

SCHEDULES

SCHEDULE 9

PUBLIC TRANSPORT – OPERATIONAL REQUIREMENTS

PART 3

Required Crew Training, Experience, Practice and Periodical Tests

Crew

1.—(1) The training, experience, practice and periodical tests required under article 114(2) for members of the crew of an aircraft to which that paragraph applies must be as follows.

(2) Every member of the crew must have—

- (a) been tested by or on behalf of the operator as to the crew member's knowledge of the use of the emergency and life saving equipment required to be carried in the aircraft on the flight and have a valid test result;
- (b) practised under the supervision of the operator or of a person appointed by the operator for the purpose, within the test validity period, the carrying out of the duties required of the crew member in case of an emergency occurring to the aircraft—
 - (i) in an aircraft of the type to be used on the flight; or
 - (ii) in apparatus approved by the CAA for the purpose and controlled by a person so approved by the CAA.

Pilots

2.—(1) Every pilot included in the flight crew who is intended by the operator to fly as pilot in circumstances requiring compliance with the Instrument Flight Rules must have been tested by or on behalf of the operator—

- (a) as to the pilot's competence to perform the pilot's duties while executing normal manoeuvres and procedures in flight; and
- (b) as to the pilot's competence to perform the pilot's duties in instrument flight conditions while executing emergency manoeuvres and procedures in flight,

in each case in an aircraft of the type to be used on the flight and including the use of the instruments and equipment provided in the aircraft, and have a valid test result.

(2) A pilot's ability to execute normal manoeuvres and procedures must be tested in the aircraft in flight.

(3) The other tests required by sub-paragraph (1) may be conducted either in the aircraft in flight, or under the supervision of a person approved by the CAA for the purpose by means of a flight simulator approved by the CAA.

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(4) The tests specified in sub-paragraph (1)(b) when conducted in the aircraft in flight must be carried out either in actual instrument flight conditions or in instrument flight conditions simulated by means approved by the CAA.

(5) Every pilot included in the flight crew whose licence does not include an instrument rating or who is not intended by the operator to fly in circumstances requiring compliance with the Instrument Flight Rules, even though the licence includes such a rating, must have been tested by or on behalf of the operator in flight in an aircraft of the type to be used on the flight—

- (a) as to the pilot's competence to act as pilot of that aircraft, while executing normal manoeuvres and procedures; and
- (b) as to the pilot's competence to act as pilot of that aircraft while executing emergency manoeuvres and procedures,

and have a valid test result.

(6) In relation to every pilot included in the flight crew who is seated at the flying controls during the take-off or landing and who is intended by the operator to fly as pilot in circumstances requiring compliance with the Instrument Flight Rules—

- (a) the pilot must have been tested as to the pilot's proficiency in using instrument approach-to-land systems of the type in use at the aerodrome of intended landing and any destination alternate aerodromes and have a valid test result; and
- (b) the test required by sub-paragraph (a) must have been carried out—
 - (i) in flight in instrument flight conditions; or
 - (ii) in instrument flight conditions simulated by means approved by the CAA; or
 - (iii) under the supervision of a person approved by the CAA for the purpose by means of a flight simulator approved by the CAA.

(7) In the case of a helicopter, every pilot included in the flight crew whose licence does not include an instrument rating but who is intended to fly at night under visual flight conditions, must have been tested by or on behalf of the operator, in a helicopter of the type to be used on the flight, as to the pilot's competence to act as pilot of that helicopter—

- (a) while executing normal manoeuvres and procedures; and
- (b) while executing specified manoeuvres and procedures in flight in instrument flight conditions simulated by means approved by the CAA,

and have a valid test result.

(8) Every pilot included in the flight crew and who is seated at the flying controls during take-off or landing must have carried out within the test validity period, at least three take-offs and three landings in aircraft of the type to be used on the flight when seated at the flying controls.

Flight engineers

3.—(1) Every flight engineer included in the flight crew must have been tested by or on behalf of the operator—

- (a) as to the engineer's competence to perform the engineer's duties while executing normal procedures in flight, in an aircraft of the type to be used on the flight; and
- (b) as to the engineer's competence to perform the engineer's duties while executing emergency procedures in flight, in an aircraft of the type to be used on the flight,

and have a valid test result.

(2) A flight engineer's ability to carry out normal procedures must be tested in an aircraft in flight and the other tests required by this paragraph may be conducted—

- (a) in the aircraft in flight; or
- (b) under the supervision of a person approved by the CAA for the purpose by means of a flight simulator approved by the CAA.

Flight radiotelephony operators and flight navigators

4. Every flight radiotelephony operator and flight navigator whose inclusion in the flight crew is required under article 111(1)(a) must have been tested by or on behalf of the operator as to their competence to perform their duties in conditions corresponding to those likely to be encountered on the flight—

- (a) in the case of a flight radiotelephony operator using radio equipment of the type installed in the aircraft to be used on the flight, and including a test of the operator's ability to carry out emergency procedures; and
- (b) in the case of a flight navigator, using equipment of the type to be used in the aircraft on the flight for purposes of navigation,

and have a valid test result.

Pilot in Command of Aircraft

5.—(1) The pilot designated as pilot in command of the aircraft for the flight must have demonstrated to the satisfaction of the operator within the test validity period that the pilot has adequate knowledge of the route to be taken, the aerodromes of take-off and landing, and any destination alternate aerodromes, including in particular the pilot's knowledge of the following which are relevant to the route—

- (a) the terrain;
- (b) the seasonal meteorological conditions;
- (c) the meteorological, communications and air traffic facilities, services and procedures;
- (d) the search and rescue procedures; and
- (e) the navigational facilities.

(2) In determining whether a pilot's knowledge of the matters referred to in sub-paragraph (1) is sufficient to render the pilot competent to perform the duties of pilot in command on the flight, the operator must take into account the pilot's flying experience in conjunction with the following—

- (a) the experience of other members of the intended flight crew;
- (b) the influence of terrain and obstructions on departure and approach procedures at the aerodromes of take-off and intended landing and at destination alternate aerodromes;
- (c) the similarity of the instrument approach procedures and let-down aids to those with which the pilot is familiar;
- (d) the dimensions of runways which may be used in the course of the flight in relation to the performance limits of aircraft of the type to be used on the flight;
- (e) the reliability of meteorological forecasts and the probability of difficult meteorological conditions in the areas to be traversed;
- (f) the adequacy of the information available regarding the aerodrome of intended landing and any destination alternate aerodromes;
- (g) the nature of air traffic control procedures and the familiarity of the pilot with such procedures;
- (h) the influence of terrain on route conditions and the extent of the assistance obtainable en-route from navigational aids and air-to-ground communication facilities; and

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- (i) the extent to which it is possible for the pilot to become familiar with unusual aerodrome procedures and features of the route by means of ground instruction and training devices.

Deemed compliance

6.—(1) For the purposes of paragraph 2(1), 2(5) or 3(1) a pilot or flight engineer is deemed to have complied with the specified requirements in paragraphs 2(1)(b), 2(5)(b) or 3(1)(b) within the test validity period if—

- (a) they have qualified in accordance with the specified requirements on at least two occasions within the period of 13 months immediately preceding the flight; and
- (b) such occasions are separated by an interval of not less than four months.

(2) For the purposes of paragraph 5(1) a pilot is deemed to have complied with the specified requirements if, having become qualified to act as pilot in command on flights between the same places over the same route more than 13 months before commencement of the flight, the pilot has within the period of 13 months immediately preceding the flight flown as pilot of an aircraft between those places over that route.

Contents of records

7. The records required to be maintained by an operator under article 114(3) must be accurate and up-to-date records kept so as to show, on any date, in relation to each person who has during the period of two years immediately preceding that date flown as a member of the crew of any public transport aircraft operated by that operator—

- (a) the date and detailed information about each test required by this Part and undergone by that person during the period, including the name and qualifications of the examiner;
- (b) the date on which that person last practised the carrying out of duties referred to in paragraph 1(2);
- (c) the operator's conclusions, based on each such test and practice as to that person's competence to perform that person's duties; and
- (d) the date and detailed information about any decision taken by the operator during the period in accordance with paragraph 5(1), including detailed information about the evidence on which that decision was based.

Production of records to authorised person

- 8. The operator must, whenever called on to do so by any authorised person—
 - (a) produce for the inspection of any such person all records referred to in paragraph 7;
 - (b) supply to any such person all such information that person may require in connection with any such records; and
 - (c) produce for inspection by any such person all log books, certificates, papers and other documents, whatsoever which may reasonably be required to be seen for the purpose of determining whether such records are complete or of verifying the accuracy of their contents.

Supply of records to crew member

9. At the request of any person for whom the operator is required to keep records under this Part, the operator must supply to that person, or to any other operator of aircraft for the purpose of commercial or public transport by whom that person may subsequently be employed, detailed

information about any qualifications in accordance with this Schedule obtained by such person whilst in the operator's service.

Definitions and validity periods

10. For the purposes of this Part—

- (a) “visual flight conditions” means weather conditions such that the pilot is able to fly by visual reference to objects outside the aircraft;
- (b) “instrument flight conditions” means weather conditions such that the pilot is unable to fly by visual reference to objects outside the aircraft;
- (c) a “valid test result” is a test result—
 - (i) where the person tested met the minimum standard set in relation to the test; and
 - (ii) the test validity period has not expired in relation to that test;
- (d) “test validity period”, subject to paragraph 6, means a period commencing with the date of test and ending—
 - (i) in the case of paragraph 2(8), three months;
 - (ii) in the case of paragraphs 2(1)(b), 2(5)(b), 2(6)(a), 2(7)(b) and 3(1)(b), six months; and
 - (iii) in the case of paragraphs 1, 2(1)(a), 2(5)(a), 2(7)(a), 3(1)(a), 4 and 5(1), 13 months, after the end of the month in which the test was taken.

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