
STATUTORY INSTRUMENTS

2002 No. 1628

CIVIL AVIATION

The Air Navigation (Amendment) (No. 2) Order 2002

<i>Made</i>	- - - -	<i>26th June 2002</i>
<i>Laid before Parliament</i>		<i>8th July 2002</i>
<i>Coming into force</i>	- -	<i>30th July 2002</i>

At the Court at Windsor Castle the 26th day of June 2002

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⁾ 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 (Amendment) (No. 2) Order 2002 and shall come into force on 30th July 2002.

Amendment of the Air Navigation Order 2000

2. The Air Navigation Order 2000⁽²⁾ shall be amended as follows.

3.—(1) At the commencement of article 22(2)(a)(ii) there shall be inserted “Subject to subparagraph (iii)”.

(2) After article 22(2)(a)(ii) there shall be inserted:

“(iii) the CAA shall not on or after 30th July 2002 grant a microlight licence or a SLMG licence.”.

(3) In article 22(3)(b)(ii) for “any additional aircraft rating” there shall be substituted “any additional aircraft class or type rating”.

(4) After article 22(3)(b)(ii) there shall be inserted:

(1) 1982 c. 16; section 60 has been amended by the Airports Act 1986 (c. 31) Schedule 6 Part II, and by the Aviation and Maritime Security Act 1990 (c. 31), section 47 and Schedule 4.
(2) S.I.2000/1562, amended by S.I. 2001/397 and S.I. 2002/264.

“(iii) The CAA shall not include in a National Private Pilot’s Licence (Aeroplanes) any rating or qualification other than an aircraft rating which includes only one or more of a simple single engine aeroplane (NPPL) class rating, a Microflight class rating or a SLMG class rating.

(iv) Subject to sub-paragraphs (2)(a)(ii) and (iii) the CAA shall not include a simple single engine aeroplane (NPPL) class rating, a Microflight class rating or a SLMG class rating in an aircraft rating included in any United Kingdom licence.

(3A) Nothing in this Order shall oblige the CAA to accept an application for the issue of a National Private Pilot’s Licence (Aeroplanes) when the application is not supported by such reports from such persons as the CAA may approve (either generally or in a particular case or class of cases).”.

(5) After article 24 there shall be inserted:

“Maintenance of privileges of aircraft ratings in National Private Pilot’s Licences

24A.—(1) The holder of a National Private Pilot’s Licence (Aeroplanes) shall not be entitled to exercise the privileges of a simple single engine aeroplane (NPPL) class rating contained in the licence on a flight unless the rating is valid in accordance with Section 3 of Part C of Schedule 8.

(2) The holder of a National Private Pilot’s Licence (Aeroplanes) shall not be entitled to exercise the privileges of a SLMG class rating or a Microflight class rating contained in the licence on a flight unless the licence includes 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.”.

(a) (6) (a) In article 129(1) after the definition of “Sector” there shall be inserted:

““Self launching motor glider” means an aircraft with the characteristics of a non-power-driven glider and which is fitted with one or more power units which is designed or intended to take off under its own power;

“Simple single engine aeroplane” means for the purposes of the National Private Pilot’s Licence a single engine piston aeroplane with a maximum take off weight authorised not exceeding 2,000 kgs and which is not a microlight aeroplane or a self launching motor glider;”.

(b) In article 129(1) after the definition of “Skill test” there shall be inserted:

““SLMG” means a self launching motor glider;”.

(7) In Schedule 8, Part A after Section 2 there shall be inserted:

“**Section 3—National Private Pilot’s Licence (Aeroplanes)**

National Private Pilot’s Licence (Aeroplanes)

Minimum age—17 years

No maximum period of validity

Privileges and conditions:

(1) Subject to paragraph (2) the holder of the licence shall be entitled to fly as pilot in command of any simple single engine aeroplane, microlight aeroplane or SLMG specified or otherwise falling within an aircraft rating included in the licence.

(a) (i) He shall not fly such a simple single engine aeroplane or a microlight aeroplane outside the United Kingdom except in accordance with article 21(10)(a).

- (ii)
 - (aa) Subject to sub-paragraph (bb) he shall not fly such a SLMG in or over the territory of a Contracting State other than the United Kingdom except in accordance with permission granted by the competent authorities of that State.
 - (bb) He may fly a SLMG outside the United Kingdom if his licence includes a SLMG rating and a medical certificate appropriate for such a flight.
- (b)
 - (i) Subject to sub-paragraph (ii) he shall not fly such an aeroplane for the purpose of public transport or aerial work.
 - (ii) He may fly such an aeroplane for the purpose of aerial work which consists of towing another aeroplane or glider in flight:
 - (aa) 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 towing aeroplane or in any aeroplane or glider being towed are members; or
 - (bb)
 - (aaa) in an aeroplane owned, or operated under arrangements entered into, by an organisation approved by the CAA for the purpose of this provision;
 - (bbb) when the holder of the licence is a member of an organisation approved by the CAA for the purpose of this provision; and
 - (ccc) when any person carried in the towing aeroplane or in any aeroplane or glider being towed is a member of an organisation approved by the CAA for the purpose of this provision;
- (c)
 - (i) He shall not fly as pilot in command of such a simple single engine aeroplane on a flight outside controlled airspace when the flight visibility is less than 5 km.
 - (ii) He shall not fly as pilot in command of such a SLMG or microlight aeroplane on a flight outside controlled airspace when the flight visibility is less than 3 km.
- (d) He shall not fly as pilot in command of such an aeroplane on a flight outside controlled airspace:
 - (i) on a special VFR flight in a control zone in a flight visibility of less than 10 km; or
 - (ii) out of sight of the surface.
- (e)
 - (i) He shall not fly as pilot in command of such a simple single engine aeroplane at night.
 - (ii) He shall not fly as pilot in command of such a microlight aeroplane or a SLMG at night.
- (f) He shall not fly as pilot in command of such an aeroplane in circumstances which require compliance with the Instrument Flight Rules.
- (g) 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 as the sole manipulator of the controls of an aeroplane of the same type.
- (h) He shall not fly as pilot in command of such an aeroplane when the total number of persons carried (including the pilot) exceeds four.
- (i) He shall not fly as pilot in command of such a simple single engine aeroplane where:
 - (i) the aeroplane is fitted with a tricycle undercarriage;
 - (ii) the aeroplane is fitted with a tailwheel;
 - (iii) the engine is fitted with either a supercharger or turbo-charger;
 - (iv) the engine is fitted with a variable pitch propeller;

- (v) the landing gear is retractable;
- (vi) a cabin pressurisation system is fitted; or
- (vii) the aeroplane has a maximum continuous cruising speed in excess of 140 knots indicated airspeed;

unless appropriate differences training has been completed and recorded in his personal flying log book.

- (j) He shall not fly as pilot in command of such a microlight aeroplane where:
 - (i) the aeroplane has 3 axis controls and his previous training and experience has only been in an aeroplane with flexwing controls; or
 - (ii) the aeroplane has flexwing controls and his previous training and experience has only been in an aeroplane with 3 axis controls;
 unless appropriate differences training has been completed and recorded in his personal flying logbook.”.

- (8) In Schedule 8, Part B, after the instrument rating (helicopter) there shall be inserted:

“Microlight class rating shall, when included in the aircraft rating of a National Private Pilot’s Licence (Aeroplanes) or a United Kingdom Private Pilot’s Licence (Aeroplanes) and subject to the conditions of the licence in which it is included, entitle the holder to act as pilot in command of any microlight aeroplane.”.

- (9) In Schedule 8, Part B, after the night rating (gyroplanes) there shall be inserted:

“Simple single engine aeroplane (NPPL) class rating shall, when included in the aircraft rating of a National Private Pilot’s Licence (Aeroplanes) and subject to the conditions of that licence, entitle the holder to act as pilot in command of any simple single engine aeroplane with a maximum take off weight authorised not exceeding 2,000 kgs excluding any such aeroplane which is a self launching motor glider or a microlight aeroplane.

SLMG class rating shall, when included in the aircraft rating of a National Private Pilot’s Licence (Aeroplanes) or a United Kingdom Private Pilot’s Licence (Aeroplanes) and subject to the conditions of the licence in which it is included, entitle the holder to act as pilot in command of any SLMG.”.

- (10) In Schedule 8, Part C, after section 2 there shall be inserted:

“Section 3—Maintenance of validity of National Private Pilot’s Licence (Aeroplanes)

1. A simple single engine aeroplane (NPPL) class rating included in a National Private Pilot’s Licence (Aeroplanes) shall not be valid for the purposes of article 24A unless the provisions of this Section have been complied with.

- (a) A simple single aeroplane (NPPL) class rating shall be valid if either:
 - (i) the holder has within the 12 months preceding the flight flown not less than six hours in an aeroplane falling within the simple single engine aeroplane (NPPL) class rating, four hours of which shall have been as pilot in command and he has carried out a training flight of at least 1 hour duration with a flying instructor within the previous 24 months; or
 - (ii) he has within the three months preceding the expiry of the rating undertaken a simple single engine aeroplane (NPPL) General Skills Test.”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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 Order 2000. In addition to minor and drafting amendments the following changes are made:

1. The CAA shall not on or after 30th July 2002 grant a United Kingdom Private Pilot's Licence (Aeroplanes) containing only a microlight class rating or an SLMG class rating (article 3(2)).
2. The CAA may, with effect from 30th July 2002, grant a National Private Pilot's Licence (Aeroplanes) in which may be included one or more of a simple single engine aeroplane (NPPL) class rating, a microlight class rating or an SLMG class rating (article 3(4)).
3. The CAA may require an application for an NPPL(A) to be supported by reports from a person approved by the CAA (article 3(4)).
4. Requirements are introduced for the maintenance of a class rating included in an NPPL(A) (article 3(5) and (10)).
5. Definitions are introduced for a self launching motor glider and a simple single engine aeroplane (article 3(6)).
6. The privileges of a NPPL(A), a microlight class rating, a simple single engine aeroplane (NPPL) class rating and a SLMG class rating are specified (article 3(7), (8) and (9)).