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STATUTORY INSTRUMENTS

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**1999 No. 2059**

**CIVIL AVIATION**

**The Air Navigation (Fifth Amendment) Order 1999**

*Made* - - - - 21st July 1999  
*Laid before Parliament* 29th July 1999  
*Coming into force* - - 1st September 1999

At the Court at Buckingham Palace the 21st day of July 1999  
Present,  
The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by sections 60 (other than sub-section (3) (r)), 61 and 102 of, and Schedule 13 to, the Civil Aviation Act 1982(1) and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**Citation and Commencement**

1. This Order may be cited as the Air Navigation (Fifth Amendment) Order 1999 and shall come into force on 1st September 1999.

**Amendment of the Air Navigation (No. 2) Order 1995**

2. The Air Navigation (No. 2) Order 1995(2) shall be amended in accordance with the following articles.

**Flight Crew Licensing**

3.—(1) In article 21(2)(b), (c), (d) and (e) for “article 22(9)” there shall be substituted “article 22D(3)”.

(2) In article 21(2)(b)(i) for “17 years of age” there shall be substituted “16 years of age”.

(3) In article 21(2)(b)(vi), (c)(ii), and (d)(ii) after “a pilot’s licence granted under this Order” there shall be inserted “or a JAA licence”.

(4) For article 21(4) there shall be substituted:

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(1) 1982 c. 16.

(2) S.I.1995/1970, amended by S.I. 1996/1301, S.I. 1997/287, S.I. 1998/753 and S.I. 1999/1123.

- (a) “(4) For the purposes of this Part of this Order subject to sub-paragraph (b), a licence granted either under the law of a Contracting State other than the United Kingdom which is not a JAA licence or a licence granted under the law of a relevant overseas territory purporting to authorise the holder thereof to act as a member of the flight crew of an aircraft, not being a licence purporting to authorise him to act as a student pilot only, shall, unless the Authority in the particular case gives a direction to the contrary, be deemed to be a licence rendered valid under this Order but does not entitle the holder:
    - (i) to act as a member of the flight crew of any aircraft flying for the purpose of public transport or aerial work or on any flight in respect of which he receives remuneration for his services as a member of the flight crew; or
    - (ii) in the case of a pilot’s licence, 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.
  - (b) For the purposes of this Part of this Order, a JAA licence shall, unless the Authority in the particular case gives a direction to the contrary, be deemed to be a licence rendered valid under this Order.”.
- (5) For article 22 there shall be substituted:

“Grant, renewal and effect of flight crew licences

- (a) **22.** (1) Subject to sub-paragraph (d) and 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 and 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 granted under this article shall not be valid unless it bears thereon the ordinary signature of the holder in ink.
- (c) Subject to 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.
- (d) 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.
- (a) (i) Subject to sub-paragraph (ii), the Authority shall not on or after 1st July 2000 grant a United Kingdom Private Pilot’s Licence (Aeroplanes) to any person who was not on 30th June 2000 the holder of such a licence.
- (ii) The Authority shall continue to grant United Kingdom Private Pilot’s Licences (Aeroplanes) containing only a microlight class rating (in this Part of this Order and in the said Schedule called “a Microlight Licence”) or only an SLMG class rating (in this Part of this Order and in the said Schedule called “an SLMG Licence”).

- (b) The Authority shall not on or after 1st July 2000 grant a United Kingdom Basic Commercial Pilot's Licence (Aeroplanes) to any person who was not on 30th June 2000 the holder of such a licence.
- (c) The Authority shall not on or after 1st January 2001 grant a United Kingdom Private Pilot's Licence (Helicopters) to any person who was not on 31st December 2000 the holder of such a licence.
- (d) The Authority shall not on or after 1st July 2002 grant a United Kingdom Commercial Pilot's Licence (Aeroplanes) or a United Kingdom Airline Transport Pilot's Licence (Aeroplanes) to any person who was not on 30th June 2002 respectively the holder of such a licence.
- (e) The Authority shall not on or after 1st January 2003 grant a United Kingdom Commercial Pilot's Licence (Helicopters) or a United Kingdom Airline Transport Pilot's Licence (Helicopters) to any person who was not on 31st December 2002 respectively the holder of such a licence.
- (a) (3) Subject to sub-paragraph (b), the Authority may include in a licence a rating or qualification, 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 or qualification relates, and such rating or qualification shall be deemed to form part of the licence.
- (b) (i) the Authority shall not on or after 1st September 1999] grant a flying instructor's rating (aeroplanes) or an assistant flying instructor's rating (aeroplanes) and shall not on or after 1st January 2000 grant a flying instructor's rating (helicopters) or an assistant flying instructor's rating (helicopters).
- (ii) The Authority shall not include in a Microlight Licence or an SLMG Licence granted on or after 1st July 2000 any additional aircraft rating.

(4) Subject to any conditions of the licence including those specified in Part A of the said Schedule 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 Section 1 of Part A of the said Schedule under the heading 'Privileges' or Section 2 of Part A of the said Schedule under the heading 'Privileges and conditions', and a rating or qualification of any class shall entitle the holder of the licence in which such rating or qualification is included to perform the functions specified in respect of that rating or qualification in Part B of the said Schedule.

#### Maintenance of privileges of aircraft ratings in United Kingdom licences

- (a) **22A.** (1) This article applies to United Kingdom licences.
- (b) The validity of a United Kingdom licence in respect of which there is a JAR-FCL equivalent, of a United Kingdom Basic Commercial Pilot's Licence and of a United Kingdom Flight Engineer's Licence shall be maintained in accordance with this article until 31st December 1999 and thereafter in accordance with article 22B.
- (c) The validity of a United Kingdom licence in respect of which there is no JAR-FCL equivalent other than a United Kingdom Basic Commercial Pilot's Licence and a United Kingdom Flight Engineer's Licence shall be maintained in accordance with this article.
- (a) (i) Subject to the provisions of sub-paragraphs (ii) and (iii), the holder of a pilot's licence to which this article applies 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 in respect of the rating, which certificate shall in either case be appropriate to the

functions he is to perform on that flight in accordance with Section 1 of Part C of Schedule 8 to this Order and shall otherwise comply with that Section.

- (ii) The holder of a United Kingdom 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)
  - (aa) The holder of a Microlight Licence, an SLMG Licence or a United Kingdom Private Pilot's Licence (Gyroplanes) 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.
  - (bb) The holder of a United Kingdom Private Pilot's Licence (Helicopters) shall not, prior to 1st January 2000, 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 engineer's licence to which this article applies 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 in respect of the rating, which certificate shall be appropriate to the functions he is to perform on the flight in accordance with Section 1 of Part C of the said Schedule and shall otherwise comply with that Part.
- (c) The holder of a flight navigator's licence to which this article applies 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 Section 1 of Part C of the said Schedule and shall otherwise comply with that Part.

Maintenance of privileges of aircraft ratings in JAR-FCL licences, United Kingdom aeroplane licences for which there are JAR-FCL equivalents, United Kingdom Basic Commercial Pilot's Licences and United Kingdom Flight Engineer's Licences

**22B.**—(1) This article applies to JAR-FCL licences, United Kingdom aeroplane licences for which there are JAR-FCL equivalents, United Kingdom Basic Commercial Pilot's Licences and United Kingdom Flight Engineer's Licences on and after 1st January 2000 and United Kingdom helicopter licences for which there are JAR-FCL equivalents on and after 1st July 2000.

(2) The holder of a pilot's licence to which this article applies shall not be entitled to exercise the privileges of an aircraft rating contained in the licence on a flight unless:

- (a) the licence bears a valid certificate of revalidation in respect of the rating which certificate shall be appropriate to the functions he is to perform on that flight in accordance with Section 2 of Part C of Schedule 8 and shall otherwise comply with that Part; and
- (b) the holder has undertaken differences training in accordance with paragraph 1.235 of JAR-FCL 1 in the case of an aeroplane and paragraph 2.235 of JAR-FCL 2 in the case of a helicopter and has had particulars thereof entered in his personal flying log book in accordance with the relevant paragraph.

(3) The holder of a flight engineer's licence to which this article applies 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 revalidation in respect of the rating, which certificate shall be appropriate to the functions he is to perform on the flight in accordance with Section 2 of Part C of the said Schedule and shall otherwise comply with that Part.

#### Maintenance of privileges of other ratings

**22C.**—(1) A person shall not be entitled to perform the functions to which a flying instructor's rating (aeroplanes), an assistant flying instructor's rating (aeroplanes) 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 Section 1 of Part C of Schedule 8 to this Order and shall otherwise comply with that Part.

(2) A person shall not be entitled to perform the functions to which an instrument rating (helicopter), a flying instructor's rating (helicopters) or an assistant flying instructor's rating (helicopters) relates:

- (a) prior to 1st January 2000, 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 Section 1 of Part C of the said Schedule and shall otherwise comply with that Part; or
- (b) on and after 1st January 2000 unless his licence bears a valid certificate of revalidation, which certificate shall be appropriate to the functions to which the rating relates in accordance with Section 2 of Part C of the said Schedule and shall otherwise comply with that Part.

(3) A person shall not be entitled to perform the functions to which an instrument rating (aeroplane) or an instructor's rating (other than a flying instructor's rating or an assistant flying instructor's rating) relates unless his licence bears a valid certificate of revalidation, which certificate shall be appropriate to the functions to which the rating relates in accordance with Section 2 of Part C of the said Schedule and shall otherwise comply with that Part.

#### Miscellaneous licensing provisions

**22D.**—(1) A person who, on the last occasion when he took a test for the purposes of articles 22A, 22B or 22C, 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) (2) The holder of a licence granted under article 22, other than a Flight Radiotelephony Operator's Licence, shall not be entitled to perform any of the functions to which his licence relates unless it includes an appropriate valid medical certificate.
- (b) Every applicant for or holder of a licence granted under article 22 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 cases, 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 meeting the requirements specified in respect of the certificate. The certificate shall, without prejudice to paragraph (3), be valid for such period as is therein specified and shall be deemed to form part of the licence.

- (a) (3) 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 this article 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 21 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 21 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.

(4) 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 articles 22(1), 22(3), 22A(2), 22B(2) or 22C, notwithstanding that the type of aircraft in which the test is conducted is not specified in an 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, experience or revalidation in respect of the type of aircraft.

(5) 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.

(6) Without prejudice to any other provision of this Order the Authority may, for the purpose of this Part of this Order, 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."

(6) In article 23(1) after "other than the United Kingdom" there shall be inserted ", other than a JAA licence".

(7) In article 25(1)(a) after "granted or rendered valid under this Order" there shall be inserted "or a JAA licence".

(8) In article 118(1):

- (a) After the definition of "Class A airspace", "Class B airspace", "Class C airspace", "Class D airspace" and "Class E airspace" there shall be inserted:

““Class rating” in respect of aeroplanes has the meaning specified in paragraph 1.220 of JAR-FCL 1;”

- (b) After the definition of “Government aerodrome” there shall be inserted:

““Granted in accordance with JAR-FCL”(3) means granted by an authority which is a Full Member of the JAA pursuant to requirements and in accordance with a procedure which has been assessed as satisfactory following an inspection by a licensing standardisation team of the JAA;”

- (c) After the definition of “hire purchase agreement” there shall be inserted:

““Instructor’s rating” means a flying instructor’s rating, an assistant flying instructor’s rating, a flight instructor rating (aeroplane), a flight instructor rating (helicopter), a type rating instructor rating (multi pilot aeroplane), a type rating instructor rating (helicopter), a class rating instructor rating (single pilot aeroplane), an instrument rating instructor rating (aeroplane) or an instrument rating instructor rating (helicopter);”

- (d) After the definition of “JAA” there shall be inserted:

““JAA Full Member State” means a State which is full member of the JAA;

““JAA licence” means a licence granted in accordance with JAR-FCL;”

- (e) For the definition of “JAR” there shall be substituted:

““JAR” means a Joint Aviation Requirement of the JAA bearing that number and reference to a numbered or lettered JAR is a reference to such a requirement in the form in which it has been adopted by JAA or, in the case of such a JAR which has been annexed to the Technical Harmonisation Regulation, in the form in which it has been thus annexed and has effect under that Regulation;”

- (f) After the definition of “JAR” there shall be inserted:

““JAR-FCL licence” means a licence included in Section 2 of Part A of Schedule 8 to this Order;”

- (g) After the definition of “minimum descent height” there shall be inserted:

““Multi-crew co-operation” means the functioning of the flight crew as a team of co-operating members led by the pilot in command;”

- (h) After the definition of “non precision approach” there shall be inserted:

““Non-revenue flight” means:

(a) in the case of a flight by an aeroplane, any flight which the holder of a United Kingdom Private Pilot’s Licence (Aeroplanes) may undertake pursuant to paragraph (2) of the privileges of that licence set out in Section 1 of Part A of Schedule 8 to this Order;

(b) in the case of a flight by a helicopter, any flight which the holder of a United Kingdom Private Pilot’s Licence (Helicopters) may undertake pursuant to paragraph (2)(a) and (b) of the privileges of that licence set out in Section 1 of Part A of Schedule 8 to this Order; and

(c) in the case of a flight by a gyroplane, any flight which the holder of a United Kingdom Private Pilot’s Licence (Gyroplanes) may undertake pursuant to paragraph (2)(a) and (b) of the privileges of that licence set out in Section 1 of Part A of Schedule 8 to this Order;”

- (i) After the definition of “private flight” there shall be inserted:

- “Proficiency check” has the meaning specified in paragraph 1.001 of JAR-FCL 1 in respect of aeroplanes and paragraph 2.001 in JAR-FCL 2 in respect of helicopters;”
- (j) After the definition of “sector” there shall be inserted:  
““Skill test” has the meaning specified in paragraph 1.001 of JAR-FCL 1 in respect of aeroplanes and paragraph 2.001 in JAR-FCL 2 in respect of helicopters;”
- (k) After the definition of “tethered flight” there shall be inserted:  
““Touring motor glider” has the meaning specified in paragraph 1.001 of JAR-FCL 1;  
“Type rating” in respect of aeroplanes has the meaning specified in paragraph 1.215 of JAR-FCL 1;  
“Type rating” in respect of helicopters has the meaning specified in paragraph 2.215 of JAR-FCL 2;”
- (l) After the definition of “uncontrollable balloon” there shall be inserted:  
““United Kingdom licence” means a licence included in Section 1 of Part A of Schedule 8 to this Order;  
“United Kingdom licence in respect of which there is a JAR-FCL equivalent” means the following licences included in Section 1 of Part A of Schedule 8 to this Order:  
Private Pilot’s Licence (Aeroplanes);  
Commercial Pilot’s Licence (Aeroplanes);  
Airline Transport Pilot’s Licence (Aeroplanes);  
Private Pilot’s Licence (Helicopters);  
Commercial Pilot’s Licence (Helicopters and Gyroplanes);  
Airline Transport Pilot’s Licence (Helicopters and Gyroplanes);  
“United Kingdom licence in respect of which there is no JAR-FCL equivalent” means any licence included in Section 1 of Part A of Schedule 8 to this Order other than any such licence which is a United Kingdom licence in respect of which there is a JAR-FCL equivalent;”
- (9) For Schedule 8 there shall be substituted:

“SCHEDULE 8

Article 22, 22A, 22B, 22C and 22D

*Flight Crew of Aircraft – Licences Ratings and Qualifications*

## **PART A LICENCES**

### ***Section 1 – United Kingdom Licences***

*Minimum Age, Period of Validity, Privileges*

#### **1 AEROPLANE PILOTS**

Private Pilot’s Licence (Aeroplanes)



*Minimum Age – 17 years*

*No Maximum Period of Validity*

*Privileges:*

(1) Subject to paragraph (2), the holder of the licence shall be entitled to fly as pilot in command or co-pilot of an aeroplane of any of the types or classes specified or otherwise falling within an aircraft rating included in the licence.

- (a) (2) He shall not fly such an aeroplane for the purpose of public transport or aerial work save as hereinafter provided:
- (i) he may fly such an aeroplane for the purpose of aerial work which consists of
    - (aa) the giving of instruction in flying, if his licence includes a flying instructor's rating, class rating instructor rating, flight instructor rating or an assistant flying instructor's rating; or
    - (bb) the conducting of flying tests for the purposes of this Order;  
in either case in an aeroplane owned, or operated under arrangements entered into, by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members;
  - (ii) he may fly such an aeroplane for the purpose of aerial work which consists of:
    - (aa) towing a glider in flight; or
    - (bb) a flight for the purpose of dropping of persons by parachute;  
in either case in an aeroplane owned, or operated under arrangements entered into, by a club of which the holder of the licence and any person carried in the aircraft or in any glider towed by the aircraft are members.
- (b) He shall not receive any remuneration for his services as a pilot on a flight save that if his licence includes a flying instructor's rating, a flight instructor rating or an assistant flying instructor's rating by virtue of which he is entitled to give instruction in flying microlight aircraft or self-launching motor gliders he may receive remuneration for the giving of such instruction or the conducting of such flying tests as are specified in sub-paragraph (a)(i) in a microlight aircraft or a self-launching motor glider.
- (c) He shall not, unless his licence includes an instrument rating (aeroplane) or an instrument meteorological conditions rating (aeroplanes), fly as pilot in command of such an aeroplane:
- (i) on a flight outside controlled airspace when the flight visibility is less than 3km;
  - (ii) on a special VFR flight in a control zone in a flight visibility of less than 10 km except on a route or in an aerodrome traffic zone notified for the purpose of this sub-paragraph; or
  - (iii) out of sight of the surface.
- (d) He shall not fly as pilot in command of such an aeroplane at night unless his licence includes a night rating (aeroplanes) or a night qualification (aeroplane).
- (e) He shall not, unless his licence includes an instrument rating (aeroplane), fly as pilot in command or co-pilot of such an aeroplane flying in Class A, B or C airspace in circumstances which require compliance with the Instrument Flight Rules.
- (f) He shall not, unless his licence includes an instrument rating (aeroplane) or an instrument meteorological conditions rating (aeroplanes), fly as pilot in command or co-pilot of such an aeroplane flying in Class D or E airspace in circumstances which require compliance with the Instrument Flight Rules.

- (g) On or after 1st January 2000, he shall not fly as pilot in command of such an aeroplane carrying passengers unless within the preceding 90 days he has made three take-offs and three landings by day as the sole manipulator of the controls of an aeroplane of the same type or class and if such a flight is to be carried out at night one such take off and landing shall have been at night.

### **Basic Commercial Pilot's Licence (Aeroplanes)**

*Minimum Age* – 18 years

*Maximum Period of Validity* – 10 years

*Privileges:*

(1) The holder of the licence shall be entitled to exercise the privileges of a United Kingdom Private Pilot's Licence (Aeroplanes).

- (a) (2) Subject to sub-paragraph (b), he shall be entitled to fly as pilot in command of an aeroplane of a type or class on which he is so qualified and which is specified in an aircraft rating included in the licence when the aeroplane is engaged on a flight for any purpose whatsoever.
- (b) (i) He shall not fly such an aeroplane on a flight for the purpose of public transport if he has less than 400 hours of flying experience as pilot in command of aeroplanes other than self-launching motor gliders or microlight aircraft.
- (ii) He shall not fly such an aeroplane on a flight for the purpose of public transport if its maximum total weight authorised exceeds 2300 kg.
- (iii) He shall not fly such an aeroplane on any scheduled journey.
- (iv) He shall not fly such an aeroplane on a flight for the purpose of public transport except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome.
- (v) He shall not fly such an aeroplane on a flight for the purpose of public transport after he attains the age of 60 years unless the aeroplane 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 him to act as pilot in command or co-pilot of that aeroplane.
- (vi) He shall not fly such an aeroplane at night, unless his licence includes a night rating (aeroplanes) or a night qualification (aeroplanes).
- (vii) He shall not, unless his licence includes an instrument rating (aeroplane) or an instrument meteorological conditions rating (aeroplanes), fly as pilot in command of such an aeroplane:
- (aa) on a flight outside controlled airspace when the flight visibility is less than 3km;
- (bb) on a special VFR flight in a control zone in a flight visibility of less than 10 km except on a route or in an aerodrome traffic zone notified for the purposes of this sub-paragraph; or
- (cc) out of sight of the surface.
- (viii) He shall not, unless his licence includes an instrument rating (aeroplane), fly as pilot in command or co-pilot of such an aeroplane flying in Class A, B or C airspace in circumstances which require compliance with the Instrument Flight Rules.
- (ix) He shall not, unless his licence includes an instrument rating (aeroplane) or an instrument meteorological conditions rating (aeroplanes), fly as pilot in command or

co-pilot of such an aeroplane flying in Class D or E airspace in circumstances which require compliance with the Instrument Flight Rules.

(x) On and after 1st January 2000, he shall not fly as pilot in command of such an aeroplane carrying passengers unless within the preceding 90 days he has made three take-offs and three landings by day as the sole manipulator of the controls of an aeroplane of the same type or class and if the flight is to be undertaken at night one such take off and landing shall have been at night.

(a) (3) Subject to sub-paragraph (b), he shall be entitled to fly as pilot in command of an aeroplane of a type or class specified in any flying instructor's rating, class rating instructor rating, flight instructor rating or assistant flying instructor's rating included in the licence on a flight for the purpose of aerial work which consists of:

- (i) the giving of instruction in flying; or
- (ii) the conducting of flying tests for the purposes of this Order;

in either case in an aeroplane owned, or operated under arrangements entered into, by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.

(b) He shall not be entitled to exercise the privileges contained in this paragraph other than in an aeroplane which he is entitled to fly as pilot in command on a private flight, an aerial work flight or a public transport flight pursuant to the privileges set out in paragraph (1) or (2) of these privileges.

(4) He shall be entitled to fly as co-pilot of any aeroplane of a type specified in an aircraft rating included in the licence when the aeroplane is engaged on a flight for any purpose whatsoever provided that he shall not be entitled to fly as co-pilot of an aeroplane which is engaged on a flight for the purpose of public transport unless he has more than 400 hours of flying experience as pilot in command of aeroplanes other than self-launching motor gliders and microlight aircraft and the aeroplane is certificated for single pilot operation.

(5) He shall not at any time after he attains the age of 65 years act as pilot in command or co-pilot of any aeroplane on a flight for the purpose of public transport.

### **Commercial Pilot's Licence (Aeroplanes)**

*Minimum Age* – 18 years

*Maximum Period of Validity* – 10 years

*Privileges:*

(1) The holder of the licence shall be entitled to exercise the privileges of a United Kingdom Private Pilot's Licence (Aeroplanes) which includes an instrument meteorological conditions rating (aeroplanes) and a night rating (aeroplanes) or night qualification (aeroplane), and shall be entitled to fly as pilot in command of an aeroplane when the aeroplane is taking off or landing at any place notwithstanding that the flight visibility below cloud is less than 1800 metres.

(a) (2) Subject to sub-paragraph (b), he shall be entitled to fly as pilot in command of an aeroplane of a type or class on which he is so qualified and which is specified in an aircraft rating included in the licence when the aeroplane is engaged on a flight for any purpose whatsoever.

(b) (i) He shall not, unless his licence includes an instrument rating (aeroplane), fly such an aeroplane on any scheduled journey.

(ii) On and after 1st January 2000, he shall not:

(aa) fly as pilot in command of an aeroplane carrying passengers unless he has carried out at least three take-offs and three landings as pilot flying in an

- aeroplane of the same type or class or in a flight simulator, approved for the purpose, of the aeroplane type or class to be used, in the preceding 90 days;
- (bb) as co-pilot serve at the flying controls in an aeroplane carrying passengers during take-off and landing unless he has served as a pilot at the controls during take-off and landing in an aeroplane of the same type or in a flight simulator, approved for the purpose, of the aeroplane type to be used, in the preceding 90 days; or
- (cc) as the holder of a licence which does not include a valid instrument rating (aeroplane) act as pilot in command of an aeroplane carrying passengers at night unless during the previous 90 days at least one of the take-offs and landings required in sub-paragraph (aa) above has been carried out at night.
- (iii) He shall not, unless his licence includes an instrument rating (aeroplane), fly any such aeroplane of which the maximum total weight authorised exceeds 2300 kg on any flight for the purpose of public transport, except a flight beginning and ending at the same aerodrome and not extending beyond 25 nautical miles from that aerodrome.
- (iv) He shall not fly such an aeroplane on a flight for the purpose of public transport unless it is certificated for single pilot operation.
- (v) He shall not fly such an aeroplane on any flight for the purpose of public transport after he attains the age of 60 years unless the aeroplane 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 him to act as pilot in command or co-pilot of that aeroplane.
- (vi) He shall not, unless his licence includes an instrument rating (aeroplane), fly as pilot in command or co-pilot of such an aeroplane flying in Class A, B or C airspace in circumstances which require compliance with the Instrument Flight Rules.
- (a) (3) Subject to sub-paragraph (b), he shall be entitled to fly as pilot in command of an aeroplane of a type or class specified in any flying instructor's rating, class rating instructor rating, flight instructor rating or assistant flying instructor's rating included in the licence on a flight for the purpose of aerial work which consists of:
- (i) the giving of instruction in flying; or
- (ii) the conducting of flying tests for the purposes of this Order;
- in either case in an aeroplane owned, or operated under arrangements entered into, by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.
- (b) He shall not be entitled to exercise privileges contained in this paragraph other than in an aeroplane which he is entitled to fly as pilot in command on a private flight, an aerial work flight or a public transport flight pursuant to the privileges set out in paragraph (1) or (2) of these privileges.
- (4) He shall be entitled to fly as co-pilot of any aeroplane of a type specified in an aircraft rating included in the licence when the aeroplane is engaged on a flight for any purpose whatsoever.
- (5) He shall not at any time after he attains the age of 65 years act as pilot in command or co-pilot of any aeroplane on a flight for the purpose of public transport.

### **Airline Transport Pilot's Licence (Aeroplanes)**

*Minimum Age* – 21 years

*Maximum Period of Validity* – 10 years

*Privileges:*

The holder of the licence shall be entitled to exercise the privileges of a United Kingdom Commercial Pilot's Licence (Aeroplanes) except that sub-paragraph (2)(b)(iv) of those privileges shall not apply.

## **2 HELICOPTER AND GYROPLANE PILOTS**

### **2**

#### **Private Pilot's Licence (Helicopters)**

*Minimum Age – 17 years*

*No Maximum Period of Validity*

*Privileges:*

(1) Subject to paragraph (2), the holder of the licence shall be entitled to fly as pilot in command or co-pilot of any helicopter of a type specified in an aircraft rating included in the licence.

- (a) (2) He shall not fly such a helicopter for the purpose of public transport or aerial work other than aerial work which consists of:
  - (i) the giving of instruction in flying if his licence includes a flying instructor's rating, flight instructor rating or an assistant flying instructor's rating; or
  - (ii) the conducting of flying tests for the purposes of this Order; in either case in a helicopter owned, or operated under arrangements entered into, by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.
- (b) He shall not receive any remuneration for his services as a pilot on a flight other than remuneration for the giving of such instruction or the conducting of such flying tests as are specified in sub-paragraph (a).
- (c) He shall not fly as pilot in command of such a helicopter at night unless:
  - (i) prior to 1st January 2000, his licence includes a night rating (helicopters) and either also includes an instrument rating (helicopter) or he has within the immediately preceding 13 months carried out as pilot in command not less than 5 take offs and 5 landings at a time when the depression of the centre of the sun was not less than 12° below the horizon; or
  - (ii) on and after 1st January 2000 his licence includes a night rating (helicopters) or a night qualification (helicopter).
- (d) He shall not unless his licence includes an instrument rating (helicopter) fly as pilot in command or co-pilot of such a helicopter flying in Class A, B or C airspace in circumstances which require compliance with the Instrument Flight Rules.
- (e) On and after 1st July 2000, he shall not fly as pilot in command of such a helicopter carrying passengers unless:
  - (i) within the preceding 90 days he has made three solo circuits, each to include take-offs and landings by day as the sole manipulator of the controls of a helicopter of the same type; or
  - (ii) if the privileges are to be exercised by night, within the preceding 90 days he has made three solo circuits, each to include take-offs and landings by night as the sole manipulator of the controls of a helicopter of the same type.

### **Private Pilot's Licence (Gyroplanes)**

*Minimum Age – 17 years*

*No Maximum Period of Validity*

*Privileges:*

(1) Subject to paragraph (2), the holder of the licence shall be entitled to fly as pilot in command or co-pilot of any gyroplane of a type specified in the aircraft rating included in the licence.

- (a) (2) He shall not fly such a gyroplane for the purpose of public transport or aerial work other than aerial work which consists of:
  - (i) the giving of instruction in flying if his licence includes a flying instructor's rating, flight instructor rating or an assistant flying instructor's rating; or
  - (ii) the conducting of flying tests for the purposes of this Order; in either case in a gyroplane owned, or operated under arrangements entered into, by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.
- (b) He shall not receive any remuneration for his services as a pilot on a flight other than remuneration for the giving of such instruction or the conducting of such flying tests as are specified in sub-paragraph (a).
- (c) He shall not fly as pilot in command of such a gyroplane at night unless his licence includes a night rating (gyroplanes) and he has within the immediately preceding 13 months carried out as pilot in command not less than 5 take offs and five landings at a time when the depression of the centre of the sun was not less than 12° below the horizon.

### **Commercial Pilot's Licence (Helicopters and Gyroplanes)**

*Minimum Age – 18 years*

*Maximum Period of Validity – 10 years*

*Privileges:*

(1) Subject to paragraph (2), the holder of the licence shall be entitled to exercise the privileges of a United Kingdom Private Pilot's Licence (Helicopters) or a United Kingdom Private Pilot's Licence (Gyroplanes) which includes respectively either a night rating (helicopters) or night qualification (helicopters) or a night rating (gyroplanes).

- (a) (2) Subject to sub-paragraphs (b) and (c), he shall be entitled to fly as pilot in command of any helicopter or gyroplane on which he is so qualified and which is of a type specified in an aircraft rating included in the licence when the helicopter or gyroplane is engaged on a flight for any purpose whatsoever.
- (b) (i) He shall not, unless his licence includes an instrument rating (helicopter) fly such a helicopter on any scheduled journey or on any flight for the purpose of public transport other than in visual meteorological conditions.
  - (ii) He shall not fly such a helicopter on a flight for the purpose of public transport unless it is certificated for single pilot operation.
  - (iii) He shall not fly such a helicopter at night prior to 1st July 2000, unless his licence includes an instrument rating (helicopter) or he has within the immediately preceding 13 months carried out as pilot in command not less than 5 flights, each consisting of a take-off, a transition from hover to forward flight, a climb to at least 500 ft and a landing, at a time when the depression of the centre of the sun was not less than 12° below the horizon.

- (iv) He shall not fly such a helicopter on any flight for the purpose of public transport after he attains 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 him to act as pilot in command or co-pilot of that helicopter.
- (v) He shall not unless his licence includes an instrument rating (helicopter) fly as pilot in command of such a helicopter flying in Class A, B or C airspace in circumstances which require compliance with the Instrument Flight Rules.
- (vi) On and after 1st July 2000, he shall not:
  - (aa) fly as pilot in command of a helicopter carrying passengers unless he has carried out at least three circuits, each to include take-offs and landings, as pilot flying in a helicopter of the same type or a flight simulator of the helicopter type to be used, in the preceding 90 days; or
  - (bb) as the holder of a helicopter licence which does not include a valid 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 (aa) above has been carried out at night.
- (c)
  - (i) He shall not fly such a gyroplane on a flight for the purpose of public transport unless it is certificated for single pilot operation.
  - (ii) He shall not fly such a gyroplane at night unless he has within the immediately preceding 13 months carried out as pilot in command not less than 5 take-offs and 5 landings at a time when the depression of the centre of the sun was not less than 12° below the horizon.
  - (iii) He shall not fly such a gyroplane on any flight for the purpose of public transport after he attains the age of 60 years unless the gyroplane 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 him to act as pilot in command or co-pilot of that gyroplane.
- (a)
  - (3) Subject to sub-paragraph (b) he shall be entitled to fly as co-pilot of any helicopter or gyroplane of a type specified in an aircraft rating included in the licence when the helicopter or gyroplane is engaged on a flight for any purpose whatsoever.
  - (i) He shall not unless his licence includes an instrument rating (helicopter) fly as co-pilot of a helicopter flying in Class A, B or C airspace in circumstances which require compliance with the Instrument Flight Rules.
  - (ii) On and after 1st July 2000, he shall not as co-pilot serve at the flying controls in a helicopter carrying passengers during take-off and landing unless he 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, in the preceding 90 days.
- (4) He shall not at any time after he attains the age of 65 years act as pilot in command or co-pilot of any helicopter or gyroplane on a flight for the purpose of public transport.

### **Airline Transport Pilot's Licence (Helicopters and Gyroplanes)**

*Minimum Age* – 21 years

*Maximum Period of Validity* – 10 years

*Privileges:*

The holder of the licence shall be entitled to exercise the privileges of a United Kingdom Commercial Pilot's Licence (Helicopters and Gyroplanes) except that sub-paragraphs (2)(b)(ii) and 2(c)(i) of those privileges shall not apply.

### **3 BALLOON AND AIRSHIP PILOTS**

#### **3**

#### **Private Pilot's Licence (Balloons and Airships)**

*Minimum Age* – 17 years

*No Maximum Period of Validity*

*Privileges:*

(1) Subject to paragraph (2), the holder of the licence shall be entitled to fly as pilot in command of any type of balloon or airship on which he is so qualified and which is specified in an aircraft rating in the licence and co-pilot of any type of balloon or airship specified in such a rating.

- (a) (2) He shall not fly such a balloon or airship for the purpose of public transport or aerial work, other than aerial work which consists of the giving of instruction in flying or the conducting of flying tests in either case in a balloon or airship owned, or operated under arrangements entered into, by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.
- (b) He shall not receive any remuneration for his services as a pilot on a flight other than remuneration for the giving of such instruction or the conducting of such flying tests as are specified in sub-paragraph (a).
- (c) He shall not fly such a balloon unless he has within the immediately preceding 13 months carried out as pilot in command in a free balloon 5 flights each of not less than 5 minutes duration.

#### **Commercial Pilot's Licence (Balloons)**

*Minimum Age* – 18 years

*Maximum Period of Validity* – 10 years\*

*Privileges:*

(1) The holder of the licence shall be entitled to exercise the privileges of a United Kingdom Private Pilot's Licence (Balloons and Airships).

- (a) (2) Subject to sub-paragraph (b), he shall be entitled to fly, when the balloon is flying for any purpose whatsoever, as pilot in command or co-pilot of any type of balloon specified in the aircraft rating included in the licence.
- (b) He shall not act as pilot in command on a flight for the purpose of the public transport of passengers unless he has within the immediately preceding 90 days carried out as pilot in command in a free balloon 3 flights each of not less than 5 minutes duration.

\* In respect of the privileges of a Private Pilot's licence the maximum period of validity shall be as given for that licence.

#### **Commercial Pilot's Licence (Airships)**

*Minimum Age* – 18 years

*Maximum Period of Validity* – 10 years



*Privileges:*

(1) The holder of the licence shall be entitled to exercise the privileges of a United Kingdom Private Pilot's Licence (Balloons and Airships).

(2) He shall be entitled to fly, when the airship is flying for any purpose whatsoever, as pilot in command of any type of airship on which he is so qualified and which is specified in an aircraft rating included in the licence and as co-pilot of any type of airship specified in such a rating.

#### **4 GLIDER PILOTS**

##### **4**

#### **Commercial Pilot's Licence (Glider)**

*Minimum Age* – 18 years

*Maximum Period of Validity* – 10 years

*Privileges:*

The holder of the licence shall be entitled to fly for any purpose as pilot in command or co-pilot of:

- (a) any glider of which the maximum total weight authorised does not exceed 680 kg;
- (b) any glider of which the maximum total weight authorised exceeds 680 kg and which is of a type specified in the rating included in the licence.

#### **5 OTHER FLIGHT CREW**

##### **5**

#### **Flight Navigator's Licence**

*Minimum Age* – 21 years

*Maximum Period of Validity* – 10 years

*Privileges:*

The holder of the licence shall be entitled to act as flight navigator in any aircraft.

#### **Flight Engineer's Licence**

*Minimum Age* – 21 years

*Maximum Period of Validity* – 10 years

*Privileges:*

The holder of the licence shall be entitled to act as flight engineer in any type of aircraft specified in an aircraft rating included in the licence.

#### **Flight Radiotelephony Operator's Licence**

*Minimum Age* – 16 years

*Maximum Period of Validity* – 10 years

*Privileges:*

The holder of the licence shall be entitled to operate radiotelephony apparatus in any aircraft if the stability of the frequency radiated by the transmitter is maintained automatically but shall not be

entitled to operate the transmitter, or to adjust its frequency, except by the use of external switching devices.

## **Section 2 – JAR-FCL Licences**

### **AEROPLANE PILOTS**

#### **Private Pilot Licence (Aeroplane)**

*Minimum Age* – 17 years

*Maximum Period of Validity* – 5 years

*Privileges and conditions:*

(1) Subject to any conditions specified in respect of the licence, the privileges of the holder of a Private Pilot Licence (Aeroplane) are to act, but not for remuneration, as pilot in command or co-pilot of any aeroplane specified in a class or type rating included in Part XII of the licence engaged in non-revenue flights.

- (a) (2) Subject to sub-paragraph (b), the licence is subject to the conditions and restrictions specified in paragraph 1.175 of JAR-FCL 1.
- (b) (i) The holder shall not fly as pilot in command on a flight outside controlled airspace when the flight visibility is less than 3 km
- (ii) The holder may, if his licence includes an instrument meteorological conditions rating (aeroplanes), fly as pilot in command or co-pilot of such an aeroplane flying in Class D or E airspace in circumstances which require compliance with the Instrument Flight Rules.

#### **Commercial Pilot Licence (Aeroplane)**

*Minimum Age* – 18 years

*Maximum Period of Validity* – 5 years

*Privileges and conditions:*

(1) Subject to any conditions specified in respect of the licence, the privileges of the holder of a Commercial Pilot Licence (Aeroplane) are to:

- (a) exercise all the privileges of the holder of a JAR-FCL Private Pilot Licence (Aeroplane);
- (b) act as pilot in command or co-pilot of any aeroplane specified in a type rating included in Part XII of the licence on a flight other than a public transport flight;
- (c) act as pilot in command on a public transport flight of any single-pilot aeroplane certificated for single pilot operation;
- (d) act as co-pilot on a public transport flight.

(2) The licence is subject to the conditions and restrictions specified in paragraph 1.175 of JAR-FCL 1.

(3) The holder shall not fly as pilot in command on a flight for the purpose of public transport unless he complies with the requirements of JAR OPS 1.960(a)(1) and (2)(4).

*Curtailed privileges of licence holders aged 60 years or more*

- (1) Age 60–64.

The holder of a licence who has attained the age of 60 years shall not act as a pilot of an aeroplane on a public transport flight except:

- (a) as a member of a multi-pilot crew and provided that,
  - (b) such holder is the only pilot in the flight crew who has attained age 60.
- (2) Age 65.

The holder of a licence who has attained the age of 65 years shall not act as a pilot of an aeroplane on a public transport flight.

### **Airline Transport Pilot Licence (Aeroplane)**

*Minimum Age* – 21 years

*Maximum Period of Validity* – 5 years

*Privileges and conditions:*

(1) Subject to any conditions specified in respect of the licence, the privileges of the holder of an Airline Transport Pilot Licence (Aeroplane) are to:

- (a) exercise all the privileges of the holder of a JAR-FCL Private Pilot Licence (Aeroplane), a JAR-FCL Commercial Pilot Licence (Aeroplane) and an instrument rating (aeroplane); and
- (b) act as pilot in command or co-pilot of any aeroplane specified in a type rating included in Part XII of the licence on a public transport flight.

(2) The licence is subject to the conditions and restrictions specified in paragraph 1.175 of JAR-FCL 1.

*Curtailment of privileges of licence holders aged 60 years or more*

- (1) Age 60–64.

The holder of a licence who has attained the age of 60 years shall not act as a pilot of an aeroplane on a public transport flight except:

- (a) as a member of a multi-pilot crew and provided that,
  - (b) such holder is the only pilot in the flight crew who has attained age 60.
- (2) Age 65.

The holder of a licence who has attained the age of 65 years shall not act as a pilot of an aeroplane on a public transport flight.

### **HELICOPTER PILOTS**

#### **Private Pilot Licence (Helicopter)**

*Minimum Age* – 17 years

*Maximum Period of Validity* – 5 years

*Privileges and conditions:*

(1) Subject to any conditions specified in respect of the licence, the privileges of the holder of a Private Pilot Licence (Helicopter) are to act, but not for remuneration, as pilot in command or co-pilot of any helicopter included in a type rating in Part XII of the licence engaged in non-revenue flights.

(2) The licence is subject to the conditions and restrictions specified in paragraph 2.175 of JAR-FCL 2.

### **Commercial Pilot Licence (Helicopter)**

*Minimum Age* – 18 years

*Maximum Period of Validity* – 5 years

*Privileges and conditions:*

(1) Subject to any conditions specified in respect of the licence, the privileges of the holder of a Commercial Pilot Licence (Helicopters) are to:

- (a) exercise all the privileges of the holder of a JAR-FCL Private Pilot Licence (Helicopters);
- (b) act as pilot in command or co-pilot of any helicopter included in a type rating in Part XII of the licence on a flight other than a public transport flight;
- (c) act as pilot in command on a public transport flight of any single-pilot helicopter;
- (d) act as co-pilot on a public transport flight in any helicopter required to be operated with a co-pilot.

(2) The licence is subject to the conditions and restrictions specified in paragraph 2.175 of JAR-FCL 2.

(3) The holder shall not fly as pilot in command on a flight for the purpose of public transport unless he complies with the requirements of JAR OPS 3.960(a)(2).

*Curtailment of privileges of licence holders aged 60 years or more*

(1) Age 60–64.

The holder of a licence who has attained the age of 60 years shall not act as a pilot of a helicopter on a public transport flight except:

- (a) as a member of a multi-pilot crew and provided that,
- (b) such holder is the only pilot in the flight crew who has attained age 60.

(2) Age 65.

The holder of a licence who has attained the age of 65 years shall not act as a pilot of a helicopter on a public transport flight.

### **Airline Transport Pilot Licence (Helicopter)**

*Minimum Age* – 21 years

*Maximum Period of Validity* – 5 years

*Privileges and conditions:*

(1) Subject to any conditions specified in respect of the licence, the privileges of the holder of an Airline Transport Pilot Licence (Helicopter) are to:

- (a) exercise all the privileges of the holder of a JAR-FCL Private Pilot Licence (Helicopter) and a JAR-FCL Commercial Pilot Licence (Helicopter); and
- (b) subject to paragraph (2), act as pilot in command or co-pilot in any helicopter included in a type rating in Part XII of the licence on a public transport flight.

(2) The holder shall not fly as pilot in command on a flight for the purpose of public transport unless he complies with the requirements of JAR OPS 3.960(a)(2).

*Curtailment of privileges of licence holders aged 60 years or more*

(1) Age 60–64.

The holder of a licence who has attained the age of 60 years shall not act as a pilot of a helicopter on a public transport flight except:

- (a) as a member of a multi-pilot crew and provided that,

(b) such holder is the only pilot in the flight crew who has attained age 60.

(2) Age 65.

The holder of a licence who has attained the age of 65 years shall not act as a pilot of a helicopter on a public transport flight.

## **PART B**

### **RATINGS**

1. The following ratings may be included in a pilot's licence granted under Part IV of this Order, and, subject to the provisions of this Order and of the licence, the inclusion of a rating in a licence shall have the consequences respectively specified as follows:

*Aircraft Ratings:* The licence shall entitle the holder to act as pilot of aircraft of the types and classes specified in an aircraft rating included in the licence and different types and classes of aircraft may be specified in respect of different privileges of a licence.

*Instrument Meteorological Conditions Rating (Aeroplanes)* shall within the United Kingdom:

- (a) subject to paragraph (c), entitle the holder of a United Kingdom Private Pilot's Licence (Aeroplanes) or a United Kingdom Basic Commercial Pilot's Licence (Aeroplanes) to fly as pilot in command of an aeroplane without being subject to the restrictions contained respectively in paragraphs 2(c) and (f) of the privileges of the United Kingdom Private Pilot's Licence (Aeroplanes) or 2(b)(vii) or (ix) of the privileges of the United Kingdom Basic Commercial Pilot's Licence (Aeroplanes).
- (b) subject to paragraph (c), entitle the holder of a JAR-FCL Private Pilot Licence (Aeroplane) to fly as pilot in command of an aeroplane in Class D or E airspace in circumstances which require compliance with the Instrument Flight Rules.
- (c) the holder shall not fly:
  - (i) on a special VFR flight in a control zone in a flight visibility of less than 3 km;
  - (ii) when the aeroplane is taking off or landing at any place if the flight visibility below cloud is less than 1800 metres.

*Instrument Rating (Aeroplane)* shall entitle the holder of the licence to act as pilot in command or co-pilot of an aeroplane flying in controlled airspace in circumstances which require compliance with the Instrument Flight Rules.

*Instrument Rating (Helicopter)* shall entitle the holder of the licence to act as pilot in command or co-pilot of a helicopter flying in controlled airspace in circumstances which require compliance with the Instrument Flight Rules.

*Night Rating (Aeroplanes)* shall entitle the holder of a United Kingdom Private Pilot's Licence (Aeroplanes) or a United Kingdom Basic Commercial Pilot's Licence (Aeroplanes) to act as pilot in command of an aeroplane at night.

*Night qualification (aeroplane)* shall entitle the holder of a United Kingdom or a JAR-FCL Private Pilot Licence (Aeroplane) or a United Kingdom Basic Commercial Pilot's Licence (Aeroplanes) to act as pilot in command of an aeroplane at night.

*Night Rating (Helicopters)* shall entitle the holder of a United Kingdom Private Pilot's Licence (Helicopter) to act as pilot in command of a helicopter at night.

*Night qualification (helicopter)* shall, with effect from 1st January 2000, entitle the holder of either a United Kingdom or a JAR-FCL Private Pilot Licence (Helicopter) to act as pilot in command of a helicopter at night.

*Night Rating (Gyroplanes)* shall entitle the holder of a United Kingdom Private Pilot's Licence (Gyroplanes) to act as pilot in command of a gyroplane at night.

*Towing Rating (Flying Machines)* shall entitle the holder of the licence to act as pilot of a flying machine while towing a glider in flight for the purposes of public transport or aerial work.

*Flying Instructor's Rating* shall entitle the holder of the licence to give instruction in flying aircraft of such types and classes as may be specified in the rating for that purpose.

*Assistant Flying Instructor's Rating* shall:

- (a) subject to sub-paragraph (b), entitle the holder of the licence to give instruction in flying aircraft of such types and classes as may be specified in the rating for that purpose;
- (b) (i) such instruction shall only be given under the supervision of a person present during the take-off and landing at the aerodrome at which the instruction is to begin and end and holding a pilot's licence endorsed with a flying instructor's rating;
- (ii) an assistant flying instructor's rating shall not entitle the holder of the licence to give directions to the person undergoing instruction in respect of the performance by that person of:
  - (aa) his first solo flight;
  - (bb) his first solo flight by night;
  - (cc) his first solo cross-country flight otherwise than by night; or
  - (dd) his first solo cross-country flight by night.

*Flight Instructor rating (aeroplane)* shall entitle the holder of the licence to give instruction in flying aircraft of such types and classes as may be specified in the rating for that purpose subject to the restrictions specified below.

*Flight Instructor rating (aeroplane) – Restricted privileges*

- (a) *Restricted period.* Until the holder of a Flight Instructor rating (aeroplane) has completed at least 100 hours flight instruction and, in addition, has supervised at least 25 solo flights by students, the privileges of the rating shall be restricted. The restrictions shall be removed from the rating when the above requirements have been met and on the recommendation of the supervising Flight Instructor (Aeroplane).
- (b) *Restrictions.* The privileges shall be restricted to carrying out under the supervision of the holder of a Flight Instructor rating (aeroplane) approved for this purpose:
  - (1) flight instruction for the issue of the Private Pilot Licence (Aeroplane) or those parts of integrated courses at Private Pilot Licence (Aeroplane) level and class and type ratings for single-engine aeroplanes, excluding approval of first solo flights by day or by night and first solo cross country flights by day or by night; and
  - (2) night flying instruction.

*Flight Instructor rating (helicopter)* shall entitle the holder of the licence to give instruction in flying helicopters of such types as may be specified in the rating for that purpose subject to the restrictions specified below.

*Flight Instructor rating (helicopter) – Restricted privileges*

- (a) *Restricted period.* Until the holder of a Flight Instructor rating (helicopter) has completed at least 100 hours flight instruction and, in addition, has supervised at least 25 solo flights by students, the privileges of the rating shall be restricted. The restrictions shall be removed from the rating when the above requirements have been met and on the recommendation of the supervising Flight Instructor (Helicopter).
- (b) *Restrictions.* The privileges shall be restricted to carrying out under the supervision of the holder of a Flight Instructor rating (helicopter) approved for this purpose:

- (1) flight instruction for the issue of the Private Pilot Licence (Helicopter) or those parts of integrated courses at Private Pilot Licence (Helicopter) level and type ratings for single-engine helicopters, excluding approval of first solo flights by day or by night and first solo cross country flights by day or by night; and
- (2) night flying instruction.

*Type rating instructor rating (multi-pilot aeroplane)* shall entitle the holder to instruct licence holders for the issue of a multi-pilot aeroplane type rating, including the instruction required for multi-crew co-operation.

*Type rating instructor rating (helicopter)* shall entitle the holder to instruct licence holders for the issue of a type rating, including the instruction required for multi-crew co-operation as applicable.

*Class rating instructor rate (single-pilot aeroplane)* shall entitle the holder to instruct licence holders for the issue of a type or class rating for single-pilot aeroplanes.

*Instrument rating instructor rating (aeroplane)* shall entitle the holder to conduct flight instruction for the issue of an instrument rating (aeroplane).

*Instrument rating instructor rating (helicopter)* shall entitle the holder to conduct flight instruction for the issue of an instrument rating (helicopter).

2. An aircraft rating included in a flight engineer’s licence shall entitle the holder of the licence to act as flight engineer only of aircraft of a type specified in the aircraft rating.

3. For the purposes of this Schedule:

“Solo flight” means a flight on which the pilot of the aircraft is not accompanied by a person holding a pilot’s licence granted or rendered valid under this Order.

“Cross-country flight” means any flight during the course of which the aircraft is more than 3 nautical miles from the aerodrome of departure.

## PART C

### *Section 1 – Requirement for Certificate of Test or Experience*

- (a) A certificate of test or a certificate of experience required by article 22A(2), 22C(1) and 22C(2)(a) of this Order shall not be appropriate to the functions to be performed on a flight unless it is a certificate appropriate to the description of the flight according to the following Table:

Case	Class of United Kingdom Licence	Description of Flight	Certificate Required
A	Microlight Licence	Any flight within the privileges of the licence	Certificate of test or certificate of experience
	SLMG Licence		
	Private Pilot’s Licence (Gyroplanes)		
B	Commercial Pilot’s Licence (Helicopters and Gyroplanes)	Carriage of passengers on a flight in respect of which the holder of the licence receives remuneration	Certificate of test

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Case	Class of United Kingdom Licence	Description of Flight	Certificate Required
C	Commercial Pilot's Licence (Balloons)	For public transport	Certificate of test
	Commercial Pilot's Licence (Gliders)		
	Commercial Pilot's Licence (Airships)		
	Airline Transport Pilot's Licences (Helicopters and Gyroplanes)		
	Commercial Pilot's Licence (Helicopters and Gyroplanes)		
D	Commercial Pilot's Licence (Balloons)	For aerial work	Certificate of test or certificate of experience
	Commercial Pilot's Licence (Gliders)		
	Commercial Pilot's Licence (Airships)		
	Airline Transport Pilot's Licence (Helicopters and Gyroplanes)		
	Commercial Pilot's Licence (Helicopters and Gyroplanes)		



Case	Class of United Kingdom Licence	Description of Flight	Certificate Required
E	Commercial Pilot's Licence (Helicopters and Gyroplanes)	Any flight within the privileges of a Private Pilot's Licence	Certificate of test or certificate of experience
	Commercial Pilot's Licence (Balloons)		
	Commercial Pilot's Licence (Gliders)		
	Commercial Pilot's Licence (Airships)		
	Airline Transport Pilot's Licence (Helicopters and Gyroplanes)		
F	Flight Navigator's Licence	Flights to which article 20(4) of this Order applies	Certificate of experience
G	Flight Engineer's Licence	For public transport	Certificate of test
H	Flight Engineer's Licence	Any flight other than for public transport	Certificate of test or certificate of experience

(b) For the purposes of this Part of this Schedule, references to Cases are references to the Cases indicated in the first Column of the Table in paragraph 1(a) of this Part of this Schedule.

**Certificate of Test**

2. A certificate of test required by article 22A(2) or 22C(1) and 22C(2)(a) of this Order shall be signed by a person authorised by the Authority to sign certificates of this kind and shall certify the following particulars:

- (a) the functions to which the certificate relates;
- (b) that the person signing the certificate is satisfied that on a date specified in the certificate the holder of the licence or personal flying log book of which the certificate forms a part, as the case may be, passed an appropriate test of his ability to perform the functions to which the certificate relates;
- (c) the type of aircraft or flight simulator in or by means of which the test was conducted; and
- (d) the date on which it was signed.

**Nature of Test**

- 3. The appropriate test referred to in paragraph 2 above shall be:
  - (a) in the case of a test which entitles the holder of the licence of which the certificate forms part to act as pilot in command and/or co-pilot of aircraft of the type, types or class

specified in the certificate, a test of the pilot's competence to fly the aircraft as pilot in command and/or co-pilot and shall, where the Authority so specifies in respect of the whole or part of a test, be conducted in an aircraft in flight or by means of a flight simulator approved by the Authority;

- (b) in the case of a test which entitles the holder of the licence of which the certificate forms part to act as flight engineer of aircraft of the type specified in the certificate, a test of the flight engineer's competence to perform duties of a flight engineer in the type of aircraft to be used on the flight and shall, where the Authority specifies in respect of the whole or part of the test, be conducted in an aircraft in flight or by means of a flight simulator approved by the Authority;
- (c) in the case of a test which entitles the holder of the licence of which the certificate forms part to perform the functions to which an instrument rating (helicopter) relates, a test of his ability to perform the functions to which the rating relates and shall, where the Authority so specifies in respect of the whole or part of a test, be conducted in an aircraft in flight or by means of a flight simulator approved by the Authority;
- (d) in the case of a test which entitles the holder of the licence of which the certificate forms part to perform the functions to which a flying instructor's rating (helicopters), an assistant flying instructor's rating (helicopters) or an instrument meteorological conditions rating relates, a test of his ability to perform the functions to which the rating relates and shall, where the Authority so specifies of the whole or part of the test, be conducted in an aircraft in flight.

#### **Period of Validity of Certificate of Test**

- (a) (i) Subject to sub-paragraph (ii), a certificate of test required by article 22A(2) of this Order in respect of a Commercial Pilot's Licence (Balloons) shall not be valid in relation to a flight made more than 13 months after the date of the test which it certifies and, in respect of any other licence, shall not be valid in relation to a flight made more than 13 months in Cases A, B, E and H, or more than 6 months in Cases C, D and G, after the date of the test which it certifies.
- (ii) In the case of Cases C, D and G, 2 certificates of test shall together be deemed to constitute a valid certificate of test if they certify flying tests conducted on 2 occasions within the period of 13 months preceding the flight on which the functions are to be performed, such occasions being separated by an interval of not less than 4 months, and if both certificates are appropriate to those functions.
- (b) A certificate of test required by article 22C of this Order shall not be valid in relation to a flight made more than 13 months in the case of an instrument meteorological conditions rating (aeroplanes) and an assistant flying instructor's rating (helicopters) or more than 3 years in the case of a flying instructor's rating (helicopters), after the date of the test which it certifies.

#### **Certificate of Experience**

5. A certificate of experience required by article 22C of this Order shall be signed by a person authorised by the Authority to sign such a certificate and shall certify the following particulars:

- (a) the functions to which the certificate relates;
- (b) in the case of a pilot or flight engineer, that on the date on which the certificate was signed the holder of the licence or personal flying log book of which it forms part, as the case may be, produced his personal flying log book to the person signing the certificate and satisfied him that he has appropriate experience in the capacity to which his licence relates within the appropriate period specified in paragraph 6 of this Part of this Schedule;

- (c) in the case of a flight navigator, that on the date on which the certificate was signed the holder of the licence of which it forms part produced his navigation logs, charts and workings of astronomical observations to the person signing the certificate and satisfied him that he had appropriate experience in the capacity to which the licence relates within the appropriate period specified in paragraph 6 of this Part of this Schedule;
- (d) in the case of a pilot or flight engineer, the type or types of aircraft in which the experience was gained;
- (e) the date on which it was signed.

### **Period of Experience**

6. A certificate of experience shall not be valid unless the experience was gained within the period of 13 months preceding the signing of the certificate in the case of Cases A, E, F and H, or 6 months preceding the signing of the certificate in the case of Case D.

### **Period of Validity of Certificate of Experience**

7. A certificate of experience in respect of a Commercial Pilot's Licence (Balloons) shall not be valid for more than 13 months after it was signed and in respect of any other licence shall not be valid for more than 6 months after it was signed for Case D nor for more than 13 months after it was signed for any other case.

## ***Section 2 – Requirement for Certification of Revalidation***

### *Appropriate Certification of Revalidation*

1. A certificate of revalidation required by article 22B(2)(a) and (3) or 22C(2)(b) and (3) of this Order shall not be appropriate to the exercise of the privileges of a flight crew licence unless it is a certificate which accords with this Section:

### *Aeroplane Type and Class Ratings*

#### *Type ratings and multi-engine class ratings, aeroplane*

- (a) (i) *Validity.*

Type ratings and multi-engine class ratings for aeroplanes are valid for one year from the date of issue, or the date of expiry if revalidated within the validity period.

- (ii) *Revalidation.*

For revalidation of type ratings and multi-engine class ratings, aeroplane, the applicant shall satisfy the requirements specified in paragraph 1.245(a) and (b) of JAR-FCL 1.

#### *Single-pilot single-engine class ratings*

- (b) (i) *Validity.*

Single-pilot single-engine class ratings are valid for two years from the date of issue, or the date of expiry if revalidated within the validity period.

- (ii) (aa) *All single-engine piston aeroplane class ratings (land) and all touring motor glider ratings – Revalidation.*

For revalidation of single-pilot single-engine piston aeroplane (land) class ratings and/or touring motor glider class ratings the applicant shall on

single-engine piston aeroplanes (land) and/or touring motor gliders satisfy the requirements specified in paragraph 1.245(c)(1) of JAR-FCL 1.

(bb) *Single-engine turbo-prop aeroplanes (land) single-pilot – Revalidation.*

For revalidation of single-engine turbo-prop (land) class ratings the applicant shall within the three months preceding the expiry date of the rating, pass a proficiency check with an authorised examiner on an aeroplane in the relevant class.

(cc) *Single-engine piston aeroplanes (sea) – Revalidation.*

For revalidation of single pilot single engine piston aeroplane (sea) class ratings the applicant shall:

(aaa)

within the three months preceding the expiry date of the rating, pass a proficiency check with an authorised examiner on a single-engine piston aeroplane (sea); or

(bbb)

within 12 months preceding the expiry of the rating:

(aaaa)

complete 12 hours of flight time including 6 hours of pilot in command time on either a single engine piston aeroplane (sea) or a single engine piston aeroplane (land) and 12 water take-offs and 12 alightings on water; and

(bbbb)

either complete a training flight of at least 1 hours duration with a flight instructor or pass a proficiency check or skill test for any other class or type rating.

*Expired Ratings*

- (c) (i) If a type rating or multi-engine class rating has expired, the applicant shall meet the requirements in paragraph (b) above and meet any refresher training requirements as determined by the Authority. The rating will be valid from the date of completion of the renewal requirements.
- (ii) If a single-pilot single-engine class rating has expired, the applicant shall complete the skill test in accordance with the requirements specified at Appendix 3 to paragraph 1.240 of JAR-FCL 1.

*Helicopter Type Ratings*

*Type ratings, helicopter – Validity.*

- (a) Type ratings for helicopters are valid for one year from the date of issue, or the date of expiry if revalidated within the validity period.

*Type ratings, helicopter – Revalidation.*

- (b) For revalidation of type ratings, helicopter, the applicant shall complete the requirements specified in paragraph 2.240 of JAR-FCL 2.

*Expired ratings.*

- (c) If a type rating has expired, the applicant shall meet the requirements in paragraph (b) above and meet any refresher training requirements as determined by the Authority. The rating will be valid from the date of completion of the renewal requirements.

*Flight Engineers.*

*Type ratings – Validity.*

- (a) Flight engineer type ratings are valid for one year from the date of issue, or the date of expiry if revalidated within the validity period.

*Type ratings – Revalidation.*

- (b) For revalidation of flight engineer type ratings the applicant shall, within the three months preceding the expiry date of the rating, pass a proficiency check with an authorised examiner on the relevant type of aircraft.

*Forms of Certificate of Revalidation*

3.—(1) A certificate of revalidation required by article 22B(2) or 22C(2)(b) and (3) of this Order shall be signed by a person authorised by the Authority to sign certificates of this kind and shall certify:

- (a) the functions to which the certificate relates;
- (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 in respect of the rating, in the case of an aircraft rating in paragraph 2 and in the case of any other rating specified in the Table at subparagraph (2) below, to exercise the privileges of the licence or rating to which the certificate relates;
- (c) the type of aircraft or flight simulator in or by means of which the test was conducted; and
- (d) the date on which it was signed.
- (2) The requirements for revalidation of a rating are those set out in the following Table

<b>Rating</b>	<b>Paragraph in JAR-FCL</b>
Instrument rating (aeroplane)	1.185
Instrument rating (helicopter)	2.185
Flight instructor (aeroplane)	1.355
Flight instructor (helicopter)	2.355
Type rating instructor rating (multi-pilot aeroplane)	1.370
Type rating instructor rating (helicopter)	2.370
Class rating instructor rating (single pilot aeroplane)	1.385
Instrument rating instructor rating (aeroplane)	1.400
Instrument rating instructor rating (helicopter)	2.400

4. For the purposes of this Section the validity period means the period of three months preceding the date of expiry.”.

**Disruptive Passengers**

4.—(1) After article 59 there shall be inserted:

**“Acting in a disruptive manner**

**59A** No person shall while in an aircraft:

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- (a) use any threatening, abusive or insulting words towards a member of the crew of the aircraft;
- (b) behave in a threatening, abusive, insulting or disorderly manner towards a member of the crew of the aircraft; or
- (c) intentionally interfere with the performance by a member of the crew of the aircraft of his duties.”

(2) In Schedule 12, Part A in the column headed “Article of Order” before “60” there shall be inserted “59A(a) and (b)” and adjacent thereto in the column headed “Subject Matter” there shall be inserted “Acting in a disruptive manner”.

(3) In Schedule 12, Part B in the column headed “Article of Order” before “63(1)” there shall be inserted “59A(c)” and adjacent thereto in the column headed “Subject Matter” there shall be inserted “Intentional interference”.

*A.K. Galloway*  
Clerk of the Privy Council

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order further amends the Air Navigation (No. 2) Order 1995. In addition to minor and drafting amendments, the following changes are made:

(1) A licence issued by any JAA<sup>(5)</sup> State in accordance with JAR-FCL<sup>(6)</sup> has the same privileges in respect of flying an aircraft registered in the United Kingdom as an equivalent licence issued by the Authority (article 3(1)).

(2) The minimum age for flying solo is 16 years (article 3(2)).

(3) A basic commercial pilot's licence (aeroplanes) and a flight engineer's licence shall have their validity maintained on and after 1st January 2000 as though they were licences issued in accordance with JAR-FCL (article 3(5)).

(4) JAR-FCL licences and United Kingdom licences for which there are JAR-FCL equivalents shall have their validity maintained in accordance with JAR-FCL, in the case of aeroplane licences on and after 1st January 2000 and in the case of helicopter licences on and after 1st July 2000 (article 3(5)).

(5) The validity of an instrument rating (helicopter), a flying instructor's rating (helicopters) or an assistant flying instructor's rating (helicopters) shall be maintained in accordance with JAR-FCL on and after 1st January 2000 (article 3(5)).

(6) The validity of an instrument rating (aeroplane) or an instructor's rating shall be maintained in accordance with JAR-FCL (article 3(5)).

(7) A JAA licence does not require to be validated by the Authority (article 3(6)).

(8) A JAA licence carries the same instructor privileges as one issued by the Authority (article 3(7)).

(9) JAR-FCL licences are defined (article 3(8)).

(10) United Kingdom licences for which there are JAR-FCL equivalents are defined (article 3(8)).

(11) A JAA licence is a licence issued by any State which is a full Member of JAA and in accordance with JAR-FCL (article 3(8)).

(12) Changes are made to the privileges of United Kingdom aeroplane licences. Recent experience of night take offs and landings is required only for flights on which passengers are carried. A recency requirement is introduced for flights by day on which passengers may be carried. The 20,000kg limit for holders of a Commercial Pilot's Licence (Aeroplanes) and an Airline Transport Pilot's Licence (Aeroplanes) over age 60 is removed (article 3(9)).

(13) A separate private pilot's licence is introduced for helicopters and for gyroplanes rather than a single combined licence (article 3(9)).

(14) Changes are made to the privileges of United Kingdom helicopter licences. Recent experience of night take offs and landings is required only for flights on which passengers are carried. A recency requirement is introduced for flights by day on which passengers may be carried. The 20,000kg limit for holders of a Commercial Pilot's Licence (Helicopters and Gyroplanes) and an Airline Transport Pilot's Licence (Helicopters and Gyroplanes) is removed (article 3(9)).

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(5) "JAA" is a reference to the Joint Aviation Authorities, an associated body of the European Civil Aviation Conference.

(6) "JAR-FCL" is a reference to the joint aviation requirements of the JAA relating to flight crew licencing.

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- (15) Licences specified in accordance with JAR-FCL may be issued (article 3(9)).
- (16) An IMC rating may be issued in respect of a JAR-FCL private pilot's licence (aeroplanes) (article 3(9)).
- (17) A night qualification is introduced in place of a night rating (article 3(9)).
- (18) Instructor ratings are specified in accordance with JAR-FCL (article 3(9)).
- (19) The manner in which the validity of licences and ratings is required to be maintained is specified (article 3(9)).
- (20) It is an offence to act in a disruptive manner while in an aircraft, including using threatening language towards a member of the crew of the aircraft or behaving in a disorderly manner towards a member of the crew of the aircraft. These offences are punishable on summary conviction by a fine not exceeding £2,500. It is also an offence to act in a disruptive manner while in an aircraft by wilfully interfering with the performance by a member of the crew of his duties. This offence is punishable on summary conviction by a fine not exceeding £5,000 and on conviction on indictment by an unlimited fine or imprisonment for a term not exceeding two years or both (article 4).

Copies of JAR-FCL can be purchased from Westward Digital Limited, 37 Windsor Street, Cheltenham, Gloucestershire GL52 2DG.