



IMPLEMENTATION PLAN
PROFICIENCY IN THE ENGLISH LANGUAGE
USED FOR RADIOTELEPHONY COMMUNICATION

DIRECCIÓN GENERAL DE AVIACIÓN CIVIL
SPAIN

SUMMARY

The complete version of the “Implementation Plan for proficiency in the English language used for radiotelephony communication” for Spain has been developed according to ICAO State letter AN 12/44.6-07/68, Attachment B - Guidelines, and is posted in the Spanish language explaining the present status of implementation. In order to facilitate quick access to that information and understanding of the Plan to all ICAO States, this translated summary is presented outlining the most relevant features, together with the Tables 1 to 5 included in those Guidelines.

In general terms the Plan reflects the program the DGAC engaged for the introduction of Amendment 164 to Annex 1, and stems from the provisions of ICAO Assembly Resolution A 36-11. It details the actions which have been developed and are being implemented, the progress achieved, as well as prospects for its early completion through full and formal application of all the new ICAO standards and recommended practices related to language proficiency, including a risk assessment to conclude in an equivalent level of safety.

The program consisted of a wide-ranging series of activities spanning from the drafting and publication of the relevant legal texts, implementation procedures related to the assessment system, approval and supervision of testing centres and accreditation of their personnel, to the associated administrative procedures.

The amended ICAO provisions imply the introduction of several new requirements within the national regulatory framework, applicable to both pilots and air traffic controllers, and has to be accommodated to the European legal context. That relates to EC Directive 2006/23 on air traffic controller licences, to be transposed by Ministerial Order, whereby the applicability date for language proficiency provisions is may 2010. As regards pilots, aeroplane and helicopter, respective amendments 7 and 6 to the JAR-FCL Parts 1 and 2 (2007) are to be transposed through two Ministerial Orders, and the corresponding texts were actually launched time ago. However the need for a higher layer of regulation was then identified by the Legal services for this particular instance, demanding an additional Royal Decree to be promulgated prior to those Orders. This unexpected circumstance has lead to the current delay to complete the whole process, with publication dates now envisaged for september and november of this year.

In the meantime substantial progress has been achieved in the preparation of the associated implementing procedures -to be applicable at that moment- and dialogue with interested parties, industry and personnel organisations, to facilitate a smooth introduction of the new scheme.

The scope of the system developed contemplates all the elements prescribed in Annex 1, including:

- language proficiency holistic descriptors and rating scale
- formal evaluation and intervals in accordance with demonstrated proficiency levels
- approved assessment organizations conditions and oversight

and is to become fully compliant with the ICAO requirements. The full picture of the status of the national regulatory framework is depicted in Table 1.

On the other hand the Civil Aviation Authority proceeded to a pragmatic assessment regarding the language proficiency of licence holders involved in international operations in terms of compliance with the required levels, the corresponding risk assessment and determination of eventual mitigation measures which might be needed. For pilots, and based on existing assessment methods, a level 4 (operational) corresponds according to JAR-CL 1 & 2 for licences until 5 march 08, thereafter a specific test is to be used to ensure the appropriate level. Air traffic controllers, based on recruitment conditions, training course and subsequent test procedures, are assigned a level commensurate with operational level 4 or higher. Therefore no further measures are deemed necessary from a safety perspective. These aspects concerning estimates of implementation levels and risk mitigation are detailed in Tables 2 and 5.

Pilot licences holders will be issued accordingly a nominal attestation of their English proficiency, to be carried with the licence and with validity not exceeding 5 march 2011 in any case.

Any communications or queries related to the Plan may be addressed to the nominated Focal Point for Language Proficiency, whose contact details appear in Table 1 below.

Focal Point Information	
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TABLES

Table 1 – National Regulatory Framework

Standards and Recommended Practices (SARPs)		Compliance		
		Yes, the regulatory framework is in place. <i>Indicate Reference</i>	The regulatory framework is partially in place. <i>Briefly describe what is in place, remaining work and expected date of completion</i>	No, the national regulatory framework has not yet been established. <i>Indicate the type of provision envisaged and the expected date of introduction</i>
Annex 1	1.2.9.1	<i>Ministerial Orders 876/2003 (aeroplane pilots) and 3811/2004 (helicopter pilots)</i>		
	1.2.9.2	<i>Art. 3b) R. Decree 3/1998</i>		
	1.2.9.4, Appendix 1, Attachment A			- R. Decree (Sep.2008) ¹ and 2 Ministerial Orders (Nov 2008) ² - R. Decree ³ (May 2010) and Ministerial Order ⁴ (May 2010)
	1.2.9.6			-2 Ministerial Orders (Nov2008) ² - Ministerial Order ⁴ (May 2010)
	1.2.9.7 (Recommended Practice)			-2 Ministerial Orders (Nov2008) ² - Ministerial Order ⁴ (May 2010)
	5.1.1. XIII)			-2 Ministerial Orders (Dic 2008) ² - Ministerial Order ⁴ (May 2010)
Annex 6	Part I – 3.1.8	<i>Ap.1.940 a)3, Subpart N, Annex to R..Decree 220/2001 (JAR OPS 1)</i>		
	Part III – 1.1.3	<i>Ap.3.940, Subpart N, Annex to R..Decree 279/ 2007 (JAR OPS 3)</i>		
Annex 10, Volume II	5.1.1.1	<i>Ap. 10.5.1.1.1, R. Decree 57/2002, as amended by Order PRE/2733/06</i>		
	5.2.1.2.1	<i>Ap. 10.5.2.1.1, R. Decree 57/2002, as amended by Order PRE/2733/06</i>		
	5.2.1.2.2	<i>Ap.10.5.2.1.1.2, R. Decree 57/2002, as amended by Order PRE/2733/06</i>		
	5.2.1.2.3	<i>Ap.10.5.2.1.1.3, R. Decree 57/2002, as amended by Order PRE/2733/06</i>		
Annex 11	2.29.1			<i>Ministerial Order⁴ (May 2010)</i>
	2.29.2	<i>Art. 1 R. Decree 3/1998</i>		

¹ Amending R.Decree 270/2000

² Amending Ministerial Order for JAR FCL-1 (aeroplane pilots) and Ministerial Order for JAR FCL-2 (helicopter pilots)

³ Amending R.Decree 3/1998

⁴ Ministerial Order transposing EC Directive 2006/23 (air traffic controllers)

Table 2 – Estimate of National Level of Implementation

Table 2.1: Estimate of implementation level - aeroplane pilots

Date: February 2008				
Pilots involved in international operations	ATPL	CPL	MPL	Method of Assessment of Level of Proficiency
Level 3 and below	-	-	N/A ²	
Level 4	100%	100%	N/A ²	Licence holders with IR (A) or a radiotelephony operator certificate in English (R/T) (JAR FCL 1.005)
Level 5	N/E ¹	N/E ¹	N/A ²	
Level 6	N/E ¹	N/E ¹	N/A ²	
PPL				
Date: February 2008				
Number of PPLs potentially involved in international operations	448 (100% Level 4)	Briefly describe the method of Assessment of Level of Proficiency	Licence holders with IR (A) or a radiotelephony operator certificate in English (R/T) (JAR FCL 1.005)	

¹ Levels above 4 not yet assessed

² Not applicable

Table 2.2: Estimate of implementation level - helicopter pilots

Date: February 2008				
Pilots involved in international operations	ATPL	CPL	MPL	Method of Assessment of Level of Proficiency
Level 3 and below	-	-	N/A ²	
Level 4	100%	100%	N/A ²	Licence holders with IR (A) or a radiotelephony operator certificate in English (R/T) (JAR FCL 1.005)
Level 5	N/E ¹	N/E ¹	N/A ²	
Level 6	N/E ¹	N/E ¹	N/A ²	
PPL				
Fecha: February 2008				
Number of PPLs potentially involved in international operations	6 (100% Level 4)	Briefly describe the method of Assessment of Level of Proficiency	Licence holders with IR (A) or a radiotelephony operator certificate in English (R/T) (JAR FCL 1.005)	

¹ Levels above 4 not yet assessed

² Not applicable

Table 2.3: Estimate of implementation level – air traffic controllers

Date: February 2008					
Controllers involved in international operations	Aerodrome	Approach	Area	Student	Método de evaluación empleado
Level 3 and below	-	-	-	-	
Level 4	691 (100%)	511 (100%)	694 (100%)	48 (100%)	Test to access the air traffic controller basic training course and test after the course for obtaining the licence
Level 5	N/E ¹	N/E ¹	N/E ¹	N/E ¹	
Level 6	N/E ¹	N/E ¹	N/E ¹	N/E ¹	

¹ Levels above 4 not yet assessed

Table 3 – Language Proficiency Training Programmes

State oversight of aviation language training has been established Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If no, expected date of establishment:
Language Training will be provided through: (Check all that apply)	
Air Navigation Service Provider	X
Air Operator/Airline	X
Educational Institutions	
Private organizations	X

Table 4 – Language Proficiency Assessment (or Testing) for Licensing Purposes

State oversight of aviation language assessment has been established.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If no, expected date of establishment: December 2008
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Pilots	
The Language Proficiency Assessment was/is/will be developed by:	
Civil Aviation Authority	
Air Operator	
Educational Institution	
Private Organization	X
<i>Optionally, indicate the private organization used</i>	
The Language Proficiency Assessment was/is/will be administered by:	
Civil Aviation Authority	
Air Operator	X
Educational Institution	
Private Organization	X
<i>Optionally, indicate the private organization used</i>	

Controllers	
The Language Proficiency Assessment was/is/will be developed by:	
Civil Aviation Authority	
Air Navigation Service Provider	
Educational Institution	
Private Organization <i>Optionally, indicate the private organization used</i>	X
The Language Proficiency Assessment was/is/will be administered by:	
Civil Aviation Authority	
Air Navigation Service Provider	X
Educational Institution	
Private Organization <i>Optionally, indicate the private organization used</i>	X

Table 5 – Interim Measures to Mitigate the Risk²

Pilots (international operations)	2008	2009	2010
Commercial multi-pilot operations	Specific test in English Language	N/A ¹	N/A ¹
General aviation multi-pilot operations	Specific test in English Language	N/A ¹	N/A ¹
Commercial single-pilot operations	Specific test in English Language	N/A ¹	N/A ¹
General aviation single-pilot operations	Specific test in English Language	N/A ¹	N/A ¹
Controllers		N/A ²	N/A ^{2,3}

¹ Full application of the new system according to amendment 164 of ICAO Annex 1 is envisaged before that year

² See 4.2 in the text of the Plan

³ Full application of the new system according to EC Directive 2006/23 is envisaged before that year