



Miscellaneous

No: 1260

Regulation (EU) No. 216/2008

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Air Navigation Order 2016

General Exemption E 4665

Exemption under Article 14(4) of Regulation (EC) 216/2008 and Article 266 of the Air Navigation Order 2016 in respect of the requirement for holders of Part-FCL Private Pilot Licences and Light Aircraft Pilot Licences to hold an EASA Part-MED medical certificate when operating EASA aircraft

- 1) The Civil Aviation Authority ('the CAA'), on behalf of the United Kingdom, pursuant to Article 14(4) of Regulation (EC) No 216/2008 and with the consent of the Secretary of State, exempts holders of the licences issued under European Commission Regulation (EU) No. 1178/2011 ('the Aircrew Regulation') specified in paragraph 2, from the provisions of the Aircrew Regulation specified in paragraph 3 and from the provisions of European Commission Regulation (EU) No. 216/2008 ('the Basic Regulation'), specified in paragraph 3, subject to the conditions specified in paragraph 4 and subject to the exclusions specified in paragraph 5.

The CAA in exercise of its powers under Article 266 of the Air Navigation Order 2016 ('the Air Navigation Order') exempts the holders of the licences specified in paragraph 2 from the provisions of Article 162 of the Air Navigation Order 2016 subject to the conditions specified in paragraph 4 and subject to the exclusions specified in paragraph 5.

- 2) This exemption applies to holders of the following Part-FCL licences issued under the Aircrew Regulation, Annex 1, Part-FCL, Subparts B and C:
- i) Light Aircraft Pilot's Licence for aeroplanes, LAPL(A);
 - ii) Light Aircraft Pilot's Licence for helicopters, LAPL(H);
 - iii) Private Pilot's Licence for aeroplanes, PPL(A);
 - iv) Private Pilot's Licence for helicopters, PPL(H).

- 3) Holders of licences specified in paragraph 2 are exempt from the following provisions of the Aircrew Regulation and Basic Regulation:
- i) LAPL(A) and LAPL(H):
The Aircrew Regulation - the requirements of Annex I, Part-FCL, Subpart A, FCL.040 and of Annex IV, Part-MED Subpart A, Section 2 MED.A.030(b) to hold at least a LAPL medical certificate and of Annex I, Part-FCL, Subpart A, FCL.045(a), to always carry a valid medical certificate when exercising the privileges of those licences;
 - ii) PPL(A) and PPL(H):
The Aircrew Regulation - the requirements of Annex I, Part-FCL, Subpart A, FCL.040 and of Annex IV, Part-MED Subpart A, Section 2 MED.A.030(c) to hold at least a class 2 medical certificate and of Annex I, Part-FCL, Subpart A, FCL.045(a), to always carry a valid medical certificate when exercising the privileges of those licences; and
 - iii) The Basic Regulation – the requirement of Chapter 1, Article 7(2), to only act as a pilot if he or she holds a medical certificate appropriate to the operation to be performed.
- 4) This exemption is subject to the following conditions:
- i) The licences specified in paragraph 2 must have been issued by the CAA;
 - ii) Licence holders must have previously made a medical declaration in accordance with Article 163(3) of the Air Navigation Order which remains valid and has not been withdrawn;
 - iii) Licence holders must only operate flights:
 - a) in a United Kingdom (G) registered EASA aircraft (as defined in Schedule 1 to the Air Navigation Order);
 - b) within the United Kingdom; or
 - c) with the permission of the relevant authority, within a Crown Dependency, but for an A to A flight only;
 - d) in day or night Visual Flight Rules ('VFR'); and
 - e) which are not:
 - commercial operation flights (as defined in Schedule 1 to the Air Navigation Order);
 - pilot training flights;
 - introductory flights (as defined in article 2 of Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council); or
 - cost-shared flights.
 - iv) LAPL(A) and PPL(A) holders must only exercise the privileges stated in Part-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 2000Kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on board the aircraft.
 - v) LAP(H) and PPL(H) holders must only exercise the privileges stated in 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 2000Kg or less, carrying a maximum of 3 passengers, such that there are never more than 4 persons on-board.

- 5) The following are excluded from this exemption:
 - i) Initial applicants for the licences specified in paragraph 2, excluding applicants for conversion of a licence granted under the Air Navigation Order into a Part-FCL licence;
 - ii) The exercise of the privileges of an Instrument Meteorological Conditions (IMC) Rating or Instrument Rating (IR);
 - iii) Holders of ICAO licence conversions/ validations; and
 - iv) Student pilots under training for a Part-FCL pilot licence when flying solo.
- 6) In paragraph 4) iii) c) an “A to A flight” means a flight starting from, and ending at, any aerodrome within the same Crown Dependency.
- 7) This exemption supersedes Official Record Series 4 No. 1254, which is revoked.
- 8) This exemption shall have effect from the date it is signed until 8 April 2019, both dates inclusive, unless varied, suspended or revoked.

Tony Rapson
for the Civil Aviation Authority

5 April 2018

Explanatory Note - General:

The objective of the Exemption is to meet an operational need of limited duration to reduce the significant regulatory burden that will be placed on the UK General Aviation (GA) sector after 8 April 2018, by allowing an additional group of UK pilots to fly using pilot medical declarations rather than medical certificates in the UK. This will be achieved by allowing GA pilots with UK issued Part-FCL LAPL and PPL pilot licences to operate certain UK registered EASA GA aircraft whilst holding a pilot medical declaration under specified conditions and subject to certain excluded cases. The essential requirement of pilot medical fitness remains. The UK will continue to monitor the Exemption effect closely and gather and analyse safety data (fatal accidents with medical/cause contribution) and medical declaration use in the UK GA sector. The data and analysis will be shared with EASA and other Member States. The Exemption reflects the intent of EASA’s roadmap for GA with the aim of ‘simpler, lighter and better rules for General Aviation’ and the revised draft Basic Regulation amendment which provides for proposals for future amendments to the Implementing Rules, including the Aircrew Regulation, regarding aircraft operations intended primarily for sports and recreational use.

Explanatory Note - For Pilots

1. UK GA pilots applying this Exemption must hold an appropriate pilot licence with a valid class or type rating to exercise licence privileges (FCL.040). Pilots must satisfy recency requirements before acting as PIC (FCL.060).
2. A pilot operating at night must hold a Night Rating (FCL.810), meet night recency requirements (FCL.060) and previously been assessed as 'colour safe' by a CAA certified Aeromedical Examiner (MED.A.030(e) and CAA website guidance 'Self Declaring your medical fitness using the Pilot Medical Declaration').

<https://www.caa.co.uk/General-Aviation/Pilot-licences/Medical-requirements/Medical-requirements-for-private-pilots/>
3. Student pilots under training for a Part-FCL pilot licence must not fly solo unless the student pilot holds a medical certificate (not a medical declaration) as required for the relevant licence as required by MED.A.030(a).
4. The essential requirement of pilot medical fitness remains. The Exemption is against the requirement for certain UK GA pilots to demonstrate this by the grant of a medical certificate and instead allows them to do so by a pilot medical declaration.
5. This Exemption permits the conversion of a UK National pilot licence granted under the Air Navigation Order (ANO) into a Part-FCL licence using a medical declaration.