

Miscellaneous

No: 1112

Air Navigation Order 2009

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General Exemption E 4054

Aerial Work Flying Training in Jointly Owned Aircraft with a National Permit to Fly

- 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 aircraft described in paragraph 2 from the prohibition in Article 23(1) of the Order that it must not fly for the purpose of aerial work, subject to the conditions in paragraph 3.

Note: The prohibition does not apply to aerial work which consists of flights for the purpose of flying displays, associated practice, test and positioning flights or the exhibition or demonstration of the aircraft but that is not relevant to this exemption.

- 2) This exemption applies to any aircraft with a valid UK national permit to fly, other than ex-military aircraft.
- 3) a) The aircraft must be jointly owned in accordance with Article 269 (2) of the Order.
b) The purpose of the flight must be flying training.
c) The person receiving the flying training must be one of the joint owners.
d) The person receiving the flying training must hold an appropriate licence which entitles them to act as pilot in command on the flight.
e) The aircraft must be owned by, operated by or operated under arrangements entered into by a flying club of which both the person receiving the flying training and the person giving the flying training are members.
- 4) In this exemption -
- a) "Ex-military aircraft" means aircraft that have been in the service of military forces except for any such aircraft which is -
- (i) of a type for which a design standard has been adopted by the European Aviation Safety Agency;
 - (ii) of a type for which a design standard has been "Type Certificated" by the CAA and is now issued with a national permit to fly; or
 - (iii) a microlight that has been "Type Approved" by the CAA, and is now issued with a national permit to fly.

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- b) "Type Certificated" means an aircraft that conforms to a type that has been certified to an international civil standard, previously being eligible for the issue of an ICAO Certificate of Airworthiness, but that is now issued with a UK permit to fly.
 - c) "Type Approved microlight" means an aeroplane conforming to the definition included in Article 255 of the Air Navigation Order 2009 and which has been designed in accordance with agreed National Standards, BCAR Section S or equivalent.
 - d) Flying training excludes instruction in flying given for the purpose of becoming qualified for the grant of a pilot's licence or the inclusion or variation of any rating or qualification in a pilot's licence.
- 5) This exemption supersedes Official Record Series 4 No. 972, which is revoked.
- 6) This exemption has effect from the date it is signed until 31 December 2016, both dates inclusive, unless previously revoked.

M Charlwood
for the Civil Aviation Authority

22 May 2015

Explanatory Note:

1. This exemption applies only to aircraft which are both jointly owned and in a club environment. Article 259(3) defines a club environment as meaning where an aircraft owned by, operated by or operated under arrangements entered into by a flying club of which the person giving the instruction or conducting the test and the person receiving the instruction or undergoing the test are both members.
2. This exemption does not include military types that have not been the subject of civil Type Certification such as Spitfire and Jet Provost aircraft.
3. This exemption enables a joint owner with a valid licence to receive flying training. This is defined as excluding instruction for the purposes of obtaining a licence or rating. It is aimed at allowing a qualified pilot to receive refresher training or help with particular skills such as short field landings, difference training, recency training or revalidation training.
 - a) Difference Training - Conversion to a particular aircraft type: For example when learning how to fly an aircraft with a tail wheel when the pilot's experience has only been on tricycle configuration.
 - b) Recency training: For a pilot who has not flown for some time and prefers to take some instructional time before flying solo.
 - c) Revalidation training: For a pilot who is required to fly with an instructor to revalidate a NPPL Microlight Class Rating by regulation (one hour of flight training in a two-year rating validity period) or following the lapse of a rating.