

Loyola de Palacio
Vice-President of the European Commission

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Brussels, **04 FEB. 2004**
A-153 / D-265

Dr Caroline Lucas
Member of the European Parliament
European Parliament, Office 8G103
Rue Wiertz
B-1047 Brussels
BELGIUM

Dear Ms Lucas,

Thank you for your letter dated 12 January 2004 concerning maximum age limit for pilots acting as commanders.

I am aware of the divergence among Member States rules relating to the maximum age for pilots involved in public transport. However, as you note in your letter, such age limit for pilots does not derive from any provision of Community law but from agreements reached under the auspices of some international and regional specialised bodies such as the International Civil Aviation Organization (ICAO) and the Joint Aviation Authorities (JAA).

In addition, the European Employment Directive you refer to in your letter does not automatically imply that JAR-FCL will become binding at Community level from December 2006.

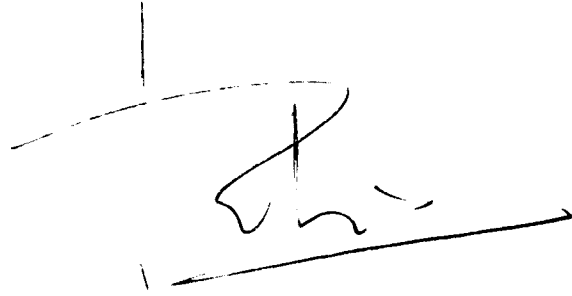
I would also like to point out that the States you are quoting in your letter do follow the international regulations. In that sense, according to Annex 1 (Personnel Licensing) to the Convention on International Civil Aviation, signed in Chicago on 7 December 1944, a Contracting State shall not permit pilots to act as pilot-in-command of an aircraft engaged in international air services if the pilot licence holders have attained their 60th birthday.

Furthermore, the reduction of privileges decided by some Member States, such as to prohibit pilots over 60 years old to act as commanders but to allow them to act as co-pilots for instance, remains as well in line with JAR-FCL requirements since JAA JAR-FCL 1.060 (Curtailment of privileges of license holders aged 60 or more) indicates that beginning from the age of 60, the flight crew member privileges are

reduced, and from the age of 65 it is not possible any more to act as pilot in Commercial air transportation.

As regards the social aspects of your letter, Ms Anna Diamantopoulou, Commissioner for Employment and Social Affaires, will provide you with an appropriate answer to your concerns.

Yours sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a surname that appears to be 'Diamantopoulou'. The signature is written in a cursive style and is positioned below the closing 'Yours sincerely,'.