
STATUTORY INSTRUMENTS

2012 No. 1751

The Air Navigation (Amendment) Order 2012

PART 1

Changes arising from the EASA Aircrew Regulation

5. In article 3 (aircraft to be registered), in paragraph (2), for “50” substitute “50A”.
6. In article 29 (circumstances where a certificate of release to service is not required), in paragraph (3)(b), for “granted or rendered valid under this Order” substitute “, which has been granted or rendered valid under this Order or is a Part-FCL licence,”.
7. In article 31 (who may issue a certificate of release to service), in paragraph (1)(d), for “a JAR-FCL Airline Transport Pilot Licence (Aeroplane)” substitute “a Part-FCL Airline Transport Pilot Licence (Aeroplane)”.
8. For article 50 (requirement for appropriate licence to act as member of flight crew of aircraft registered in United Kingdom) substitute—

“Requirement for appropriate licence to act as member of flight crew of EASA aircraft registered in the United Kingdom

50.—(1) Subject to paragraph (2), a person must not act as a pilot of an EASA aircraft that is registered in the United Kingdom without holding an appropriate licence granted, converted or rendered valid under the EASA Aircrew Regulation.

(2) A person may act as a pilot of an EASA aircraft without holding an appropriate licence granted, converted or rendered valid under the EASA Aircrew Regulation when undergoing flying training, including solo flying training authorised and supervised by a flight instructor, in accordance with the EASA Aircrew Regulation as amended from time to time.

(3) Subject to the exceptions set out in articles 51, 57 and 59 a person must not act as a flight radiotelephony operator, a flight engineer or a flight navigator of an EASA aircraft that is registered in the United Kingdom without holding an appropriate licence granted or rendered valid under this Order.

Requirement for appropriate licence to act as member of flight crew of non-EASA aircraft registered in the United Kingdom

50A.—(1) Subject to articles 51 to 60, a person must not act as a member of the flight crew of an aircraft to which this paragraph applies without holding an appropriate licence granted or rendered valid under this Order.

(2) Paragraph (1) applies to any non-EASA aircraft registered in the United Kingdom other than such an aircraft that is referred to in paragraphs (a)(ii), (d) or (h) of Annex II of the Basic EASA Regulation and that is flying for the purpose of commercial air transport (an ‘excepted aircraft’).

- (3) A person must not act as a member of the flight crew of an excepted aircraft unless—
- (a) the person acts as a flight radiotelephony operator, flight engineer or flight navigator and holds an appropriate licence granted or rendered valid under this Order; or
 - (b) the person holds an appropriate licence granted, converted or rendered valid under the EASA Aircrew Regulation.

Appropriate licence

50B. An appropriate licence for the purposes of this Part and Schedule 7 means a licence which entitles the holder to perform the functions being undertaken in relation to the aircraft concerned on the particular flight.”.

- 9.** In article 52 (flight crew licence requirement – exception for solo flying training)—
- (a) in the heading, add at the end “in non-EASA aircraft”;
 - (b) in paragraph (1) for “A person may act as pilot in command of an aircraft” substitute “A person may act as pilot in command of a non-EASA aircraft”;
 - (c) for sub-paragraph (2)(a), substitute—
 - “(a) the person is at least 16 years of age unless the aircraft is a balloon or a glider, in which case the person must be at least 14 years of age;”;
 - (d) in sub-paragraph (2)(f), for “a JAA licence” substitute “a Part-FCL licence”.
- 10.** In article 53 (flight crew licence requirement – exception for dual flying training)—
- (a) in the heading, add at the end “in non-EASA aircraft”;
 - (b) in paragraph (1) for “A person may act as pilot of an aircraft” substitute “A person may act as pilot of a non-EASA aircraft”; and
 - (c) in sub-paragraph (2)(b), for “a JAA licence” substitute “a Part-FCL licence”.
- 11.** In article 54 (flight crew licence requirement – exception for gyroplanes at night)—
- (a) in the heading, after “Exception for” insert “non-EASA”;
 - (b) in paragraph (1) for “A person may act as pilot in command of a gyroplane” substitute “A person may act as pilot in command of a non-EASA gyroplane”; and
 - (c) in sub-paragraph (2)(b), for “a JAA licence” substitute “a Part-FCL licence”.
- 12.** In article 55 (flight crew licence requirement – exception for balloons)—
- (a) in the heading, after “Exception for” insert “non-EASA”; and
 - (b) in paragraph (1) for “A person may act as pilot in command of a balloon” substitute “A person may act as pilot in command of a non-EASA balloon”.
- 13.** In article 56 (flight crew licence requirement – exception for pilot undergoing training or tests)—
- (a) in the heading, add at the end “in non-EASA aircraft”;
 - (b) in paragraph (1) for “a person may act as pilot of an aircraft” substitute “a person may act as pilot of a non-EASA aircraft”; and
 - (c) in sub-paragraph (4)(a), after “holds” insert “a Part-FCL licence or”.
- 14.** In article 60 (flight crew licence requirement – exception where CAA permission granted)—
- (a) in the heading, after “Exception” insert “for non-EASA aircraft”; and

- (b) in paragraph (1) for “acting as pilot of an aircraft” substitute “acting as pilot of a non-EASA aircraft”.

15. For article 61 (requirement for appropriate licence to act as member of flight crew of aircraft registered elsewhere than in the United Kingdom), substitute—

“Requirement for appropriate licence to act as member of flight crew of non-EASA aircraft registered elsewhere than in the United Kingdom

61.—(1) Subject to paragraph (2), this article applies to any non-EASA aircraft registered in a country other than the United Kingdom.

(2) This article does not apply to such an aircraft that is referred to in paragraphs (a) (ii), (d) or (h) of Annex II of the Basic EASA Regulation when flying for the purpose of commercial air transport.

(3) A person must not act as a member of the flight crew which must by or under this Order be carried in an aircraft to which this article applies unless—

- (a) in the case of a non-EASA aircraft flying for the purpose of commercial air transport, public transport or aerial work, that person is the holder of an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered or the State of the operator; or
- (b) in the case of a non-EASA aircraft on a private flight, that person is the holder of an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered or under this Order and the CAA does not give a direction to the contrary.

Requirement for appropriate licence to act as member of flight crew of EASA aircraft and specified non-EASA aircraft registered elsewhere than in the United Kingdom

61A.—(1) A person must not act as a member of the flight crew which must by or under the EASA Aircrew Regulation as amended from time to time be carried in—

- (a) an EASA aircraft that is registered in a country other than the United Kingdom; or
- (b) a non-EASA aircraft that is referred to in paragraphs (a) (ii), (d) or (h) of Annex II of the Basic EASA Regulation that is flying for the purpose of commercial air transport and that is registered in a country other than the United Kingdom,

unless paragraph (2), (3) or (4) applies.

(2) This paragraph applies if the operator of the aircraft is neither resident nor established in the European Union, and the person acting as a member of the flight crew is the holder of an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered or the State of the operator.

(3) This paragraph applies if the person acting as a member of the flight crew is the holder of an appropriate licence converted, granted or rendered valid under the EASA Aircrew Regulation.

(4) This paragraph applies if the person is acting as a flight radiotelephony operator, a flight engineer or a flight navigator of an aircraft referred to in paragraph (1)(b) and holds an appropriate licence granted or rendered valid under the law of the country in which the aircraft is registered or the State of the operator.”

16. For article 62 (deeming a non-United Kingdom flight crew licence valid) substitute—

“Deeming a non-United Kingdom flight crew licence and any Part-FCL licence valid for non-EASA aircraft and deeming a non-United Kingdom radiotelephony licence valid for any aircraft

62.—(1) Subject to paragraph (2), this article applies to any licence which authorises the holder to act as a member of the flight crew of an aircraft and is—

- (a) granted under the law of a Contracting State other than the United Kingdom but which is not a Part-FCL licence;
- (b) granted under the law of a relevant overseas territory; or
- (c) a Part-FCL licence.

(2) This article does not apply to such a licence if it authorises the holder to act as a student pilot only.

(3) Subject to paragraph (6), for the purposes of this Part, a licence to which this article applies is, unless the CAA gives a direction to the contrary, deemed to be a licence rendered valid under this Order.

(4) Subject to paragraph (5), the privileges of a licence deemed valid under paragraph (3) are restricted so that it does not entitle the holder—

- (a) to act as a member of the flight crew of any aircraft flying for the purpose of commercial air transport, public transport or aerial work or on any flight for which the holder receives remuneration for services as a member of the flight crew; or
- (b) to act as pilot of any aircraft flying in controlled airspace in circumstances requiring compliance with the Instrument Flight Rules or to give any instruction in flying.

(5) The restrictions in paragraph (4) do not apply to a flight radiotelephony operator’s licence or a Part-FCL licence.

(6) A Part-FCL licence with single-engine piston aeroplane privileges is not deemed to be rendered valid for a microlight aeroplane unless the holder of the licence has undergone differences training in accordance with Section 2 of Part B of Schedule 7, appropriate for a microlight aeroplane class rating.”.

17. In article 63(1) (permission required where licence does not meet relevant minimum standards), after “any licence”, insert “, other than a Part-FCL licence,”.

18. In article 64 (grant, renewal and privileges of flight crew licences)—

- (a) in the heading, after “privileges of” insert “United Kingdom”;
- (b) in paragraph (1), for “an aircraft” substitute “a non-EASA aircraft”;
- (c) in paragraph (2), after “undergo such” insert “assessments,” and after “medical”, insert “assessments and”;
- (d) in paragraph (7), omit “(Aeroplanes)”; and
- (e) in paragraph (8), after ““Privileges and conditions””, add “on a non-EASA aircraft”.

19. In article 65 (ratings and qualifications)—

- (a) in paragraph (2), omit “, JAR-FCL licence”;
- (b) after paragraph (2), insert—
 - “(2A) The CAA may include in any National Private Pilot’s Licence (Helicopters) any rating specified in Section 3 of Part B of Schedule 7.”; and
- (c) in paragraph (5), after “Schedule 7”, add “on a non-EASA aircraft”.

20. In article 66 (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)—

- (a) in the heading, for “pilot licences which are United Kingdom licences for which there are no JAR-FCL equivalents except for Basic Commercial Pilots' Licences” substitute “United Kingdom pilot licences for balloons, airships, gliders and gyroplanes”;
- (b) for paragraph (1), substitute—
 - “(1) This article applies to the following United Kingdom pilot licences—
 - (a) United Kingdom Private Pilot's Licence (Balloons and Airships);
 - (b) United Kingdom Commercial Pilot's Licence (Balloons);
 - (c) United Kingdom Commercial Pilot's Licence (Airships);
 - (d) United Kingdom Commercial Pilot's Licence (Gliders); and
 - (e) United Kingdom Private Pilot's Licence (Gyroplanes).”;
- (c) in paragraph (3), after “holder of a” insert “United Kingdom”; and
- (d) in paragraph (4), omit “book”.

21. In article 67 (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)—

- (a) in the heading, for “JAR-FCL licences, United Kingdom licences for which there are JAR-FCL equivalents and United Kingdom Basic Commercial Pilots' Licences” substitute “United Kingdom aeroplane and helicopter licences”;
- (b) for paragraph (1) substitute—
 - “(1) This article applies to United Kingdom aeroplane and helicopter licences.”;
- (c) for paragraph (2)(c) substitute—
 - “(c) the holder has undertaken the differences training specified in paragraph FCL.710 of Part-FCL;”;
- (d) in paragraph (2)(d), omit “book”.

22. In article 68(1) and (2) (maintenance of privileges of other ratings specified in Section 1 of Part B of Schedule 7), for “A person” substitute “The holder of a United Kingdom licence”.

23. For article 69 substitute—

“Maintenance of privileges of ratings specified in Sections 2 and 3 of Part B of Schedule 7

69.—(1) Subject to paragraph (2), the holder of a United Kingdom licence or a National Private Pilot's Licence is not entitled to exercise the privileges of any rating specified in Sections 2 or 3 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 (Aeroplanes) may exercise the privileges of a microlight aeroplane class rating included in the licence if the following conditions are satisfied—

- (a) the rating was granted before 1st February 2008;

- (b) there is included in the holder's personal flying log a certificate of test or a certificate of experience which is appropriate to the functions to be performed on the flight in accordance with Case A of 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."

24. In article 71 (maintenance of privileges of Flight Navigators' Licences), after "holder of a", insert "United Kingdom".

25. For articles 72 and 73 substitute—

“Requirement for a medical certificate for a United Kingdom licence and a National Private Pilot's Licence (Helicopters)

72.—(1) This article applies to any licence granted under article 64, other than—

- (a) a National Private Pilot's Licence (Aeroplanes);
- (b) a United Kingdom Private Pilot's Licence (Gyroplanes);
- (c) a United Kingdom Private Pilot's Licence (Balloons and Airships);
- (d) a United Kingdom Commercial Pilot's Licence (Balloons) that is restricted to aerial work and to the privileges of a United Kingdom Private Pilot's Licence (Balloons and Airships); and
- (e) a United Kingdom Flight Radiotelephony Operator's Licence.

(2) The holder of a licence to which this article applies, other than a National Private Pilot's Licence (Helicopters), is not entitled to perform any of the functions to which the licence relates unless the licence includes a valid medical certificate issued under article 72A or the holder of the licence has a valid medical certificate issued under Part-MED that is not a Light Aircraft Pilot Licence medical certificate.

(3) The holder of a National Private Pilot's Licence (Helicopters) is not entitled to exercise any of the privileges of the licence unless the holder has a medical certificate of a type described in paragraph (2) or a medical certificate granted under Part-MED that is valid for a Light Aircraft Pilot Licence issued under Part-FCL.

Issue and validity of a medical certificate for a United Kingdom licence and a National Private Pilot's Licence (Helicopters)

72A.—(1) The CAA may approve a person to carry out a medical assessment or examination for the purposes of this article and to issue a medical certificate in accordance with paragraph (6).

(2) An approval may be granted generally or in a particular case or class of cases.

(3) Every applicant for, or holder of, a licence to which article 72 applies must, whenever the CAA requires, submit to a medical assessment or examination by a person approved by the CAA.

(4) The approved person must make a report of the assessment or examination to the CAA in such form as the CAA may require.

(5) On the basis of such medical assessment or examination, the approved person must assess whether the applicant for or holder of the licence meets the requirements specified by the CAA.

(6) If the approved person assesses the applicant for or holder of the licence as meeting the requirements specified by the CAA, the approved person must issue a certificate to that effect.

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

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

Requirement for a Part MED medical certificate for a Part-FCL licence

72B. The holder of a Part-FCL licence is not entitled to exercise any of the privileges of the licence unless the holder has a valid medical certificate in accordance with paragraph MED.A.030 of Part-MED.

Requirement for a medical declaration

73.—(1) Paragraph 2 applies to the following licences granted under article 64—

- (a) a National Private Pilot's Licence (Aeroplanes);
- (b) a United Kingdom Private Pilot's Licence (Gyroplanes);
- (c) a United Kingdom Private Pilot's Licence (Balloons and Airships); and
- (d) a United Kingdom Commercial Pilot's Licence (Balloons) that is restricted to aerial work and to the privileges of a United Kingdom Private Pilot's Licence (Balloons and Airships).

(2) The holder of a licence to which this article applies is not entitled to exercise any of the privileges of the licence unless the holder has—

- (a) a valid medical certificate issued under article 72A;
- (b) a valid medical declaration issued under article 73A; or
- (c) a medical certificate granted under Section 2 of Subpart A of Part-MED that is valid for a Light Aircraft Pilot Licence issued under Part-FCL.

Issue and validity of a medical declaration

73A.—(1) A medical declaration is valid if it is issued in accordance with paragraph (2) and the validity period specified in paragraph (3) or (4) has not expired.

(2) A medical declaration is issued in accordance with this paragraph 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 medical practitioner or, if the applicant is a member of Her Majesty's naval, military or air forces, a Medical Officer of those forces who is included in the General Practitioner Register maintained by the General Medical Council, is authorised to review the applicant's medical records; and
- (d) the applicant's general medical practitioner or Medical Officer has signed a statement in the declaration that, having seen those medical records, the general medical practitioner or Medical Officer 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.

(3) Subject to paragraph (4), the validity period of a medical declaration commences on the date it is signed by the general medical practitioner or Medical Officer and is as specified in the table in paragraph (4).

(4) If a new medical declaration is signed when the applicant already holds a current medical declaration which expires within the next 45 days, the validity period of the new medical declaration commences on the date on which the current medical declaration expires and is as specified in the following table.

Period of validity of medical declaration

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

Issue of Light Aircraft Pilot Licence medical certificates

73B.—(1) This article establishes the requirements for the purposes of MED.D.035(a)(2) of Part-MED for a general medical practitioner to act as an authorised aeromedical examiner for the purpose of the issue, revalidation or renewal of Light Aircraft Pilot Licence medical certificates in accordance with Part-MED.

(2) The requirements referred to in paragraph (1) are that the general medical practitioner must—

- (a) be in general practice or be a Medical Officer of Her Majesty's naval, military or air forces who is included in the General Practitioner Register maintained by the General Medical Council;
- (b) hold a valid licence to practise medicine from the General Medical Council; and
- (c) have access to and be able to consult the medical records of the applicant.

(3) A general medical practitioner who issues a Light Aircraft Pilot Licence medical certificate must, in relation to that certificate, keep for a period of 10 years after the expiry of the certificate—

- (a) the signed and completed Light Aircraft Pilot Licence medical application form;
- (b) a copy of the completed assessment or examination forms; and
- (c) a copy of the medical certificate.

Occupational health medical practitioners

73C. For the purposes of paragraph MED.D.040(b) of Part-MED an 'occupational health medical practitioner' is any doctor listed in the Specialist Register of the General Medical Council as having specialist registration in occupational medicine."

26. In article 74 (licence holder not to act a member of flight crew when unfit)—

- (a) in the heading, for "a member" substitute "as member";
- (b) in paragraph (2)—
 - (i) in sub-paragraph (b), after "any" insert "significant"; and

- (ii) for “inform the CAA” substitute “inform an aeromedical examiner authorised by the CAA”;
- (c) in paragraph (4), for “examined” substitute “assessed” and for “examination” substitute “assessment”; and
- (d) in paragraph (5)—
 - (i) after “may be lifted by the CAA” insert “or an aeromedical examiner authorised by the CAA”;
 - (ii) for “it” substitute “the CAA or the aeromedical examiner”; and
 - (iii) for “examined” substitute “assessed”.

27. In article 75 (training for landing on or taking off from water)—

- (a) for “an aircraft”, substitute “a non-EASA aircraft”; and
- (b) omit “book”.

28. For article 78 (validation of licences) substitute—

“Validation of licences

78. Except for a Part-FCL licence the CAA may issue a certificate of validation rendering valid for the purposes of this Order any flight crew licence granted under the law of any country other than that of the United Kingdom.”.

29. In article 79 (personal flying log book)—

- (a) in the heading, omit “book”;
- (b) for each reference to “log book” substitute “log”; and
- (c) in paragraph (1), for “a licence under this Order” substitute “a flight crew licence under this Order or a flight crew licence issued by the CAA under Part-FCL”.

30.—(1) In article 80(2)(a) (instruction in flying), for “a JAA licence” substitute “a Part-FCL licence”.

(2) At the end of article 80(2)(b), add “or the holder of the licence holds a valid instructor’s certificate granted under Part-FCL which entitles the holder to give the instruction”.

31. For article 81 (glider pilot – minimum age) substitute—

“Glider pilots – minimum age

81. A person under 14 years of age must not act as pilot in command of a non-EASA glider.”.

32. For article 82(1) (licences and ratings no longer to be granted) substitute—

“Licences and ratings no longer to be granted

82.—(1) The CAA must not grant—

- (a) a United Kingdom Commercial Pilot’s Licence (Helicopters and Gyroplanes); or
- (b) a United Kingdom Airline Transport Pilot’s Licence (Helicopters and Gyroplanes),

to any person who was not on 31st December 2002 the holder of such a licence.”.

33. After article 82 insert the following—

“Status of licences issued by the CAA

82A.—(1) This article applies to pilot licences issued by the CAA prior to 17th September 2012 that were not entitled to be mutually recognised by the JAA Full Member States in accordance with JAR-FCL 1 or JAR-FCL 2.

(2) The following have effect—

- (a) any United Kingdom Basic Commercial Pilot’s Licence (Aeroplanes) that includes a restriction specified in paragraph (3) is deemed to be a United Kingdom Private Pilot’s Licence (Aeroplanes);
- (b) any United Kingdom Basic Commercial Pilot’s Licence (Aeroplanes), other than a licence referred to in sub-paragraph (a), is deemed to be a United Kingdom Commercial Pilot’s Licence (Aeroplanes);
- (c) any JAA Commercial Pilot Licence (Aeroplane) that is endorsed to the effect that the licence does not fully comply with JAR-FCL is deemed to be a United Kingdom Commercial Pilot’s Licence (Aeroplanes);
- (d) any JAA Airline Transport Pilot Licence (Aeroplane) that is endorsed to the effect that the licence does not fully comply with JAR-FCL is deemed to be a United Kingdom Airline Transport Pilot’s Licence (Aeroplanes); and
- (e) any JAA Commercial Pilot Licence (Helicopter) that is endorsed to the effect that the licence does not fully comply with JAR-FCL is deemed to be a United Kingdom Commercial Pilot’s Licence (Helicopters).

(3) A restriction referred to in paragraph (2)(a) is a restriction that the holder must not fly as pilot in command or co-pilot for the purposes of public transport or aerial work, apart from aerial work for—

- (a) the giving of instruction in flying;
- (b) the conducting of flying tests for the purpose of this Order;
- (c) the towing of a glider in flight;
- (d) the giving of flying displays; or
- (e) parachute dropping.”.

34. In article 156 (production of documents and records)—

(a) for paragraph (4) substitute—

“(4) The holder of a licence granted or rendered valid under this Order or by the CAA under the EASA Aircrew Regulation or of a medical certificate required under article 72 or article 72B or of a medical declaration under article 73 must, within a reasonable time after being requested to do so by an authorised person, cause the licence, including any certificate of validation issued under article 78, the medical certificate or the medical declaration, to be produced to that person.”; and

(b) in paragraph (5), omit “book”.

35. In article 158 (power to inspect and copy documents and records)—

(a) omit “book”; and

(b) before “document” insert “declaration”.

36. In article 229 (provisional suspension or variation of EASA airworthiness certificates)—

(a) in the heading, for “airworthiness certificates” substitute “certificates, licences and other documents”; and

(b) for paragraph (1) substitute—

“(1) The CAA may, subject to and in accordance with article 14(1) of the Basic EASA Regulation, provisionally suspend or vary any certificate, licence, rating, endorsement, approval, authorisation or other document which it has issued to a person under an EASA Regulation, pending inquiry into or consideration of the case.”.

37. In article 231 (prohibitions in relation to documents and records)—

- (a) in sub-paragraphs (1)(a), (1)(b) and paragraph (7) for “Part 21, 66, 145, 147 or M” substitute “an EASA Regulation”;
- (b) in sub-paragraph (3)(a), for “by or under Part 21, 66, 145, 147 or M or by or under EU-OPS.” substitute “by or under an EASA Regulation or by or under EU-OPS; or”.

38. In article 241(3) (offences and penalties), for “Part 21, Part 145, Part 147, Part M” substitute “an EASA Regulation”.

39. In article 246 (competent authority)—

- (a) for paragraph (2), substitute—

“(2) The CAA is the competent authority of the United Kingdom for the purposes of—

- (a) the EASA Aircraft Certification Regulation;
- (b) the EASA Aircrew Regulation; and
- (c) the EASA Continuing Airworthiness Regulation.”;

- (b) omit paragraph (4).

40. In article 255(1) (interpretation)—

- (a) for the definition of “Class rating” substitute—

“‘Class rating’ means a rating that entitles the holder of a pilot licence to act as pilot of an aircraft of a specified class that does not require a type rating;”;

- (b) for the definition of “Commercial air transport flight” substitute—

“‘Commercial air transport flight’ means a flight which is required to be operated in accordance with EU-OPS or a flight which would, if undertaken by an EASA aeroplane registered in a Member State be so required: and an aircraft flies for the purpose of commercial air transport if it flies on a commercial air transport flight;”;

- (c) omit the definition of “EASA certificate of airworthiness”;

- (d) after the definition of “EASA Aircraft Certification Regulation” insert—

“‘EASA Aircrew Regulation’ means Commission Regulation (EU) No. 1178/2011 of 3rd November 2011, laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No. 216/2008 of the European Parliament and of the Council(1);

‘EASA certificate of airworthiness’ means a certificate of airworthiness issued for an EASA aircraft under and in accordance with subpart H of Part 21;”;

- (e) after the definition of “EASA permit to fly” insert—

“‘EASA Regulation’ means the Basic EASA Regulation and any implementing rule made under that Regulation;”;

- (f) after the definition of “General lighthouse authority” insert—

“‘General medical practitioner’ means a person registered in the General Practitioner Register kept by the General Medical Council;”;

- (g) at the end of the definition of “Instructor’s rating”, after “(helicopter)”, add “or any instructor certificate issued in accordance with Part-FCL”;
- (h) omit the definitions of “JAA licence”, “JAR-FCL licence” and “JAR-OPS 3”;
- (i) in the definition of “Non-EASA aircraft”, after “a non-EASA glider” insert “, a non-EASA helicopter, a non-EASA SLMG, a non-EASA SSEA”;
- (j) after the definition of “Part 147” insert—
 “‘Part-ARA’ means Annex VI so entitled to the EASA Aircrew Regulation;
 ‘Part-FCL’ means Annex I so entitled to the EASA Aircrew Regulation;
 ‘Part-FCL licence’ means a flight crew licence granted under Part-FCL by an EU Member State or a country that has an agreement with EASA or the EU to grant and administer licences in accordance with the EASA Aircrew Regulation and to be subject to standardisation by EASA in respect of that Regulation;”;
- (k) after the definition of “Part M” insert—
 “‘Part-MED’ means Annex IV so entitled to the EASA Aircrew Regulation;
 ‘Part-ORA’ means Annex VII so entitled to the EASA Aircrew Regulation;”;
- (l) for the definition of “Proficiency check” substitute—
 “‘Proficiency check’ means a demonstration of skill to revalidate or renew a rating, including such oral examination as the examiner may require;”;
- (m) for the definition of “Skill test” substitute—
 “‘Skill test’ means a demonstration of skill for licence or rating issue, including such oral examination as the examiner may require;”;
- (n) for the definition of “Touring motor glider” substitute—
 “‘Touring motor glider’ means an aircraft with the characteristics of a non-power-driven glider which has one or more integrally mounted, non-retractable power units and one or more non-retractable propellers and which is designed or intended to take off under its own power;”;
- (o) for the definitions of “Type rating” for aeroplanes and helicopters substitute—
 “‘Type rating’ means a rating that entitles the holder of a pilot licence to act as pilot of an aircraft of the type specified in the rating and the holder of a flight engineer’s licence to act as flight engineer in an aircraft of the type specified in the rating;” and
- (p) omit the definitions of “United Kingdom licence for which there is a JAR-FCL equivalent” and “United Kingdom licence for which there is no JAR-FCL equivalent”.
- 41.** In Sub-Section 1 of Section 1 of Part A of Schedule 7 (aeroplane pilots)—
- (a) in the entry for Private Pilot’s Licence (Aeroplanes)—
- (i) omit “*No maximum period of validity*”;
- (ii) in sub-paragraph (4)(a), before “microlight aeroplanes” insert “aeroplanes;” and
- (iii) in sub-paragraph (4)(b), before “a microlight aeroplane” insert “an aeroplane;”.
- (b) omit the entry for Basic Commercial Pilot’s Licence (Aeroplanes); and
- (c) in the entries for Commercial Pilot’s Licence (Aeroplanes) and Airline Transport Pilot’s Licence (Aeroplanes), omit “*Maximum period of validity – 10 years*”.
- 42.** In Sub-Section 2 of Section 1 of Part A of Schedule 7 (helicopter and gyroplane pilots)—
- (a) in the entry for Private Pilot’s Licence (Helicopters)—
- (i) omit “*No maximum period of validity*”; and

- (ii) in paragraph (2)(d)(ii), after “unless” insert “flying at night,”;
- (b) in the entry for Private Pilot’s Licence (Gyroplanes), omit “*No maximum period of validity*”;
- (c) in the entries for Commercial Pilot’s Licence (Helicopters and Gyroplanes) and Airline Transport Pilot’s Licence (Helicopters and Gyroplanes), omit “*Maximum period of validity – 10 years*”; and
- (d) after the entry for Airline Transport Pilot’s Licence (Helicopters and Gyroplanes), add—

“Commercial Pilot’s Licence (Helicopters)

Minimum age – 18 years

Privileges:

(1) Subject to paragraphs (2) and (5), the holder of a Commercial Pilot’s Licence (Helicopters) is entitled—

- (a) to exercise the privileges of a Private Pilot’s Licence (Helicopters) which includes a night rating (helicopters); and
- (b) to fly as pilot in command of any helicopter which is of a type specified in an aircraft rating included in the licence when the helicopter is flying on a flight for any purpose.

(2) The holder may not—

- (a) fly such a helicopter for the purpose of commercial air transport or public transport unless it is certificated for single-pilot operation;
- (b) fly such a helicopter for the purpose of commercial air transport or public transport after attaining the age of 60 years unless the helicopter is fitted with dual controls and carries a second pilot who has not attained the age of 60 years and who holds an appropriate licence under this Order entitling the second pilot to act as pilot in command or co-pilot of that helicopter;
- (c) unless the licence includes an instrument rating (helicopter), fly as pilot in command of such a helicopter in circumstances which require compliance with the Instrument Flight Rules—
 - (i) in Class A, B or C airspace at any time; or
 - (ii) in Class D, E, F or G airspace unless remaining clear of cloud and with the surface in sight;
- (d) fly as pilot in command of a helicopter carrying passengers unless the holder has carried out at least three circuits, each to include a take-off and landing, as pilot flying in a helicopter of the same type or a flight simulator of the helicopter type to be used, during the previous 90 days;
- (e) unless the licence includes an instrument rating (helicopter), act as pilot in command of a helicopter carrying passengers at night unless during the previous 90 days at least one of the take-offs and landings required in sub-paragraph (d) has been at night.

(3) Subject to paragraphs (4) and (5), the holder is entitled to fly as co-pilot of any helicopter of a type specified in an aircraft rating included in the licence when the helicopter is flying on a flight for any purpose whatsoever.

(4) The holder may not—

- (a) unless the licence includes an instrument rating (helicopter), fly as co-pilot of such a helicopter flying in circumstances which require compliance with the Instrument Flight Rules—
 - (i) in Class A, B or C airspace at any time; or
 - (ii) in Class D, E, F or G airspace unless remaining clear of cloud and with the surface in sight; or
 - (b) as co-pilot serve at the flying controls in a helicopter carrying passengers during take off and landing unless the holder has served as a pilot at the controls during take off and landing in a helicopter of the same type or in a flight simulator of the helicopter type to be used, during the previous 90 days.
- (5) The holder must not at any time after attaining the age of 65 years act as pilot in command or co-pilot of any helicopter on a flight for the purpose of commercial air transport or public transport.

Airline Transport Pilot's Licence (Helicopters)

Minimum age – 21 years

Privileges:

The holder of an Airline Transport Pilot's Licence (Helicopters) is entitled to exercise the privileges of a Commercial Pilot's Licence (Helicopters) except that the restriction at subparagraph (2)(a) of those privileges does not apply.”.

- 43.** In Sub-Section 3 (balloon and airship pilots) of Section 1 of Part A of Schedule 7—
- (a) in the entry for Private Pilot's Licence (Balloons and Airships), omit “*No maximum period of validity*”; and
 - (b) in the entries for “Commercial Pilot's Licence (Balloons)” and “Commercial Pilot's Licence (Airships)”, omit “*Maximum period of validity – 10 years*”.
- 44.** In Sub-Sections 4 (glider pilots) and 5 (other flight crew) of Section 1 of Part A of Schedule 7, omit “*Maximum period of validity – 10 years*” wherever it occurs.
- 45.** Omit Section 2 (JAR-FCL Licences) of Part A of Schedule 7.
- 46.** In Section 3 (National Private Pilot's Licence (Aeroplanes)) of Part A of Schedule 7—
- (a) in the heading, omit “(Aeroplanes)”;
 - (b) in the entry for National Private Pilot's Licence (Aeroplanes) omit “*No maximum period of validity*”; and
 - (c) after the entry for National Private Pilot's Licence (Aeroplanes), add—

“National Private Pilot's Licence (Helicopters)

Minimum age – 17 years

Privileges and conditions—

(1) Subject to paragraphs (2) to (4), the holder of the licence is entitled to fly as pilot in command of a single-engine helicopter with a maximum total weight authorised of 2000 kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board.

Flight outside the United Kingdom

(2) The holder may not fly such a helicopter outside the United Kingdom except with the permission of the competent authority for the airspace in which the aircraft is being flown.

Flight for purpose of commercial air transport, public transport and aerial work

(3) The holder may not fly such a helicopter for the purpose of commercial air transport, public transport or aerial work.

Carriage of persons

(4) The holder may not fly as pilot in command of such a helicopter when carrying passengers unless within the preceding 90 days the holder has made at least three take-offs and three landings as the sole manipulator of the controls of a helicopter of the same type as that being flown.”

47. In Part B (ratings and qualifications) of Schedule 7—

- (a) for the heading to Section 1 substitute “Ratings and qualifications which may be included in United Kingdom licences but not in National Private Pilot’s Licences”;
- (b) in paragraph 1 of Sub-Section 1 (aircraft ratings) of Section 1, omit “or a JAR-FCL licence”; and
- (c) in Sub-Section 2 (other ratings) of Section 1—

- (i) in paragraph 4, omit “or a JAR-FCL pilot licence”;
- (ii) in the entry for instrument meteorological conditions rating (aeroplanes), for paragraph (1), substitute—

“(1) Subject to paragraph (2), within the United Kingdom an instrument meteorological conditions rating (aeroplanes) entitles the holder of a United Kingdom Private Pilot’s Licence (Aeroplanes) to fly as pilot in command of an aeroplane without being subject to the restrictions contained in paragraph (2)(c) or (f) of the privileges of the United Kingdom Private Pilot’s Licence (Aeroplanes).”;

- (iii) in the entry for night rating (aeroplanes), omit “or a United Kingdom Basic Commercial Pilot’s Licence (Aeroplanes)”;
- (iv) in the entry for night qualification (aeroplane), omit “, a JAR-FCL Private Pilot Licence (Aeroplane) or a United Kingdom Basic Commercial Pilot’s Licence (Aeroplanes)”;
- (v) in the entry for flight instructor rating (aeroplane), under “Restrictions – restricted privileges”, for sub-paragraph (a), substitute—

- “(a) flight instruction for—
 - (i) the issue of a National Private Pilot’s Licence (Aeroplanes) and a United Kingdom Private Pilot Licence (Aeroplanes);
 - (ii) those parts of integrated courses which are at United Kingdom Private Pilot’s Licence (Aeroplanes) level; and
 - (iii) class and type ratings for single-engine aeroplanes, other than for the approval of first solo flights by day or by night and first solo cross country flights by day or by night; and”;

- (vi) in the entry for flight instructor rating (helicopter), under “Restrictions – restricted privileges”, for paragraph (3)(a) substitute—

- “(a) flight instruction for—
 - (i) the issue of a National Private Pilot’s Licence (Helicopters) and a United Kingdom Private Pilot’s Licence (Helicopters);

- (ii) those parts of integrated courses which are at United Kingdom Private Pilot's Licence (Helicopters) level; and
 - (iii) type ratings for single-engine helicopters, other than for the approval of first solo flights by day or by night and first solo cross country flights by day or by night; and";
 - (vii) at the end of the entry for instrument rating instructor rating (aeroplane), add "for a United Kingdom licence"; and
 - (viii) at the end of the entry for instrument rating instructor rating (helicopter), add "for a United Kingdom licence".
- 48.** In Section 2 of Part B of Schedule 7—
- (a) for the heading substitute "Aircraft and instructor ratings which may be included in United Kingdom aeroplane pilot licences and in National Private Pilot's Licences (Aeroplanes)"; and
 - (b) in paragraph 1, after "United Kingdom" insert "aeroplane" and omit ", a JAR-FCL pilot licence".
- 49.** After Section 2 of Part B of Schedule 7, add—

"SECTION 3

Rating which may be included in National Private Pilot's Licences (Helicopters)

A helicopter type rating for a single engine helicopter with a maximum total weight authorised of 2000 kg or less may be included in a National Private Pilot's Licence (Helicopters) granted under Part 7."

- 50.**—(1) In Section 1 of Part C of Schedule 7—
- (a) in paragraph 1(1) (appropriateness of certificate) and 2 (certificate of test), for "69(3)" substitute "69(2)";
 - (b) in paragraph 4(1), (2), (4) and (5) (period of validity of certificate of test), for each reference to "date of the test which it certifies" substitute "last day of the month in which the test was taken";
 - (c) in paragraph 5 (certificate of experience), for "69(3)" substitute "69(2)";
 - (d) in paragraph 6 (period of experience), for both references to "preceding the signing of the certificate" substitute "preceding the last day of the month in which the certificate was signed"; and
 - (e) in paragraph 7 (period of validity of certificate of experience), for each reference to "after it was signed" substitute "after the last day of the month in which it was signed".
- (2) In Section 2 of Part C of Schedule 7—
- (a) for paragraph 9(1)(a)(i) (validity of type ratings and multi-engine class ratings, aeroplane), substitute—
 - "(i) Validity*

Type ratings and multi-engine class ratings for aeroplanes are valid for one year beginning with the date of issue, revalidation or renewal or the last day of the month in which the rating expires if it is revalidated within the period of three months preceding that day.";
 - (b) in paragraph 9(1)(a)(ii), for "specified in paragraph 1.245(a) and (b) of Section 1 of JAR-FCL 1" substitute "for the ratings specified in paragraph FCL.740.A of Part-FCL";

- (c) for paragraph 9(1)(b)(i) (validity of single-pilot single-engine class ratings), substitute—
 - “(i) *Validity*
Single-pilot single-engine class ratings for aeroplanes are valid for two years beginning with the date of issue, revalidation or renewal or the last day of the month in which the rating expires if it is revalidated within the period of three months preceding that day.”;
- (d) in paragraph 9(1)(b)(ii), for “specified in paragraph 1.245(c)(1) of Section 1 of JAR-FCL 1” substitute “for the ratings specified in paragraph FCL.740.A of Part-FCL”;
- (e) in paragraph 9(1)(b)(iii), for “the expiry date of the rating” substitute “the last day of the month in which the rating expires”;
- (f) in paragraph 9(1)(b)(iv)(aa), for “the expiry date of the rating” substitute “the last day of the month in which the rating expires”;
- (g) in paragraph 9(1)(b)(iv)(bb), for “the expiry of the rating”, substitute “the last day of the month in which the rating expires”;
- (h) in paragraph 9(1)(c)(ii) (expired ratings), for “specified at Appendix 3 to paragraph 1.240 of Section 1 of JAR-FCL 1”, substitute “specified in Appendix 9 of Part-FCL”;
- (i) in paragraph 9(2)(a) (type ratings, helicopter – validity), for “the date of expiry if revalidated within the period of three months preceding the date of expiry”, substitute “the last day of the month in which the rating expired if revalidated within the period of three months preceding that day”;
- (j) in paragraph 9(2)(b) (type ratings, helicopter – revalidation), for “paragraph 2.245(b) of Section 1 of JAR-FCL 2”, substitute “paragraph FCL.740.H of Part-FCL”;
- (k) in paragraph 9(3)(a) (flight engineer type ratings – validity), for “the date of expiry if revalidated within the period of three months preceding the date of expiry”, substitute “the last day of the month in which the rating expired if revalidated within the period of three months preceding that day”; and
- (l) after paragraph 9 of Section 2 of Part C of Schedule 7, insert—

“Instrument ratings

9A. Instrument ratings

(a) *Validity periods*

Instrument ratings are valid from the date of issue, revalidation or renewal to the end of the month in which they were issued, revalidated or renewed, plus one year after that date in each case.

(b) *Revalidation and renewal of expired ratings*

(i) Instrument rating – aeroplane

For revalidation of instrument ratings (aeroplane) the applicant must complete the requirements specified in paragraph FCL.625.A of Part-FCL.

(ii) Instrument rating – helicopter

For revalidation of instrument ratings (helicopter) the applicant must complete the requirements specified in paragraph FCL.625.H of Part-FCL.

(c) *Expired instrument ratings*

If the instrument rating has expired the applicant must complete the renewal requirements specified in paragraphs FCL.625(c) and FCL.625(d) of Part-FCL.

Instructor ratings**9B. Instructor ratings****(a) Validity periods**

Instructor ratings are valid from the date of issue, revalidation or renewal to the end of the month in which they were issued, revalidated or renewed, plus three years after that date in each case.

(b) Revalidation and renewal of expired ratings

In the following table, for an instructor rating listed in column 1 the requirements for revalidation are those set out in column 2 and for expired ratings the renewal requirements are those set out in column 3.

<i>Rating</i>	<i>Revalidation requirement (Part-FCL)</i>	<i>Renewal requirement (Part-FCL)</i>
Flight instructor (aeroplane)	FCL.940.FI(a) and (b)	FCL.940.FI(c)
Flying instructor's rating (aeroplanes)	FCL.940.FI(a) and (b)	FCL.940.FI(c)
Assistant flying instructor's rating (aeroplanes)	FCL.940.FI(a) and (b)	FCL.940.FI(c)
Flight instructor rating (helicopter)	FCL.940.FI(a) and (b)	FCL.940.FI(c)
Flying instructor's rating (helicopters)	FCL.940.FI(a) and (b)	FCL.940.FI(c)
Assistant flying instructor's rating (helicopters)	FCL.940.FI(a) and (b)	FCL.940.FI(c)
Type rating instructor's rating (multi-pilot aeroplane)	FCL.940.TRI(a)	FCL.940.TRI(b)
Type rating instructor's rating (helicopter)	FCL.940.TRI(a)	FCL.940.TRI(b)
Class rating instructor rating (single pilot aeroplane)	FCL.940.CRI(a) and (b)	FCL.940.CRI(c)
Instrument rating instructor rating (aeroplane)	FCL.940.IRI	FCL.940.IRI
Instrument rating instructor rating (helicopter)	FCL.940.IRI	FCL.940.IRI".

51.—(1) For paragraph 10(1)(b) (forms of certificate of revalidation) of Section 2 of Part C of Schedule 7 substitute—

- “(b) that the person signing the certificate is satisfied that on a date specified in the certificate, the holder of the licence of which the certificate forms a part met the appropriate requirements for revalidation specified for the rating, in the case of an aircraft rating in paragraph 9, in the case of an instrument rating in paragraph 9A and in the case

of any other rating in the Table in paragraph 9B, to exercise the privileges of the licence or rating to which the certificate relates.”.

(2) Omit sub-paragraph (2) of paragraph 10 and the Table immediately following it.

52. In Section 3 (requirement for a certificate of revalidation to maintain the validity of a rating specified in Section 2 of Part B) of Part C of Schedule 7—

(a) in the heading, for “*Section 2*”, substitute “*Sections 2 or 3*”;

(b) for paragraph 11(3), substitute—

“(3) The new certificate is valid for 24 months in addition to the remainder of the month in which the date of issue falls.”;

(c) in Table 2 (experience requirements for issue of certificate of revalidation in accordance with paragraph 2(b) of Table 1), in the column headed “Experience requirements”, in paragraph 2(a)(iii), for “which are held” substitute “which are to be revalidated”; and

(d) omit Table 3 (period of validity of certificate of revalidation for an aeroplane class rating included in Section 2 of Part B).

53. After Table 4 in Section 3 of Part C of Schedule 7 add—

“**13.**—(1) A certificate of revalidation required by article 69(1) for a helicopter type rating must be signed by a person authorised by the CAA to sign certificates of this kind and certify—

(a) the rating to which the certificate relates;

(b) that on a specified date the holder has satisfied the requirements of FCL.740 and FCL.740.H of Part-FCL;

(c) the specified date; and

(d) the date on which the period of validity of the certificate expires in accordance with paragraph (2).

(2) The new certificate is valid for 12 months in addition to the remainder of the month in which the date of issue falls.”.

54.—(1) After Section 3 of Part A (provisions referred to in article 241(5)) of Schedule 13 (penalties), add—

“SECTION 4

<i>Provision of Part-FCL</i>	<i>Subject Matter</i>
ORA.GEN.130	Changes to organisations
ORA.ATO.120	Record keeping”.

(2) In the Table in Section 1 of Part C (provisions referred to in article 241(7)) of Schedule 13 for the row relating to article 50(1) substitute the following two rows—

“50	Requirement for appropriate licence to act as member of flight crew of EASA aircraft registered in the United Kingdom
50A	Requirement for appropriate licence to act as member of flight crew of non-EASA aircraft registered in the United Kingdom”.

Status: *This is the original version (as it was originally made).*
