STATUTORY INSTRUMENTS

2009 No. 3015

The Air Navigation Order 2009

PART 7

Flight Crew Licensing – Grant of Licence and Maintenance of Privileges

Grant, renewal and privileges of flight crew licences

64.—(1) Subject to article 82(1), the CAA must grant licences of any of the classes specified in Part A of Schedule 7, authorising the holder to act as a member of the flight crew of an aircraft registered in the United Kingdom, if it is satisfied that the applicant is—

(a) a fit person to hold the licence; and

(b) qualified by having the knowledge, experience, competence, skill and physical and mental fitness to act in the capacity to which the licence relates.

(2) For the purposes of paragraph (1) the applicant must supply such evidence and undergo such examinations and tests (including in particular medical examinations) and undertake such courses of training as the CAA may require.

(3) A licence granted under this article is not valid unless it has been signed by the holder in ink or indelible pencil.

(4) Subject to article 228—

(a) a licence granted under this article remains in force for the period indicated in the licence, not exceeding the period specified for a licence of that class in Part A of Schedule 7;

(b) if no period is indicated in the licence, it remains in force for the lifetime of the holder.

(5) A licence granted under this article may be renewed by the CAA on being satisfied that the applicant is a fit person and is qualified in accordance with paragraph (1).

(6) A licence granted under this article must not be granted to any person who is under the minimum age specified for that class of licence in Part A of Schedule 7.

(7) Nothing in this Order obliges the CAA to accept an application for the issue of a National Private Pilot's Licence (Aeroplanes) when the application is not supported by such reports from such persons approved under article 244 as the CAA may specify, either generally or in a particular case or class of cases.

(8) Subject to any conditions of the licence including those specified in Part A of Schedule 7, the other provisions of this Part and article 228, a licence of any class entitles the holder to exercise the privileges specified for that licence in Section 1 of Part A of that Schedule under the heading 'Privileges' or Sections 2 or 3 of Part A of that Schedule under the heading 'Privileges and conditions'.

(9) The CAA may grant a licence subject to such conditions as it thinks fit.

Ratings and qualifications

65.—(1) Subject to article 82(2), the CAA may include in any United Kingdom licence or JAR-FCL licence any rating or qualification specified in Section 1 of Part B of Schedule 7.

(2) The CAA may 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 7.

(3) The CAA must include a rating or qualification if it is satisfied that the applicant is qualified by having the knowledge, experience, competence, skill and physical and mental fitness to act in the capacity to which the rating or qualification relates.

(4) A rating or qualification is deemed to form part of the licence.

(5) A rating or qualification of any class entitles the holder of the licence in which the rating or qualification is included to exercise the privileges specified for that rating or qualification in Part B of Schedule 7.

(6) The CAA may grant a rating or qualification subject to such conditions as it thinks fit.

Maintenance of privileges of aircraft ratings specified in Section 1 of Part B of Schedule 7 in pilot licences which are United Kingdom licences for which there are no JAR-FCL equivalents except for Basic Commercial Pilots' Licences

66.—(1) This article applies to any pilot licence which is a United Kingdom licence for which there is no JAR-FCL equivalent other than a United Kingdom Basic Commercial Pilot's Licence.

(2) Subject to paragraphs (3) and (4), the holder of such a pilot licence is not entitled to exercise the privileges of an aircraft rating specified in Section 1 of Part B of Schedule 7 which is included in the licence on a flight unless—

(a) the licence has a certificate of test or a certificate of experience for the rating;

(b) the certificate is appropriate to the functions to be performed on that flight in accordance with Section 1 of Part C of Schedule 7; and

(c) the certificate is issued and valid in accordance with Section 1 of Part C of Schedule 7.

(3) The holder of a Private Pilot's Licence (Balloons and Airships) is entitled to exercise the privileges of an aircraft rating specified in Section 1 of Part B of Schedule 7 which is included in the licence on a flight if the licence does not have a certificate referred to in paragraph (2).

(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 7 which is included in the licence unless the certificate of test or certificate of experience required by paragraph (2) is included in the holder's personal flying log book.

Maintenance of privileges of aircraft ratings specified in Section 1 of Part B of Schedule 7 in JAR-FCL licences, United Kingdom licences for which there are JAR-FCL equivalents and United Kingdom Basic Commercial Pilots' Licences

67.—(1) This article applies to—

(a) JAR-FCL licences;

(b) United Kingdom licences for which there are JAR-FCL equivalents; and

(c) United Kingdom Basic Commercial Pilot's Licences.

(2) The holder of a licence to which this article applies is not entitled to exercise the privileges of an aircraft rating specified in Section 1 of Part B of Schedule 7 which is included in the licence on a flight unless—

(a) the licence has a certificate of revalidation for the rating;

(b) the certificate is appropriate, issued and valid in accordance with Section 2 of Part C of Schedule 7;

(c) the holder has undertaken differences training in accordance with paragraph 1.235 of Section 1 of JAR-FCL 1 in the case of an aeroplane and paragraph 2.235 of Section 1 of JAR-FCL 2 in the case of a helicopter; and

(d) detailed information about that differences training is entered in the holder's personal flying log book.

Maintenance of privileges of other ratings specified in Section 1 of Part B of Schedule 7

68.—(1) A person is not entitled to exercise the privileges of a flying instructor's rating (gyroplanes), an assistant flying instructor's rating (gyroplanes) or an instrument meteorological conditions rating (aeroplanes) unless—

(a) the licence in which the rating is included has a certificate of test;

(b) the certificate is appropriate to the functions to which the rating relates in accordance with Section 1 of Part C of Schedule 7; and

(c) the certificate is issued and valid in accordance with Section 1 of Part C of Schedule 7.

(2) A person is not entitled to exercise the privileges of a rating described in paragraph (3) unless—

(a) the licence in which the rating is included has a certificate of revalidation for the rating; and

(b) the certificate is appropriate, issued and valid in accordance with Section 2 of Part C of Schedule 7.

(3) The ratings referred to in paragraph (2) are—

(a) an instrument rating (aeroplane);

(b) an instrument rating (helicopter); and

(c) any instructor's rating other than a flying instructor's rating (gyroplanes) or an assistant flying instructor's rating (gyroplanes).

Maintenance of privileges of ratings specified in Section 2 of Part B of Schedule 7

69.—(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 7 which is included in the licence unless—

(a) the licence includes a certificate of revalidation for the rating; and

(b) the certificate is issued and valid in accordance with Section 3 of Part C of Schedule 7.

(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 7 which is included in the licence unless the requirements in paragraph (3) are satisfied.

(3) The requirements referred to in paragraph (2) are that—

(a) there is included in the licence holder's personal flying log book a certificate of test or a certificate of experience for the rating;

(b) the certificate is appropriate to the functions to be performed on that flight in accordance with Section 1 of Part C of Schedule 7; and

(c) the certificate is issued and valid in accordance with Section 1 of Part C of Schedule 7.

Maintenance of privileges of Flight Engineers' Licences

70. The holder of a United Kingdom Flight Engineer's Licence is not entitled to exercise the privileges of an aircraft rating contained in the licence on a flight unless—

(a) the licence has a certificate of revalidation for the rating; and

(b) the certificate is appropriate, issued and valid in accordance with Section 2 of Part C of Schedule 7.

Maintenance of privileges of Flight Navigators' Licences

71. The holder of a Flight Navigator's Licence is not entitled to exercise the privileges of the licence on a flight to which article 47 applies unless—

(a) the licence has a certificate of experience;

(b) the certificate is appropriate to the functions to be performed on that flight in accordance with Section 1 of Part C of Schedule 7; and

(c) the certificate is issued and valid in accordance with Section 1 of Part C of Schedule 7.

Requirement for a medical certificate

72.—(1) This article applies to any licence granted under article 64, 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 the licence relates unless the licence includes a 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 or herself to a 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 the approved person may issue a medical certificate which states that they have assessed the holder of the licence as meeting the requirements specified by the CAA.

(5) Subject to articles 74(3) and 228, a medical certificate is valid for the period specified in the certificate.

(6) A medical certificate forms part of the licence.

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

73.—(1) The holder of a National Private Pilot's Licence (Aeroplanes) is not entitled to exercise any of the privileges of the licence unless the holder has either a medical certificate which is valid in accordance with article 72 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 of belief in the declaration that the applicant meets the medical 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's General Practitioner is authorised to review the applicant's medical records;

(d) the applicant's General Practitioner has signed a statement in the declaration that, having seen those medical records, the General Practitioner is satisfied that there is nothing in

the pilot's medical history which prevents the pilot 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

Age of holder at date of signature by GP	*Medical declaration validity period*
Under 45	Until the holder's 45th birthday or five years whichever is the longer period
45 to 59	5 years
60-64	Until the holder's 65th birthday or one year whichever is the longer period
65 or over	One year

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

74.—(1) A person must not act as a member of the flight crew of an aircraft registered in the United Kingdom if they know or suspect their physical or mental condition renders them temporarily or permanently unfit to perform such functions or to act in such capacity.

(2) Every holder of a medical certificate issued under article 72 who—

(a) suffers any personal injury involving incapacity to undertake the holder's 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 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 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 the holder's 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

75. 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 the pilot's personal flying log book.