

Miscellaneous

No: 1087

Air Navigation Order 2009

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General Exemption E 4000

90-Day Rule for Private Pilots

- 1) The Civil Aviation Authority ('the CAA'), in exercise of its powers under article 242 of the Air Navigation Order 2009 ('the ANO'), exempts any person who holds a pilot licence specified in column 1 of the Table below from the condition in relation to that licence specified in column 2.
- 2) Before commencing a flight pursuant to this exemption the person intending to pilot the aircraft must:
 - a) be satisfied that the intended passenger is qualified to act as pilot in command on the intended flight; and
 - b) inform the intended passenger that the pilot does not have the recency which, but for this exemption, would be required for the carriage of a passenger.
- 3) On any flight pursuant to this exemption, only one passenger may be carried.

Table

Licence	Condition from which the holder is exempt
United Kingdom Private Pilot's Licence (Aeroplanes)	The condition at paragraph 2(g)(i) of the Privileges that the holder may not fly as pilot in command of an aeroplane carrying passengers unless within the preceding 90 days the holder has made at least three take-offs and three landings as the sole manipulator of the controls of an aeroplane of the same type or class.
United Kingdom Private Pilot's Licence (Helicopters)	The condition at paragraph 2(e)(i) of the Privileges that the holder may not fly as pilot in command of a helicopter carrying passengers unless within the preceding 90 days the holder has made at least three circuits, each to include take-offs and landings, as the sole manipulator of the controls of a helicopter of the same type.
United Kingdom National Private Pilot's Licence (Aeroplanes)	The condition at paragraph 8(b) of the Privileges and Conditions that the holder may not act as pilot in command when carrying passengers unless within the preceding 90 days the holder 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.

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Licence	Condition from which the holder is exempt
United Kingdom National Private Pilot's Licence (Helicopters)	The condition at paragraph 4 of the Privileges and Conditions that the holder may not fly as pilot in command when carrying passengers unless within the preceding 90 days the holder has made at least three take-offs and three landings as the sole manipulator of the controls of a helicopter of the same type as that being flown.

- 4) This exemption has effect from 13 February 2015 until 31 December 2016, both dates inclusive, unless previously revoked.

T Rapson

for the Civil Aviation Authority

12 February 2015

Explanatory Notes:

- 1) The accompanying pilot is required to be qualified to act as pilot in command on type, but it must be understood that they are a passenger for the purposes of the flight. In order for a pilot to regain currency, they must be the pilot in command for the flight. Who is fulfilling which role should be made clear prior to the flight.
- 2) Article 255 of the ANO 2009 states that a 'United Kingdom licence' means a licence included in Section 1 of Part A of Schedule 7 of the Order. This exemption applies to those licences only. Article 255 of the ANO 2009 states that a 'United Kingdom licence' means a licence included in Section 1 of Part A of Schedule 7 of the Order. This exemption applies to those licences only.
- 3) This exemption has no effect on the EASA Aircrew Regulation as it applies to the holders of Part-FCL licences (including JAR-FCL licences deemed to have been issued in accordance with that regulation). The holders of Part-FCL licences cannot rely on this exemption when exercising the privileges of their licences as it does not negate the equivalent recency requirements that apply to the holders of Part-FCL licences.
- 4) Article 255 of the ANO 2009 states that a 'Part-FCL licence' means a flight crew licence granted under Part-FCL by an EU Member State or a country that has an agreement with EASA or the EU to grant and administer licences in accordance with the EASA Aircrew Regulation and to be subject to standardisation by EASA in respect of that Regulation.
- 5) This explanatory note does not form part of the exemption.