
STATUTORY INSTRUMENTS

2016 No. 765

The Air Navigation Order 2016

PART 6

Aircrew

CHAPTER 3

Medical certificates

Licence holder not to act as member of flight crew when unfit

166.—(1) Subject to paragraph (6), a person [^{F1}P] must not act as a member of the flight crew of an aircraft registered in the United Kingdom if [^{F2}P knows or suspects P's] physical or mental condition [^{F3}renders P] temporarily or permanently unfit to perform such functions or to act in such capacity, including unfitness by reason of—

- (a) injury or sickness;
 - (b) taking or using any prescribed or non-prescribed medication which is likely to interfere with the ability to perform such functions;
 - (c) receipt of any medical, surgical or other treatment that is likely to interfere with the ability to perform such functions;
 - (d) the effects of any psychoactive substance; or
 - (e) fatigue.
- (2) Every holder of a medical certificate issued under article 161 ^{F4}... who—
- (a) suffers any personal injury involving incapacity to undertake the holder's functions as a member of the flight crew;
 - (b) suffers any significant illness involving incapacity to undertake those functions throughout a period of 21 days or more; or
 - (c) in the case of a woman, has reason to believe that she is pregnant,

must inform an aeromedical examiner authorised by the CAA 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 expired in the case of illness.

(3) The medical certificate ^{F5}... is suspended upon the occurrence of such injury or the expiry of such period of illness or the confirmation of the pregnancy.

- (4) In the case of injury or illness the suspension ceases upon—
- (a) the holder being medically assessed under arrangements made by the CAA and pronounced fit to resume the holder's functions as a member of the flight crew; or
 - (b) the CAA exempting, subject to such conditions it deems appropriate, the holder from the requirement of a medical assessment.
- (5) In the case of pregnancy, the suspension—

- (a) may be lifted by the CAA or an aeromedical examiner authorised by the CAA for such period and subject to such conditions as the CAA or the aeromedical examiner thinks fit; and
- (b) ceases upon the holder being medically assessed under arrangements made by the CAA after the pregnancy has ended and pronounced fit to resume her functions as a member of the flight crew.
- (6) Paragraph (1) does not apply to the holder of a Part-FCL licence when the holder is exercising the privileges of the licence in [^{F6}a Part-21] aircraft.

Textual Amendments

- F1** Word in art. 166(1) inserted (14.12.2017) by The Air Navigation (Amendment) Order 2017 (S.I. 2017/1112), arts. 1, **31(a)(i)**
- F2** Words in art. 166(1) substituted (14.12.2017) by The Air Navigation (Amendment) Order 2017 (S.I. 2017/1112), arts. 1, **31(a)(ii)**
- F3** Words in art. 166(1) substituted (14.12.2017) by The Air Navigation (Amendment) Order 2017 (S.I. 2017/1112), arts. 1, **31(a)(iii)**
- F4** Words in art. 166(2) omitted (14.12.2017) by virtue of The Air Navigation (Amendment) Order 2017 (S.I. 2017/1112), arts. 1, **31(b)**
- F5** Words in art. 166(3) omitted (14.12.2017) by virtue of The Air Navigation (Amendment) Order 2017 (S.I. 2017/1112), arts. 1, **31(c)**
- F6** Words in art. 166(6) substituted (31.12.2020) by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/645), reg. 1, **Sch. 1 para. 46** (with Sch. 3) (as amended by S.I. 2019/1098, regs. 1(3), 12); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Air Navigation Order 2016, Section 166.