
STATUTORY INSTRUMENTS

2007 No. 3467

The Air Navigation (Amendment) (No. 2) Order 2007

Changes concerning the National Private Pilot's Licence (Aeroplanes)

5.—(1) For article 27(4) substitute—

“(4) Subject to paragraph (5), the CAA may, subject to such conditions as it thinks fit, include in any United Kingdom licence or JAR-FCL licence, any rating or qualification specified in Section 1 of Part B of Schedule 8, upon being satisfied that the applicant is qualified by reason of his knowledge, experience, competence, skill and physical and mental fitness to act in the capacity to which the rating or qualification relates, and such rating or qualification is deemed to form part of the licence.

(4A) The CAA may, subject to such conditions as it thinks fit, include in any United Kingdom licence, JAR-FCL licence or National Private Pilot's Licence (Aeroplanes), any rating specified in Section 2 of Part B of Schedule 8, upon being satisfied that the applicant is qualified by reason of his knowledge, experience, competence, skill and physical and mental fitness to act in the capacity to which the rating relates, and any such rating is deemed to form part of the licence.”

(2) For article 27(5) substitute—

“(5) The CAA shall not grant a flying instructor's rating (aeroplanes), an assistant flying instructor's rating (aeroplanes), a flying instructor's rating (helicopters) or an assistant flying instructor's rating (helicopters).”.

(3) For the heading to article 28 substitute “Maintenance of privileges of aircraft ratings specified in Section 1 of Part B of Schedule 8 in United Kingdom licences for which there are no JAR-FCL equivalents except for Basic Commercial Pilot's Licences, Flight Engineer's Licences and Flight Navigator's Licences.”

(4) In article 28(2) for “contained in the licence” substitute “specified in Section 1 of Part B of Schedule 8 and included in the licence”.

(5) In article 28(3) for “contained in the licence” substitute “specified in Section 1 of Part B of Schedule 8 and included in the licence”.

(6) For article 28(4) substitute—

“(4) The holder of a United Kingdom Private Pilot's Licence (Gyroplanes) is not entitled to exercise the privileges of an aircraft rating specified in Section 1 of Part B of Schedule 8 and included in the licence unless the certificate of test or certificate of experience required by paragraph (2) is included in the personal flying log book required to be kept by him under article 35.”.

(7) After article 28 insert—

“Maintenance of privileges of Flight Navigator's Licences

28A. The holder of a Flight Navigator's Licence is not entitled to perform functions on a flight to which article 25(9) applies unless the licence bears a valid certificate of experience which certificate is appropriate for the functions he is to perform on that flight in accordance with Section 1 of Part C of Schedule 8 and which otherwise complies with that Part.”.

(8) In the heading to article 29 after “aircraft ratings” insert “specified in Section 1 of Part B of Schedule 8”.

(9) In article 29(2) for “an aircraft rating contained in the licence” substitute “an aircraft rating specified in Section 1 of Part B of Schedule 8 and included in the licence”.

(10) In article 29(2)(a) after “in respect of the rating” insert “issued and valid in accordance with Section 2 of Part C of Schedule 8”.

(11) Add at the end of article 29(3) “issued and valid in accordance with Section 2 of Part C of Schedule 8”.

(12) Omit article 30.

(13) For the heading to article 31 substitute “Maintenance of privileges of other ratings specified in Section 1 of Part B of Schedule 8”.

(14) For article 31(2) substitute—

(a) “(2) A person is not entitled to perform the functions to which a rating specified in Section 1 of Part B of Schedule 8 and described in sub-paragraph (b) relates unless his licence bears a valid certificate of revalidation in respect of the rating issued and valid in accordance with Section 2 of Part C of Schedule 8.

(b) The ratings referred to in sub-paragraph (a) are—

(i) an instrument rating (aeroplane);

(ii) an instrument rating (helicopter); and

(iii) any instructor’s rating other than a flying instructor’s rating (gyroplanes) or an assistant flying instructor’s rating (gyroplanes).”.

(15) After article 31 insert—

“Maintenance of privileges of ratings specified in Section 2 of Part B of Schedule 8

31A.—(1) Subject to paragraph (2), the holder of a United Kingdom Licence, a JAR-FCL Licence or a National Private Pilot’s Licence (Aeroplanes) is not entitled to exercise the privileges of any rating specified in Section 2 of Part B of Schedule 8 which is included in the licence unless the licence includes a certificate of revalidation in respect of the rating issued and valid in accordance with Section 3 of Part C of Schedule 8.

(2) The holder of a United Kingdom Private Pilot’s Licence is not entitled to exercise the privileges of a microlight aeroplane class rating specified in Section 2 of Part B of Schedule 8 which is included in the licence unless the requirement in paragraph (3) is satisfied.

(3) The requirement referred to in paragraph (2) is that there is included in the personal flying log book required to be kept by him under article 35 a valid certificate of test or a valid certificate of experience in respect of the rating, which certificate is in either case appropriate to the functions he is to perform on that flight in accordance with Section 1 of Part C of Schedule 8 and which otherwise complies with that Section.”

(16) For article 32 substitute—

“Requirement for a medical certificate

32.—(1) This article applies to any licence granted under article 27, other than a National Private Pilot’s Licence (Aeroplanes) or a Flight Radiotelephony Operator’s Licence.

(2) The holder of a licence to which this article applies is not entitled to perform any of the functions to which his licence relates unless it includes an appropriate valid medical certificate issued under paragraph (4).

(3) Every applicant for or holder of a licence to which this article applies must, whenever the CAA requires, submit himself to medical examination by a person approved by the CAA, either generally or in a particular case or class of cases, who must make a report to the CAA in such form as the CAA may require.

(4) On the basis of such medical examination, the CAA or any person approved by it as competent to do so may issue a medical certificate subject to such conditions as it or he thinks fit to the effect that it or he has assessed the holder of the licence as meeting the requirements specified by the CAA in respect of the certificate.

(5) A medical certificate will, without prejudice to article 32B(3), be valid for such period as is specified in the certificate.

(6) A medical certificate is deemed to form part of the licence.

Requirement for a medical declaration for a National Private Pilot's Licence (Aeroplanes)

32A.—(1) The holder of a National Private Pilot's Licence (Aeroplanes) is not entitled to exercise any of the privileges of the licence unless he has either a medical certificate which is valid in accordance with article 32 or a medical declaration which is valid in accordance with paragraph (2).

(2) A medical declaration is valid if—

- (a) the applicant has signed a statement in the declaration that he believes himself to meet the requirements to fly having regard to the standards specified by the CAA in the declaration;
- (b) the applicant reasonably holds that belief;
- (c) the applicant has authorised his General Practitioner to review his medical records;
- (d) his General Practitioner has signed a statement in the declaration that, having seen those medical records, he is satisfied that there is nothing in the pilot's medical history which prevents him from meeting the medical standards specified in the declaration; and
- (e) the validity period of the declaration has not expired.

(3) The validity period of a medical declaration commences on the date it is signed by the General Practitioner and is as specified in the following table.

Period of validity of medical declaration

<i>Age of applicant at date of signature by GP</i>	<i>Medical declaration validity period</i>
Under 45	Until the applicant's 45th birthday or 5 years whichever is the longer period
45 to 59	5 years
60-64	Until the applicant's 65th birthday or 1 year whichever is the longer period
65 or over	1 year

Licence holder not to act a member of flight crew when unfit

32B.—(1) A person is not entitled to act as a member of the flight crew of an aircraft registered in the United Kingdom if he knows or suspects that his physical or mental condition

renders him temporarily or permanently unfit to perform such functions or to act in such capacity.

(2) Every holder of a medical certificate issued under article 32 who—

- (a) suffers any personal injury involving incapacity to undertake his functions as a member of the flight crew;
- (b) suffers any illness involving incapacity to undertake those functions throughout a period of 21 days or more; or
- (c) in the case of a woman, has reason to believe that she is pregnant,

must inform the CAA in writing of such injury, illness or pregnancy, as soon as possible in the case of injury or pregnancy, and as soon as the period of 21 days has expired in the case of illness.

(3) The medical certificate is deemed to be suspended upon the occurrence of such injury or the expiry of such period of illness or the confirmation of the pregnancy.

(4) In the case of injury or illness the suspension ceases upon the holder being medically examined under arrangements made by the CAA and pronounced fit to resume his functions as a member of the flight crew or upon the CAA exempting, subject to such conditions as it thinks fit, the holder from the requirement of a medical examination.

(5) In the case of pregnancy, the suspension may be lifted by the CAA for such period and subject to such conditions as it thinks fit and ceases upon the holder being medically examined under arrangements made by the CAA after the pregnancy has ended and pronounced fit to resume her functions as a member of the flight crew.

Training for landing on or taking off from water

32C. A person must not act as pilot in command of an aircraft which takes off from or lands on water unless appropriate training has been completed and recorded in his personal flying log book.”.

(17) In article 155(1) after the definition of Special VFR flight insert—

“‘SSEA’ means a simple single engine aeroplane;”.