



Miscellaneous

No: 1487

Air Navigation Order 2016

Publication date: 20 April 2021

General Exemption E 5428

Allowing UK Part-FCL, Part-BFCL and Part SFCL licence holders to make a Pilot Medical Declaration to alternative disqualifying medical conditions to those referred to in Article 163(6) of the Air Navigation Order 2016

Background

1. This exemption is issued to enable pilots who hold a licence issued in accordance with UK Regulations (EU) 2011/1178, 2018/395 and 2018/1976 to make a Pilot Medical Declaration in accordance with Article 163(3) of the Order even though they may have a disqualifying medical condition listed in Article 163(6) of the Order, subject to the conditions specified in paragraph 6, until 30 April 2022.

Interpretation

2. In this exemption, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced as "UK Regulation (EU) No. year/number" or "UK Regulation (EU) No. number/year".
3. The Air Navigation Order 2016 (as amended) is referred to as 'the Order'.

Exemption

4. The Civil Aviation Authority ('the CAA'), pursuant Article 266 of the Order, exempts holders of the licences specified in paragraph 5 from the requirements of Article 162, Article 163(3)(a)(ii) and (4)(b) of the Order, subject to the conditions specified in paragraph 6.
5. This exemption applies to holders of the following UK Part FCL licences issued under UK Regulations (EU) 2011/1178, 2018/395 and 2018/1976:
 - a) UK Part FCL Private Pilot's Licence (UK Part FCL PPL);
 - b) UK Part FCL Light Aircraft Pilot's Licence (UK Part FCL LAPL);
 - c) UK Part SFCL Sailplane Pilot's Licence (SPL); or
 - d) UK Part BFCL Balloon Pilot's Licence (BPL).

6. This exemption is subject to the following conditions.
- a) The licences specified in paragraph 5 must have been issued by the CAA.
 - b) Licence holders must only operate flights:
 - i) in a United Kingdom (G) registered aircraft;
 - ii) in the following areas:
 - 1) within the United Kingdom;
 - 2) with the permission of the relevant authority, in the airspace of another country, or
 - 3) with the permission of the relevant authority, within a Crown Dependency;
 - iii) in day or night Visual Flight Rules ('VFR'), unless in the case of a SPL holding Sailplane Cloud Flying privileges.
 - c) LAPL(A) and PPL(A) holders must only exercise the privileges stated in UK FCL.105.A(a), that is to act as Pilot-In-Command ('PIC') on single-engine piston aeroplanes-land or Touring Motor Gliders ('TMG') with a maximum certified take-off mass of 2,000 kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board the aircraft.
 - d) LAPL(H) and PPL(H) holders must only exercise the privileges stated in UK Part-FCL.105.H on a single-engine piston helicopter, that is to act as PIC on single-engine piston helicopters with a maximum certified take-off mass of 2,000 kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board.
 - e) Licence holders must not make a Pilot Medical Declaration unless they reasonably believe that they meet the medical requirements for a Group 1 (Car) Licence issued by the Driver and Vehicle Licensing Agency and are not taking medication for any psychiatric illness.

Date in Force

7. This exemption has effect from the date it is signed until 30 April 2022, both dates inclusive, unless previously revoked.

Explanatory Note:

The objective of this exemption is to allow holders of a UK issued Part-FCL, Part-BFCL or Part-SFCL pilot licence to make a Pilot Medical Declaration to alternative disqualifying medical conditions.

Following the review at the beginning of the year, the CAA realised that the alternative criteria for the Pilot Medical Declaration was not established in legislation.

The CAA has developed this exemption to address this lack of legal status for a short period until the appropriate legislation can be passed to establish on a more permanent basis.

Under this exemption, LAPL(A) and PPL(A) holders must only exercise the privileges stated in UK FCL.105.A(a), that is to act as Pilot-In-Command ('PIC') on single-engine piston aeroplanes-land or Touring Motorgliders ('TMG') with a maximum certified take-off mass of 2,000 kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board the aircraft.

LAPL(H) and PPL(H) holders must only exercise the privileges stated in UK Part-FCL.105.H on a single-engine piston helicopter, that is to act as PIC on single-engine piston helicopters with a maximum certified take-off mass of 2,000 kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board.

1. Licence holders who can take advantage of this exemption are:

- a) UK Part-FCL LAPL
- b) UK Part-FCL PPL
- c) UK Part-BFCL BPL
- d) UK Part-SFCL SPL

2. Medical declaration:

- a) Holders of the above licences making a Pilot Medical Declaration when only operating aircraft with a MTOM of 2000kg or less provided they reasonably believe that they meet the medical requirements for a Group 1 (Car) Licence issued by the Driver and Vehicle Licensing Agency and are not taking medication for any psychiatric illness.

3. Aircraft that can be operated as Pilot in Command (PIC):

- a) For LAPL and PPL holders any UK (G) registered Part 21 and non-Part 21 aircraft with a MTOM of 2000kg or less for which the licence holder has the appropriate privileges or valid class or type rating for.
- b) For BPL holders any UK (G) registered Part 21 and non-Part 21 balloon for which the licence holder has the appropriate privileges or valid class or group rating for.
- c) For SPL holders any UK (G) registered Part 21 and non-Part 21 sailplanes or motorgliders for which the licence holder has the appropriate privileges for.
- d) Licence holders must comply with the appropriate recency requirements if passengers are to be carried.

4. Conditions and location:

- a) within the airspace of the United Kingdom;
- b) with the permission of the relevant authority, in the airspace of another country;
- c) with the permission of the relevant authority, within a Crown Dependency;
- d) in day or night VFR, unless in the case of a SPL holding Sailplane Cloud Flying privileges.

5. Licence holders operating at night must hold a Night Rating and meet night recency requirements, if passengers are to be carried. The licence holder must also have been assessed as 'colour safe' by a CAA certified AME.
6. Student pilots under training for a pilot licence must not fly solo unless the student pilot holds a valid medical certificate as required for the relevant licence.
7. The essential requirement of pilot medical fitness remains. Licence holders are reminded of their responsibility in the event of a decrease in their fitness with respect to an illness, medical condition, medical surgery or treatment that may affect the safe operation of an aircraft.