



DOPRAVNÝ ÚRAD
TRANSPORT AUTHORITY

EXAMINER PROCEDURE

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1 ABBREVIATIONS AND DEFINITIONS

1.1 Abbreviations

ATO	Approved Training Organisation
ATPL	Airline Transport Pilot Licence
CPL	Commercial Pilot Licence
CRI	Class Rating Instructor
EASA	European Aviation Safety Agency
FI	Flight Instructor
IRI	Instrument Rating Instructor
JAR	Joint Aviation Requirements
LAPL	Light aircraft pilot licence
MPL	Multi-pilot Licence
NAA	National Aviation Authority
PART – FCL	Annex I to Aircrew Regulation
PIC	Pilot-in-command
PPL	Private Pilot Licence

1.2 Definitions

- 1.2.1 **Aircrew Regulation:** Commission Regulation (EU) No. 1178/2011, as amended, laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to the Regulation (EC) No. 216/2008 of the European Parliament and of the Council.
- 1.2.2 **Basic Regulation:** Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91, as amended.
- 1.2.3 **Member state:** EU member state and European third country participating in accordance with the Articles 128, 129 and 130.
- 1.2.4 **National Aviation Authority (NAA):** The competent authority of the Member state other than Transport Authority¹.
- 1.2.5 **Test:** Any skill test, proficiency check or competency assessment conducted according to the Procedure of the Transport Authority – Examiner Standardisation.

¹ Transport Authority established in accordance with Act No. 402 of November 27, 2013, on Authority for the regulation of electronic communications and postal services and Transport Authority and on amendments to some acts is a body of state administration with nationwide coverage for the tracks area and railroad transport, civil aviation and inland waterways. Transport Authority established in accordance with this Act becomes on 1. January the legal successor to the Civil Aviation Authority of the Slovak Republic.

2 GENERAL

2.1 Applicability

2.1.1 Procedure of the Transport Authority – Examiner Standardisation (hereinafter referred to as the “procedure”) – shall be applicable to holders of the Examiner Certificate issued by a third country, who are going to conduct a test for holders of a Part-FCL licence issued by the Transport Authority or for applicants for such licence.

2.2 Remark

2.2.1 This procedure does not replace any of the examiner training or standardisation required for issue of Examiner Certificate or its re-issue with extended privileges or extended validity period.

2.2.2 This procedure does not imply any permission or approval to be given by the Transport Authority for the use of any aircraft or simulator, it does not empower any examiner in any way to contravene the laws, rules or procedures, which are in force in the jurisdiction where the test is to be conducted.

2.3 Related Legislation

2.3.1 **Commission regulation (EU) No. 1178/2011** of 3 November 2011 laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council.

2.3.2 **Regulation (EU) 2018/1139** of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91, as amended.

2.4 Related Forms

2.4.1 Internal Forms

a) F093-B (current revision) Examiner notification prior to the test

3 REQUIREMENTS

3.1 FCL.030 Practical skill test

3.1.1 Except for the issue of an ATPL, the applicant for a skill test shall be recommended for the test by the organisation/person responsible for the training, once the training is completed. The training records shall be made available to the examiner.

3.2 FCL.1000 Examiner certificates

3.2.1 General. Holders of an examiner certificate shall:

(1) hold an equivalent licence, rating or certificate to ones for which they are authorised to conduct skill tests, proficiency checks or assessments of competence and the privilege to instruct for them;

(2) be qualified to act as PIC on the aircraft during a skill test, proficiency check or assessment of competence when conducted on the aircraft.

3.3 FCL.1005 Limitation of privileges in case of vested interests

3.3.1 Examiners shall not conduct:

(a) skill tests or assessments of competence of applicants for the issue of a licence, rating or certificate:

(1) to whom they have provided with flight instruction for the licence, rating or certificate for which the skill test or assessment of competence is being taken; or

(2) when they have been responsible for the recommendation for the skill test, in accordance with FCL.030(b);

(b) skill tests, proficiency checks or assessments of competence whenever they feel that their objectivity may be affected.

3.4 FCL.1015 Examiner standardisation

3.4.1 Holders of an examiner certificate shall not conduct skill tests, proficiency checks or assessments of competence of an applicant, for whom the competent authority is not the same that issued the examiner's certificate, unless:

(1) they have informed the competent authority of the applicant of their intention to conduct the skill test, proficiency check or assessment of competence and of the scope of their privileges as examiners.

(2) they have received a briefing from the competent authority of the applicant on the national administrative procedures, requirements for protection of personnel data, liability, accident insurance and fees.

3.5 FCL.1030 Conduct of skill tests, proficiency checks and assessments of competence

3.5.1 When conducting skill tests, proficiency checks and assessments of competence, examiners shall:

- (1) ensure that communication with the applicant can be established without language barriers;
- (2) verify that the applicant complies with all the qualification, training and experience requirements in Part-FCL for the issue, revalidation or renewal of the licence, rating or certificate for which the skill test, proficiency check or assessment of competence is taken;
- (3) make the applicant aware of the consequences of providing incomplete, inaccurate or false information related to their training and flight experience.

3.5.2 After completion of the skill test or proficiency check, the examiner shall:

- (1) inform the applicant of the result of the test. In the event of a partial pass or fail, the examiner shall inform the applicant that he/she may not exercise the privileges of the rating until a full pass has been obtained. The examiner shall detail any further training requirement and explain the applicant's right of appeal;
- (2) in the event of a pass in a proficiency check or assessment of competence for revalidation or renewal, endorse the applicant's licence or certificate with the new expiry date of the rating or certificate, if specially authorised for that purpose by the competent authority responsible for the applicant's licence;
- (3) provide the applicant with a signed report of the skill test or proficiency check and submit without delay copies of the report to the competent authority responsible for the applicant's licence, and to the competent authority that issued the examiner certificate. The report shall include:
 - (i) a declaration that the examiner has received information from the applicant regarding his/her experience and instruction, and found that experience and instruction are complying with the applicable requirements in Part-FCL;
 - (ii) confirmation that all required manoeuvres and exercises have been completed, as well as information on the verbal theoretical examination, when applicable. If an item has been failed, the examiner shall record the reasons for this assessment;
 - (iii) the result of the test, check or assessment of competence.

3.5.3 Examiners shall maintain records for 5 years with details of all skill tests, proficiency checks and assessments of competence performed and their results.

3.5.4 Upon request by the competent authority responsible for the examiner certificate, or the competent authority responsible for the applicant's licence, examiners shall submit all records and reports, and any other information, as required for oversight activities.

3.6 ARA.FCL.205 Monitoring of examiners

3.6.1 The competent authority shall develop an oversight programme to monitor the conduct and performance of examiners taking into account:

(1) the number of examiners it has certified; and

(2) the number of examiners certified by other competent authorities exercising their privileges within the territory where the competent authority exercises oversight.

3.6.2 The competent authority shall maintain a list of examiners it has certified and of examiners certified by other competent authorities exercising their privileges in its territory and to which the competent authority has provided a briefing in accordance with FCL.1015(c)(2). The list shall state the privileges of the examiner and be published and kept update by the competent authority.

3.6.3 The competent authority shall develop procedures to designate examiners for the conduct of skill tests.

3.7 ARA.FCL.210 Information for examiners

3.7.1 The competent authority may provide examiners it has certified and examiners certified by other competent authorities exercising their privileges in their territory with safety criteria to be observed when skill tests and proficiency checks are conducted in aircraft.

Note 1: Examiners should also take into account the Acceptable Means of Compliance and Guidance Materials to the requirements above.

4 PROCEDURES

4.1 Briefing

4.1.1 Any examiner mentioned in 2.1 (*Applicability of this procedure*) shall read carefully the Briefing in Chapter 5 of this procedure and take it into account when planning and conducting a test for a holder of a Part-FCL licence issued by the Transport Authority or for an applicant for such a licence.

4.2 Notification prior to the test

4.2.1 Contact: Any examiner having passed the Briefing in Chapter 5 of this procedure shall send notification details by e-mail to: **air.operations@nsat.sk**.

4.2.2 Form: The Examiner notification prior to the test (F093-B) is to be used for the notification. Formal test notification **10 days** prior to the test.

4.2.3 Applicant information: Applicant's full name and the number of his pilot licence issued by the Transport Authority (*if applicable*) or his date of birth (*if he is not a pilot licence holder issued by the Transport Authority*).

4.2.4 Examiner information: Examiner's full name, number (*including country code*) and validity period of his Part-FCL Examiner Certificate and a scanned copy of it.

4.2.5 Test information: Type of the test (*Skill test/proficiency check/assessment of competence*), date and place of the test, type of aircraft (*if applicable*) and FSTD qualification number (*if applicable*).

4.2.6 Declaration of the examiner: When sending the notification the examiner declares that he is familiar with the briefing in Chapter 5 of this procedure.

4.2.7 Feedback for notification: The new (not yet accepted examiner of Transport Authority) examiner can check whether his notification for the intended test has been accepted by the Transport Authority at **<http://letectvo.nsat.sk> – Letecký personál – Examinátori – Zoznamy examinátorov - List of foreign examiners accepted by Transport Authority**

List of notifications, where the following message is to appear:

- a) Full name of Examiner
- b) Certificate number of examiner (including country code)
- c) Types/Classes of aircraft on the Examiner Certificate
- d) Applicant's full name and pilot licence number
- e) Type of the test
- f) Declaration of familiar with the Procedure of the Transport Authority 3/2014
- g) Acceptance to disclose your personal data
- h) Attachment: Scanned copy of the Examiner Certificate
- i) Application for designation for skill test
- j) Notification after the test

Note 2: Information about acceptance will send by email to the applicant and the message will appear on the Transport Authority website the next one or up to three working days after notification.

4.3 Designation for skill tests

Note 3: Transport Authority shall designate the examiner for any skill test of a pilot licence holder issued by the Transport Authority or of any applicant for it, see Part-ARA.FCL.205 (c).

- 4.3.1 Application for designation: The examiner applying for designation for a skill test of a pilot licence holder issued by the Transport Authority or of an applicant for it shall send a Notification prior to the test according to 4.2 and send it additionally as a copy to: **air.operations@nsat.sk**.
- 4.3.2 Reply to application: The examiner having applied for designation for a skill test will receive a reply to his e-mail address not later than within the next 5 working days.

4.4 Notification after the test

- 4.4.1 Contact: e-mail to: **personal@nsat.sk**. and mailing address of the Transport Authority is as follows:

DOPRAVNÝ ÚRAD
LETISKO M.R. ŠTEFÁNKA
823 05 BRATISLAVA
SLOVAK REPUBLIC

- 4.4.2 Form: The same notification form as for the notification prior to the test is to be used.
- 4.4.3 Enclosures to the Notification Form:
- (a) An original of the Skill Test, Proficiency Check or Assessment of Competence Form
 - (b) A scanned copy of the applicant's pilot licence (*if applicable – see Note 4 and 5*)
 - (c) A scanned copy of the applicant's Medical Certificate (*if applicable – see Note 4*)
 - (d) A scanned copy of the simulator certificate (*if applicable*)
 - (e) A scanned copy of the report of the examiner detailing the reasons for any failure, partial pass or any special circumstance (*if applicable*).

Note 4: The scanned copies of the applicant's pilot licence and of the applicant's Medical Certificate are to be enclosed to the Notification Form only when the examiner has made a hand-written entry into the pilot licence and therefore the licence will not be re-printed by the Transport Authority.

Note 5: The scanned copy of the applicant's pilot licence is to be made after the hand-written entry by the examiner.

- 4.4.4 Queries: Any queries from examiners acting according to 2.1 (*Applicability of this procedure*) should be sent to: **air.operations@nsat.sk** and **lectvo.skusky@nsat.sk**.

5 BRIEFING

5.1 National administrative procedures

5.1.1 Training documentation: The training documentation of any applicant for the first issue of LAPL, PPL, CPL, IR, ATPL and instructor rating is to be checked by the Transport Authority prior to the skill test/competency assessment.

5.1.2 Examiners for PPL tests: The examiners for PPL and LAPL skill tests are holders of Examiner Certificate issued by the Transport Authority usually allocated to relevant SK training facility/DTO/ATO.

5.1.3 Examiners for CPL, MPL, IR and FI/CRI/IRI tests: The examiners for **CPL, MPL, IR** skill tests and for FI/CRI/IRI initial competency assessments for applicants from approved training organisations authorized by the Transport Authority are examiners authorized by the Transport Authority.

Note 7: Examiners who do not hold SK Examiner Certificate and are going to conduct a test according to 5.1.2 or 5.1.3 shall be designated by the Transport Authority according to 4.3 prior to the test.

5.1.4 Examiners for ATPL: The examiners for ATPL shall be designated by the Transport Authority according to 4.3 prior to the test.

5.1.5 Other examiners: Other examiners than those listed in 5.1.2 to 5.1.4 shall send notification according to Chapter 4 of this procedure.

5.1.6 Issue, revalidation and renewal of Examiner Certificates: All assessments of competence for the issue, revalidation and renewal of Examiner Certificates issued by the Transport Authority shall be conducted by examiners authorized by Transport Authority. Only when competent examiner authorized by the Transport Authority is not available these assessments may be conducted by other examiners having been designated by the Transport Authority prior to the assessment.

5.1.7 Revalidation of ratings and certificates: Examiners may conduct proficiency check or assessment of competence for the revalidation of a rating or certificate once they have sent the notification and have been published at: <http://letectvo.nsat.sk>, see Chapter 4 of this procedure.

5.1.8 Renewal of ratings and certificates: Examiners conducting proficiency checks for renewal of ratings must make them sure that the applicant has completed the required refresher training (*provided by documented evidence from an ATO/DTO*), where applicable.

Note 8: Examiners are not allowed to renew the rating in the licence themselves if the rating has expired by more than 3 years or has been removed from the licence. In such a case the licence shall be re-printed by the Transport Authority

*Note 9: When a revalidation/renewal of a type/class rating took place together with revalidation/renewal of the instrument rating and the type/class rating and the instrument rating have the same validity period the entry into the licence is to be made into the same row as: Type/class/IR. Example: **ATR 72/IR**.*

Note 10: When a new ICAO language proficiency or a new validity period of it is to be entered into the pilot licence the licence shall be re-printed by the Transport Authority.

5.1.9 Application and Report Forms: Transport Authority accepts Application and Report Forms from other EASA member states. Slovak Application and Report Forms can be found at:

<http://letectvo.nsat.sk> – Letecký personál – Examinátori.

5.1.10 Oversight of examiners: Transport Authority reserves the right to observe any skill test, proficiency check or assessment of competence conducted for a pilot licence holder issued by the Transport Authority or for an applicant for it.

5.2 Protection of personnel data

5.2.1 Legislation: Examiners shall comply with laws on personal data protection of all concerned states (*where the test takes place, state of examiner certification and state of the applicant's pilot licence issue*) however the requirements on personal data protection in European states are similar.

5.2.2 Security: All personal data shall be secured and protected against manipulation, loss or access by unauthorised person.

5.2.3 Personal data: The applicant's logbook, training documentation, results of tests and examiner's remarks are also personal data.

5.2.4 Data protection principles:

- a) personal data is to be processed fairly and lawfully
- b) personal data is always processed in accordance with a good practise
- c) personal data is always collected for specific, explicitly stated and legitimate purposes
- d) personal data is processed only for a purpose for which it has been collected
- e) personal data shall be adequate and relevant to the purposes of the processing
- f) no more personal data is processed than necessary
- g) all reasonable measures shall be taken to complete, correct, block or erase incomplete or incorrect data having regard to the purposes for which it has been collected
- h) personal data is not kept for a period longer than it is necessary for the purpose for which it has been collected.

5.3 Liability

- 5.3.1 Examiners act as individual person and are liable for their actions or omissions.
- 5.3.2 Examiners acting according to 2.1 (*Applicability of this procedure*) are not contracted by the Transport Authority nor authorized by the Transport Authority or agents of the Transport Authority.
- 5.3.3 The result of the test may not be accepted by the Transport Authority in case the examiner has not complied with the procedures required by Aircrew Regulation and the Transport Authority.
- 5.3.4 An examiner who does not exercise standard professional skill, care and proper conduct of an examiner or is negligent as examiner or as PIC is personally liable in case of an accident for loss or injury.

5.4 Accident insurance

- 5.4.1 Transport Authority does not provide any accident insurance for the examiners acting according to 2.1 (*Applicability of this procedure*).
- 5.4.2 Examiners should always check with the operator or owner of the aircraft the cover of their third party insurance and how it covers them specifically as examiners if they wish to rely on it.
- 5.4.3 Examiners are advised to seek professional advice on professional indemnity insurance including cover against claims by the applicant that the test was not conducted properly.

5.5 Fees

- 5.5.1 The fee of examiner acting according to 2.1 (*Applicability of this procedure*) will be that agreed between the examiner and the applicant.
- 5.5.2 Transport Authority requires no fee for notification or designation of examiner acting according to 2.1 (*Applicability of this procedure*).

6 FINAL PROVISIONS

6.1 Repeal

Procedure 3/2014 of 02.1.2014 is hereby repealed.

6.2 Entry into force and effect

6.2.1 This Directive shall enter into force on the day on which it is signed by the Chairman of the Transport Authority on the title page.