



**Miscellaneous**

**No:** 865

**The Air Navigation Order 2009**

**Publication Date:** 31 August 2011

## **General Exemption**

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### **The use of a Medical Declaration with Pilot Licences other than NPPL when flying SSEA, SLMG and Microlight Aeroplanes**

- 1) The Civil Aviation Authority ("the CAA") in exercise of its powers under article 242 of the Air Navigation Order 2009 (the "Order"), exempts any person who holds a specified pilot licence from the requirement of article 72(2) of the Order that the privileges of the licence may not be exercised unless the licence includes an appropriate medical certificate.
- 2) In this exemption a specified pilot licence is a pilot licence issued by the CAA, other than a National Private Pilot's Licence, which permits the holder to fly single engine piston aeroplanes (SEP), simple single engine aeroplanes (SSEA), self launching motor gliders (SLMG) or microlight aeroplanes.
- 3) This Exemption is subject to the following conditions:
  - 3.1 the licence holder shall not exercise the privileges of the licence in any aircraft other than a simple single engine aeroplane (SSEA), self launching motor glider (SLMG) or microlight aeroplane for which an appropriate class rating is held;
  - 3.2 the licence holder shall not fly any such SSEA on a flight outside controlled airspace when the flight visibility is less than 5 km;
  - 3.3 the licence holder shall not fly any such SLMG or microlight aeroplane on a flight outside controlled airspace when the flight visibility is less than 3 km;
  - 3.4 the licence holder shall not fly any such SSEA, SLMG or microlight aeroplane:
    - a) on a special VFR flight in a control zone when the flight visibility is less than 10 km;
    - b) out of sight of the surface; or
    - c) at night; or
    - d) in circumstances which require compliance with the Instrument Flight Rules;
  - 3.5 the licence holder shall not fly any such SSEA, SLMG or microlight aeroplane outside the United Kingdom except with the permission of the competent authority for the airspace in which he flies;
  - 3.6 the licence holder shall not fly such SSEA, SLMG or microlight aeroplane:
    - a) when the total number of persons carried (including the pilot) exceeds four; or

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- b) when carrying passengers unless within the preceding 90 days he has made at least three take-offs and three landings as the sole manipulator of the controls of an aeroplane of the same class as that being flown;
- 3.7 the licence holder shall not fly any such SSEA, SLMG or microlight aeroplane for the purpose of commercial air transport, public transport or aerial work except aerial work which consists of:
- a) towing another aeroplane or glider in flight:
- i) in an aeroplane owned, or operated under arrangements entered into, by a flying club of which the holder of the licence and any person carried in the towing aeroplane or in any aeroplane or glider being towed are members; or
  - ii) in an aeroplane owned, or operated under arrangements entered into, by an organisation approved by the CAA for the purpose of paragraph 4(b) of the privileges and conditions of the National Private Pilot's Licence (Aeroplanes) as set out in Section 3 of Part A of Schedule 7 to the Order when:
    - aa) the holder of the licence is a member of an organisation approved by the CAA for the purpose of that paragraph; and
    - bb) any person carried in the towing aeroplane or in any aeroplane or glider being towed is a member of an organisation approved by the CAA for the purpose of that paragraph;
- b) the giving of instruction or testing in SLMG or microlight aeroplanes in a club environment, provided that in the case of instruction, the licence includes a flying instructor's rating or an assistant flying instructor's rating entitling him to give instruction in flying SLMG or microlight aeroplanes;
- 3.8 the licence holder shall not receive any remuneration for services as a pilot on a flight, except that if the licence includes a flying instructor's rating or an assistant flying instructor's rating entitling the holder to give instruction in flying SLMG or microlight aeroplanes, the holder may receive remuneration for the giving of such instruction or the conducting of such flying tests as are specified in paragraph (3.7(b)) in a SLMG or microlight aeroplane;
- 3.9 the licence holder has a medical declaration which is:
- a) valid in accordance with article 73; or
- b) valid in accordance with the following conditions:
- i) the holder has signed a statement of belief in the declaration that the holder meets the medical requirements to fly, having regard to the standards specified by the CAA in the declaration;
  - ii) the holder reasonably holds that belief;
  - iii)
    - aa) the holder has authorised a Medical Adviser acting on behalf of NPLG Ltd to review the holder's medical records and countersign the declaration; or
    - bb) the holder's general practitioner has reviewed the holder's medical records and the consultant responsible for the holder's clinical care has countersigned the declaration after discussion with the general practitioner and a medical adviser acting on behalf of NPLG Ltd;
  - iv) the countersignatory is satisfied that there is nothing in the pilot's medical history which prevents the pilot from meeting the medical standards specified in the declaration;

- v) the validity period of the declaration as specified for declarations in article 73(3) has not expired; and
  - vi) the declaration was issued before 09 June 2010.
- 4) The Exemption published as Official Record Series 4 Number 816 is hereby revoked.
- 5) This Exemption shall unless previously revoked or suspended, have effect from the date hereof until 8 April 2012.

C J Whittaker  
For the Civil Aviation Authority  
24 August 2011

**NOTE**

The fact that a person has been flying on the basis of this exemption will not be sufficient for the CAA to be satisfied that a person is physically fit for the purposes of the grant, renewal, or reissue of any specified licence under article 64(1) or the inclusion, revalidation or renewal of any rating that may not be included in a National Private Pilot's Licence under article 65(3). A medical certificate appropriate to the specified licence will be required; a medical declaration will not be accepted.