

Miscellaneous

No: 1089

Air Navigation Order 2009

Publication date: 17 March 2015

General Validation

Non-European Licences for Private Operation of EASA Aircraft Registered in the United Kingdom

- 1) In pursuance of its powers under article 78 of the Air Navigation Order 2009 ('the Order') the Civil Aviation Authority ('the CAA'), unless it gives a direction to the contrary and subject to paragraphs 3, 4, 5 and 6, validates any licence specified in paragraph 2 for the purposes of article 50(1) of the Order to enable the holder to exercise the privileges of such a licence in EASA aircraft registered.
- 2) This validation applies to any licence which authorises the holder to act as a member of the flight crew of an aircraft and is granted:
 - a) under the law of a Contracting State other than the United Kingdom but which is not a Part-FCL licence; or
 - b) under the law of a relevant overseas territory.
- 3) This validation shall only apply to such a licence if it is a licence that satisfies the relevant minimum standards established under the Chicago Convention.
- 4) This validation does not apply to such a licence if it authorises the holder to act as a student pilot only.
- 5) Subject to paragraph 6, this validation does not entitle the holder:
 - a) to act as a member of the flight crew of any aircraft flying for the purpose of commercial air transport, public transport or aerial work or on any flight for which the holder receives remuneration for services as a member of the flight crew; or
 - b) to act as pilot of any aircraft flying in controlled airspace in circumstances requiring compliance with the Instrument Flight Rules or to give any instruction in flying.
- 6) Paragraph 5 does not apply to the holder of a radiotelephony licence or a Part-FCL licence.

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- 7) In this validation the following terms have the following meanings:
- a) "Part-FCL" means Annex I so entitled to the EASA Aircrew Regulation;
 - b) "EASA Aircrew Regulation" means Commission Regulation (EU) No. 1178/2011 of 3 November 2011, laying down technical requirements and administrative procedures related to civil aviation aircrew pursuant to Regulation (EC) No. 216/2008 of the European Parliament and of the Council;
 - c) "Part-FCL licence" means a licence issued in accordance with the EASA Aircrew Regulation or a JAR-compliant licence deemed to have been issued in accordance with the EASA Aircrew Regulation by a European Union Member State by virtue of article 4(1) thereof.
 - d) "JAR-compliant licence" has the same meaning as in article 2(4) of the EASA Aircrew Regulation;
 - e) "EASA aircraft" and "relevant overseas territory" have the same meanings as in article 255(1) of the Order;
 - f) "Chicago Convention" means the convention on international civil aviation which was, on 7 December 1944, signed on behalf of the government of the United Kingdom at the International Civil Aviation Conference held in Chicago.
- 8) This validation supersedes Official Record Series 4 No. 998, which is revoked.
- 9) This validation has effect from the date it is signed until 8 April 2016, both dates inclusive, unless previously revoked.

C.J. Whittaker

for the Civil Aviation Authority

17 March 2015

Explanatory Note:

Prior to the coming into force of the European Aircrew Regulation, Article 62 of the Air Navigation Order provided a general validation to third country licence holders to allow them to act as pilot of UK-registered aircraft within the restrictions set out above. When EU legislation came into force, the Order was amended to grant this validation only in respect of flights in "non-EASA" aircraft - because EU legislation applies to pilots flying EASA aircraft. However, the UK has applied the derogation of Article 12(4) of the Aircrew Regulation so that the licence validation requirements of that Regulation shall not apply to private flights of aircraft registered in the United Kingdom until 8 April 2016. This general validation reinstates the national validation of foreign licences for EASA aircraft registered in the United Kingdom until the EU rules apply.
