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STATUTORY INSTRUMENTS

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**2016 No. 765**

**The Air Navigation Order 2016**

**PART 6**

**Aircrew**

**CHAPTER 3**

**Medical certificates**

**Requirement for a medical certificate for a United Kingdom licence**

**160.**—(1) This article applies to any licence granted under article 152.

(2) Subject to article 163, the holder of a licence to which this article applies is not entitled to perform any of the functions to which the licence relates unless—

- (a) the licence includes a valid medical certificate issued under article 161; or
- (b) the holder of the licence has a valid medical certificate issued under Part-MED that is not a Light Aircraft Pilot Licence medical certificate.

**Issue and validity of a medical certificate for a United Kingdom licence**

**161.**—(1) The CAA may approve a person to carry out a medical assessment or examination for the purposes of this article and to issue a medical certificate in accordance with paragraph (6).

(2) An approval may be granted generally or in a particular case or class of cases.

(3) Every applicant for, or holder of, a licence under article 152 must, whenever the CAA requires, submit to a medical assessment or examination by a person approved by the CAA.

(4) The approved person must make a report of the assessment or examination to the CAA in such form as the CAA may require.

(5) On the basis of such medical assessment or examination, the approved person must assess whether the applicant for or holder of the licence meets the requirements specified by the CAA.

(6) If the approved person assesses the applicant for or holder of the licence as meeting the requirements specified by the CAA, the approved person must issue a certificate to that effect.

(7) Subject to articles 166(3) and 253, a medical certificate is valid for the period specified in the certificate.

(8) A medical certificate forms part of the licence.

**Requirement for a Part MED medical certificate for a Part-FCL licence**

**162.** Subject to article 150(7), the holder of a Part-FCL licence is not entitled to exercise any of the privileges of the licence unless the holder has a valid medical certificate in accordance with paragraph MED.A.030 of Part-MED.

## **Medical requirements for specified United Kingdom licences and National Private Pilot's Licences**

**163.**—(1) In this article, a specified licence means—

- (a) a National Private Pilot's Licence or United Kingdom Private Pilot's Licence; or
- (b) a United Kingdom Commercial Pilot's Licence (Balloons) that is restricted to commercial operation and to the privileges of a United Kingdom Private Pilot's Licence (Balloons and Airships).

(2) Subject to paragraph (7), the holder of a specified licence, or of a licence which includes the privileges of a specified licence, may exercise any of the privileges of the specified licence if the holder has—

- (a) a valid medical certificate issued under article 161;
- (b) a medical certificate granted under Section 2 of Subpart A of Part-MED, including one which is valid for a Light Aircraft Pilot Licence issued under Part-FCL; or
- (c) made a medical declaration in accordance with paragraph (3) which has not ceased to be valid in accordance with paragraph (4) and the holder complies with the conditions in paragraph (5).

(3) The holder of a licence makes a medical declaration in accordance with this article if they—

- (a) reasonably believe that they—
  - (i) meet the medical requirements for a Group 1 Licence issued by the Driver and Vehicle Licensing Agency; and
  - (ii) are not subject to a disqualifying medical condition.
- (b) make a declaration to that effect to the CAA in such form and in such manner as may be required or specified by the CAA; and
- (c) in the case of a licence holder aged 70 years or more, have made such a declaration within the previous three years.

(4) A declaration made in accordance with paragraph (3)—

- (a) ceases to be valid if it is withdrawn;
- (b) must be withdrawn by the holder if they no longer reasonably believe that they satisfy the requirements of paragraph (3);
- (c) may be withdrawn by the CAA if it has reason to believe that the holder—
  - (i) no longer meets the medical requirements in paragraph (3)(a)(i); or
  - (ii) is subject to a disqualifying medical condition.

(5) The holder of a licence who does not have a medical certificate and relies on satisfying the requirements of paragraph (3) may only exercise the privileges of the licence—

- (a) in an aircraft with a maximum take-off mass of 5,700kg or less;
- (b) with not more than three passengers on board;
- (c) by day or when exercising the privileges of a night rating;
- (d) in visual meteorological conditions or when exercising the privileges of an instrument meteorological conditions rating; and
- (e) within the United Kingdom unless the holder has the permission of the competent authority for the airspace in which the aircraft is being flown.

(6) For the purposes of this article, “disqualifying medical condition” means any physical or mental condition or illness, or any history of such a condition or illness, including—

- (a) any alcohol or drug abuse, addiction or misuse;

- (b) any neurological condition;
- (c) any functional disability;
- (d) any surgery or medical treatment;
- (e) any collapse, fainting or loss of consciousness;
- (f) any history of (a) to (e); or
- (g) such other medical conditions as the CAA may specify,

that might impair the safe operation of normal flight controls or render the licence holder unfit at any time to perform any function for which the licence is granted.

(7) The holder of a specified licence wishing to exercise night rating privileges must additionally meet the colour vision requirements of MED.B.075 of Part-MED in order to be so entitled.

#### **Issue of Light Aircraft Pilot Licence medical certificates**

**164.**—(1) For the purposes of MED.D.035(a)(2) of Part-MED, the requirements for a general medical practitioner to act as an authorised aeromedical examiner in relation to the issue, revalidation or renewal of Light Aircraft Pilot Licence medical certificates in accordance with Part-MED are those set out in paragraph (2).

(2) The requirements referred to in paragraph (1) are that the general medical practitioner must—

- (a) be in general practice or be a Medical Officer of Her Majesty’s naval, military or air forces who is included in the General Practitioner Register maintained by the General Medical Council;
- (b) hold a valid licence to practise medicine from the General Medical Council; and
- (c) have access to and be able to consult the medical records of the applicant.

(3) A general medical practitioner who issues a Light Aircraft Pilot Licence medical certificate must, in relation to that certificate, keep for a period of 10 years after the expiry of the certificate—

- (a) the signed and completed Light Aircraft Pilot Licence medical application form;
- (b) a copy of the completed assessment or examination forms; and
- (c) a copy of the medical certificate.

#### **Occupational health medical practitioners**

**165.** For the purposes of paragraph MED.D.040(b) of Part-MED an “occupational health medical practitioner” is any doctor listed in the Specialist Register of the General Medical Council as having specialist registration in occupational medicine.

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

**166.**—(1) Subject to paragraph (6), a person must not act as a member of the flight crew of an aircraft registered in the United Kingdom if they know or suspect their physical or mental condition renders them 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 or medical declaration in accordance with article 163(3) 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 or declaration 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 an EASA aircraft.