing and Training Simplification Project (1)
Headline Purpose:	Simplify and optimise the regulations for GA pilot licensing and training (balloons).
Proposed action:	Amend Annex III (BFCL) of UK Regulation (EU) 2018/395 (“the Balloon Regulation”), as proposed by the CAA GA Licensing and Training Simplification Project.

The proposed amendments listed in this Opinion and Instruction Document (OID) serve only to convey a policy opinion recommended by the CAA to the Secretary of State.

Any changes to regulations will be published on legislation.gov.uk and subsequently in the [Aviation Regulatory Library](#), once they have passed into law.

1. Policy Objective A simplified suite of regulations governing licensing and training for General Aviation (GA) pilots. Simplification will deliver time and cost saving benefits to the CAA in terms of reduced processing effort.
2. Adopting amendments to the Balloon Regulation introducing changes to the requirements to gain and maintain the Balloon Pilot Licence (BPL), the commercial rating including creating a new commercial passenger operations rating, as well as instructor and examiner requirements.
3. Adopting aspects of regulations for Private Pilot’s Licence (Balloons and Airship) (“PPL(BA)”) granted under the Air Navigation Order 2016. Existing licences will continue to be valid for private operations in Part 21 hot-air balloons (with an envelope capacity up to 3,400m³). No new PPL(BA) licences to be issued with effect from 1st October 2025.
4. Adopting regulations for the Commercial Pilot’s Licence (Balloons) (“CPL(B)”) granted under the Air Navigation Order that will cease to be valid for Part 21 balloons with effect from 1st October 2025 and no new CPL(B) licences to be issued from that date.
5. Following appropriate consultation, this Opinion and Instruction Document (OID) sets out the CAA’s opinion for the applicable amendments to UK Regulation (EU) 2018/395 (“the UK Balloon Regulation”). These amendments have now been submitted to the Department for Transport (DfT) for sponsorship through the legislative process.

Background

In 2020, the CAA consulted on opportunities for regulatory reform after the UK left the system of regulation managed by the European Aviation Safety Agency (EASA). The consultation was published in [CAP 1985](#) and the Consultation Response Document (CRD) in [CAP 2146](#). A key area identified for further analysis and reform was flight crew licensing for GA pilots, giving rise to the Licensing and Training Simplification (LTS) project.

The LTS project commenced in 2021 and has developed proposals for:

- Reforming the Private Pilot Licences (PPL) for aeroplanes and helicopters that comply with International Civil Aviation Organisation (ICAO) standards;
- Reforming and consolidating the aeroplane and helicopter pilot licences that do not comply with international standards. Such 'sub-ICAO' licences are designed for flight in UK airspace only and are subject to certain limitations;
- Better integration of the syllabus for the sub-ICAO licence with that for the ICAO PPL, to allow a more proportionate progression from one to the other;
- Appropriate reforms for sailplanes and balloons, including commercial passenger ballooning operations which are a significant element of UK ballooning; and
- Reviewing the requirements for the validity and maintenance of aircraft class ratings.

To implement the above, amendments are proposed to:

- UK Regulation (EU) 1178/2011 ("the UK Aircrew Regulation");
- UK Regulation (EU) 2018/395 ("the UK Balloon Regulation");
- UK Regulation (EU) 2018/1976 ("the UK Sailplane Regulation"); and
- The Air Navigation Order 2016 ("the Order").

The CAA has prepared an OID for each of the relevant regulations. This OID identifies the package of changes applicable within the UK Balloon Regulation.

Summary of changes

The following is an overview of the proposed changes to the UK Balloon Regulation, as included in the drafting instructions / keeling schedule:

- Amendments to cover regulation Article 3b(3):
 - Deem valid the PPL(BA) as equivalent to the Balloon Regulation BPL for private operations only in Part-21 balloons (i.e. those balloons subject to the Balloon Regulation rather than the Order) up to hot-air size Group A (envelope capacity up to 3,400m³);
 - Deem valid the existing 'commercial operation rating' issued under BFCL as either a commercial non-passenger or commercial passenger operations rating (depending on the experience of the licence holder); and
 - Make provision for a crediting report for CPL(B) holders who may not have converted to the BPL by 30th September 2025.
- Introduce the provision for some flight experience towards qualifying for the BPL to be obtained when accompanying a qualified balloon pilot (rather than an instructor). This mirrors what is permitted under the existing rules of the Order.
- Removing the requirement for an Approved Training Organisation (ATO) or Declared Training Organisation (DTO) for the BPL training course, thereby making optional management by a qualified Flight Instructor for Balloons (FI(B)).

- Revise the requirements for the 'mixed balloon' class, both initial issue and maintenance of privileges.
- Embedding the existing tethered flights rating so that rather than being a separate rating under BFCL.200, it is included as standard in the BPL training course.
- Amendment of the requirements to maintain a BPL (known as 'recency requirements'), namely adopting 5 flights of minimum 5 minutes duration over 13 months, compared to the existing 6 hours and 10 take-offs and landings over 24 months; and amending the rules for those who have only partially complied with these requirements, in both cases aligning with the former requirements of the Order. Also adjusting the recency requirement for additional balloon classes to 3 hours or 3 flights.
- Introducing a new Commercial Passenger Operation Rating, reflecting all the requirements for commercial passenger ballooning (CPB) that would be moved from the existing Commercial Operation rating, and renaming the latter the Commercial Non-Passenger Operation Rating.
- Introducing a new training requirement for both Commercial Passenger and Non-Passenger ratings prior to the skills test, comprising ground training and time with an FI(B).
- Introducing new requirements for the commercial passenger operation (now in its own rating), including a stepped minimum number of hours in each hot-air size Group, and increasing the recency requirements for this rating to align closer to the CPL(B) it replaces.
- Introducing a requirement for commercial operations FI(B)s to undertake the training course along the lines of what is currently required for night or tethered flight rating; and adjusting the requirements for an instructor wishing to extend their privileges to instruct in additional classes.
- Increasing the minimum hours of experience required for Flight Examiners for Balloons (FE(B)) exercising privileges in commercial passenger and non-passenger ratings, including passenger operations.
- Increase the requirements for FE(B)s undertaking examining in an additional balloon class to a minimum of 25 flights and 50 hours of flight time as pilot on that additional class.
- Amending the regulations to make clearer that Senior Examiners and CAA inspectors are the only individuals who may conduct FE(B) assessments of competence, both for initial issue and revalidation/renewal of examiner certificates.

What legal powers are being used to achieve the change?

Changes to UK Regulation (EU) 2018/395 will be made under powers in Articles 23, 27 and 127 of UK Regulation (EU) 2018/1139 ("the UK Basic Regulation").

Further considerations

The existing Balloon FCL regulations within the assimilated law (compliance with which is not required until 1st October 2025) are considered suboptimal. Allowing them to come into force in their current state would create difficulties for both the CAA and balloon flying community.

The CAA also wishes to increase some flight experience requirements for commercial passenger ballooning, which is considered a safety enhancement.

Affected Law (and, if Applicable, UK AMC)

<p>What is the existing UK legal framework which is relevant here?</p>	<p>UK Regulation (EU) 2018/395:</p> <p>Amendments/additions to Cover regulation: Article 3b</p> <p>Amendment to existing regulations: BFCL.015 BFCL.030 BFCL.035 BFCL.115 BFCL.130 BFCL.135 BFCL.150 BFCL.160 BFCL.200 (deletion) BFCL.215 BFCL.315 BFCL.415 BFCL.460</p> <p>New regulations proposed at: BFCL.220 BFCL.470</p> <p>Associated amendments to Air Navigation Order 2016 (contained in OID RMT.157-4)</p>
<p>Are any consequential amendments needed to other pieces of law?</p>	<p>See OID applicable to the Air Navigation Order 2016.</p>
<p>If the change proposed is to assimilated EU Implementing Rules made under the UK Basic Regulation is there any UK Acceptable means of compliance (AMC), Guidance Material (GM) Certification Specification or (CS) that will be changed/newly adopted as a consequence if the law is changed as proposed?</p>	<p>Yes.</p> <p>Revisions to existing AMC and GM and new material to be developed and consulted on in 2025 – will be introduced via CAA ORS9 decisions to correspond with enactment of Implementing Regulation amendments.</p> <p>GM1 BFCL.470 has already been consulted on and supported.</p>
<p>If the change is to ANO will the CAA be amending any CAA Policy documents?</p>	<p>Please see OID 157-4 for details of CAA policy documents to be created or amended.</p>
<p>Does this proposal relate to an international treaty obligation (e.g. an ICAO SARP)?</p>	<p>Changes retain compliance with ICAO Annex 1 (Personnel Licensing) where appropriate.</p> <p>There are no deadlines associated with such treaty obligations and no new ICAO differences are proposed to be filed.</p>
<p>Is a consultation required?</p>	<p>Background can be found at Licensing & Training Simplification Civil Aviation Authority</p> <p>General Aviation Pilot Licensing Review Phase 2: Balloons - Civil Aviation Authority - Citizen Space (caa.co.uk)</p>

	<p>Detailed Consultation: CAP2974B: General Aviation Pilot Licensing Review - Phase 2: Balloons Civil Aviation Authority</p> <p>Comment Response Document to CAP2974B: CAP3032B: General Aviation Pilot Licensing Review Phase 2: Balloons Consultation Response Document Civil Aviation Authority</p>
Does the Proposal have an impact on Other Government Departments	No
Is an Impact Assessment necessary?	In accordance with Better Regulation Framework guidance paragraph 3.5, a regulatory IA is not required as we estimate the Equivalent Annual Net Direct Costs to Businesses will be below £10m. Therefore, we predict that paragraph 3.8 will instead apply and a De Minimis Assessment has been produced.
When is it intended that these provisions should be brought into force?	1 st October 2025.
<u>Has an SI “slot” been identified?</u>	DfT confirmed SI slot for Spring 2025
Will there be any criminal offences?	No new criminal offences required.
If so, is a Justice Impact Test required?	No
What is the intended extent of the provision?	Pilots flying UK registered aircraft, pilots holding licenses issued by the UK CAA.
<u>Are there any devolved issues?</u>	No
Are any transitional provisions needed? If so, what are they?	<p>We wish to delay the coming into effect of the following provisions:</p> <ul style="list-style-type: none"> ▪ BFCL.215(b)(4): commercial non-passenger operation rating qualifying training course offered by an ATO or DTO: 2 years after enactment. ▪ BFCL.220(b)(4): commercial passenger operation rating qualifying training course offered by an ATO or DTO: 2 years after enactment. ▪ BFCL.220(d)(3)(i): BPL holders with commercial passenger operation rating requirement to undergo proficiency check with an examiner 13 months before the flight: 1 year after enactment. ▪ BFCL.220(d)(4): BPL holders with commercial passenger operation rating requirement to undergo refresher training at an ATO or DTO at least 60 months before the flight: 5 years after enactment.

Suggested Changes to Law

Please see below the Keeling Schedules for UK Regulation (EU) 2018/395.

Note that amendments to Air Navigation Order 2016 in relation to balloon licensing have been included in the separate OID (157-4) and Keeling Schedule.

Note to external readers:

The substance of the amendments detailed below have already been the subject of consultation. These proposals are therefore published for information purposes only. The amendments set out in this section constitute only the CAA's opinion on possible amendments to the relevant legislation. While it is anticipated that any amendments enacted will broadly reflect the CAA's proposals, all amendments to legislation are subject to a drafting process by Government. The proposals may therefore not be the final wording of UK law.

BFCL Draft Keeling Schedule

Key:

- ~~Strikeout~~: Propose to delete text
- Red underline: Proposed new text

Glossary including abbreviations used below

Aircrew Regulation	Assimilated UK Regulation (EU) 1178/2011 laying down procedures related to civil aviation aircrew
AMC	Acceptable Means of Compliance
ANO/'the Order'	Air Navigation Order 2016
ATO	Approved Training Organisation
Balloon Regulation	UK Regulation (EU) 2018/396
BFCL	Balloon Flight Crew Licensing (Annex III of the Balloon Regulation)
BPL	Balloon Pilot Licence
CPL(B)	Commercial Pilot Licence for Balloons
CPB	Commercial Passenger Ballooning
DTO	Declared Training Organisation
FE(B)	Flight Examiner for Balloons
FI(B)	Flight Instructor for Balloons
GM	Guidance Material
PPL(BA)	Private Pilot Licence for Balloons and Airships

157-2-1: Article 3b – Existing pilot licences and national medical certificates

Background and rationale

1. The amendments in this OID that will come into force 1st October 2025 require various changes to Article 3b that translate and deem privileges obtained under previous provisions:
2. Air Navigation Order requirements up until 30th September 2025 – Article 3b(3) requires holders of the PPL(BA) and the Commercial Pilot Licence for Balloons [CPL(B)] to convert their licences to the BPL and associated ratings by 30 September 2025 if they wish to exercise their licence privileges on aircraft within scope of the Basic Regulation (Part 21 balloons);
3. European Aircrew Regulation (Part-FCL) between 2012 and 2020; and
4. European/UK Balloon Regulation (BFCL) (as retained) between 2020 and 30th September 2025.
5. While the CAA has accepted the continued existence of active PPL(BA)s for the life of holders subject to the Order amendments described below, the CAA wishes to discontinued issuing two different licences for private ballooning that have overlapping privileges, as explained in the Comment Response Document.

Policy intention

6. Paragraph 2 should be amended to reflect the removal of the separate tethered flight rating (integrated into basic BPL privileges) and the commercial operations rating being revised into separate passenger and non-passenger ratings.
7. The CAA wishes to deem PPL(BA) holders issued under the Order prior to 30th September 2025 to be considered to comply with BFCL. The Order will prohibit new PPL(BA) licences from being issued after that date.
8. Paragraph 3 should be amended to reflect changes to the conversion report requirements and remove reference to Article 4 of the Aircrew Regulation (the relevant paras were removed from the Aircrew Regulation some time ago).
9. The CAA wishes to provide for a conversion report for CPL(B) licence holders after 30th September 2025, since some may request conversion after this date. PPL(BA) holders will not need a further conversion report, since they will be deemed to comply with BFCL.
10. Remove content of paragraph 4 relating to medicals since this is now several years in the past.

11. Some deeming provisions are required to carry across pilots who have qualified under the existing BFCL requirements – to set out the status of an existing commercial operations rating in the context of the new commercial non-passenger and commercial passenger ratings. There are also some deeming/grandfathering requirements for examiners.
12. The CAA also proposes amending the Order (see OID 157-4) as follows:
13. Article 154 to reflect the maintenance of privileges requirements for the PPL(BA) to comply with the recency requirements in BFCL.160.
14. Inserting a 4-year transition period for PPL(BA) holders complying with BFCL.160(a)(1)(ii) from the time the amendment comes into force to comply with the new refresher training, further to our rationale in 2.4 below.
15. Article 172 to cease granting United Kingdom PPL(BA)s and Commercial Pilot Licences for Balloons [CPL(B)s] with effect from 30 September 2025, further to our rationale in paragraph 2.5 below.
16. Schedule 8, Part 1, Chapter 2, Section 3 to reflect that the PPL(BA) may be used for private operations only, and in hot-air balloons with an envelope capacity of not more than 3,400m³.

Draft amendments	Notes
<p>Article 3b (2):</p> <p>2. When the CAA reissues licences and associated privileges, ratings and certificates in accordance with paragraph 1 of this Article, the CAA shall, as applicable:</p> <p>(a) transfer all privileges already endorsed in Part-FCL licences to the new licence format;</p> <p>(b) convert the privileges for tethered flight or commercial operation associated with a Part-FCL licence into:</p> <p style="padding-left: 40px;"><u>(i) where the licence holder complies with BFCL.215, a commercial non-passenger operation rating; or</u></p> <p style="padding-left: 40px;"><u>(ii) in compliance with BFCL.220, a commercial passenger operation rating, a tethered flight rating or a commercial operation rating in accordance with the provisions of Point BFCL.200 and BFCL.215 of Annex III (Part-BFCL) to this Regulation;</u></p> <p>(c) endorse the expiry date of a flight instructor certificate associated with a Part-FCL licence into the pilot's logbook or issue an equivalent document. After that date, those pilots shall exercise</p>	<p>This provision is for licence holders (very few in reality) who qualified under the original Aircrew Regulation (Part-FCL) requirements between 2012 and 2020.</p> <p>It should be revised to reflect changes to the commercial operation rating and the deletion of the separate tethered flight rating.</p>

<p>instructor privileges only if they comply with point BFCL.360 of Annex III (Part-BFCL) to this Regulation.</p>	
<p>Article 3b (3): <u>3. Subject to paragraphs 4 and 5, holders of national licences for balloons shall be allowed to continue to exercise the privileges of their licences until 30th September 2025. By that date [the CAA] shall convert those licences into Part-BFCL licences and associated ratings, privileges and certificates in accordance with the elements laid down in a conversion report that complies with the requirements of Article 4(4) and (5) of Regulation (EU) No 1178/2011.</u></p>	<p>Reference to new paragraphs included. References to the Aircrew Regulation articles are removed, since they no longer exist.</p>
<p>Article 3b (4): 4. National pilot medical certificates associated with a licence as specified in paragraph 2 of this Article and issued by the CAA before the date of application of Annex III (Part-BFCL) to this Regulation shall remain valid until the date of their next revalidation or until 8 April 2021, whichever is the earliest. The revalidation of those medical certificates shall comply with the requirements of Annex IV (Part-MED) to Regulation (EU) No 1178/2011.</p>	<p>This can be deleted, since no national medical certificates are issued or valid and the date mentioned is now several years in the past.</p>
<p>Article 3b (proposed new para): <u>(4) A Private Pilot Licence (Balloons & Airships) issued in accordance with article 152 of the Air Navigation Order 2016 is deemed to comply with this Regulation where—</u> <u>(a) it remains valid in accordance with that Order;</u> <u>(b) it is used within the privileges of that licence in accordance with Section 3, Chapter 2, Part 1 of Schedule 8 of that Order.</u></p>	<p>Existing PPL(BA)s are deemed valid as BPLs (subject to privileges and limitations in Schedule 8 of the Order).</p>
<p>Article 3b (proposed new para): <u>(5) After 30th September 2025, the CAA may convert a CPL(B) to a BPL endorsed with either a commercial non-passenger operation rating or commercial passenger operation rating, depending on the previous experience and qualifications of the licence holder. Such a conversion shall be based on a crediting report published by the CAA.</u></p>	<p>To make provision for CPL(B) holders who may wish to convert after 30th September 2025.</p>
<p>Article 3b (proposed new para): <u>(6) Deeming provisions for BPL holders with a commercial operation rating issued before 30th September 2025—</u></p>	<p>To make provision for holders of commercial operations ratings obtained under BFCL between 2020 and 30th September 2025.</p>

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| <ul style="list-style-type: none">a) <u>When in compliance with BFCL.215, the rating is deemed to be a commercial non-passenger operation rating.</u>b) <u>Subject to (c), when in compliance with BFCL.220, the rating is deemed to be a commercial passenger operation rating.</u>c) <u>The holder of a commercial operation rating with the privilege to operate a particular group of hot air balloon on commercial passenger operations shall be considered to have complied with the flight experience requirements of BFCL.220(d)(1) with respect to that group.</u>d) <u>The holder of a Flight Examiner (Balloons) certificate who on 30th September 2025 held the privilege to examine on commercial operations in a particular class or group of balloon shall be considered to have complied with the flight experience requirements of BFCL.415 with respect to that class or group.</u> | |
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157-2-2: BFCL.015 – Application for and issue, revalidation and renewal of a BPL as well as associated privileges, ratings and certificates

For the mixed balloon class, the CAA intends that there should be no requirement to complete a skills test or assessment of competence, only that a person should be issued a course completion certificate. Reference to this is proposed to be added at BFCL.015(g).

Draft amendment

BFCL.015 Application for and issue, revalidation and renewal of a BPL as well as associated privileges, ratings and certificates

(...)

(g) Applicants shall apply for the issue of a BPL and associated ratings, privileges or certificates not later than 6 months after having successfully completed the skill test, ~~or~~ assessment of competence, or for mixed balloons, a course completion certificate.

157-2-3: BFCL.030 – Practical skill test

1. Consequential amendments to BFCL.030 are required stemming from amendments proposed later in this document.

Draft amendment	Notes
<p>BFCL.030 Practical skill test</p> <p>a) Except for the skill test for the commercial operation rating as specified in point BFCL.215, An applicant for a skill test shall be recommended for the test by the ATO or the DTO that is responsible for the training undertaken by the applicants, once the training is completed. The training records shall be made available to the examiner by the ATO or DTO.</p> <p>b) <u>In the case of training not required to be completed at an ATO or DTO, the FI(B) responsible for the training shall provide the recommendation for test and make available the training records to the examiner.</u></p>	<p>Commercial operation rating holders will now require a recommendation for skills test.</p> <p>(b) Reflects proposal under BFCL.130 (see 157-2-6) below to make optional ATO/DTO for the BPL training course.</p>

157-2-4: BFCL.035 – Crediting of flight time

1. Update to reflect desired provision in BFCL.130 for qualifying flight experience.

Draft amendment	Notes
<p>BFCL.035 Crediting of flight time</p> <p>(a) Applicants for a BPL or an associated privilege, rating or certificate shall be fully credited with all solo, dual instruction or PIC flight time on balloons towards the requirement of a total flight time for the licence, privilege, rating or certificate.</p> <p>(b) <u>For the purposes of BFCL.130 (c), applicants may be credited flight time in a balloon during which they have accompanied a qualified BPL holder in accordance with that paragraph.</u></p>	<p>See amendments to BFCL.130 (157-2-7) for the full explanation.</p>

157-2-5: BFCL.065 – Curtailment of privileges of BPL holders aged 70 years or older in commercial passenger ballooning

No amendment.

157-2-6: BFCL.115 – Privileges and conditions

Consequential amendments to BFCL.115 are required stemming from the amendments to BFCL.215 and the new BFCL.220 proposed later in this document.

Draft amendment
BFCL.115 – Privileges and conditions (a) The privileges of a BPL holder are to act as PIC in balloons: (1) without remuneration in non-commercial operations; (2) in commercial operations <u>except commercial passenger ballooning</u> if he or she holds a commercial <u>non-passenger</u> operation rating in accordance with point BFCL.215 of Subpart ADD of this Annex; (3) <u>in commercial operations including commercial passenger ballooning if he or she holds a commercial passenger operation rating in accordance with point BFCL.220 of Subpart ADD of this Annex.</u>

157-2-7: BFCL.130 – Training course and experience requirements

1. Update to include that FI(B) holders may provide training towards the BPL, without being an ATO/DTO.
2. The CAA wishes to include provision for some flight experience towards the issue of a BPL to be obtained from accompanying a qualified BPL holder (the qualified BPL holder acts as PIC), which is considered an acceptable means of compliance towards the issue of a PPL(BA) under the requirements of the Order.
3. The CAA also proposes to include tethered balloon flying training as part of the initial BPL when obtained on a hot air (rather than other class) balloon.

Draft amendment
BFCL.130 Training course and experience requirements Applicants for a BPL shall complete a training course at an ATO or a DTO, <u>or under the supervision of an FI(B) holder.</u> The course shall be tailored to the privileges sought and shall include: (a) theoretical knowledge as specified in point BFCL.135(a);

(b) at least 16 hours of flight time instruction in either hot-air balloons that represent group A of that class, or gas balloons, including at least:

- (1) 4 42 hours of dual flight instruction comprising at least 4 flights;
- (2) 10 inflations and 20 take-offs and landings; and
- (3) One ~~supervised~~ solo flight supervised by an FI(B) with a flight time of at least 30 minutes.

(c) 12 of the hours required by (b) may consist of flights in which the applicant accompanies a BPL holder with a minimum of 50 hours PIC acting as pilot in command, for the purposes of practising appropriate balloon flying techniques.

(d) in the case of qualifying on hot-air balloons, at least two tethered flights, with the final tethered flight supervised by the holder of a valid FI(B) issued in accordance with this Regulation and signed off as satisfactory.

157-2-8: BFCL.135 – BPL Theoretical knowledge examination

Update to reflect that an FI(B) may recommend for taking a theoretical knowledge exam, since they are now permitted to supervise the BPL course without an ATO or DTO. Note para (b)(1) has been previously deleted since it referred to inter-Member state procedures.

Draft amendment

BFCL.135 BPL – Theoretical knowledge examination

(...)

(b) Responsibilities of the applicant

(2) The applicant shall take the theoretical knowledge examination only if recommended by the FI(B), ATO or ~~the~~ DTO ~~that is~~ responsible for his or her training and once he or she has completed the appropriate elements of the training course of theoretical knowledge instruction to a satisfactory standard.

(3) The recommendation by the FI(B), ATO or the DTO shall be valid for 12 months. If the applicant has failed to take at least one theoretical knowledge examination paper within this validity period, the need for further training shall be determined by the FI(B), ATO or the DTO, based on the needs of the applicant.

(c) Pass standards

(...)

(4) Before retaking the theoretical knowledge examinations, the applicant shall undertake further training at an ATO, ~~or a DTO~~ or with an FI(B). The ~~ATO or the DTO shall determine the extent and scope of the training;~~ shall be based on the needs of the applicant.

157-2-9: BFCL.150 – Extension of privileges to another balloon class or group

The CAA proposes to allow FI(B) holders to provide a training course towards gaining another balloon class/group, without being an ATO/DTO; and

The CAA also wishes to make some changes to the 'mixed balloon' requirements. A mixed balloon is one that uses a combination of hot air and gas to provide lift.

Draft amendment

BFCL.150 – Extension of privileges to another balloon class or group

(...)

(c) Except for the mixed balloon class, the privileges of the BPL shall be extended to another balloon class, or, if privileges for the hot-air balloon class are sought, to group A of the hot-air balloon class, upon application if a pilot has completed in the relevant balloon class and group:

(1) a training course at an ATO, ~~or a DTO~~, or with an FI(B) including at least:

- (i) five dual instructional flights; or
- (ii) in the case of an extension from hot-air balloons to hot-air airships, five hours of dual instruction time; and

(2) a skill test during which the pilot has demonstrated to the FE(B) an adequate level of theoretical knowledge for the other class in the following subjects:

- (i) principles of flight;
- (ii) operational procedures;
- (iii) flight performance and planning;
- (iv) aircraft general knowledge with regard to the balloon class for which the extension of privileges is sought.

(d) The completion of the training as specified in paragraphs (b)(1) and (c)(1) shall be entered in the logbook of the pilot and signed by:

(1) in the case of paragraph (b)(1), the instructor who is responsible for the instruction flights; and

(2) in the case of paragraph (c)(1), the instructor, or head of training at of the ATO or ~~of the~~ DTO that is responsible for the training.

(e) ~~A BPL holder shall exercise his or her privileges in the mixed balloon class only if he or she has privileges for both the hot-air balloon class and the gas balloon class.~~ In the case of mixed balloons, the privileges of the BPL shall be extended to the mixed balloon class upon application if a pilot has the privileges for the hot-air balloon class and has completed a theoretical knowledge training course appropriate to the privileges sought.

157-2-10: BFCL.160 BPL – Recency requirements

The CAA proposes the following changes to BFCL.160:

1. Amending the flight experience recency requirements to mirror those under the Order;
2. Potentially clarifying the renewal requirements for pilots with partial recency compliance;
3. Revising the requirements for additional classes; and
4. Making amendments to account for the splitting of the commercial operations rating into commercial operations / non-commercial operations.

Amending the flight experience recency requirements to mirror those under the Order:

Following reflection on consultation feedback, the CAA proposes to mirror elements of the flight experience requirements from the Order into BFCL.160, while retaining the requirement on 48-month refresher training with FI(B). It is proposed to:

- Introduce the 5 flights, each of not less than 5 minutes in duration, in 13 months as PIC or dual training further to the existing requirement of the Order, in place of the existing 6 hours and 10 take-offs and landings in 24 months; and
- As part of the changes to the Order (see OID 157-4), PPL(BA) holders will be required to comply with BFCL.160, however a period of 4 years after the amendment instrument is adopted is proposed, within which PPL(BA) holders may obtain compliance with the refresher training requirement of BFCL.160, such that they do not have to have to immediately be in compliance on 1st October 2025.

Clarifying the renewal requirements for pilots with partial recency compliance

This amendment is aimed to provide a more proportionate approach if the recency requirements are only partly fulfilled, compared to the current blanket approach of a proficiency check with a Flight Examiner for Balloons [FE(B)]. In some cases, this mirrors the Order/CAP804 provisions that it replaces.

The CAA proposes that the renewal requirements in BFCL.160(c) should be more proportionate for those pilots who have only partly complied:

- a) For those who have undertaken some but not all 5 flights of minimum duration 5 minutes in the last 13 months, the pilot would be able to undertake the balance of the required with an FI(B);
- b) For those who have not undertaken the training flight, to conduct the training flight in accordance with the regulation.
- c) For those wishing to exercise privileges who have not undertaken any of the recency requirements indicated, or do not undertake any of the above, must undergo a proficiency check with an FE(B).

Revising the requirements for additional balloon classes held

Currently, if a pilot is qualified to fly more than one class of balloon, Part-BFCL requires the pilot to have completed at least three hours of flight time on each additional balloon class within the last 24 months (to exercise privileges in that additional class). The proposal would provide routes to maintain recency appropriate for disparate classes, where flights may be of short duration (hot-air airship) or long duration (gas balloon). Further explanation is detailed in our Comment Response document to the consultation.

The CAA proposes adjusting the requirement in BFCL.160(b) to be three hours of flight time or three flights in the additional class.

For the mixed balloon class, flights are normally last days or even weeks and are conducted very infrequently, so it is more appropriate to require a refresher in theoretical knowledge of mixed balloons, alongside requiring the holder to be current on hot air balloons.

Making amendments to account for the changes to the commercial operations rating

The introduction of the commercial non-passenger/passenger operation ratings introduces the need to make some changes to BFCL.160.

Draft amendment	Notes
<p>BFCL.160 BPL – Recency requirements</p> <p>(a) A BPL holder shall only exercise the privileges of his or her licence if he or she has completed in the relevant balloon class:</p>	<p>(a)(1) is changed to align closer to previous requirements of the Order.</p>

<p>(1) either:</p> <ul style="list-style-type: none"> (i) within the last 24 13 months before the planned flight, at least six hours of flight time as PIC, including 10-5 take-offs and landings flights, each of not less than 5 minutes in duration, as PIC or flying dual or solo under the supervision of an FI(B); and (ii) within the last 48 months before the planned flight, at least one training flight with an FI(B); or <p>(2) within the last 24 months before the planned flight, a proficiency check in accordance with point (c)(3).</p>	<p>*Note to drafter: we are unsure why the existing text in (a) refers to 'relevant class' – this implies that the holder has to meet the requirements of (a) in every class they are rated on, however this is not intended – additional classes are covered in (b).</p>
<p>(b) In addition to the requirements in paragraph (a),:</p> <p><u>(1) subject to paragraph (2), in the case of a pilot who is qualified to fly more than one class of balloons, in order to exercise his or her privileges in the other balloon class or the other balloon classes, he or she shall have completed at least three flights or three hours of flight time, as PIC or flying dual or solo under the supervision of an FI(B), on each additional balloon class within the last 24 months.</u></p> <p><u>(2) Where the pilot holds the mixed balloon class, the privileges may be exercised if in compliance with (a) or (b)(1) with respect to the hot air class and a course of theoretical knowledge training relating to the mixed class has been completed in the last five years.</u></p>	<p>Requirements for additional classes are adjusted to be more proportionate (3 flights is better for hot air balloons, that tend to fly for shorter periods than gas balloons).</p> <p>Exception for mixed balloon requirements created since they are very rarely flown and it is more proportionate to link it to the hot air balloon recency.</p>
<p>(c) A BPL holder who does not comply with the requirements in paragraph (a)(1) and, if applicable (b), before resuming the exercise of his or her privileges shall:</p> <ul style="list-style-type: none"> <u>(1) if not in compliance with the flights described in paragraph (a)(1)(i) or (b), conduct the balance of the required flights under the supervision of an FI(B); or</u> <u>(2) if not complying with paragraph (a)(1)(ii), conduct a training flight with an FI(B); or</u> <u>(3) if not complying any of the activities described in paragraph (a)(1), pass a proficiency check with an FE(B) in a balloon that represents the relevant class.</u> 	<p>Changes to (c) were included in the OID earlier in the project, on further review we are not sure that the new (1) or (2) are necessary, since doing so would already be permitted under (a) or (b).</p>
<p>(d) After complying with paragraph (a), (b) or (c), as applicable, a BPL holder with privileges to fly hot-air balloons shall exercise his or her privileges only on hot-air balloons that represent:</p>	<p>No change, included for clarity.</p>

<p>(i) the same group of hot-air balloons in which the training flight as specified in paragraph (a)(1)(ii) or the proficiency check as specified in paragraph (c), as applicable, have been completed, or a group with a smaller envelope size; or</p> <p>(ii) group A of hot-air balloons in cases where a pilot, in accordance with paragraph (b), has completed the training flight as specified in paragraph (a)(2) in a balloon class other than hot-air balloons.</p>	
<p>(e) The completion of the dual flights, the flights under supervision and the training flight as specified in paragraph (a)(1)(ii), and (b), (c)(1) and (c)(2), as well as the proficiency check as specified in paragraph (c)(3) shall be entered in the logbook of the pilot and signed by, in the case of paragraphs (a)(1)(ii), (b), (c)(1) and (c)(2), the responsible FI(B) and, in the case of paragraph (c)(3), the responsible FE(B).</p>	<p>New provisions added to reflect the above.</p>
<p>(f) A BPL holder, that holds also the privileges for commercial <u>non-passenger</u> operations as specified in point BFCL.215 of Subpart ADD of this Annex, shall be deemed to comply with the requirements of:</p> <p>(1) paragraph (a) and, if applicable, (b), in case he or she has completed the skills test with an FE(B) in accordance with point BFCL.215(d)(2)(i)(b)(5) in the relevant balloon class or classes within the last 24 months; or</p> <p>(2) paragraph (a)(1)(ii), in case he or she has completed the training flight with an FI(B) as specified in point BFCL.215(d)(2)(ii)(b)(4) in the relevant balloon class <u>within the last 24 months</u>.</p> <p>In the case of the hot-air balloon class, limitations specified in paragraph (d), concerning the privileges to operate different classes of balloons, shall apply, depending on the balloon class used for complying with paragraphs (f)(1) or (f)(2).</p>	<p>Amended accordingly to reflect amendment to BFCL.215 described below:</p> <p>(1) If the pilot has undertaken the commercial non-passenger operations skills test in the last 24 months; or</p> <p>(2) If the pilot has undertaken the training course in the last 24 months</p>
<p><u>(g) A BPL holder, that holds also the privileges for commercial passenger operations as specified in point BFCL.220 of Subpart ADD of this Annex, shall be deemed to comply with the requirements of:</u></p> <p><u>(1) paragraph (a) and, if applicable, (b), in case he or she has completed a proficiency check in accordance with point BFCL.220(d)(3)(i) or (ii) in the relevant balloon class or classes within the last 24 months; or</u></p> <p><u>(2) paragraph (a)(1)(ii), in case he or she has completed the training flight as specified in point BFCL.220(d)(2)(ii) in the relevant balloon class within the last 24 months.</u></p> <p><u>In the case of the hot-air balloon class, limitations specified in paragraph (d), concerning the privileges to operate different classes of balloons, shall apply, depending on the balloon class used for complying with paragraphs (g)(1) or (g)(2).</u></p>	<p>Added accordingly to reflect introduction of a commercial passenger operation rating in new BFCL.220.</p>

157-2-11: BFCL.200 Tethered hot-air balloon flight rating

The CAA proposes removing the entire content of BFCL.200 in favour of our proposal in BFCL.130 (see 157-2-7) to include a tethering component in the BPL course. The associated AMC/GM would transfer to BFCL.130(c).

Draft amendment

BFCL.200 Tethered hot-air balloon flight rating

~~(a) A BPL holder shall undertake tethered flights with hot air balloons only if he or she holds a tethered hot air balloon flight rating in accordance with this point.~~

~~(b) To apply for a tethered hot air balloon flight rating, the applicant shall:~~

~~(1) have privileges for the hot air balloon class;~~

~~(2) first complete at least two tethered hot air balloon instruction flights.~~

~~(c) The completion of the tethered hot air balloon training shall be entered in the logbook and signed by the FI(B) who is responsible for the training.~~

~~(d) A pilot who holds a tethered hot air balloon flight rating shall exercise his or her privileges only if he or she has completed at least one tethered hot air balloon flight during the 48 months preceding the planned flight, or, if he or she has not performed such a flight, the pilot shall exercise his or her privileges if they have performed a tethered hot air balloon flight flying dual or solo under the supervision of an FI(B). The completion of such dual or solo flight under supervision shall be entered in the pilots logbook and signed by the FI(B).~~

157-2-12: BFCL.215 Commercial operation rating

The consultation proposed several reforms to the balloon Commercial Rating to improve safety standards and transparency related to commercial ballooning, particularly for Commercial Passenger Ballooning (CPB) operations. These are set out in amendments to BFCL.215 and creation of a new provision at BFCL.220.

The main changes are:

- Splitting the existing commercial rating into separate passenger and non-passenger ratings
- Requiring a mandatory training course for commercial rating holders

1. Splitting the existing commercial operation rating

Currently Part-BFCL Sub-part ADD, describes a single commercial rating but with differing requirements depending on whether commercial passenger privileges are included. This was considered complex, especially given the proposals below to increase the standards for CPB privileges. Splitting the privileges into separate ratings would better reflect the risk characteristics of CPB compared to other types of commercial operations:

- a **commercial non-passenger operation rating** the holders of which can conduct commercial operations except those involving CPB, subject to fulfilling recency requirements; and
- a **commercial passenger operation rating** the holders of which can conduct any type of commercial balloon operations including CPB, subject to fulfilling the recency requirements.

With the creation of a separate rating within Part-BFCL, Subpart ADD, specifically for CPB operations (see below New BFCL.220 Commercial passenger operation rating); it is proposed to:

- rename this rating 'Commercial non-passenger operation rating'; and
- remove all CPB requirements from the existing BFCL.215 Commercial operation rating, in favour of covering those in the new rating at BFCL.220 described in the next section.

2. Requiring a training course for new commercial non-passenger rating candidates

Pilots currently wishing to attain a commercial operation rating (whether with commercial passenger privileges or otherwise) are required under BFCL.215(b)(4) to pass a skill test with a balloon flight examiner [FE(B)] to demonstrate the competence required for commercial operations.

There were concerns that there is no formal training for the issue of a commercial rating/licence prior to the skill test, and there is too much emphasis placed on the operator to conduct training or verify specific aspects of commercial flying.

The consultation proposed to introduce this training course, comprising a ground school course covering the basics plus short flying element. See the comment response document for further details of the explanation, consultation outcomes and course content.

The CAA proposes amending the commercial non-passenger rating to include a mandatory training course at a DTO that new candidates would be required to take, prior to undergoing the commercial operation skill test, further to our rationale described below. As this is a new requirement, the CAA proposes a transitional/derogation period of two years after the statutory instrument introducing these amendments is enacted, to allow time for this training course to be developed and offered.

The ATO/DTO training course referred to in BFCL.215(b)(4) would be created using a new AMC.

Draft amendment	Notes
<p>BFCL.215 Commercial <u>non-passenger</u> operation rating</p>	
<p>(a) A BPL holder shall exercise the privileges of his or her licence during commercial operations with balloons except those involving <u>commercial passenger ballooning</u> only if he or she holds a Commercial <u>non-passenger</u> operation rating in accordance with this point.</p>	
<p>(b) An applicant for a commercial <u>non-passenger</u> operation rating shall:</p> <ul style="list-style-type: none"> (1) have attained the age of 18 years; (2) have completed 50 hours of flight time and 50 take-offs and landings as PIC on balloons; (3) have the privileges for the class of balloon in which the privileges of the commercial operation rating will be exercised; and <u>(4) have completed a commercial operation rating training course at an ATO or DTO, which shall include at least two flights with a FI(B) who holds either a commercial non-passenger operation rating or a commercial passenger operation rating, and a ground training course; and</u> <u>(45) have passed a skill test on the relevant class of balloon during which he or she shall demonstrate to an FE(B) the competence required for commercial <u>non-passenger</u> balloon operations.</u> 	<p>Sub-paragraph (4) added to fulfil policy intention: all candidates for the new commercial rating (both non-passenger and passenger) must undertake this training course. New AMC would be created based on the existing AMC1 BFCL.215(d)(2)(ii). Existing BPL holders who already have the commercial rating or CPL holders that use the conversion report provisions would not need to comply with (b), since they would not be considered 'applicants'.</p> <p>Propose a transitional/derogation period of 2 years after the SI introducing this amendment is enacted, to allow time for implementation of the course.</p>
<p>(c) The privileges of the commercial <u>non-passenger</u> operation rating shall be limited to the class of balloon in which the skill test in accordance with paragraph (b)(3)(5) has been completed. The privileges shall be extended upon application to another class of balloon if, in that other class, the applicant complies with paragraph (b)(3) and (b)(5).</p>	
<p>(d) A pilot who holds a commercial operation rating shall exercise the privileges of that rating in commercial passenger ballooning only if he or she has completed:</p> <ul style="list-style-type: none"> (1) within the 180 days preceding the planned flight: <ul style="list-style-type: none"> (i) at least three flights as PIC in balloons, of which at least one shall be in a balloon of the relevant class; or 	<p>This paragraph refers to commercial passenger operations, so deleted in favour of new BFCL.220.</p>

<p>(ii) one flight as PIC in a balloon of the relevant class under the supervision of an FI(B) who is qualified in accordance with this point; and (2) within the 24 months preceding the planned flight:</p> <p>(i) a proficiency check, in a balloon of the relevant class, during which he or she shall demonstrate to an FE(B) the competence required for commercial passenger ballooning; or (ii) a refresher course at an ATO or a DTO, tailored to the competence required for commercial balloon operations, including at least six hours of theoretical knowledge instruction and one training flight in a balloon of the relevant class with an FI(B) who is qualified for commercial balloon operations in accordance with this point.</p>	
<p>(e) To maintain the privileges of the commercial operation rating for all balloon classes, a pilot who holds a commercial operation rating with privileges extended to more than one class of balloons shall comply with the requirements in paragraph (d)(2) in at least one class of balloons.</p>	<p>Not required.</p>
<p>(f) A pilot who complies with paragraph (d) and holds a commercial operation rating for the hot air balloon class shall exercise the privileges of that rating in the hot air balloon class only on balloons that represent:</p> <p>(i) the same group of the hot air balloon in which the proficiency check as specified in paragraph (d)(2)(i) or the training flight as specified in paragraph (d)(2)(ii), have been completed; or (ii) a hot air balloon group with a smaller envelope size.</p>	<p>Replaced by BFCL.220.</p>
<p>(g) The completion of the flight under supervision as specified in paragraph (d)(1)(ii), the proficiency check as specified in paragraph (d)(2)(i) and the refresher training course as specified in paragraph (d)(2)(ii) shall be entered in the logbook of the pilot and shall be signed by the head of training of the ATO or the DTO, or the FI(B) or the FE(B) that is responsible for the training course, the supervision or the proficiency check, as applicable.</p>	<p>Replaced by BFCL.220.</p>

~~(h) A pilot who has completed an operator proficiency check in accordance with point BOP.ADD.315 of Annex II (Part-BOP) to this Regulation shall be deemed to comply with paragraph (d)(2)(i).~~

Replaced by BFCL.220.

157-2-13: [new] BFCL.220 Commercial passenger operation rating

This section creates a new specific rating for Commercial Passenger Ballooning (CPB) operations. All of these are set out in proposed content of the new BFCL.220:

- Creating a new commercial passenger operation rating;
- Requiring mandatory training for new commercial passenger operation rating candidates;
- Increasing the qualifying experience to attain a commercial passenger operation rating; and
- Increasing the requirements to maintain a commercial passenger operation rating.

1. Creating a new commercial passenger operation rating

The CAA proposes creating a separate rating within Part-BFCL, Subpart ADD specifically for CPB operations. The holders of which (subject to fulfilling all the requirements) would be qualified to act as PIC of any commercial operation including those involving CPB. This section would include all the CPB requirements previously in BFCL.215(d) and subsequent paragraphs, as well as CPB-related revisions described below.

2. Requiring mandatory training for new commercial passenger operation rating candidates

The CAA proposes including in the new commercial passenger rating this requirement for an ATO/DTO training course, similar to what has been proposed for BFCL.215 for new commercial non-passenger rating candidates.

This course be created later using a new AMC, and it would draw on some material from the existing skill test syllabus provided under AMC1 BFCL.215(b)(4), elements from the existing CPB refresher training course syllabus set out in AMC1 BFCL.215(d)(2)(ii)(a) and add new learning objectives covering non-passenger commercial ballooning. As this will be a new requirement, the CAA proposes a derogation/transition period of 2 years after the amendment Statutory Instrument is enacted to allow time for this training course to be developed and implemented.

3. Increasing the qualifying experience to attain a commercial passenger operation rating

Under BFCL.215(b)(2), the current qualifying experience requirement for a pilot wishing to obtain privileges for any commercial operation is 50 hours PIC, which is broadly similar to the requirement for 60 hours PIC to obtain an unrestricted CPL(B). There was a strong view that these experience requirements, while appropriate for non-passenger commercial operations, do not provide a sufficient level of safety assurance for

commercial passenger ballooning. There is no specific experience prerequisite for CPB flying beyond the 50 hours required for general commercial operations. Therefore, the CAA consulted on raising this to 100 hours of PIC experience and 100 take-offs and landings.

There was also a concern that under current regulations, pilots could undertake all their commercial experience in smaller balloons and progress to larger ones which have significantly different handling characteristics. It was therefore agreed that a stepped minimum number of hours in each successive hot-air size group should be introduced. This is consistent with what is already required by most CPB operators.

The CAA proposes introducing:

- a minimum 100-hour PIC and 100 take-offs and landings experience 'gateway' for CPB; and
- a stepped minimum number of PIC hours of CPB flying experience in the previous hot-air group size before progressing to the next group, in addition to the current general experience requirements already required under BFCL.150(b).

4. Increasing the requirements to maintain a commercial passenger operation rating

Currently under BFCL.215(d), pilots wishing to maintain a commercial operation rating with CPB privileges must have completed:

- Every 6 months: either at least three flights as PIC in balloons, of which one is in the relevant class; *or* a single flight under the supervision of a balloon flight instructor [FI(B)]; and
- Every 2 years: either a proficiency check with an FE(B) or a refresher course at an ATO/DTO tailored to commercial ballooning, comprising at least six hours of TK instruction and one training flight with an FI(B).
- Under the requirements of the Order, the situation is broadly similar, including a proficiency check with an examiner, but there is no structure of training provision.

The commercial ballooning experts in the working group, in consultation with their wider communities, held the view towards strengthening these requirements. In relation to the specific suggestions:

- Removing the optional nature of the proficiency check removes the emphasis placed on the operator to conduct training or verify specific aspects of commercial flying, both passenger and non-passenger.
- Requiring mandatory proficiency check addresses the concern about CPB pilots using the training flights with an instructor to bypass examiner scrutiny.
- Requiring a mandatory ATO/DTO ground refresher course every 5 years. This would be based on the existing CPB refresher training provided under AMC1 BFCL.215(d)(2)(ii)(a), and broadly similar to the initial training proposed in Section B above that would be required before first issue of the rating, only with greater CPB content that might add the following topics: passenger-handling with large numbers; commercial and operator influences on pilot decision-making; and Human performance factors with particular emphasis on emotional distractions and fatigue. This would prevent any skill fade.

There needs to be a different requirement for new CPB pilots who have passed their commercial passenger rating skills test within the previous 24 months, to ensure no clash with the recency requirements and to introduce an additional check for those with low CPB experience.

The CAA proposes removing the optional nature of the requirement for a proficiency check with an FE(B) 24 months prior to the flight to verify competence in CPB operations, thus making this mandatory for all CPB pilots. It would be required of new CPB pilots commencing CPB line flying, having passed their commercial rating skill test within the previous 24 months, to have this FE(B) proficiency check within 13 months of that commencement. A transitional/derogation provision of two years after the amendment SI is enacted is proposed, to allow time for existing and transitioned pilots to comply with this new requirement.

The CAA proposes removing the optional nature of the ATO/DTO ground refresher course, and making this mandatory for all CPB pilots 60 months prior to the flight. A transitional provision of five years after the amendment SI enters force is proposed, to allow time for existing and transitioned pilots to comply with this new requirement.

Draft amendment	Notes
BFCL.220 [New] Commercial passenger operation rating	
<u>(a) A BPL holder shall exercise the privileges of his or her licence on commercial passenger operations only if he or she holds a commercial passenger operation rating in accordance with this point.</u>	
<u>(b) An applicant for a commercial passenger operation rating shall:</u> <u>(1) have attained the age of 18 years;</u> <u>(2) have completed 100 hours of flight time and 100 take-offs and landings as PIC on balloons;</u> <u>(3) have the privileges for the class of balloon in which the privileges of the commercial passenger operation rating will be exercised;</u> <u>(4) have completed a commercial operation rating training course at an ATO or DTO, which shall include at least two flights with a FI(B) who holds a commercial passenger operation rating, and a ground course which shall include at least the content of the training course referred to in BFCL.220(d)(4); and</u> <u>(5) have passed a skill test on the relevant class of balloon during which he or she shall demonstrate to an FE(B) the competence required for commercial passenger balloon operations.</u>	Derogation requested (similar to BFCL.215) of 2 years after the amendment SI is enacted for the training course requirement.
<u>(c) The privileges of the commercial passenger operation rating shall be limited to the class of balloon in which the skill test in accordance with paragraph (b)(5) has been completed. The privileges shall be extended upon application to another class of balloon if, in that other class, the applicant complies with paragraph (b)(3) and (b)(5).</u>	
<u>(d) A pilot who holds a commercial passenger operation rating shall exercise the privileges of that rating only if he or she has completed:</u> <u>(1) prior to the planned flight:</u>	Re (3)(i), propose a derogation of a year after the coming into force date.

<p><u>(i) for commercial passenger ballooning in a hot air balloon group A or gas balloon or mixed balloon or hot air airship: 100 hours as PIC in balloons;</u> <u>(ii) for commercial passenger ballooning in a hot-air balloon group B: 110 hours as PIC in balloons of which at least 10 hours commercial passenger ballooning flights in hot air balloons in group A;</u> <u>(iii) for commercial passenger ballooning in a hot-air balloon group C: 200 hours as PIC in balloons of which at least 20 hours commercial passenger ballooning flights in hot air balloons in groups A and B combined, of which at least 10 hours in group B;</u> <u>(iv) for commercial passenger ballooning in a hot-air balloon group D: 300 hours as PIC in balloons of which at least 30 hours commercial passenger ballooning flights in hot air balloons in groups A, B and C combined, of which at least 10 hours in group C;</u></p> <p><u>(2) within the 180 days preceding the planned flight:</u> <u>(i) at least three flights as PIC in balloons, of which at least one shall be in a balloon of the relevant class; or</u> <u>(ii) one flight as PIC in a balloon of the relevant class under the supervision of an FI(B) who is qualified in accordance with this point; and</u></p> <p><u>(3) prior to the planned flight:</u> <u>(i) for pilots who passed the skill test in accordance with BFCL.220(b)(5) within 24 months before the planned flight: within 13 months preceding the planned flight, a proficiency check, in a balloon of the relevant class, during which he or she shall demonstrate to an FE(B) the competence required for commercial passenger ballooning;</u> <u>(ii) for pilots who passed the skill test in accordance with BFCL.220(b)(5) more than 24 months before the planned flight: within the 24 months preceding the planned flight: a proficiency check, in a balloon of the relevant class, during which he or she shall demonstrate to an FE(B) the competence required for commercial passenger ballooning;</u> <u>and</u></p> <p><u>(4) within 60 months preceding the planned flight: a training course at an ATO or a DTO, tailored to the competence required for commercial passenger ballooning operations, including at least six hours of theoretical knowledge instruction.</u></p>	<p>Re (4), propose a derogation provision of five years after the amendment SI is enacted, to allow time for licence holders to comply with this new requirement, rather than it coming in on 1st October 2025.</p>
<p><u>(e) To maintain the privileges of the commercial passenger operation rating for all balloon classes, a pilot who holds a commercial passenger operation rating with privileges extended to more than one class of balloons shall comply with the requirements in paragraph (d)(3) in at least one class of balloons.</u></p>	
<p><u>(f) A pilot who complies with paragraph (d) and holds a commercial passenger operation rating for the hot-air balloon class shall exercise the privileges of that rating in the hot-air balloon class only on balloons that represent:</u></p>	

<p><u>(i) the same group of the hot-air balloon in which the proficiency check as specified in paragraph (d)(3); or</u> <u>(ii) a hot-air balloon group with a smaller envelope size.</u></p>	
<p><u>(g) The completion of the flight under supervision as specified in paragraph (d)(2)(ii), the proficiency check as specified in paragraph (d)(3) and the training course as specified in paragraph(d)(4) shall be entered in the logbook of the pilot and signed by:</u> <u>(1) for the flight under supervision, the relevant FI(B);</u> <u>(2) for the proficiency check, the relevant FE(B); and</u> <u>(3) for the training course, the head of training at the relevant ATO or DTO.</u></p>	
<p><u>(h) A pilot who has completed an operator proficiency check in accordance with point BOP.ADD.315 of Annex II (Part-BOP) to this Regulation shall be deemed to comply with paragraph (d)(3).</u></p>	

157-2-14: BFCL.315 FI(B) certificate – Privileges and conditions

The consultation proposed several reforms to the Flight Instructor for Balloons [FI(B)] certificate privileges and conditions to improve safety standards and transparency related to commercial ballooning, particularly CPB operations:

- Commercial operation instructor training; and
- Instructors extending privileges to additional balloon classes

Commercial operation instructor training

The CAA consulted on enhancing the requirement in Part-BFCL for training for instructing/examining in commercial non-passenger and commercial passenger operations, and the experience requirements for instructors instructing pilots aspiring to give instruction for CPB operations. Introducing a 50 hour requirement provides an appropriate level of safety assurance when considering a candidate must still pass a skill test or proficiency check with an appropriately qualified FE(B).

The CAA proposes introducing a requirement for instructors exercising privileges for commercial non-passenger as well as passenger operations to undertake the training course along the lines of what is currently required under BFCL.315(a)(3) for night rating or tethered flight rating, tailoring this by commercial non-passenger and commercial passenger operations, mirroring what is proposed in those respective ratings.

It is also proposed to remove the reference in BFCL.315(a)(3) to the tethered rating as a consequence to our proposal to remove the Tethered flight rating (see 157-2-11).

Instructors extending privileges to additional balloon classes

Changing the requirement to '15 flights', rather than hours, is considered more proportionate overall and avoids FI(B)s meeting the requirement in several very long flights, as is sometimes possible with gas balloons.

Draft amendment

BFCL.315 FI(B) certificate – privileges and conditions

(a) Subject to compliance of applicants with point BFCL.320 and with the following conditions, an FI(B) certificate shall be issued with privileges to conduct flight instruction for:

- (1) a BPL
- (2) the extension of privileges to further classes and groups of balloons provided that the applicant has completed at least 15 flights ~~hours of flight time~~ as PIC in each relevant class;
- (3) a night rating ~~or a tethered flight~~ provided that the applicant has received specific training in providing instruction for the relevant rating at an ATO or at a DTO;
- (4) an FI(B) certificate, provided that the applicant has:
 - (i) completed at least 50 hours of flight instruction on balloons; and
 - (ii) in accordance with the procedures established for that purpose by the CAA, conducted at least one hour of flight instruction for the FI(B) certificate under the supervision and to the satisfaction of an FI(B) who is qualified in accordance with this subparagraph and nominated by the head of training of the ATO or the DTO;
- (5) a commercial non-passenger operation rating, provided that the applicant has received specific training in providing instruction for the relevant rating at an ATO or at a DTO; and
- (6) a commercial passenger operation rating, provided the applicant has received specific training in providing instruction for the relevant rating at an ATO or at a DTO, and has undertaken a minimum of 50 hours as PIC of commercial passenger ballooning flights.

(b) The privileges listed in paragraph (a) shall include the privileges to conduct flight instruction for:

- (1) the issue of the relevant licence, privileges, ratings or certificate; and
- (2) the revalidation, renewal or compliance with the relevant recency requirements of this Annex, as applicable.

157-2-15: BFCL.415 FE(B) certificate – Privileges and conditions

Amendments include:

- Examiner requirements for commercial operations; and
- Examiners extending privileges to additional balloon classes

1. Examiner requirements for commercial operations

The CAA believes the Part-BFCL requirements should be increased within reason to bring it more into line with some aspects of the systems it replaces. Suggested a re-drafting of the existing text to better present the following requirements in a clause-by-clause format:

For non-passenger commercial examining:

- Minimum 500 hours experience as PIC in balloons; of which
- Minimum 100 hours experience as PIC of commercial non-passenger *or* commercial passenger ballooning operations; of which
- Minimum 50 hours experience as PIC of commercial non-passenger *or* commercial passenger ballooning operations in the group size being examined, or in the group concerned and larger groups combined.

For commercial passenger examining:

- Minimum 500 hours experience as PIC in balloons; of which
- Minimum 200 hours experience as PIC of commercial passenger operations; of which
- Minimum 100 hours experience as PIC of commercial passenger operations in the group size being examined, or in the group concerned and larger groups combined.

2. Examiners extending privileges to additional balloon classes

The CAA proposes increasing the requirements in Part-BFCL for examiners undertaking examining in an additional balloon class to a minimum of 25 flights and 50 hours of flight time as pilot on that additional class.

Draft amendment
BFCL.415 FE(B) certificate – Privileges and conditions Subject to compliance of the applicant with point BFCL.420 and with the following conditions, an FE(B) certificate shall be issued upon application with privileges to conduct:

(a) skill tests and proficiency checks for the BPL and skill tests for the extension of the privileges to another balloon class, provided that the applicant has completed ~~250~~ 500 hours of flight time as pilot on balloons, including 50 hours of flight instruction covering the full syllabus of a BPL training course; and for the extension of privileges to another class, has completed 25 flights and 50 hours of flight time as pilot on that class of balloon

(b) skill tests and proficiency checks for the commercial non-passenger operation rating as specified in point BFCL.215, provided that the applicant ~~complies with the experience requirements set out in paragraph (a)~~ has

(1) completed at least 500 hours of flight time as pilot-in-command of balloons, of which

(i) at least 100 hours as pilot-in-command of commercial non-passenger ballooning or commercial passenger ballooning operations; and

(ii) at least 50 hours as pilot-in-command of commercial non-passenger ballooning or commercial passenger ballooning operations in the hot-air size group concerned (or on the group concerned and on larger groups combined); and

(2) received specific training during an examiner standardisation course in accordance with point BFCL.430.

(c) skills tests and proficiency checks for the commercial passenger operation rating as specified in point BFCL.220 provided that the applicant has:

(1) completed at least 500 hours of flight time as pilot in command of balloons, of which

(i) at least 200 hours as pilot-in-command of commercial passenger ballooning operations; and

(ii) at least 100 hours as pilot-in-command of commercial passenger ballooning operations on the group concerned (or on the group concerned and on larger groups combined); and

(2) received specific training during an examiner standardisation course in accordance with point BFCL.430.

(e d) assessments of competence for the issue of an FI(B) certificate, provided that the applicant has:

(1) completed ~~350~~ 500 hours of flight time as pilot on balloons, including 5 hours of instruction to an applicant for the FI(B) certificate;

(2) received specific training during an examiner standardisation course in accordance with point BFCL.430.

157-2-16: BFCL.460 FE(B) certificate – Validity, revalidation and renewal

This corrects an inconsistency over who oversees the assessment of competence of examiners themselves by Senior Examiners, an authorisation issued by us at our decision. BFCL.460 for revalidation/renewal does not mention this, instead referring to 'an examiner specifically authorised to do so by the CAA' (not the Senior Examiner mentioned in BFCL.445) for conducting the 24-month skill test, proficiency check or assessment of competence, and 'an ATO or a DTO approved by the CAA' for providing an examiner refresher course.

Draft amendment**BFCL.460 FE(B) certificate – Validity, revalidation and renewal**

(a) An FE(B) certificate shall be valid for five years.

(b) An FE(B) certificate shall be revalidated if its holder has:

(1) during the validity period of the FE(B) certificate, completed an examiner refresher course which is provided either by the CAA or by an ATO or a DTO and approved by the CAA, during which the holder shall receive theoretical knowledge instruction for refreshing and updating the knowledge relevant for balloon examiners; and

(2) within the last 24 months preceding the end of the validity period of the certificate, conducted one skill test, proficiency check or assessment of competence under the supervision and to the satisfaction of an inspector from the CAA or ~~an~~ a senior examiner specifically authorised to do so by the CAA.

(...)

157-2-17 [new] BFCL.470 SE(B) certificate

The CAA believes a stand-alone requirement, rather than as part of the Examiner assessment of competence and validity, revalidation and renewal sections, would provide greater clarity of the role of Senior Examiners. This would also allow us to publish GM indicating the number of hours of flight experience, including CPB, that would be expected as a minimum. The existing AMC1 BFCL.445; BFCL.460 FE(B) would be moved to this regulation as AMC1 BFCL.470 SE(B) certificate; and a new GM1 would also be published.

Draft amendment**BFCL.470 SE(B) certificate**

The CAA shall appoint, where required, Senior Examiners that are specifically authorised for assessments of competence of FE(B)s and oversee their validity, revalidation and renewal.

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