



Miscellaneous

No: 1370

Air Navigation Order 2016

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Regulation (EU) 1178/2011

General Exemption E5045

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 71(1) of Regulation (EU) 2018/1139 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, 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 certificates 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.

- 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 made a medical declaration on or before 08 April 2020 in accordance with Article 163(3) of the Air Navigation Order and 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 flight¹ 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 (EU) 2018/1139 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 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) LAPL(H) and PPL(H) holders must only exercise the privileges stated in Part-FCL105.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) This exemption supersedes Official Record Series 4 No. 1283, which is revoked.
- 7) This exemption has effect from the date it is signed until 08 November 2020, both dates inclusive, unless previously revoked.

¹ an "A to A flight" means a flight starting from, and ending at, any aerodrome within the same Crown Dependency.

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Explanatory Note:

The objective of the exemption is to allow time to address a deviation between UK CAA and EU regulation. In October 2018, the UK CAA issued ORS4 General Exemption 1283 which allowed 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 and without the need for those pilots to also be issued with a medical certificate. The release of Regulation (EU) 2020/359 (9 March 2020) has confirmed that the 2014 EU derogation allowing National pilot licence holders to operate certain EASA CofA aircraft will not be renewed. As a result, the basis on which the UK's 2018 Exemption allowing Medical Self-Declaration by GA pilots with UK-issued Part FCL LAPL and PPLs has been removed, and the exemption must be withdrawn to avoid an enduring deviation from EU regulation from arising. However, there is just one month remaining before these changes take effect. It is estimated that c.3,500-4,000 pilots will be affected by them and will need to seek a Class 2 or LAPL Medical to continue to fly after 8 April 2020 in addition to existing UK pilots who already have Class 1 and Class 2 revalidation Medical Examinations booked with their AMEs. The UK has c.130 registered and current AMEs, most of whom also practice in other medical roles too, such as GPs, in addition to their aeromedical qualifications. It is assessed that, on average, this cadre could each accommodate no more than 8 additional Class 2 or LAPL Medicals in a single calendar month (c.2 per week) given their existing aeromedical booking and other duties. It is therefore assessed that a transitory national exemption of an additional 4-months from 8 April 2020 would be the period necessary for this deviation to be addressed without significant disruption to pilots and the businesses that support the UK GA sector. However, the impact of the current COVID-19 health crisis on the availability of healthcare practitioners is expected to minimise the availability of AMEs to conduct scheduled and additional examinations for at least the next 3 months (based on ITEA modelling of the cycle of typically global crises). The UK CAA will also be expecting AMEs to prioritise Class 1 and Class 3 medicals for commercial pilots and air traffic controllers to minimise the impact to the CAT industry. Consequently, a total exemption period of 7 months is appropriate (3 months de-prioritisation of recreational pilot medical examinations due to the health crisis, and a further 4-months to allow affected pilots to regain their medical certification). To ensure continued safety, the exemption will only apply to licence holders who have previously made a medical declaration prior to 8 April 2020 and which remains valid and has not been withdrawn. Upon expiry of this exemption, GA pilots with UK-issued Part FCL LAPL and PPLs will be required to hold a medical certificate.

Explanatory Note - For Pilots

1. UK GA pilots applying this exemption must have completed their Medical Self-Declaration prior to or on 8 April 2020 in order to be able to operate UK EASA CofA aircraft under this exemption until 8 November 2020.
2. 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).
3. 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').
4. 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).
5. The essential requirement of pilot medical fitness remains. The exemption is against the requirement for certain UK GA pilots holding Part FCL LAPL and PPL to demonstrate this by the grant of a medical certificate in the short term and instead allows them to do so by a pilot medical declaration.
6. UK GA pilots holding a UK National pilot licence are able to continue to operate Annex I UK Permit-to-Fly aircraft using medical declaration if they are able to affirm their medical fitness and satisfy the qualifying conditions.

<https://www.caa.co.uk/General-Aviation/Pilot-licences/Medical-requirements/Medical-requirements-for-private-pilots/>