



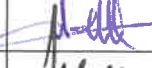



LANGUAGE PROFICIENCY FOR PILOTS

PROCEDURE MANAGEMENT


	Name	Title	Date	Signature
Prepared by	C. Fleres	Inspector – Licencing Department	23 DEC. 2020	
Validated by :	M. Huizer	Head of Licencing	22 DEC. 2020	
	L. Kremer	Quality and Compliance Manager	23 DEC. 2020	
	M. Dec	Head of Legal Department	23 DEC. 2020	
	S. Vallance	Technical Director	23 DEC. 2020	
Approved by	P. Jaeger	Director of Civil Aviation	23 DEC. 2020	

REVISIONS

Revision Nr	Denomination of Revision	Date
00	Initial Edition	27/03/2017
01	General revision following updates of the applicable Regulations (Commission Implementing Regulation 2020/359, Commission Implementing Regulation EU 2020/358 and Commission Implementing Regulation EU 2020/357)	23 DEC. 2020
02		
03		

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1 INTRODUCTION

1.1 PURPOSE OF THE DOCUMENT

The present document is introduced in order to be compliant with FCL.055 and ICAO Annex I Article 1.2.9. and to establish the procedures for Language Proficiency assessments for pilots by DAC.

1.2 TERMINOLOGY

Conversion: The issue of a Part–FCL licence on the basis of a licence issued by a non-EASA Member State.

DAC Exam Centre: The Language Proficiency Exam Centre operated at the DAC premises by the DAC Licencing Department.

Renewal: The administrative action taken after a rating or approval has lapsed that renews the privileges of the rating or approval for a further specified period consequent upon the fulfilment of specified requirements.

Revalidation: The administrative action taken within the period of validity of a rating or approval that allows the holder to continue to exercise the privileges of a rating or approval for a further specified period consequent upon the fulfilment of specified requirements.

Validation: The issue of a document authorising the holder of a licence issued by a non-EASA Member State to exercise the privileges of their valid licence on LX-registered aircraft.

1.3 REFERENCES

Nr	Title
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, as amended, and its Acceptable Means of Compliance and Guidance Material
2.	ICAO : Annex 1 – article 1.2.9. and Appendix A - Language Proficiency Rating Scale
3.	ICAO Document 9835
4.	Procédure DAC-LIC 002 - limitation, suspension ou révocation des licences et qualifications associées du personnel de conduite des aéronefs et des membres d'équipage de cabine «Aircrew Regulation»
5.	Form DAC-LIC 203-01 Application and report form for an assessment at the DAC exam centre
6.	Form DAC-LIC 203-02 Application and report form for an assessment in flight

7.	Form DAC-LIC 203-03 Application form for revalidation of an assessor rating
8.	Document DAC-LIC 401-1 List of DAC examiners and language assessors
9.	Document DAC-LIC 203-05 Yearly schedule of DAC exam centre assessment sessions
10.	Document DAC-LIC 203-06 ICAO rating scale
11.	Document DAC-LIC 203-07 ELP Certificate for candidates not holding a Luxembourgish licence
12.	Form DAC-LIC 203-08 Language Assessor inspection

1.4 DISTRIBUTION LIST

Name	Function	Signed Copy	Electronic Copy
Pierre JAEGER	Director of DAC		✓
Laurent KREMER	Quality and Compliance Manager		✓
Stéphane VALLANCE	Technical Director		✓
Fränk KRAUS	Administrative Director		✓
Mirjam HUIZER	Head of Licencing	✓	
Stéphanie THEISEN	Data Protection Officer		✓

1.5 DATA PROTECTION

All personal data collected and required to be kept in the frame of this procedure will be handled in accordance with the current regulatory framework (European and National) on Data Protection.


2 PROCEDURE

2.1 GENERALITIES

In order to increase the level of safety in civil aviation, ICAO has introduced requirements concerning the Language Proficiency of flight crew members into Annex 1 to the Chicago Convention on International Civil Aviation.

These requirements have also been integrated into Part-FCL and Part-ATCO.

In accordance with ICAO Annex 1 article 1.2.9., aeroplane, airship, helicopter and powered-lift pilots who are required to use the radio telephone aboard an aircraft shall demonstrate the ability to speak and understand the language used for radiotelephony communications to the level specified in the language proficiency requirements as specified in the Holistic Descriptors introduced in ICAO Annex 1 (see annex).

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It is recommended that pilots of gliders and balloons should have the ability to speak and understand the language used for radiotelephony communications.

The language proficiency requirements are applicable to the use of both phraseologies and plain language.

To meet the language proficiency requirements contained in FCL.055, an applicant for a licence or a licence holder shall demonstrate, in a manner acceptable to the Authority, the ability to:

- a) Communicate effectively in voice-only (telephone/radiotelephone) and in face-to-face situations;
- b) Communicate on common and work-related topics with accuracy and clarity;
- c) Use appropriate communicative strategies, to exchange messages and to recognize and resolve misunderstandings (e.g. to check, confirm, or clarify information) in a general or work-related context;
- d) Handle successfully the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine work situation or communicative task with which they are otherwise familiar; and
- e) Use a dialect or accent which is intelligible to the aeronautical community.

2.2 VALIDITY OF LANGUAGE PROFICIENCY ENDORSEMENTS

The language proficiency of aeroplane, airship, helicopter and powered-lift pilot shall be formally evaluated at intervals in accordance with an individual's demonstrated proficiency level as follows:


- a) 4 years if the Language Proficiency level demonstrated is Operational Level (level 4) of the ICAO Language Proficiency Rating; or
- b) 6 years if the Language Proficiency level demonstrated is Extended Level (level 5) of the ICAO Language Proficiency Rating.

Formal re-evaluation is not required for applicants who have previously demonstrated expert (level 6) Language Proficiency, e.g. native and very proficient non-native speakers with a dialect or accent intelligible to the international aeronautical community.

2.3 OPTIONS TO OBTAIN, REVALIDATE OR RENEW A LANGUAGE PROFICIENCY RATING

2.3.1 *Initial Assessments*

All tests for candidates who do not yet hold a Language Proficiency endorsement in English have to take place at the DAC Exam Centre. Candidates should apply at least 8 days in advance, using the form DAC-LIC 203-01. Candidates will receive a notification by e-mail 5 working days before the assessment session.

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Any exceptions to this rule must be arranged with the Licencing Department before the assessment takes place.

2.3.2 Revalidations and renewals

Revalidations and renewals of Language Proficiency ratings having expired for less than 3 years can be done either at the DAC Exam Centre or in flight. Pilots who wish to take their test in flight may directly contact the Language Assessor of their choice. The respective form (DAC-LIC 203-02) has to be filled in after the flight.

Renewals of Language Proficiency ratings having expired for more than 3 years must be done at the DAC Exam Centre as described under 3.3.1. above.

2.4 PREREQUISITES

Candidates have to hold a valid radiotelephony licence in English. Student pilots who wish to take the Language Proficiency test must have passed at least the theoretical knowledge examination in the subject "Communications".

It is however recommended that candidates for an aviation activity taking place in an English-speaking environment should be assessed by the ATO before starting their training.

2.5 DAC EXAM CENTRE

2.5.1 Scheduling of tests

Language Proficiency assessments at the DAC Exam Centre generally take place twice a month. The schedule is published on the DAC website at the beginning of each year.

6-8 candidates will be accepted per session.

2.5.2 Test procedure


The test is composed of two parts: "listening comprehension" and "speaking ability".

Candidates are required to listen to short excerpts of ATC communications and choose the correct answer on a multiple-choice answer sheet. If the listening comprehension test is failed, candidates cannot proceed to the speaking test until they have successfully re-taken the listening test.

For the speaking ability part, candidates are shown an aviation-related photograph which they have to describe, followed by a minimum of seven aviation-related questions. This part lasts about 10 minutes.

At the end of the session, candidates receive a detailed debriefing including the exam result and recommended areas for improvement.

Level 4 has to be reached in all 6 language domains defined by ICAO (Pronunciation, vocabulary, fluency, structure, comprehension and interaction).

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The assessment is based on the Holistic descriptors issued by ICAO and EASA.

All assessments are conducted by two assessors.

2.5.2.1 Uncertain results and failed tests

All interviews taking place in the DAC Exam Centre are recorded. Recordings are treated confidentially, and will only be used in case the assessors at the exam centre cannot agree on a result, and request the opinion of a third assessor, or if the candidate wishes to appeal against a failed assessment result.

If the test is failed, the candidate has to re-take the examination at the DAC Exam Centre.

2.6 ASSESSMENT IN FLIGHT

If the test takes place in flight, the listening comprehension part is accepted as passed if the candidate demonstrates adequate comprehension and handling of ATC communications. The speaking ability part is tested during an interview after the flight. The procedure is identical to the exam centre procedure described above. Assessments in flight may be conducted by one assessor.

The assessor shall ensure that the interview takes place in a quiet environment and without distractions. In order to be able to obtain a second opinion in case of an uncertain examination result or a failed assessment, the assessor should record the interview.

In case of failure, it is recommended that the pilot retakes the test in an exam centre. Thus, a greater degree of objectivity can be granted and the pilot can perform the listening comprehension under controlled conditions.

2.7 LANGUAGE PROFICIENCY REQUIREMENTS FOR THE VALIDATION OR CONVERSION OF AN ICAO LICENCE ISSUED BY A THIRD COUNTRY


In accordance with Commission Delegated Regulation (EU) 2020/723 of 4 March 2020, pilots wishing to obtain a validation or conversion of a licence issued in accordance with ICAO Annex I by a country that is not a member state of EASA, have to provide evidence of holding a Language Proficiency endorsement in accordance with Part-FCL.

These pilots shall do their assessments with a DAC assessor, either in flight or at the DAC Exam Centre, or with any assessor authorised by a Civil Aviation Authority of another EASA Member state. In this case, a copy of the assessor's authorisation shall be added to the application.

2.8 APPEAL PROCEDURE

Candidates wishing to contest their assessment result shall address their request to the DAC within the 10 days following the Language Proficiency assessment by e-mail or letter.

The recording of their interview will then be analysed by three language assessors, and an official written statement confirming the result will be addressed to the candidate.

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In case the candidate does not accept this result, appeals shall be addressed to the Director of the Direction de l'Aviation Civile.

2.8.1 Endorsement of Language Proficiency ratings

2.8.1.1 Part-FCL / SFCL / BFCL licences

Language Proficiency revalidations may be manually endorsed on the reverse of Luxembourgish Part-FCL, Part-SFCL or Part-BFCL licences by DAC assessors who are also certified as Examiners by DAC, and authorised in accordance with the Procedure DAC-LIC 102.

For tests conducted by other DAC assessors, the licence shall be reissued by the DAC Licencing Department, with the new validity date endorsed in section XIII.

2.8.1.2 ULM or parachutist licences

National ULM or parachutist licences shall be manually endorsed by a Licencing agent, detailing the language, level and expiry date.

2.8.1.3 Student pilots

For student pilots, the DAC Licencing Department will file the assessment results in the student's training file until the student has passed the PPL Skill Test, and then endorse the Language Proficiency on the PPL.

2.8.1.4 Candidates not holding a Luxembourgish licence

Candidates of the DAC Exam Centre who are not pilots or who are holders of foreign licences receive a certificate detailing the date of assessment, language, level and the expiry date of the rating, signed by the assessors having performed the assessment.


Holders of foreign licences who wish to pass an assessment with a DAC assessor should clarify in advance whether their Competent Authority is willing to accept the DAC assessments.

2.9 ACCEPTANCE OF NON DAC CERTIFIED ASSESSORS

So far, no automatic recognition by other EASA Member States can be guaranteed for Language Proficiency.

However, DAC accepts all foreign assessment where the applicant can prove that he/she passed the language assessments of level 4, 5 or 6 with an assessor authorised by another EASA Member State. Applicants are requested to add the assessor's authorisation to their application.

Foreign assessors may use their own Authority's assessment forms.

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2.10 CONSEQUENCES IN CASE OF FLIGHT ACTIVITIES WITHOUT A VALID LANGUAGE PROFICIENCY ENDORSEMENT

Pilots shall not exercise the privileges of their licence and their ratings unless they have a valid language proficiency endorsement on their licence.

If it is discovered that a pilot has flown despite not holding a valid Language Proficiency endorsement, any solo or PIC flight hours performed during that period cannot be counted towards the required flight experience for the revalidation of a rating.

In case of a repeated offence by the same pilot, the “Commission spéciale des licences” may be summoned by the Director of the Direction de l'Aviation Civile and the licence may be limited, suspended or revoked in accordance with the respective Procedure DAC-LIC 002.

2.11 LANGUAGE PROFICIENCY ENDORSEMENTS FOR OTHER LANGUAGES

DAC will transfer any valid Language Proficiency qualification endorsed on a foreign licence by the issuing Authority if the pilot requests a licence transfer.

However, at this stage, DAC does not organise Language Proficiency assessments in any language other than English. Pilots holding a Language Proficiency endorsement on a level lower than 6 in another language shall submit their revalidation or renewal assessment result as well as a copy of the assessor's authorisation to DAC after taking the assessment in another country.

Holders of a Luxembourgish licence wishing to obtain a Language Proficiency endorsement in any language other than English shall submit their assessment result as well as a copy of the assessor's authorisation to DAC after taking the assessment in another country.


2.12 LANGUAGE PROFICIENCY ASSESSORS

2.12.1 Initial issue

In order to become a Language Proficiency assessor for the DAC Exam Centre, the applicant shall be either a Flight Instructor, or an agent of DAC with in-depth knowledge of the English language, as well as a background in personnel licencing or as a pilot.

As the DAC Exam Centre is using the Swiss Language Assessment system, new assessor applicants shall take part in a FOCA Switzerland Language Proficiency assessor course.

Holders of an assessor rating in another EASA Member State who have transferred their licence to Luxembourg may keep their assessor privileges if they receive an introduction to the system used by DAC, and attend at least one assessment session at the DAC Exam Centre, where they shall observe the assessment system and perform at least one interview under the supervision of a DAC assessor. Form DAC-LIC 203-08 shall be used to document the assessor's performance.

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Assessor privileges in accordance with this chapter are endorsed on Part-FCL licences in the "Examiner" subsection of section XII, detailing the language and level they are allowed to assess, as well as the expiry date of the rating.

Assessors not holding a Part-FCL licence shall obtain an assessor certificate detailing their privileges and the expiry date of the certificate.

Newly certified Language Proficiency assessors are provided with a copy of the DAC Information Note on Data Protection for Language Proficiency assessors and have to confirm receipt of this document.

The list of the DAC Language Proficiency assessors and their contact data has been integrated into the examiner list (DAC-LIC 401-01) and is published on the DAC website.

2.12.2 Oversight of the DAC Exam Centre Language Assessors

A DAC Licencing Inspector may join the assessors at the assessment centre or during an assessment in flight as an observer to evaluate if they are conducting assessments in accordance with the requirements set by the Aircrew Regulation and ICAO, as well as the present Procedure.

These inspections shall be documented using Form DAC-LIC 203-08.

2.12.3 Validity and Revalidation

The assessor certificate is valid for 3 years. If the assessor wishes to have it revalidated, he/she shall apply to DAC using the form DAC-LIC 203-03, and provide evidence of having performed at least 2 language assessments per year during the last period of validity.

2.12.4 Renewal

If an assessor certificate has expired, the assessor shall complete refresher training consisting of at least one assessment under the supervision of a DAC language assessor, to be documented through form DAC-LIC 203-3.


2.13 FEES

DAC assessors, except for those employed by DAC or ALSA, are free to negotiate their fee for language assessments conducted in flight. The candidate shall directly pay the assessor.

If the licence has to be reissued or a national licence endorsed by the Licencing Department, the applicable fee shall be paid to ALSA by the candidate.

For assessments at the DAC Exam Centre, candidates shall provide proof of payment before starting the examination.

For the endorsement of an assessment done with a non-DAC assessor, proof of payment of the fee for the endorsement has to be submitted with the assessment documents to the Licencing Department.

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2.14 RECORD-KEEPING

For the general record-keeping procedure, refer to Chapter 5 of Procedure DAC-LIC 003.

Records of Language Proficiency testing as well as the certification and supervision of Language Proficiency Assessors are kept in accordance with ARA.GEN.220 and AMC1 ARA.GEN.220(a)(5) Record-keeping, in paper form, digital form or both. Documentation is kept for at least 5 years. After this period, physical documents may be transferred to the “National Archive”. Records will be kept for 10 years after the cessation of activity of the pilot or Assessor.

Digital records are kept on the DAC servers for 10 years after the cessation of activity of the pilot or Assessor.

However, recordings of “speaking ability” interviews conducted at the DAC Exam Centre are deleted after 10 years, independent of the candidate’s ongoing activity.

