



Date
27 June 2022

Number
ILT-2022/9719

General Approval

Date	27th June 2022
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Subject	Pipistrel Virus electro (SW 128): Licensing, training, testing and checking under VFR

Valid until: 31 December 2024

**This General Approval replaces per 30th
June 2022 the approval issued on 1st
October 2020 with reference ILT-
2020/53408**

The Civil Aviation Authority of The Netherlands and pursuant to article 71(2) of Regulation (EU) No. 2018/1139, grants an exemption for the following requirements:

Commission Regulation (EU) No 1178/2011

- Part FCL
- All requirements applicable or referring to the single-engine piston (SEP) class aeroplanes.

Summary of the exemption:

While Regulation (EU) 2018/1139 applies to aircraft irrespective of its kind of propulsion, the requirements of Annex I (Part-FCL) to Commission Regulation (EU) No 1178/2011 apply only to aircraft with 'piston' and 'turbine' propulsion, and at the moment do not include 'electric' propulsion. The current Part-FCL requirements are thus not fit for the pilots intending to obtain privileges for the new Pipistrel Virus Electro SW 128 aeroplane with an electric engine, although this aeroplane falls under the scope of Regulation (EU) 2018/1139 and was certified by EASA (EASA TC NO. EASA.A.573) on 10.06.2020.

An exemption is therefore necessary in order to adequately address the urgent needs of pilots, training organisations and instructors and examiners intending to operate Pipistrel Virus Electro SW 128 aircraft. Under this exemption those pilots, training organisations and instructors and examiners are permitted, by derogation from Part-FCL, to operate that aircraft in VFR under the existing single-engine piston (SEP) aeroplane class ratings. In order to ensure safety and compliance with the essential requirements for aircrew this exemption is granted under certain conditions (see mitigating measures below).

Date
27 June 2022
Number
ILT-2022/9719

This exemption concerns only the Pipistrel Virus Electro SW 128 aeroplanes registered in The Kingdom of The Netherlands (The Netherlands) and is granted to persons (pilots, training organisations, instructors and examiners) under the oversight of the *Civil Aviation Authority – The Netherlands (CAA NL)* which have the urgent need to operate those aircraft.

The duration of the exemption was fixed by The Netherlands taking into account the rulemaking plans of the European Union Aviation Safety Agency concerning introduction of aircrew licensing requirements for aircraft with electric propulsion [RMT.0678] (Entry into Force of the amending regulation is now planned for 2023/Q4 according to the latest re-planning communicated through EPAS 2022-2026). Until those requirements are introduced by the European Commission into Commission Regulation (EU) No 1178/2011, pilots, training organisations, instructors and examiners cannot ensure compliance with the applicable requirements of Part-FCL in order to obtain privileges necessary to operate those aircraft registered in The Netherlands.

All of the following shall apply:

In order to ensure adequate level of safety, holders of a single-engine piston (SEP) class rating for aeroplanes and applicants for those ratings, to whom this exemption has been granted, shall comply with all of the following conditions when operating or intending to operate the Pipistrel Virus Electro SW 128 aeroplane (hereinafter: SW 128) covered by this exemption under VFR. Those conditions shall be applicable to those persons in lieu of the corresponding requirements of Commission Regulation (EU) No 1178/2011 applicable or referring to the SEP class aeroplanes, as follows (references to Annex I (Part-FCL) to Regulation (EU) No 1178/2011, unless specified otherwise):

- (a) The SW 128 shall be treated as a variant within the single-engine piston class.
- (b) The training as set out in the Pipistrel document 'DOT-128-00-11-401 – Virus SW 128 Difference Training Programme' shall be included in:
 - (1) flight training for an LAPL(A) (as per point FCL.115) or PPL(A) (as per point FCL.210) that is conducted in the SW 128.
 - (2) the differences training (as per points FCL.135.A(b) and FCL.710) for extending SEP class privileges to the SW 128.

(c) For extending SEP class privileges from the SW 128 to SEP variants with a piston engine, differences training (as per points FCL.135.A(b) and FCL.710) shall consist of elements from the SEP class privileges/rating training, as necessary for the candidate to acquire the competence to safely operate SEP variants with a piston engine.

Date
27 June 2022
Number
ILT-2022/9719

(d) Compliance with the recency requirements specified in point FCL.140.A will include privileges for both SEP variants with piston engines and the SW 128 only if the LAPL holder completes:

- (1) in the case of point FCL.140.A(a) and, as applicable, point FCL.140.A(b)(2), 12 hours of flight time on SEP variants with piston engines or the SW 128 or a combination of both, including all of the following:
 - (i) at least 3 hours on SEP variants with piston engines;
 - (ii) at least 3 hours on the SW 128;
 - (iii) on SEP variants with a piston engine, a training flight as specified in point FCL.140.A(a)(2);
 - (iv) on the SW 128, a training flight of a least 40 minutes with a flight instructor (FI) or a class rating instructor (CRI); or
- (2) in the case of point FCL.140.A(b)(1), a proficiency check on each SEP variants with a piston engine and the SW 128.

(e) Compliance with the revalidation requirements in point FCL.740.A(b) will include privileges for both SEP variants with piston engines and the SW 128 only if the SEP class rating holder completes:

- (1) within the 12 hours of flight time, as required by point FCL.740.A(b)(1)(ii):
 - (i) at least 3 hours on SEP variants with piston engines;
 - (ii) at least 3 hours on the SW 128;
 - (iii) on SEP variants with a piston engine, a training flight as specified in point FCL.740.A(b)(1)(ii);
 - (iv) on the SW 128, a training flight of at least 40 minutes with a flight instructor (FI) or a class rating instructor (CRI); or
- (2) in the case of point FCL.740.A(b)(1)(i), a proficiency check on each SEP variants with a piston engine and the SW 128.

(f) If the SEP class rating holder, in accordance with point FCL.740.A(b)(1)(ii), wishes to revalidate privileges for the SW 128 only, the required training flight shall have a minimum duration of 40 minutes.

(g) The content of the training flight, as specified in points (d)(1)(iv), (e)(1)(iv) and (f) of this exemption, shall include all of the following:

- (1) battery overheating emergency procedure;
- (2) battery malfunctions:
 - (i) SOC;
 - (ii) reduced battery endurance management (loss of battery);
 - (iii) battery overheating and battery fire (emergency drills and procedures);

(3) power (thrust) reduction after derating system activation, simulated by reduced power.

Date
27 June 2022

(h) Compliance with the renewal requirement in point FCL.740(b)(1) will only include privileges either for SEP variants with a piston engine or the SW 128, depending on the aircraft used for the proficiency check.

Number
ILT-2022/9719

(i) A student pilot who is undergoing LAPL(A) or PPL(A) training in an SW 128 shall be authorised in accordance with point FCL.020(a) to undertake the necessary solo flights and cross-country flights on an SEP variant with a piston engine only after he or she has acquired the competence to safely operate such SEP variants.

(j) The instructor, the examiner or the training organisation, as applicable, shall specify in all of the following documentation that training, testing or checking, as applicable, was carried out on the basis of this Exemption:

- (1) in the case of point (b)(1) of these mitigating measures:
 - (i) the training records as per point ORA.ATO.120 of Annex VII (Part-ORA) and point DTO.GEN.220 of Annex VIII (Part-DTO) to Regulation (EU) No 1178/2011;
 - (ii) the recommendation for skill test (as per point FCL.030(b));
- (2) in the case of points (b)(2), (c), (d)(1), (e)(1) or (f) of these mitigating measures, the instructor's entry into the logbook of the pilot;
- (3) in the case of points (d)(2), (e)(2) or (h) of these mitigating measures, or in the case of a skill test for the issuance of an LAPL(A) or a PPL(A) in an SW 128, the examiner's report of the skill test or proficiency check (as per point FCL.1030(b)(3)).

The Minister of Infrastructure and Water
Management, on his behalf,

