



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 05.03.1999

COM(1999)68 final

97/0212 (SYN)

Amended proposal for a

COUNCIL DIRECTIVE

on safety requirements and attestation of professional competence  
for cabin crew in civil aviation

(presented by the Commission pursuant to Article 189 a (2)  
of the EC-Treaty)

## Explanatory Memorandum

On 22 July 1997 the Commission adopted a proposal for a Council Directive on safety requirements and attestation of professional competence for a cabin crew in Civil Aviation<sup>1</sup>.

The European Parliament approved this proposal on 19 February 1998 subject to 18 amendments, three of which are acceptable to the Commission.

Amendments 4 to article 5(1) and 5(2) add clarity to the text and the Commission can accept them as well as Amendment 8 which seeks to uphold the established rights of experienced cabin crew members (grandfather rights) when the Directive enters into force.

Amendment 1 is somewhat superfluous since the content of the training programmes is laid down in the annexes to the Directive itself and will be universally applicable. To centralise each and every programme at Community level is over-bureaucratic with little, if any, added value.

The Commission understands that Amendment 2 as well as amendments 9-12 and 14-17, could have for consequences to extend the provisions of the Directive to staff, such as beauticians, secretaries and medical companions, who are only on board an aircraft for purely commercial reasons and have no safety role to play.

The Commission cannot support amendments 3 and 13 which specify the regularity of medical checks. When legislating consideration must be given to the costs of legislation and who shall bear these costs. If costs rose dramatically as a result of the proposal, resistance would undermine its very objective, so it is best to leave such decisions to the national authorities. Further harmonisation in this field could be considered in the future if proved necessary.

Amendment 6 like Amendment 1 is over-bureaucratic and adds very little, if any, value to the Directive.

Amendment 7 seems unnecessary, since, in practice, cabin crew automatically receive conversion training when changing from one aircraft type to another and the obligations for and regulation of recurrent training are laid down in Article 5 and the Annexes to the Directive.

Finally, Amendment 18 would increase the required frequency of recurrent training well beyond the requirements of JAR-OPS, from which the proposal is inspired, and the Commission, as explained in its explanatory memorandum, has not found, after careful examination, any justification for such an increase.

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<sup>1</sup> COM (97) 382 final – 97/0212 (SYN)

Modified Proposal for a COUNCIL DIRECTIVE  
on safety requirements and attestation of professional competence for  
cabin crew in civil aviation

(Amendment 4)  
Article 5(1)

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| 1. A cabin crew member assigned to safety functions have successfully completed an initial training covering at least the subjects listed in Annex I. | 1. A cabin crew member assigned to safety functions must <u>first</u> have successfully completed an initial course of safety training covering at least the subjects listed in Annex I. |
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(Amendment 5)  
Article 5(2)

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| 2. A cabin crew member assigned to safety functions on a specific aircraft must have completed a conversion or differences training covering at least the subjects listed in Annex II. | 2. A cabin crew member assigned to safety functions on a specific aircraft must <u>first</u> have completed training covering at least the |
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(Amendment 8)  
Article 9 paragraph 3 bis (new)

1. Cabin crew members who are already assigned to safety functions on aircraft used by Community air carriers upon the date of adoption of this Directive (hereafter called "existing cabin crew") shall by way of derogation from paragraphs 1 and 2 of article 5 be subject to the following provisions.
2. Within the 6 months following the date of adoption of this directive, each Member State shall compare the requirements imposed by this directive in relation to the training of cabin crew with those it imposes upon the date of adoption hereof on cabin crew members in order to exercise their functions on board aircraft used by operators to which it

has granted air operators certificates and establish the list of training and/or checks, if any, it will require in addition to the training followed prior to the date of adoption hereof in order to ensure a level of professional competence equivalent to that required by this Directive. The comparative analysed and lists shall be communicated to the Commission and the other Member States by the end of such six month period. This list of additional training and checks shall form part of the measures to be taken by the Member State pursuant to this directive.

3. Existing cabin crew members shall be required to fulfil such additional requirements within eighteen months from the date of adoption of this directive at the latest in place of the requirements set out in paragraph 1 and 2 of Article 5 and the attestation of professional competence to be issued pursuant to paragraph 3 of Article 7 shall expressly refer thereto.

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