
STATUTORY INSTRUMENTS

1995 No. 1038

The Air Navigation Order 1995

PART IV

AIRCRAFT CREW AND LICENSING

Grant, renewal and effect of flight crew licences

- (a) **22.** (1) (a) Subject to paragraph (2), the Authority shall grant licences, subject to such conditions as it thinks fit, of any of the classes specified in Part A of Schedule 8 to this Order authorising the holder to act as a member of the flight crew of an aircraft registered in the United Kingdom, upon its being satisfied that the applicant is a fit person to hold the licence, and is qualified by reason of his knowledge, experience, competence, skill, physical and mental fitness to act in the capacity to which the licence relates, and for that purpose the applicant shall furnish such evidence and undergo such examinations and tests (including in particular medical examinations) and undertake such courses of training as the Authority may require of him.
- (b) A licence of any class shall not be granted to any person who is under the minimum age specified for that class of licence in Part A of the said Schedule.
- (c) A licence granted under this article shall not be valid unless it bears thereon the ordinary signature of the holder in ink.
- (d) Subject to paragraph (2) and to the provisions of article 71 of this Order, a licence shall remain in force for the period indicated in the licence, not exceeding the period specified in respect of a licence of that class in the said Schedule, and may be renewed by the Authority from time to time upon its being satisfied that the applicant is a fit person and qualified as aforesaid. If no period is indicated in the licence it shall remain in force, subject as aforesaid for the lifetime of the holder.
- (a) (2) (a) The Authority shall not on or after 4th December 1989 grant a Senior Commercial Pilot's Licence (Aeroplanes) to any person who was not on 3rd December 1989 the holder of such a licence.
- (b) A Senior Commercial Pilot's Licence (Aeroplanes) shall remain in force until either:
- (i) the end of the period indicated in the licence, such period not exceeding 10 years; or
 - (ii) 3rd December 1994;
- whichever is the earlier.
- (3) The Authority may include in a licence a rating, subject to such conditions as it thinks fit, of any of the classes specified in Part B of the said Schedule, upon its being satisfied that the applicant is qualified as aforesaid to act in the capacity to which the rating relates, and such rating shall be deemed to form part of the licence.
- (4) Subject to any conditions of the licence and to the provisions of this Order, a licence of any class shall entitle the holder to perform the functions specified in respect of that licence in Part A of the said Schedule under the heading "Privileges", and a rating of any class shall entitle the holder

of the licence in which such rating is included to perform the functions specified in respect of that rating in Part B of the said Schedule.

- (a) (i) Subject to the provisions of sub-paragraphs (ii) and (iii), the holder of a pilot's licence or a flight engineer's licence shall not be entitled to exercise the privileges of an aircraft rating contained in the licence on a flight unless the licence bears a valid certificate of test or a valid certificate of experience, which certificate shall in either case be appropriate to the functions he is to perform on that flight in accordance with Part C of the said Schedule and shall otherwise comply with that Part.
- (ii) The holder of a Private Pilot's Licence (Balloons and Airships) shall be entitled to exercise the privileges of an aircraft rating contained in the licence on a flight when the licence does not bear such a certificate.
- (iii) The holder of a Private Pilot's Licence shall not be entitled to exercise the privileges of an aircraft rating contained in the licence on a flight unless the certificate of test or certificate of experience required by sub-paragraph (i) is included in the personal flying log book required to be kept by him under article 24 of this Order.
- (b) The holder of a flight navigator's licence shall not be entitled to perform functions on a flight to which article 20(4) of this Order applies unless the licence bears a valid certificate of experience which certificate shall be appropriate to the functions he is to perform on that flight in accordance with Part C of Schedule 8 and shall otherwise comply with that Part.
- (6) A person shall not be entitled to perform the functions to which an instrument rating (aeroplanes), an instrument rating (helicopters), a flying instructor's rating, an assistant flying instructor's rating, or an instrument meteorological conditions rating (aeroplanes) relates unless his licence bears a valid certificate of test which certificate shall be appropriate to the functions to which the rating relates in accordance with Part C of the said Schedule and shall otherwise comply with that Part.
- (7) A person who, on the last occasion when he took a test for the purposes of paragraphs (5) or (6), failed that test shall not be entitled to fly in the capacity for which that test would have qualified him had he passed it.
- (a) (8) (a) The holder of a licence, other than a flight radiotelephony operator's licence, granted under this article, shall not be entitled to perform any of the functions to which his licence relates unless it includes a valid medical certificate.
- (b) Every applicant for or holder of such a licence shall upon such occasions as the Authority may require submit himself to medical examination by a person approved by the Authority either generally or in a particular case or class of case who shall make a report to the Authority in such form as the Authority may require.
- (c) On the basis of such medical examination, the Authority 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 fit to perform the functions to which the licence relates. The certificate shall, without prejudice to paragraph (9), be valid for such period as is therein specified and shall be deemed to form part of the licence.
- (a) (9) (a) A person shall not be 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.
- (b) Every holder of a medical certificate issued under article 21 or 22 of this Order who:
 - (i) suffers any personal injury involving incapacity to undertake his functions as a member of the flight crew;

(ii) suffers any illness involving incapacity to undertake those functions throughout a period of 20 days or more; or

(iii) in the case of a woman, has reason to believe that she is pregnant;

shall inform the Authority 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 20 days has elapsed in the case of illness. The medical certificate shall be deemed to be suspended upon the occurrence of such injury or the elapse of such period of illness or the confirmation of the pregnancy; and:

(aa) in the case of injury or illness the suspension shall cease upon the holder being medically examined under arrangements made by the Authority and pronounced fit to resume his functions as a member of the flight crew or upon the Authority exempting, subject to such conditions as it thinks fit, the holder from the requirement of a medical examination; and

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

(10) Nothing in this Order shall prohibit the holder of a pilot's licence from acting as pilot of an aircraft certificated for single pilot operation when, with the permission of the Authority, he is testing any person for the purposes of paragraphs (1), (3), (5) or (6), notwithstanding that the type of aircraft in which the test is conducted is not specified in the aircraft rating included in his licence or that the licence or personal flying log book, as the case may be, does not include a valid certificate of test or a valid certificate of experience in respect of the type of aircraft.

(11) Where any provision of Part C of Schedule 8 or Part B of Schedule 10 to this Order permits a test to be conducted in a flight simulator approved by the Authority, that approval may be granted subject to such conditions as the Authority thinks fit.

(12) Without prejudice to any other provision of this Order the Authority may, for the purpose of this article, either absolutely or subject to such conditions as it thinks fit:

(a) approve any course of training or instruction;

(b) authorise a person to conduct such examinations or tests as it may specify; and

(c) approve a person to provide any course of training or instruction.